

Suspicion in the Making

*Everyday Policing
against Money Laundering and Terrorist Financing*

INTRODUCTION

- **1) Financial Policing** – *'the ultimate search for the needle in the haystack'*
- **2) Suspicious Transactions Reports** – *at the heart of financial policing*
- **3) Suspicion** – *less an event than a process*
- **Research Question:**
 - *How is a reasonable ground to suspect determined on a daily basis ?*
 - *When do reporting entities start regarding a transaction or a set of transactions as suspicious enough to be reported ?*

1) On (ab)normality

- *'The production of suspicion is therefore driven first by a theory of 'normality' : certain objects or people are supposed to be in certain places, doing certain things' (Chan, 2007 : 56).*
- **Modes of Policing to assemble suspicion:**
 - 1- Surveillance
 - 2- Risk management
 - 3- A set of rules to draw attention to any behavior that disrupt the 'normal'

1.1) When the abnormal comes first

- **A Critical Assemblage for (Proto)deductive reasoning:**
 - 1) Official indicators of abnormality (**278**)
 - 2) Client Knowledge (*of / about*)
 - 3) Context
- **With/without/beyond official indicators – Bankers' margin of manoeuvre**

1.2) When the normal comes first

- **'[The indicators] are not intended to cover every possible situation':**
 - *A proto-inductive mode of reasoning*
- **The constitution and classification of 'client species'**
 - 1) *Global species*
 - 2) *Cultural species*
 - 3) *Towards the algorithmic constitution of **Transactional** species*

1.3) Conclusion on the (ab)normal

- Not one form of (ab)normality but a set of...

Generic / Global / Categorical / Relational / Individual
forms of (ab)normality

2) On enigma resolution

- The characterization of detected abnormalities – **two categories:**
 - 1) **Acceptable peculiarities** (*non reported*)
 - 2) **Suspicious anomalies** (*reported*)

2.1) *'Suspicion as an argumentative move'*

'Suspicion is in the eye of... well it's not, there's a legal definition, but it is very much in the eye of the beholder'.

- **A matter of interpretation and argument:**

- 1) *Between banks*
- 2) *Within banks*
- 3) *Between the regulator and the regulated*

2.2) From detected abnormalities to STRs

*Ultimately, **when and why** does an investigated **case of abnormality** lead to a disclosure?*

- **Two generic – and opposite – reporting situations:**
 - 1) *The investigation is closed with one ‘obvious’ proposition*
 - 2) *Impossible to close the investigation and get any ‘obvious’ proposition*
(the ‘does not make sense’ narrative)

2.3) Towards a Hunch-Based Model?

- **A minority of suspicious transactions reports:**
 - *'Transferred Suspicion'*
 - *'Visibly Suspicious'*
- **A majority of unusual transactions reports:**
 - *From deduction and induction to ABDUCTION*

The Qualification Process of Suspiciousness

- *'The process of policing has to be understood as a result of the complex interplay of legal, organizational, occupational, situational, and interactional rules. And what is true of police work in general is also true of police suspicion in particular. **Nothing is inherently suspicious**, it only becomes so when it is **interpreted through the lens of police relevancies and seen through the light of local situated knowledge**'. (Norris, 2003: 252)*

CONCLUSION

- **Under comparable risk management frameworks, the production of suspicious transactions reports relies first and foremost on a mix between :**
 - 1)*Contextual appropriation of shared-recipe knowledge about (ab)normalities*
 - 2)*Technologically driven digital surveillance*
 - 3)*Inferential modes of reasoning*
 - 4)*A common sense approach based on social and professional habitus.*
- **Financial Policing - the Polysemy of Suspicion in Practice**