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Intelligence

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Executive summary

In the last 20 years; the notion that intelligence-led policing (ILP) can solve many of policing's ills, has taken firm hold around the world. Founded on sound business principles, ILP has been endorsed by nation states and by international agencies, which also have developed and promulgated standardized ILP models, systems, and processes. The rhetoric suggests that ILP may deliver leaner, more focused, more professional, policing services when it is used appropriately. On one level, ILP makes perfect sense but the empirical base for meaningful assessment of its worth, is weak. A deeper analysis of its utility is necessary; for three reasons. First, the use of some ILP methods can lead to significant expansion in the use of what formerly were considered 'extraordinary' policing methods; that has significant implications for organizational cultures and dynamics. Second, the use of some ILP methods (such as; surveillance, communications interception, or the deployment of informers) challenges normative expectations of public policing and may threaten citizens' rights. Third, that staffs who use - or plan the use of - these methods need levels of technical proficiency, experience and soft skills that can be in short supply in public policing. Naturally, policies that seem to promise more can be done with less, have universal appeal. Even if ILP may not provide policing with a silver bullet, it may nevertheless have value and merit the support it has received but the hidden costs of its use (in terms of police/ community relations and institutional legitimacy) should give those same

policymakers and managers, pause for thought before embarking on the change programme that ILP demands.

Introduction

In one sense, there is nothing very novel about using intelligence to inform policing but the idea that it can make a strategic difference; that it can deliver more effective and efficient (particularly cost-efficient) services, emerged in the 1990s as new policies, rooted in the quasi-theory of managerialism (which promised to revolutionize public policing) came to the fore. Intelligence-led policing (ILP) - as these policies came to be labelled - quickly gained traction across the Western world and now seems to be regarded universally as one of the best ways of doing policing.

We argue that the 9/11 attacks represented a tipping point in the acceptance of ILP's virtues. The attacks on the USA on September 11th, 2001, seem to have convinced policymakers around the world that the future of law enforcement lay in intelligence-led rather than in problem-led policing strategies. Notably, we see that in the aftermath of those terrible events, the idea that law enforcement and security organizations *could* and *should* use intelligence to do more with less seemed to give way to the realization that they *must*. A series of high-profile 'intelligence failures' since; only confirmed (a) the challenge that nations face in maintaining security and safeguarding citizens and (b) the need for thoroughgoing reform of systems and processes that were sub-optimal in the information age.

Governmental responses to these events largely has been uniform. The UK and US governments have adopted national intelligence models. The European Union (EU) declared intelligence to be one of the major elements in its policing mandate, and advanced economies such as: Canada; Australia; and New Zealand have taken special measures to strengthen their intelligence work. Iceland established the National Security Unit, which collects and analyses information, and conducts the kinds of risk and threat assessments that typically are central to intelligence practice in the other nations mentioned here.

These are significant developments in their own right for those nations but are they necessary and can they, as some have claimed, also be understood as part of an international movement towards the homogenization of policing? Thus, primarily, the aims of this article are to discuss the basis for these policy developments; and to posit their relevance to policing generally and, specifically, to policing in Iceland. As the reader will see, the shortage of empirical evidence for ILP's merits means that any support for it should be qualified. Advocates may point to the irrefutable logic of intelligence-led action but we will argue that the endorsement of ILP remains, as much as anything, an act of faith. Readers are left to assess for themselves whether the strategies that have found favour elsewhere, have value in the Icelandic context.

Why Intelligence-Led Policing?

In recent years, authorities in many developed countries seem to have acknowledged the need for more efficient and effective policing to combat increasingly diverse threats; not least, those presented by organized crime and terrorism. Managerialism, in this context, the idea that intelligence-based decision-making facilitates more rational and more cost-effective allocation of resources was probably the most significant factor in the emergence of ILP but there also are other reasons for its growth. These are summarized in Table 1.

Table 1: Factors contributing to the growth of police intelligence work

Factor	Discussion
Ineffectiveness of reactive policing	Despite increased investigative technology and increased investment in personnel in the mid-1980s, there was a perception of lack of effectiveness of reactive policing to reduce crime rates
Limitations of interviews and confessions	With increased demands upon the police and burden of proof, police cannot rely on uncorroborated confessions today
Technological advancements	Technology available to police for proactive policing has advanced significantly
Raised focus on serious and organized crime	Response needed to be given to developments and increased sophistication by criminals

ILP Evaluation

Jerry Ratcliffe, a leading authority on the subject, has argued that an ILP strategy is worthy of the name, only if three components are present. Those are: (i) interpret, (ii) influence, and (iii) impact.[22] He termed this the *3i model* of ILP. Those elements are described in Table 2.

Table 2: The 3i Model

Interpret	Intelligence staff and analysts must have the capability and capacity to interpret the criminal environment in its widest sense, to enable maximizing intervention possibilities and for standards for analysis of results and evaluation
Influence	Intelligence personnel must have the capacity and capability to influence decision-makers about use of resources and interventions
Impact	Decision-makers must have the abilities and devotion to have a positive impact on the whole criminal scene

Police intelligence work

Normatively, governments have embraced new information and communications technologies and devoted more resources to the exploitation of criminal intelligence.[6] In some cases, this has been accompanied by significant structural change. In 2007, Iceland established the National Security Unit. The unit has the overall responsibility for collecting, processing, analyzing, and sharing information in the security domain. It also undertakes hazard, risk and threat assessments. We can see from these developments that the idea that intelligence should drive action, traditionally a central tenet of the work of security and intelligence agencies, is now being embraced by national authorities as a new way of focusing public policing.

The fundamentals of intelligence work are well explained in the security and intelligence literature. We draw upon that literature to explain some of the phenomena that typically are present in national intelligence systems. Those are: the intelligence cycle; levels of intelligence;

intelligence disciplines; and analysis. We assess these in the context of a typical intelligence structure and illustrate their use in action through an examination of the UKNIM.

The Intelligence Cycle

All standard intelligence practice is said to be underpinned by the *intelligence cycle.* The cycle is a useful heuristic device that can help people to process information, to make judgments, and to recommend action. There are many variations on the standard model; Figure 1 is a typical representation.

As the reader can see, the cycle begins at 12 o'clock with Direction when a decision is made to commission a piece of research. It then continues sequentially in a clockwise direction to Dissemination, which may be both an end in itself (delivery of a research report to the decision-maker or as a contribution to an intelligence product) and a means to an end (the work influences the decision-maker to make a decision or to commission more research and thus the cycle begins again).

Figure 1: The Intelligence Cycle

Intelligence disciplines

Intelligence sources are commonly categorized into different disciplines. Four discrete disciplines are considered the most significant for law enforcement agencies. These are: human intelligence (HUMINT) - all information obtained from human sources.[16] Signals intelligence (SIGINT) - the information authorities obtain by intercepting communications between people.[16] Open Source intelligence (OSINT) - information retrieved from sources open to the public without restriction (This includes the sub-group of intelligence stemming from social media, such as Facebook, Twitter, and Tinder, which has come to be known as SOCMINT).[12,16] Lastly, FININT - financial information.[12]

Intelligence Analysis

In the policing context, the analysis of intelligence has been described as 'the translation of raw information into operationally viable intelligence';[18] or as a means of 'providing insights that can drive or support law enforcement investigations, operations and strategy, as well as influencing government policy and decisions'.[19] The emphasis is on prediction; on targeting offenders to prevent them carrying through with schemes or on developing plans to reduce crime; often by proactively reshaping the physical or social environments. Police analysts should first seek to identify:

- existing knowledge;
- the data needed to fill in the intelligence gaps, and where it can be found;
- how that data can be obtained; and
- the inferences that can be made from it.[12]

Analysts generate intelligence products such as: strategic and tactical assessments; subject profiles; and problem profiles that inform decision-making by police managers. Only very rarely do analysts make decisions on operational policing matters. Fundamentally, strategic analysis is about using probabilistic thinking skills to discover the meaning of data that often are incomplete and conflicting, and to use that knowledge to support decision-making or to provide early warning of threats. Tactical analysis usually is more granular; the analyst assesses the environment and the individuals and groups operating within it, in much finer detail.

Optimal intelligence unit

We explained earlier that, intelligence policies, structures and processes, largely have developed in a uniform fashion since the 1990s. In 2006, many of those developments were captured by the United Nations' Office on Drugs and Crime (UNODC) in its report, *Police Information and Intelligence Systems*.[23] The most significant points highlighted in the document are discussed here.

Foundations

At the very least, there should be an organized and structured approach to exploit crime statistics to guide action.[23] Next, a national criminal intelligence strategy should be in place. It is important to note that police intelligence units can work on a national level or on a regional level. Preferably a country will have both.[23] The analysis of intelligence is key to the value of the intelligence. Thus, there has be criteria for that analysts must meet.[23] There also must be a good information management system in place. There should be a system in use (usually computer-based) to organize and store the data and due to the sensitive nature of police intelligence work, applicants should be subject to high level vetting.[23]

Legal and Ethical Considerations

Police intelligence work must always comply with human rights principles. All actions must be proportionate, lawful, authorized and necessary (PLAN).[10] In Iceland, compliance with human rights legislation is guaranteed by the European Convention on Human Rights (ECHR), which was legally enacted in Iceland in 1994 (Act on ECHR, no. 62/1994). Although many of ECHR's articles are relevant to police intelligence work, it is article 8 (the right to respect for private and family life) that perhaps is the most significant because the methods used by intelligence practitioners have the potential to intrude into privacy to a greater extent than any other that routinely are used by the police.

Ideally, human rights principals should also be reflected in national legislation. That should protect human rights and set boundaries for the police but at the same time ensure that practitioners have the necessary authority to meet the expectations of stakeholders and communities. In other words, they need to have the tools and the support to do their jobs.[23] In Iceland, that legislation can be found in the Criminal Procedure Act no. 88/2008 and specifically in the Regulation on Specific Methods and Operations in Criminal Investigation no. 516/2011. The latter regulates the collection of intelligence, the conditions that make collection lawful, and

the ways in which police can operate when collecting intelligence from different sources (including the use of informants, undercover work, decoys, and directed surveillance).

Intelligence units

Optimally, an intelligence unit will contain specialists in the collection and analysis of intelligence who can exploit all the intelligence sources available to them; record all information, collate it and disseminate it. In other words, a unit's work will be underpinned by the intelligence cycle. Additionally, the unit should form partnerships with relevant agencies and prioritize mutual data-sharing.

UK National Intelligence Model

Notably, the UK was the first country to establish a national intelligence system for policing. Introduced in 2000, the UKNIM outlines basic principles for intelligence work and sets minimum standards for data management.[21] In one sense, the NIM can be seen as the template for the systems that have followed but it must also be acknowledged that as each is underpinned by the intelligence cycle, it follows that the core functions and processes inevitably will mirror each other even if there may be some local variation.

Perhaps one of the strengths of the UKNIM is its description of analytical techniques, basic operating structures, and intelligence products. This guides police intelligence workers and helps ensure consistency in practice and outputs.[12] The model describes nine standard analytical techniques. Two are used more than the others: crime pattern analysis is used to identify patterns and trends in offending; social network analysis identifies and describes the relationships between offenders and their communities.

Intelligence analysts generate four standard intelligence products to aid decision-makers. These are the: strategic assessment, which provides an overview of long-term issues and informs strategy making and prioritization; tactical assessment, which establishes short-term problems in need of attention; (target) subject profiles, which provide a greater understanding of suspects / other persons of interest; and problem profiles, which provide better understanding of problems in policing, for example crime series or hotspots.[21]

Discussion & Conclusion

We stress the positives of ILP. For many, it represents a smarter form of policing that energizes staff and demonstrates to stakeholders and communities, the institution's ability to fuse technological, organizational, and human skills to transform practice. We can see from the foregoing analysis that ILP is founded on a set of sound principles (contained in the intelligence cycle). It seems to rely upon uniform structures and processes that encourage conformity and standardization; in the vernacular, that ensure that everyone is singing from the same hymn sheet. Normatively, that is seen as a positive in organizations. Particularly, those committed to security and safeguarding.

However, we also must acknowledge that there are negatives. Researchers are constantly working on testing ILP but there remains limited empirical evidence of its effectiveness. It has been argued that there is no way of measuring intelligence performance, which often amounts to trying to prove a negative (Gentry, 2010). We argue that the police institution's faith in the merits of ILP is culturally and organizationally consistent but that some agencies seem to under-appreciate its threat to long-established legal and ethical norms. Some trends in those developments can be discerned.

The professionalization of police intelligence practice, which has been accompanied by a formalization of multi-agency law enforcement intelligence-cooperation, the internationalization of cooperation, and a significant expansion in the use of what formerly were considered 'extraordinary' policing methods has significant implications for legislators, for policymakers, and for international law. That does not appear to have been acknowledged in a sufficiently meaningful way.

Often relying on covert methodologies, the application of ILP has significant implications for privacy and for citizens' rights. Applying those kinds of techniques tests the capacities and capabilities of staffs who employ them. They need technical proficiency but also the experience and emotional intelligence (the two often go hand-in-hand) to make the right decisions about the proportionality, subsidiarity, and necessity of their plans. That means that the selection and training of analysts and other intelligence staff are absolutely critical.

Given the centrality of analysis to the intelligence process, it is unlikely that ILP can succeed (by any objective measure) without (i) skilled analysts to make sense of the intelligence that is collected to identify priorities and (ii) an operational reserve ready to be deployed against the crime trends and other policing problems identified as priorities through analysis; one is important as the other and both are essential if ILP strategies are to have any chance of success. We have explained some of the fundamentals of intelligence practice. We have highlighted that from its earliest beginnings in the UK, ILP seems to have become a global movement. We recognize that some in Iceland also are persuaded of its merits. The 'common- sense' case for ILP is strong. However, we also have highlighted that the empirical evidence for ILP is weak. We propose that any plan for the adoption, or further adoption, of ILP methods in Iceland includes a proposal for a results analysis as a significant element in the plan. In this way, the Icelandic police service can more quickly understand ILP's pros and cons and the data generated and in that way can support the case for the expansion of ILP worldwide.

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