

## **Fighting Organized and Transnational Organized Crime in Canada**

Ian Roberge, PhD

Assistant Professor

Department of Political Science – Glendon College, York Hall 341

2275 Bayview Avenue, Toronto, Ontario (Canada) M4N 3M6

Tel.: 416-736-2100 ext. 88284

iroberge@gl.yorku.ca

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### **Abstract**

Organized and transnational organized crime has become a prominent political issue in Canada, as elsewhere. The topic is understudied in Canadian political science, in part because of the inherent difficulties of research. The paper begins a reflection on the politics of organized and transnational organized crime in Canada. How has the Canadian government responded to the threat of organized and transnational organized crime? We suggest that Canadian policies have been dictated by political considerations, often in response to particular crisis. Policies also respond to international pressures. As such, there remain concerns about the comprehensiveness and the effectiveness of Canadian policy in this field.

(Please do not quote without author's permission)

## **Fighting Organized and Transnational Organized Crime in Canada<sup>1</sup>**

There are a number of non-state threats to the state, ranging from organized and transnational organized crime, to terrorism, to the potential for mass migration, etc. The paper focuses specifically on organized and transnational organized crime in Canada.

There is difficulty in defining organized and transnational organized crime. Albanese identifies eleven essential elements of organized criminal organizations: hierarchy, profit through crime, use of force or threat, corruption, public demand for services, monopoly over particular markets, restricted membership, non-ideological, specialization, code of secrecy, and extensive planning (Albanese 2004, p. 9). Transnational organized crime is, to put it simply, an extension of organized crime. Few criminal groups operate strictly at a local, regional or national level. Williams refers to transnational organized crime as, “criminal business that, in one way or another, crosses national borders. The border crossing can involve the perpetrators, their illicit products, people (either illegal migrants or women and children being trafficked illegally), their profits or digital signals (a virtual border crossing) (2002, p. 164). Motive is assumed to be profit, though it is not always clearly stated. Gayraud suggests that money is only a tool used by criminal organizations for stature and power (2008). There are drawbacks and underlying assumptions pertaining to the very concept of organized and transnational organized crime, many of which are discussed below. Despite the criticism, organized and transnational organized crime is a prominent issue on the political agenda of states worldwide.

Scholars of Canadian politics have not yet paid sufficient attention to the issue of organized and transnational organized crime. The topic is addressed in sociology, criminology, economics, law and history. When addressed, it is usually from an international relations perspective. The popular press has certainly addressed the issue of organized and transnational organized crime. Most recently, Stephen Schneider published a comprehensive history of organized criminality in Canada (2009). The paper begins a reflection on the politics of organized and transnational organized crime in Canada.

Canada, it is often assumed, has been and continues to be, a safe-haven for criminals and their profits. The threat, above and beyond the sensational, is not necessarily clear. Canada is certainly not immune to organized and transnational organized crime. The extent to which the activities of criminal organizations pose a concrete danger to peace, order and good government, to use well-know terms, is open to debate. How has the Canadian government responded to the threat of organized and transnational organized crime? We suggest that Canadian policies have been dictated by political considerations, often in response to particular crisis. Policies also respond to international pressures. As such, there remain concerns about the comprehensiveness and the effectiveness of Canadian policy in this field.

The paper is divided in the following way. First, the literature on organized and transnational organized crime is reviewed, so as to identify key practical and theoretical challenges. Second, the paper traces the recent evolution of Canadian policy in this

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particular area. It presents a broad picture of the state of organized and transnational organized crime in the country, and the government's public policy response. The final section returns to the broad themes addressed in the paper.

### **Organized and Transnational Organized Crime**

Public policy issues are increasingly complex. They are interconnected and often stretch from the local to the global. Organized and transnational organized crime is a very good example of the intractability of certain policy issues. It poses a number of serious practical and theoretical problems for governments, and for researchers interested in the topic. This section highlights the following: the international, the political, the organizational, the social and cultural, and the methodological.

#### *The International*

Organized and transnational organized crime, by its very nature, now transcends political border. The only truly global industry, some would argue, is that of crime. Naím, for instance, speaks about the 'five wars of globalization', the trade in illicit drugs, in arms, in intellectual property, in people, and money laundering (2003).

The transnationalization of crime is proving to be a real problem for governments. The difficulty lies in that states perceive of the problem differently, may not be willing or able to work together, and are often bound by domestic judicial systems and legacies. There is also a resource issue since not all states have the same financial and logistic capabilities in terms of addressing the threat. Though the argument is not pursued further, developing states face distinct challenges when dealing with organized and transnational organized crime. The more disorganized the political apparatus, the more susceptible the country is to crime and corruption.

The international community has elaborated a multi-layered regime to deal with organized and transnational organized crime from a political, security and economic (money laundering) perspective. The Convention on Transnational Organized Crime of the United Nations, generally referred to as the Palermo Convention, was signed in 2000. The objective of the Convention, above and beyond the actual terms, is to facilitate cooperation and collaboration across states, the biggest roadblock to effectively combating organized and transnational organized crime (Betti 2003). There are hundreds of international and regional organizations, and agreements, dedicated to tackling organized criminality. Such organizations and agreements are often aimed at issues more narrowly defined. There is, for instance, an elaborate regime to deal with the drug trade (Fazey 2007). There are many regional initiatives, for instance in Europe, that also address organized and transnational organized crime. There are also many private or not-for-profit organizations that share an interest in the issue.

The United States' influence on Canada as it pertains to organized and transnational organized crime should be noted. Organized and transnational organized crime has been driven on the international political agenda by the United States. Andreas and Nadelman suggest, in fact, that the international approach to the problem tends to reflect American

priorities (2006). The fight against organized and transnational organized crime preceded and in many ways led to the 'war on terror' (Huq and Muller, 2008). The strong discourse of American officials is often taken up by Canadian officials. Lennox argues that the events of 11 September 2001 has led to a further securitization of the Canadian state (2007). The most important issue between the two countries is that of border security. The 'not so unguarded border' still allows for a great deal of illicit traffic. The illegal trade in drugs, arms, trafficking in human beings, etc. goes both ways. Law enforcement on both sides of the border needs to cooperate to curtail the operations of organized and transnational organized crime.

### *The Political*

The security of the state and of its citizen is of foremost priority for any government. Political considerations, however, have the potential to impede the fight against organized and transnational organized crime. Beare, in fact, suggests that measures in this field are too often taken for political ends (2003). We highlight two important sets of political considerations below.

The first and most important political consideration is that of legitimacy. Governments must appear legitimate, free of undue influences. The very appearance of corruption has the potential to destabilize political authority. Particular scrutiny needs to be paid to law enforcement agencies since they are on the frontline of the battle. The gaps by which infiltration can take place are numerous. We could provide many examples, but, for the moment one will suffice. Ports and airports fall under the jurisdiction of the federal government in Canada. They are entry points both for goods and people. There are also well-documented cases of organized crime, especially bikers, infiltration relating to ports and airports (Sher and Marsden 2005). The infiltration facilitates the free flow of drugs into Canada. Strangely enough, this is one area where the government has failed to act (Canada 2009; Canada 2007).

Second, the fight against organized and transnational organized crime makes for good populist rhetoric and electoral politics. Governments tend to insist on the evils of the drug trade. They must, however, strike a balance. Public authorities must play up the rhetoric while giving the impression that they are in control of the situation. They must provide law enforcement agencies with the resources and the tools to do their job, while keeping a tight lid on a budget that could be made to continually increase with no end in sight. Law enforcement agencies have an incentive to play the 'threat card' in order to obtain budget increases, though they also have to show results. The 'war on drugs', just like the 'war on terror', cannot be won outright. Yet, governments must give the impression that they are pro-active in this policy field.

Governments must strike a balance, but the discourse of officials is also of interest. Woodiwiss (2003), for instance, notes that governments have often defined organized crime as something outside of society, beyond the realm of the normal and acceptable. He suggests that organized and transnational organized crime is, in fact, ingrained in society. Though his analysis focuses on the United States, Canadians often think of the threat as being, at the very least, foreign-based, from the Italian or Russian mafia, to street gangs

of Latino or Asian origin. The Hell's Angels, of course, though well implanted in Québec and across the country originates from California.

### *The Organizational*

There are important organizational challenges for governments when facing organized and transnational organized crime.

Governments face a fluid threat, while they themselves are rather rigid. There are, thus, issues of structure and resources. The bureaucratic-hierarchic model is a standard feature of modern government. Bureaucracies tend to be inflexible and not particularly nimble. The need to follow clear rules of procedures and to respect rights and freedoms is very important in a democratic society. Hierarchies, it should be noted, have clear advantages. They encourage coherence and accountability. The argument has often been made that governments need to adopt more of a network-based approach to the governance of organized and transnational organized crime. Criminal groups themselves, it is argued, are now less hierarchic and more module-like. Criminal activities require confidence among partners so as to ensure sound business practices. The larger the enterprise, the more difficult it is to keep the activities secret. Organized and transnational organized crime may, thus, be more decentralized reflecting as some have suggested "dark networks" (Raab and Milward 2003). Network governance can facilitate adjustments to a fast-changing landscape, though the real value of the approach has been contested by some who see it as rather ineffective (Dupont 2005).

The debate between hierarchy and network can also be understood through the lens of how best to organize horizontal management of a difficult file that crosses departmental boundaries. There are in Canada a vast number of actors involved in combating organized criminality. The Royal Canadian Mounted Police (RCMP), the Department of Justice, the Department of Finance, the Criminal Intelligence Service of Canada (CISC), the Canadian Security Intelligence Service (CSIS) and the Communications Security Establishment, FINTRAC (Canada's financial intelligence unit), the Canada Revenue Agency, the Canada Border Services Agency (CBSA) and Immigration Canada are all partners in fighting organized crime. There are also provincial and municipal actors, including police forces that are all involved in countering organized and transnational organized crime. The complex arrangements undoubtedly pose problems of resource allocations, gaps, duplications, and overlaps.

### *The Social and Cultural*

The crimes committed by organized and transnational organized crime are not victimless. The activities of such groups may even threaten national security. Criminal groups prey on societies most vulnerable through the drug trade, gambling, prostitution, etc. Threats, intimidation and the potential for violence mean that there are any numbers of people living in fear. There is little patience in the population for organized and transnational organized crime, especially when operations become public and when violence erupts. When civilians end up in the crossfire, the public outcry is immediate. The Québec public, despite some fascination with bikers, reacted with a great deal of vehemence to the bikers' war of the late 1990s. Violence between street gangs, in Toronto and

Vancouver, draws a lot of public attention. The public wants governments and law officers to do more, and tends to support stricter measures and punishment against organized and transnational organized crime. The industry lives on money, greed and power. It draws little sympathy.

There is general agreement that which is illegal is only so as a result of the laws of the state. Organized and transnational organized crime, just like any other business, offers products and services for which there is a market. Van Duyne and Levi (2005) note that the counter-culture of the 1960s helped legitimize the use of recreational drugs, and that the creation of a middle-class with available income for leisure has opened up markets for illicit products. The illicit drug industry targets a broad cross-section of society. Certain products and practices, though they may closely be associated with organized and transnational organized crime, come to be viewed by segments of society as legitimate such as the use of certain recreational drugs, gambling (which can take place in a legal casino, online in a gray legal zone, or though the black market with, for instance, a bookie), contraband alcohol and tobacco, etc. The norms of Canadian society have generally evolved to accept the fact that though certain activities are not legal, they may not be sufficiently nefarious to warrant the use of authoritative enforcement methods.

The approach of most governments to organized and transnational organized crime is often on the supply-side of the equation, and few resources are used to tackle the issue of the demand for illegal products and services. There are instances where the demand for illegal products and services can be curtailed, through targeted policies and campaigns. The different publicity campaigns to reduce the use of tobacco have, for instance, had a positive impact in reducing the number of smokers in society. Different policies and strategies can be put in place to provide opportunities for at-risk youths, so that they not become suppliers or users of illicit products and services. The demand can be to a certain extent managed, though clearly it cannot be eliminated.

### *The Methodological*

Organized and transnational organized crime poses serious methodological issues for governments, researchers, and anyone else interested in this field. The methodological issues make it difficult to create reliable and valid information pertaining to organized and transnational organized crime. Without proper information, it is difficult to assess governmental policy and to hold authorities to account. The problems are numerous. Two of the most important are sketched below.

First and foremost, the process of research and data gathering poses important challenges. Organized and transnational organized crime is by its very nature illicit and secret. There are few entry points. Nordstrom (2007) may provide one of the very best attempts at 'infiltration'. She personally follows the links best she can from contraband cigarettes in Africa to the global networks of organized crime. Nordstrom acts as an observer, forcing the reader to rely on her for context and analysis. Another option is that of interviews. Desroches (2005) interviews drug traffickers that have been caught and are in Canadian jails. Though the book provides a lot of information on the drug trade and the psychology of criminals, the insights are limited by the fact that it relies on individuals that have been

caught and convicted. Desroches also indicates that he has not interviewed individuals that belong to a specific criminal organization. The popular press often relies on interviews and information provided by law enforcement officials. Mathers (2004), a former RCMP officer, provides analysis pertaining to money laundering in Canada. Such information needs to be critically assessed; it is often sensational in nature. Another option for the researcher is to rely on court documents. This is an important technique providing in-depth details about criminals and their operations. This is a resource-intensive strategy that equally suffers from the fact that it relies on the individuals that have been stopped by police. The researcher working in the area of organized and transnational organized crime will almost inevitably be on the outside looking in, with an understanding of the underworld that is often dependent on the interpretation of others.

Second, organized and transnational organized crime because of the secret nature of the trade does not easily lend itself to measurement. There are serious matters of reliability and validity regarding the data in this field. What is the size of the illicit economy? The answer to such a question depends on the conceptualization of the illicit economy; there will also be important jurisdictional differences. The number of arrests and conviction, potential indicators of effectiveness, can speak to the success of the police in attacking organized and transnational organized crime, or is only a reflection of the scope of the problem. What is the value of the drug trade? The drug trade is often assessed based on the street value of certain drugs, estimates at best. How much money is laundered in Canada? Globally? The IMF states that 2-5% of global GDP is laundered yearly, a number, rumor has it, that was simply scribbled at the back of a restaurant napkin. The RCMP estimates that \$5-27 billion are laundered yearly in Canada. FINTRAC, Canada's intelligence unit, notes that hundreds of millions of dollars are frozen each year to stop the laundering of the proceeds of crime. But, if there are billions and billions of dollars laundered yearly, what is the real impact of the Canadian policy? Statistics in this field are simply hard to use from a research perspective. This is an important problem in terms of determining the threat to a particular economy and country. Depending on the numbers used, the threat can clearly be inflated or minimized.

### *Conclusion*

There are practical and theoretical challenges to the study of organized and transnational organized crime. The challenges apply both to governments and to scholarship in the field. The conceptual problems with organized and transnational organized crime have led some to call for an end to the use of the expression (Favarel-Garrigues, 2002). Defiant, Shepticky titles a book chapter on the topic *Against Organized and Transnational Organized Crime* (2003).

Organized and transnational organized crime represents a real quagmire for governments. Action is generally believed to be necessary; inaction is not an option. The complexity of the subject matter renders the intervention difficult. The breadth and scope of the action is undetermined. The resources needed to counter the threat are enormous. Cooperation, domestically or internationally, in this policy field, as in most areas, is difficult. Success, whatever it means, is hard to come by, and when it does happen it may not be something that can be publicized. Failure is at times all too obvious.

The second part of the paper studies specifically Canadian policy against organized and transnational organized crime and how the federal government has attempted, if at all, to surmount the challenges that are here identified.

## **The Canadian Case**

For scholars and observers who believe that organized and transnational organized crime is a real issue, Canada is clearly not immune to the threat. From an international perspective, Canada may not be a prime target for transnational criminal groups, but it has, nonetheless, interesting features that make it an attractive locale for criminals. In particular, Canada's geography is of interest. Canada has access to the Pacific and the Atlantic and a long border with the United-States. Canadian policymakers have also made choices that make the country more attractive. Canada's judicial system is often said to be lenient, especially when compared to that of its Southern neighbor. Canada's immigration system has also come under fire for being somewhat lax when it comes to security issues (Collacott 2006). The RCMP faces many federal policing challenges. Canadian public policy in this field is reactive, both to domestic crisis and international pressures. This tendency is highlighted below.

### *Organized and transnational organized crime in Canada*

It is difficult to paint an honest picture of organized and transnational organized crime in Canada. The information provided by governmental sources usually aims to inform, or more to the point, convince the public of the threat. The information is sketchy, if not at times outright sensational.

CISC publishes a yearly report on the state of organized crime in Canada. The organization formed in 1970 represents close to 380 law enforcement agencies across the country. CISC's objective is to facilitate the production and exchange of information pertaining to organized criminality. The reports present the current situation from coast to coast focusing on the markets for illicit products. The 2008 CISC report states that there are about 900 organized crime groups in Canada, of which more than 400 are street gangs. The number suggests that organized crime is thriving in Canada. There are, however, important considerations to keep in mind when thinking of the threat, including the differing size of criminal organization and the extent to which they are in a position to infiltrate and destabilize societal institutions. CISC suggests that street gangs in particular tend to be quite violent, and though they can be quite dangerous, the threat of infiltration is rather low. Some organizations are much bigger and are bound to have many international connections. The number of organized criminal organizations in Canada, thus, must be contextualized.

The CISC reports point to areas of the country where criminal activity is more intense, though all regions of the country are affected. The dangers from organized and transnational organized crime in Canada revolve largely along transit points and routes. Criminal groups will set up shop where they can import and export illicit goods in and out of the country. As can be expected, thus, there are two major hot spots for organized



crime, Southern Ontario and the lower mainland in British Columbia. The two geographical areas are traditional entry-exit points in and out of the United States. Native reserves along the borders can also facilitate the crossing of illicit goods. As noted earlier in the paper, ports and airports are vulnerable points in the fight against organized and transnational organized crime. Thus, Vancouver, Halifax (ports), Montréal and Toronto are prime location for criminal groups in the country. There are clear signs of growth in the Prairie provinces, especially Alberta and Saskatchewan. The provinces have a growing market for illicit goods resulting from their sustained overall economic growth. CISC also makes clear that organized crime in Canada has moved from urban to rural areas and is no longer simply a Vancouver-Toronto-Montréal problem.

The largest market for illicit goods in Canada, according to the CISC, is for illegal drugs. Not surprisingly, all illicit drugs are traded in Canada. The issue of marijuana grow-ops in British Columbia and Québec has often been reported on in the news. There is also a market for financial crime, contraband tobacco, human smuggling and trafficking in persons, illicit firearms, intellectual property rights crime, and vehicle-related crime. Interestingly enough, the CISC reports do not really address the issues of gambling, online gambling and casinos. The CISC reports also usually contain a special section on a topic of interest, street gangs in 2006, arms smuggling a year later, and in the last report identity theft and identity fraud.

There has been, in particular, some research pertaining to financial crime, especially money laundering, in Canada (Beare and Schneider 2007). Schneider (2004) has studied RCMP money laundering files and he highlights the many ways by which money is cleansed. The sectors that are most affected are those of banking, insurance, motor vehicles and real estate. Money is most often laundered through a nominee, or criminals attempt to demonstrate that the gains made come from legitimate sources.

The portrait of organized and transnational organized crime presented, admittedly, is rather sketchy. The simple truth of the matter is that despite the discourse of organized and transnational organized crime, criminality often is decentralized and local. Many enter the criminal world for the lifestyle, parties-booze-women (Desroches 2005). The perception of organized and transnational organized crime in Canada versus the reality remains, in many ways, contestable.

#### *Canadian Public Policy towards Organized and Transnational Organized Crime*

The paper now turns to the specific policies of the Canadian government adopted over the course of recent years to tackle organized and transnational organized crime.

The criminal code underwent two major changes pertaining to organized and transnational organized crime since the late 1990s. The changes have been in direct reaction to, then, current news and events. In the midst of the Québec biker war, Bill C95 was adopted in just ten days in 1997. The legislation was the first to provide in law a definition of a criminal organization. The legislation required for a conviction that an individual belonged to a criminal organization and that the person commit an indictable offense. Bill C24 was adopted in 2001. It redefined the definition of a criminal

organization to include groups of three or more, whereas prior to a criminal organization had to have a minimum of five members. Just as importantly, Bill C24 now allowed the crown to prosecute for participation into the general activities of a criminal organization, without linking the individual to a specific offense (punishable by a maximum jail term of five years). The burden of proof was, thus, substantially reduced. The criminal code (467.1), as per the change, now defines a criminal organization as

a group, however organized that, is composed of three or more persons in or outside of Canada, and has one of its main purposes or main activities the facilitation or commission of one or more serious offences that, if committed, would likely result in the direct or indirect receipt of a material benefit, including a financial benefit, by the group or by any of the persons who constitute the group.

Bill C24 also had special provisions for the intimidation of journalists, elected representatives, and persons who play a role in the administration of justice. The legislation was responding to the attempted murder of journalist Michel Auger in September 2000. Finally, it is important to note that the current Conservative government has introduced to the House new criminal code amendments in February 2009, that would, among other things, make any murder connected with organized criminal activity, first degree murders irrespective of circumstances. The legislation seems to respond to recent gang violence.

Canadian federal and provincial governments have undertaken many initiatives to address the issue of organized and transnational organized crime, the most important of which is the National Agenda to Combat Organized Crime (Canada 2006). The strategy presented by the Deputy Ministers Steering Committee focuses on national and regional coordination, research and analysis, discussion of appropriate legislative and regulatory instruments, and public awareness and education. The National Coordinating Committee on Organized Crime (NCC) has been established as part of the Agenda to foster dialogue between policy makers and law enforcement across the country. The National Agenda in particular is to assist in facilitating coordination and collaboration to combat trafficking in illegal drugs, outlaw motorcycle gangs, economic crime, high-tech crime, money laundering, illegal migration, prostitution and trafficking in human beings. The Agenda also promotes research and analysis to better inform policymaking. To do so, it emphasizes the importance of collecting and analyzing data regarding the characteristics of criminal groups, the scale of their activities as well as their geographic distribution. The NCC has helped support the development of the Uniform Crime Reporting Survey which “now includes new variable on organized crime, including street gangs, hate-motivated crime, cybercrime and geo-coding” (Baird and Thai 2007). There have been a number of legal and regulatory adjustments made across the country as a result of the work of the NCC. Of interest, the Uniform Law Conference of Canada established legislation giving police officers status across different provincial jurisdictions.

The Department of Finance has also led the National Initiative to Combat Money Laundering (Canada 2004). Canada’s anti-money laundering effort was the result of strong international pressure. The Financial Action Task Force (FATF) is the main international organization in this policy field. The FATF’s first peer-evaluation of Canada

was scathing, most importantly noting the country's underdeveloped reporting regime (FATF 1997-1998). The United States and Great Britain, which according to some report wanted Canada thrown out of the FATF even though Canada was one of the founding members, also pushed Canada to adopt a more stringent anti-money laundering system (Robinson 2003). The main objective of the Initiative is to monitor, detect and report suspicious financial transactions and large amounts of cross-border currency transfers as well as to facilitate the investigation and prosecution of money laundering and terrorist financing offences. To achieve these objectives, the government created FINTRAC, the country's financial intelligence unit.

There are a number of other smaller programs and initiatives that address the issue of organized and transnational organized crime, such as the National Anti-Drug Strategy and the First Nations Organized Crime Initiative. The objective of the former is to reduce the trade in illicit drugs, to prevent use and to treat addiction. The latter Initiative promotes the sharing of intelligence and overall cooperation between the RCMP, First Nations police, as well as other Canadian and American law enforcement agencies. The objective is to disrupt organized crime in First Nations communities.

The RCMP clearly plays an important role in the fight against organized and transnational organized crime. The RCMP is a federal police force and, as such, is responsible for the investigation of organized and transnational criminal activities across the country. The RCMP established in the 1970s the concept of integrated policing. The approach centers on the idea of federal, municipal and provincial officers working together on different cases, allowing for shared information and for new resources to be allocated especially to narcotics enforcement (Ryan 2005).

The RCMP pursues a number of different initiatives. It established the Integrated National Security Enforcement Teams (INSETs), an ongoing initiative between CSIS and the CBSA. The main objective of the Initiative is to identify, prevent and investigate terrorist targets and apprehend those responsible for such activities. The RCMP, as well, set up in collaboration with the CBSA the Integrated Border Enforcement Teams (IBETs). The mandate of IBETs is to identify and investigate individuals or organizations involved in organized criminal activity in order to improve border security between Canada and the United States. The RCMP established the Integrated Market Enforcement Teams (IMETs). The mandate of IMETs is to identify, prevent and investigate capital markets fraud. Despite the potential strengths of the IMET approach (Sliter 2006), the ability to deliver on promises has been seriously questioned (Williams 2008).

Finally, and as noted on a few occasions, public authorities attempt to inform Canadians on how organized and transnational organized criminal activity can have an impact on their lives. The Public Safety Portal (Canada 2009a) draws attention to the multiple threats posed by organized and transnational organized crime.

### *Conclusion*

This section of the paper identified key programs of the federal government in confronting the threat of organized and transnational organized crime. We suggest that

the federal government has been reactive in this policy field, rather than pro-active. Amendments to the criminal code responded to the Québec biker war of the late 1990s. Major strategies and initiatives are relatively recent, and reflect current international concerns with organized criminality, and security broadly defined.

The paper has not yet touched upon the effectiveness of the Canadian approach. As mentioned in the first part of the paper, research and measurement in this policy field pose particular problems. The programs enumerated above are generally well-funded. The extent to which that money is well-spent is hard to know. The RCMP, provincial police forces, and even municipal police forces regularly run small and large operations to disrupt criminal organizations. The degree to which each operation makes a dent in the activities of organized criminal groups is always debatable. The effectiveness of the RCMP in particular is often questioned (Cooper 2006). Palango (2008) insists that the RCMP's investigative skills are quite limited, and that other police forces across the country have little respect for the abilities of their federal cousins. Through Project Sleipnir (Canada 2000), the RCMP put together a matrix by which it could assess the threat posed by organized and transnational organized crime in Canada. Doubts have been raised about the assumptions of the model (Shepticky 2003a). It is unclear if the matrix has been anything more than a theoretical exercise. At the very least, there are questions about the effectiveness of Canadian policies towards organized and transnational organized crime.

## **Analysis**

There are theoretical and practical challenges to comprehending and combating organized and transnational organized crime. The problems are further evidenced when thinking of the Canadian case. The first challenge stems from the fact that organized and transnational organized crime is by definition cross-border and, thus, requires interstate collaboration and coordination. Canada has actively participated in international forum where issues of transnational crime have been discussed. It has been noted in this paper that the Canadian response has clearly been, in some instances, in reaction to international pressures. Canada's anti-money laundering regime is the result of pressure from the FATF and other key states in the international regime.

Organized and transnational organized crime also raises political issues. Few would today doubt that gang violence is a hot political issue. Safety and security remains a concern for many Canadians, especially in light of potential dangers to innocent bystanders. The issue of cross-border drugs and arm flows between the United-States and Canada is inherently political.

The third issue identified relates to the appropriate organizational structure used to combat organized and transnational organized crime. The strategies and initiatives discussed in the second part of the paper highlight the complexity of the organizational structure. There are literally dozens of actors involved across levels of authority. There are clear attempts at coordination especially through the NCC. The RCMP through integrated policing also works alongside provincial and municipal police forces. There

are a number of issues that are raised by the organizational structure such as leadership, effectiveness, confidence between and across actors, and accountability. When this many actors are involved, there will be areas of duplication, overlap, potential gaps, and there is bound to be at times disagreement. The first Carcajou team set up in 1995 to investigate the Hell's Angels saw major conflict between the RCMP, the Sûreté du Québec and the Montréal police force (Sher and Marsden 2005). The issues were better managed in successive operations, though it is difficult to imagine that frustration outright disappeared.

The paper has identified a fourth issue, the social and the cultural. Though not necessarily addressed earlier when speaking to the Canadian case, the future of Insite, the safe injection site in Vancouver, comes under this rubric. Proponents see Insite as a safe way to respond to the needs of addicts. They believe Insite to be sound social public policy. Opponents see Insite as encouraging and fostering a drug culture. The clash demonstrates a certain ambivalence pertaining to the issue of drugs in Canadian society.

The last issue is methodological. Despite the plethora of reports on organized crime in Canada, there is clearly a lack of good solid research on the matter. The available information aims to raise awareness in the Canadian population, and to explain the threats and risks associated with organized criminal groups. The information remains rather superficial. The lack of solid information signifies that it is difficult to hold governments to account for the success or failure of policy. Do the strategies and agendas named in this paper work? The ultimate objective is to reduce the dangers emanating from organized and transnational organized crime in Canada. From a methodological standpoint, there are few good strategies to investigate the effectiveness of counter-crime policies. There does need to be, however, honest indicators of progress. Finally, the RCMP has gone through its fair share of scandals in recent years, which have certainly affected its credibility. To what extent is the RCMP doing a good job of federal policing? More work should be done on the structure of policing in Canada.

Organized and transnational organized crime is a prominent domestic and international issue. From a political science perspective, there is plenty of work to be done on the topic of organized and transnational organized crime in Canada. Public administration, public policy and Canadian politics scholars may all be interested in the complex management of a file requiring a great deal of vertical and horizontal coordination and collaboration. From the perspective of public policy, the uniqueness of the policy network should be of particular interest. There are important jurisdictional issues pertaining to the fight against organized and transnational organized crime. Canadian foreign policy scholars may be interested in Canada's participation in international forum. The links between the international pressure and Canadian public policy choices need to be more plainly drawn. Clearly, thus, there is ample room to establish a research program in political science on the issue of organized and transnational organized crime in Canada – a topic that is sure to remain relevant for a long time to come.

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