



*Innováció, elektronizáció,
tudásmenedzsment*

Tanulmánykötet

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Csaba, Zágón: Experiences and spread of risk analysis in the law enforcement

Preface

Risk analysis and its use in the law enforcement environment is frequently referred topic nowadays. I am going to explain some general concepts on risk analysis and respective methodologies, and to point out why its use is required in the law enforcement sector. These thoughts are the subjects of my previous presentation held under the same headline in a conference on ‘Innovation, Electronisation and Knowledge Management’³⁴.

Risk Definitions

Several risk definitions exist including general and specific ones corresponding to the law enforcement approaches. Instead of listing several definitions on an exhaustive manner I would rather conclude common elements of the risk concepts.

Condition 1

Risk has to be a random event that may possibly occur. This also means its probability has to be more than zero independently from the fact, whether such event has ever been occurred.

and

Condition 2

The scenario must lead to unfavourable occurrence, such as any kind of loss or damage. This also would have a negative impact on the organisation, or prevent from achieving its goals, or this could undermine security somehow.

David Vose, for instance, noted if the random event occurs a positive impact this may be considered as an opportunity instead of risk. [Vose, 2008:3]

³⁴ The conference was jointly organised by the National Tax and Customs Administration and the National University of Public Service. The event was held in the premises of Ludovika Campus, NUPS on the dates of 22-23 November 2017 and financed by the project of Padop-2.1.2-CCHOP-15-2016-00001 Public Service Development Establishing Good Governance.

Finite resources

Law enforcement agencies are often facing with shortages of their resources. Their tasks, assignments and the area of responsibility are continuously changing, very often increasing, but not as quick as their resources do.

Let us see, for instance, the chart below. The upper graph demonstrates the increasing criminality in the UK in a percentage of the value of the starting point. The lower graph, however; indicates how the law enforcement can follow this challenge by their capabilities. It is clear that their flexibility is changing much slower with their resources than the demand requires. The so-called demand gap is between the two graphs area. This is the main challenge that the law enforcement agencies have to compensate somehow. The trend was also proven in the USA with similar results. [Ratcliffe, 2008:18-20]

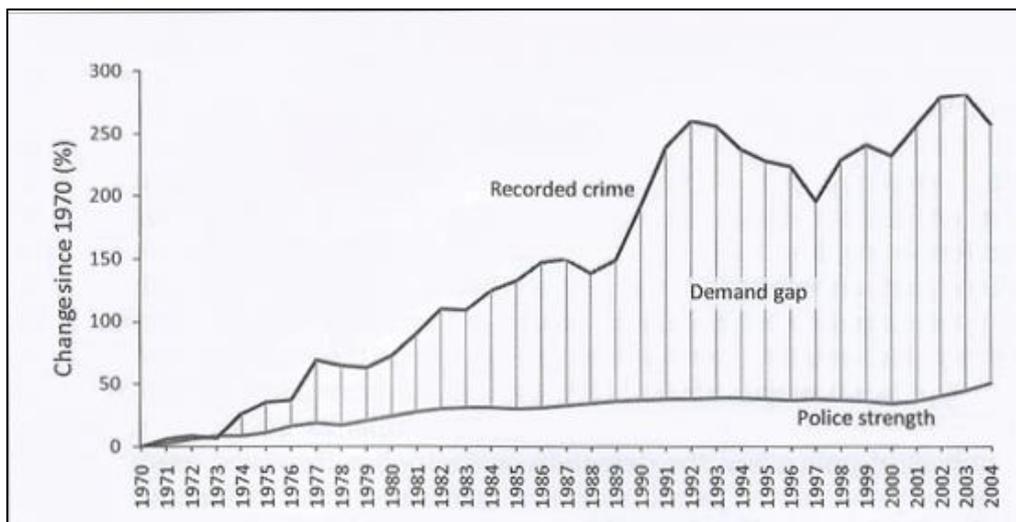


Figure 1: Limited resources and changing assignments of the law enforcement. Change in the UK police strength and recorded crime since 1970 (index year) showing the demand gap in resource availability [Ratcliffe, 2008:19]

Other researchers, such as Tim Newburn, have also analysed the crime trends and the expenditures that a state could spend on the police with the conclusion: crime trends were more dynamic than the increase of financing the police services. Moreover based on survey results he also emphasised that the increasing gap between the two phenomena may undermine the public confidence in the law enforcement. [Newburn, 1995:61-64] As the sum of assignments become greater and greater the police resources can this barely follow. However, this contradiction is however the primary area of risk analysis and management:

how to deploy limited resources and remain effective in problem solving. With other words, we need to use the best methodologies when answering the challenges.

Methods

The relationship between key terms of risk management has to be set before I can step forward. Risk management is composed of risk assessment, risk treatment, risk acceptance and risk communication. Risk assessment can be further divided into two parts. Risk analysis and risk evaluation. Risk analysis deals with identification of initiating event, cause and consequence analyses and risk description. Risk treatment; however, contains risk avoidance, risk optimisation, risk transfer and risk retention. [Aven, 2008:186]

I am focussing on a typical risk management now, that looks like a very complex procedure — at least if you look at the flowchart below you can feel like that. However it is not so complicated.

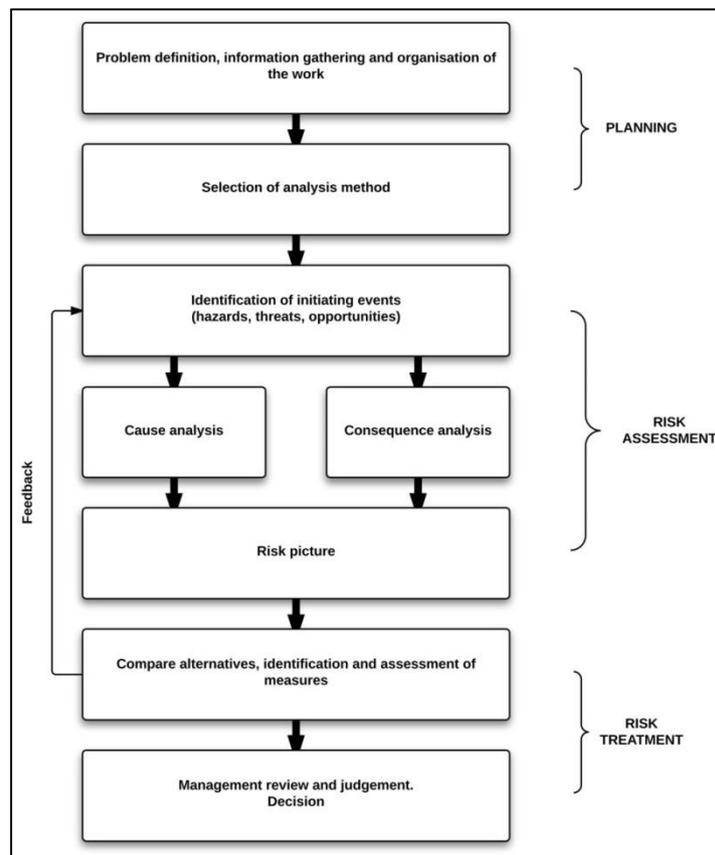


Figure 2: The main steps of risk analysis process [Terje, 2008:9]

1. The cyclic procedure always contain a planning phase;
2. The information gathering element is mandatory, where we try to learn about the risks as much as possible;

3. It is followed by an analysis element, where the noisy crowd of data becomes consumable and understandable messages that are disseminated with the decision-makers;
4. A central part of the process is the risk management phase, where we try to have an impact and reduce the problems arisen;
5. And there is also a feedback function, which is probably the most important from all of these, because it allows following the changes of the risk environment.

To the intelligence phase it is necessary to add that usually risk perception plays a key role. This reflects on how we do realise that our achievements are endangered by risks, and what the nature of these risks are. Risk analysis gives us some figures how serious the trouble is and it remains the management's responsibility how they can cope with the problems.

Certainly these risks, which are preventing to achieve our objectives, are diverse. There are always several risks; and each of them pose different volume of threat, and if the risk scenario happens some of them cause slight damages, and others will do much more serious ones. To demonstrate this I put here several risks labelled from A to J having indicated at each of them how much damage they can cause.

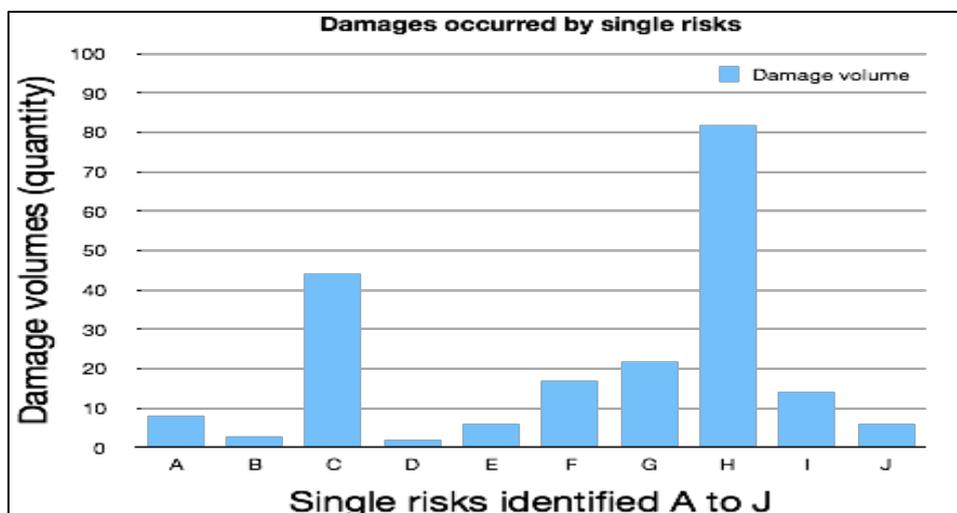


Figure 3: Versatility of risks and the damages they can occur [edited by the author]

Not simply the risk consequences are the only dimensions reflecting the risks. There is always a probability that indicates the chance if the scenario becomes true. Although the majority of the risks results consequences of low significance and these scenarios happen

quite very often. Luckily the major and catastrophic events in a well composed system remain very rear.

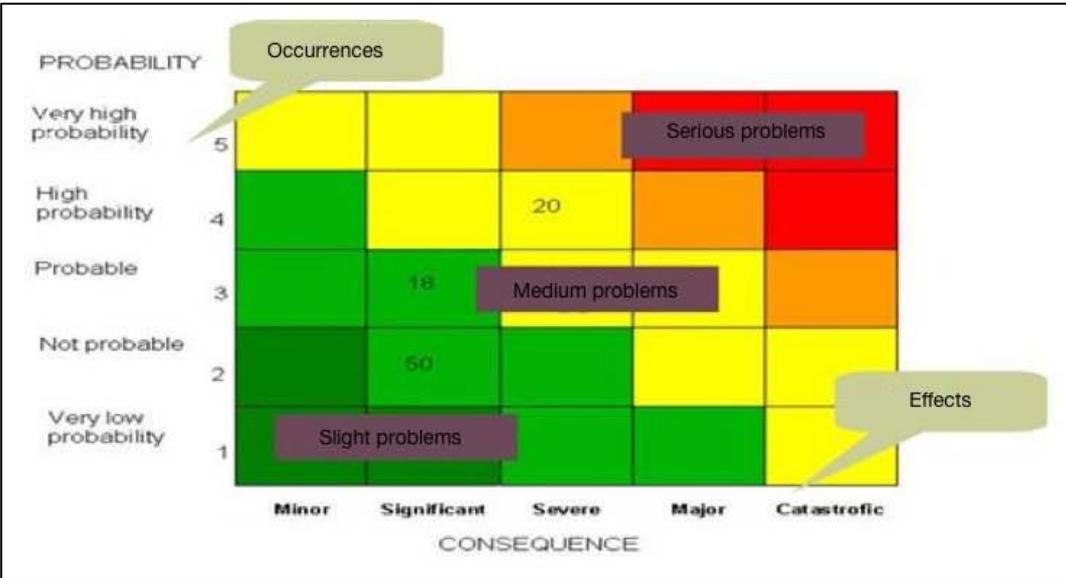


Figure 4: Consequences vs. risks probabilities
[edited by the author]

The above risk picture contains quality in the terms of consequences and probability; however, it is also possible to measure these dimensions. For instance the number of injuries or fatalities can provide a scale to the consequences just as the countable value of money in terms of economic losses. Probability may also be categorised and produced from the frequency of the events.

Strategic dilemmas

When we act as a responsible officer of the agency and our duty is to construct a risk management system it is almost sure that there will be facing several strategic dilemmas like these:

1. First of all what should we protect? “He who defends everything, defends nothing” This quotation is considered to be originated from the military strategist Fredrick II, emperor of the Holy Roman Empire. His thought advises us that a system intending to protect everything simply will not work. At least it will not perform on a balanced manner. The protective means should be prioritised and efforts have to be focussed accordingly.

2. We need to make some self-awareness as well! How much risk tolerance we have and how can we accept losses?
3. There are some approaches in the risk management we need to bear in mind. Selectivity approach says that each risk requires different method to deal with.
4. Targeting approach suggests concentrating most of our resources to the most serious problems.
5. Slicing the problems into smaller pieces would result to solve them step by step. If we deal with the problems still posing low risk we can spare lots of resources and can regroup them to the medium and higher risk sectors. The European Union has the successful Authorised Economic Operator programme³⁵, and several countries have developed their own visa waiver programmes. The security of the trade supply chains [Horváth, 2016] and several other areas of critical infrastructure protection, such as the traffic networks protection, like rail systems [Horváth, 2009], or urban traffic systems [Horváth, 2012] provides enormous opportunities for such ‘risk slicing’ techniques. These can be examples concerning this concept, because they deal with a huge portion of low risk entities and therefore indirectly allow risk managers to focus elsewhere, where needed. This could be also labelled as an indirect approach.
6. Law enforcement requires risk management systems on a longer term; therefore, the agencies have to find or develop their own business models that ensure a continuous monitoring of the risk environment and the capability to adapt to the changing conditions.

Time concept

The time concept of a well-grounded risk management has always two sides. For indication purposes I put several measures typically following risk based approaches in problem solving in a time scale. There are certain measures, which took place in its proactive side — as Noel did it: ‘before the rain comes’. The other is the reactive side when the measures focus on the elimination of the damages and the restoration of the damaged systems.

³⁵ See details at the URL https://ec.europa.eu/taxation_customs/general-information-customs/customs-security/authorised-economic-operator-aeo_en

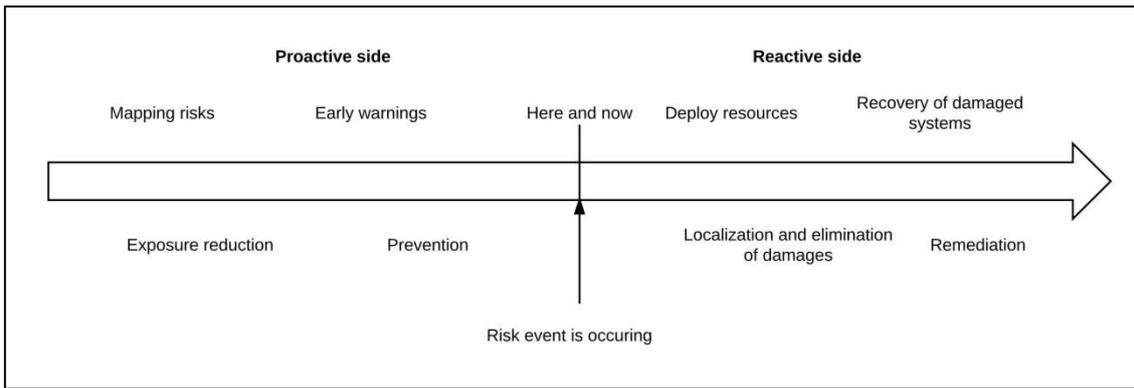


Figure 5: Certain risk management measures on the time scale
[edited by the author]

Multiple measures

There is no measure that can deal with all risks. Therefore usually the measures are organised usually in a chain-like manner. At the first line of defence some parts of the risks are filtered out, while certain risks can penetrate the layer and go further to the next one. This is the ‘Swiss Cheese’ model³⁶ that is also good for demonstration purpose concerning the differences between the measures — not just in the methods, but also their funding requirements and other necessary resources.

If we want to be effective in the use of our resources we have to be conscious how to structure the layers. For instance, the use of cheaper and less resource consuming layers can sort out a wide range of risk types, while more resource consuming and expensive measures can be directed precisely to a selected group of problems. Therefore, it has a key relevance how the layers are composed; on the one hand how to spare resources, on the other to prevent any possible event could lead to an all layers penetrating and catastrophic result.

³⁶ See details in: Revisiting the ‘Swiss Cheese’ Model of Accidents, EEC Note No. 13/06, EUROCONTROL, 2006.

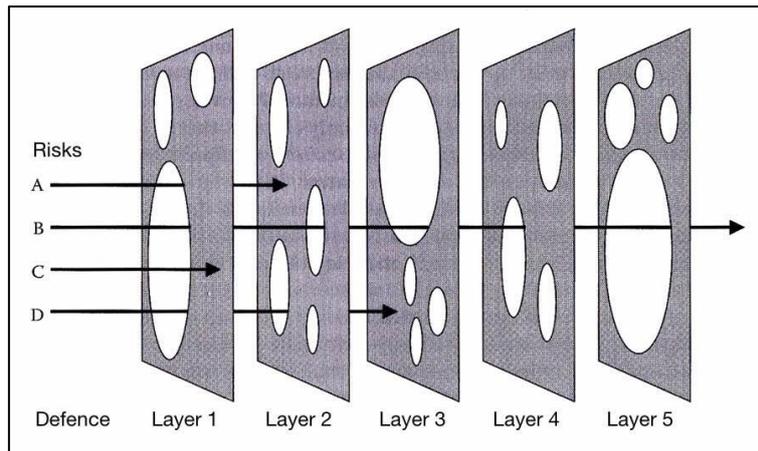


Figure 6: James Reason's Swiss Cheese Model
 [Elias, 2010:144, edited by the author]

Priorities to focus

In 'Figure 3' I set several risks into a chart and labelled them from A to J. I have also indicated each of them how much damage these could occur. I followed the Italian scientist, Vilfredo Pareto, and ranked the risks according to the size of the damages. I have also indicated by the green line how much cumulated percentage of the problems could be solved if we started from the left, the risks representing the more serious problems and going to the lesser serious ones to the right.

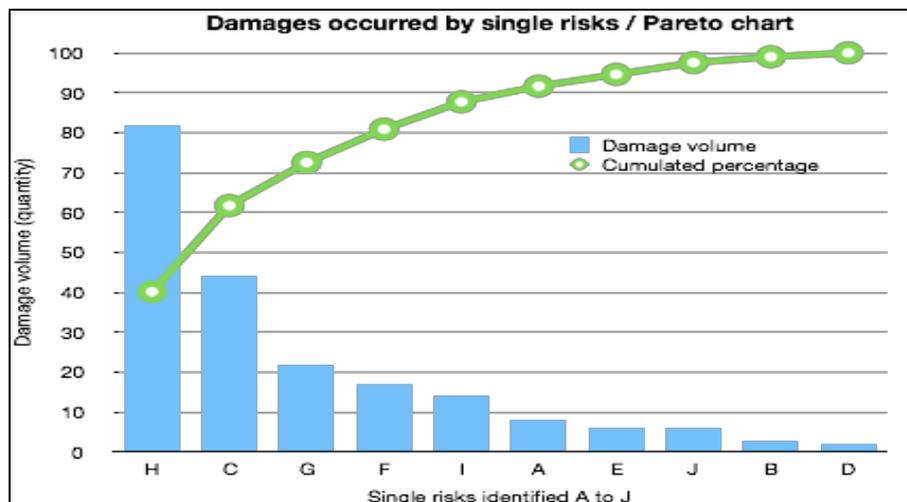


Figure 7: Pareto chart on the damages occurred by single risks
 [edited by the author]

In the forthcoming chart (see Figure 7) the problems, which are indicated by the blue columns, do not represent their each value, but in a percent of the total problems all risk types cause. Pareto helps to identify those little number of risks, which are responsible for most of

the damages. This is the ‘80% to 20% principle’, where 20% of the causes are responsible for 80% of the effects. These are the high risks, on which the previously mentioned targeting approach should motivate us to focus more resources.

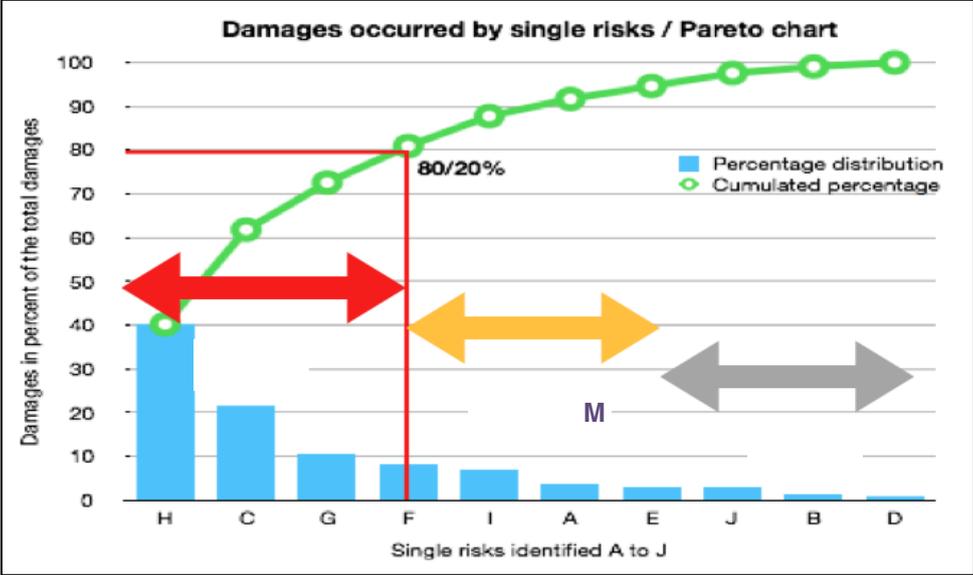


Figure 8: Pareto chart on the damages occurred by single risks supplemented with indication of risk categories
 [edited by the author]

If we intend to group the risks into three categories, we can indicate for example, a high, a medium and a low risk segment. Certainly, fewer or more categories can be set according to objective considerations. The sensitivity of the risk management systems may be tailored according to the risk categories, as well as to the methods used in order to deal with the problems.

Selectivity in dealing with the individual risks and targeting the resources are obligatory moments of a successful risk management process. Targeting resources; however, could mean either the concentration of additional efforts on the high risk problems, or saving resources by tailor made measures from the medium and low risk areas, or even both. From the concept of targeting resources people often associate the measures dealing with high risk focus, but rarely the low risk segment. Low risk management programmes can ensure the masses of people and companies representing the compliance culture. It has just as high relevance, if not even more, than the extreme violators deserve. As the law enforcement capacities increase much slower than the requirements posed by the criminal challenges the decision makers often rely on the resources available and cannot expect additional ones. Therefore the increase of the sum of resources cannot allow a real option in those challenges

where flexibility is required. Development of more effective risk based means and measures and regroup of the available resources seem to be the only way forward.

Conclusions

Sending messages concerning the ideas of risk management to the law enforcement community has proven still necessary although the sector has been using risk based considerations on a wider scale. Among other researchers, Andrea Szabó pointed out that the topic of risk management has to be integrated into the law enforcement officer training because of the increasing need from the law enforcement community. [Szabó, 2017] In this aspect the National University of Public Service, where the presentation providing the basis for this article took place, has already done important steps. The Hungarian University does not stand alone from this aspect, because others are considering to follow this.

Law enforcement agencies have already collected certain experiences about risk management both from the 'front line' use and the strategic levels of decision making. This article intended to emphasise the main ideas of risk analysis and management instead of going into details with a certain single and practical solution used by a law enforcement organisation. There is no doubt; however, that the scope, where risk management is used is getting wider, while the development of solutions can provide higher quality. Thinking on the elimination of risks on an effective manner is the real motivation to use risk management systems. The methods of risk analysis can assist in saving resources and allow to regroup our means and deploy them where necessary.

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