

Dissertation submitted for the PhD degree

Facing Complexity

Police officers' reasoning and response to human trafficking

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Bjelland, H. F., & Dahl, J. Y. (2017). Exploring Criminal Investigation Practices: The Benefits of Analysing Police-Generated Investigation Data. *European Journal of Policing Studies*, 5(2), 5-23.

Article II

Bjelland, H. F. (2017). Identifying human trafficking in Norway: A register-based study of cases, outcomes and police practices. *European Journal of Criminology*, 14(5), 522-542.

Article III

Bjelland, H. F. (2018). Conceptions of success: Understandings of successful policing of human trafficking. *Policing: A Journal of Policy and Practice*, 1-14. doi:10.1093/police/pay073

Article VI

Bjelland, H. F., & Vestby, A. (2017). ‘It’s about using the full sanction catalogue’: on boundary negotiations in a multi-agency organised crime investigation. *Policing and Society*, 27(6), 655-670.

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Summary

When confronted with complex criminal activities, police officers must deal with situations that do not always fit well with their organization's regulatory framework and core objectives. While police management tends to stress convictions and the demonstration of police authority as core organizational goals, frontline officers may have other, or additional, understandings of goals and success, which include ones more concerned with the situation and needs of their clients. Nevertheless, the issue of subjective understandings of goals and success among police officers and its implications for their performance has received little attention in the research literature.

This thesis is about how individual members of the police interpret and carry out their work when dealing with complex crimes. As an empirical window into this topic, I explore how police officers and police prosecutors deal with the issue of trafficking in human beings (THB). When handling such crimes, police officers may find that challenges regarding securing and maintaining victim cooperation, or pursuing convictions while also properly safeguarding victims' wishes and needs, may be a complicating factor. From a sociological perspective, one of the key questions in this context concerns the relation between the expectations of the police organization and how individual police officers understand and perform their work. Employing street-level perspectives and theoretical perspectives from the sociology of organizations, the study seeks to acquire new insights into police responses to complex crime and to understand how individual officers make use of their discretionary power in their work.

The study makes use of a mixed methods design, analysing quantitative and qualitative data. First, by creating a unique data set that brings together information from the Norwegian national crime register and from police case files data, it is possible to demonstrate patterns in local police responses over time. Such analyses would not have been possible using national crime data alone, or surveys, interviews or observational data. Then, to provide a deeper understanding of individual police officers' reasoning and responses and to make it possible to identify contextual factors, the quantitative analyses are followed by two qualitative studies that further investigate some of the findings of the quantitative analyses.

This produces four articles: one methodological article and three empirical studies. The first article draws upon empirical examples from my own research and demonstrates how more innovative use of police registry data will help capture the complexities of police

performance and enable new insights into organizational practices. The second article makes use of data such as that set out in Article I, and explores the role of the police in the construction of THB reports. The third article moves the focus onto the individuals working in the THB field, and explores subjective conceptions of success within police organizations. Finally, the fourth article explores how police officers, as partners in inter-organizational investigations, find strategies to negotiate over organizational boundaries and jurisdictions in order to attain their goals.

Drawing upon an open system model of organizations, the study depicts a dynamic interplay between the top-down and bottom-up processes within the Norwegian police organization. It shows that, because of their discretionary power, frontline workers are able to find creative ways to handle THB. Consequently, they are also able to influence the organizational context in which they operate and to regulate how policy is actually implemented. For instance, thanks to their discretionary power, police officers are able to make strategic choices between legal sanctions in order to attain their goals. The study further indicates that police officers are able to determine whether a case should be defined as a potential THB situation and whether it should be made a police priority. While frontline workers must have autonomy to perform their work within the boundaries of their organization, widespread use of discretion may also threaten the principles of the rule of law and weaken democratic control over the implementation of laws and policies. The study calls attention to potential conflicts between the goals of law enforcement and victim assistance, and argues that reliance on goal-oriented pragmatism may have serious consequences for victims. Finally, the study demonstrates that police officers see multiple ways of achieving success, including convictions, victim awareness, and crime prevention. Most notably, the safety and welfare of victims is seen to be a relevant and meaningful guiding principle that, despite the fact that it produces few visible results to prove organizational productivity, is sometimes set above the more traditional goals of crime management.

The thesis provides important insights into some of the conflicts that the police face when dealing with complex crimes and offers more nuanced understandings of the different ways individual police officers view the issue of success. The study's findings increase our understanding of the role and importance of professional discretion and of how individual officers make use of their discretionary power when carrying out their work. Seeing how police officers navigate within their environment is key to understanding how they also indirectly construct policy on the ground.

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1

Introduction

1.1. Background and Relevance

Most public police organizations are subject to multiple organizational demands that may complicate how individual officers carry out their tasks and operations. While they are expected to meet formal regulatory requirements such as dealing with law-enforcement problems and maintaining politically defined order (Giacomantonio, 2015; Manning, 2010), police officers also face a number of informal and implicit expectations about how they should perform their work, including normative or cultural understandings of the role of the police (Scott, 2001). Social developments also bring challenges for the police, setting new criteria for what constitutes a satisfactory police service. Increasingly faced with cross-jurisdictional criminal activities that include complex and potentially unfamiliar forms of crime, police officers must handle criminal cases that may be very complicated and likely to challenge traditional policing strategies. Extensive clusters of cases that include several types of illegal activity can make it difficult to clearly distinguish between the different types crime and to deal with the case correctly, while also safeguarding victims' desires and needs (NCIS, 2017). Cross-jurisdictional and cross-sectional crimes require increased co-ordination of state powers, and there is a greater need for inter-organizational cooperation.

By means of a mixed methods design which includes the analysis of unique police case record data taken from Norwegian police internal databases, combined with original data from interviews with police officers, police prosecutors and representatives from cooperating state agencies, the central aim of this study is to contribute to new understandings of how

individual members of the police carry out their work when dealing with complex crime. For sociologists, one of the most important questions in this context concerns the relationship between the formal rules and regulations that govern the organization's practices and how individual members of the organization interpret and execute their work. Drawing upon an open systems perspective on formal organizations (Scott, 2001, 2004) and seeing the police as an organization that has a variety of options from which members may choose when handling complex crimes, one recognizes that a central question is how individual officers' actions are shaped by the formal and informal guiding principles surrounding their organization and how these regulatory elements create discretionary spaces in which members can execute their work. Employing perspectives from the sociology of organizations to explore the operations within public organizations emphasizes the relationship between individuals and organizations (Christensen, Egeberg, Lægreid, Roness, & Røvik, 2015) and offers new insights into police responses to complex crime.

Street-level perspectives also provide useful analytical approaches to exploring public police officers' actions within the context of their organization, as they enable us to consider both their internal dynamics and their relationship to wider policy and society (Brodkin, 2011b, p. 199). Police organizations do not simply implement public policy: through frontline workers' discretionary power, they may have significant control over how policy is actually carried out (Lipsky, 1980). Police organizations thus constitute a crucial link between policy innovation (i.e. the creation of law) and policy implementation (i.e. the enforcement of law) (Jenness & Grattet, 2005, p. 338).

As an example case and as a tool for understanding how police officers handle complex crime, I explore officers' responses to trafficking in human beings (THB). THB is a serious, often multi-faceted and transboundary crime that involves the widespread exploitation of vulnerable people and the violation of fundamental human rights. Throughout the world, it is widely considered one of the fastest growing forms of transnational crime (Shelley, 2010). The term 'trafficking in human beings' covers various types of criminal activity and exploitation, ranging from extreme exploitation and threats, to more or less voluntary participation by victims. The literature on law enforcement responses to THB is extensive (see e.g. Cockbain & Brayley-Morris, 2017; Farrell, 2009, 2012; Farrell, McDevitt, & Fahy, 2010; Farrell, Owens, & McDevitt, 2014; Farrell & Pfeffer, 2014; McDonald, 2014; Skilbrei, 2010). The challenges the police may face in addressing THB include THB identification (McDevitt, Lattimore, Pitts, & Zhang, 2014; Farrell, 2009), securing and maintaining victim cooperation (Cockbain & Brayley-Morris, 2017; Segrave, Milivojevic, &

Pickering, 2009; Shelley, 2010), border control identification (Jahnsen & Skilbrei, 2017; Pickering & Ham, 2014) and obtaining court convictions (Farrell, 2014; McDonald, 2014; Spohn, 2014).

1.1.1. Clarification of ‘Complex Crime’

The central question underlying this thesis is: how do members of the Norwegian police organization interpret and execute their work when dealing with complex crimes? In the thesis, the definition of ‘complex crime’ includes several characteristics. These days, however, many crimes can be said to have at least one of these characteristics. Therefore, in this study, cases that have only one of the features listed below are not understood as ‘complex’. When several of these characteristics occur simultaneously, however, they are understood to constitute complex crimes that are likely to challenge the law enforcement responses of police organizations.

Drawing upon the notion of ‘wicked problems’, typically described as ones that are intractable, multifaceted, cross-sectional, poorly bounded, vaguely formulated and/or ambiguous regarding priorities and general understandings (Head & Alford, 2015; Lægreid & Rykkja, 2015; Rittel & Webber, 1973) and adding to this particular victim-related characteristics, ‘complex crimes’, to be defined as such, must contain a combination of features. First, they are cross-sectional, i.e. they tend to overlap with other types of crimes and thus demand collaboration with other policy areas and administrative levels. Second, they require particular attention to be paid to the victim, which may conflict with police organizations’ core standards of crime control and management, thus creating potential imbalances between individual police officers’ values and the rules and regulations of their organization. Third, the victims of the crimes may, for various reasons, be reluctant to cooperate with the police, thus significantly impeding police responses. Last, they involve different or competing understandings of the issues on the part of their victims and/or of law enforcement officers. What follows from this is that, although complex crimes are often complicated to deal with, not all crimes that are considered complicated are defined as complex. For instance, while domestic burglaries, financial crime or environmental offences can certainly be very complicated and difficult for the police to deal with, these crimes are not—at least in the context of this thesis—considered ‘complex’.

1.1.2. Trafficking in Human Beings as a ‘Complex Crime’

THB qualifies as a particularly good example of a complex crime, as defined above. First, in the THB literature, human trafficking, particularly in cases of labour exploitation, is often characterized as complex and multi-faceted, as overlapping with a number of other labour market issues, and as requiring holistic responses (Cockbain, Bowers, & Dimitrova, 2018; Farrell et al., 2010). Criminal networks constantly develop their methods of exploitation, and branch out into new businesses and sectors of society, often into several at a time (Cockbain & Brayley-Morris, 2017; Shelley, 2010; Siegel, 2009).

Second, THB is a serious crime that severely affects its victims. Responding to crimes in which victims have been subjected to particularly gross violations or are particularly vulnerable in some other way requires a kind of attention that may conflict with the general standards of crime control in police organizations. In Norway, a person believed to be a THB victim is entitled to assistance and protection that includes the right to temporary residence and a work permit, legal assistance and free legal aid in advance of any criminal charges (see Brunovskis, 2012 for a more thorough discussion). Navigating between the punitive logic of crime control and the more victim-oriented approaches of law enforcement may therefore lead to dilemmas and make it difficult to preserve the safety and welfare of trafficking victims (Brunovskis & Skilbrei, 2016; Jahnsen & Skilbrei, 2017; Skilbrei, 2013).

Third, trafficking victims may be reluctant to participate in police investigations, which may make it very difficult for the police to take action. Victims are controlled by traffickers by various means and may fear reprisals against themselves or their families if they report a criminal offence to the police (Shelley, 2010). Thus, cooperating with the police, and potentially giving evidence in a trial against the traffickers, may put victims in considerable danger and have serious consequences for their safety and well-being (Brunovskis, 2012; Brunovskis & Skilbrei, 2016). Some victims have complicated emotional relationships with their exploiters, which can further complicate things for the police (Brunovskis, 2012).

Last, THB encompasses different, potentially conflicting understandings of problems. How police officers understand THB will affect both their identification practices and how they approach possible victims (Farrell et al., 2010; Farrell, Pfeffer, and Bright, 2015; Skilbrei, 2009; Skilbrei & Tveit, 2008). As officers tend to rely on established crime classification routines (Farrell, 2014), ‘suspicious’ travellers observed at airports will often be seen as unlawful migrant workers rather than possible victims of trafficking (Jahnsen & Skilbrei, 2017; Pickering & Ham, 2014). Another example is the approach taken to foreign

drug dealers or unregistered workers on construction sites, where it can be difficult to decide whether one is looking at a person doing something illegal, or a possible trafficking victim (Barrick, Lattimore, Pitts, & Zhang, 2014; Gundhus & Egge, 2013). Similarly, the line between coercion and a voluntary act is sometimes unclear. This has consequences not only for the chances of obtaining THB convictions (see, e.g. National Rapporteur of Trafficking in Human Beings, 2012) but also for the subjective experience of victims. In many cases, they do not perceive themselves as being exploited, or if they do, they may consider their present situation as less desperate than what their life in their home country would had been (Segrave et al., 2009, p. 45).

1.1.3. THB in the Norwegian Context

Because THB is used as an example of complex crime throughout the dissertation, some background information regarding the Norwegian policing of THB is given below.

Norway incorporated THB related offences in a separate article (Art. 224) in the Norwegian Criminal Code in 2003. With the introduction of a new Criminal Code in 2015, Article 224 was replaced by Article 257 (human trafficking) and Article 258 (aggravated human trafficking) (see Appendix D). Since 2003, THB has gone from being a rather unfamiliar type of crime in Norway to being considered a serious form of organized crime that requires political action and extensive law enforcement efforts. During recent years, the Norwegian Government has also drawn up several Action Plans containing measures to combat THB and assist its victims.

The police are responsible for the prevention and identification of THB and for the prosecution of those engaged in it.¹ Tackling THB, however, requires specialist expertise and substantial resources. Currently, five out of twelve Norwegian police districts have special units responsible for the investigation and prosecution of THB.² Although all districts are expected to be able to handle potential THB cases, districts without specialist units in reality have few resources to do so. Fifteen years after the passing of the THB Act the police continue to face a number of challenges in their work.

The majority of known trafficking victims are women being exploited for prostitution or other sexual purposes. However, recently there has been an increase in reported cases of trafficking for forced labour. Such exploitation typically takes place in sectors such as cleaning, car repair, au pair services, construction, and farming/horticulture (KOM, 2017).

¹ <https://www.politiet.no/rad/menneskehandel/slik-jobber-politiet-for-a-bekjempe-menneskehandel/> [Accessed 18.07.2018]

² These special units cover Norway's five largest cities (Oslo, Bergen, Trondheim, Stavanger and Kristiansand).

Massage parlours, the fishing industry and hotels and restaurants are other settings where exploitation is considered likely to occur (Jahnsen, 2014b). Increasingly, forced labour exploitation intersects with other types of illegal activity, such as financial crimes, crimes in the labour market or benefit fraud (Jahnsen, 2014b; NCIS, 2017), some of which have resulted in wide-ranging and prolonged court cases (including the Lime case, which will be further discussed in article IV).

The enforcement of THB is a major task covering a broad area, and involving multiple actors and agencies (e.g. the police, safe houses, the immigration authorities, child protection services and NGOs). All these actors contribute significantly to fighting THB and impacting the possibilities for THB exploitation. However, while the work done, for example, by NGOs or safe houses is undeniably of great importance for those involved in the THB field, this thesis takes a policing perspective and will be concerned with non-police actors only when they participate in formalized cooperation with the police (as is the case in article IV).

1.2. Research Objectives

The study's overall objective is to increase our understanding of how individual members of the police interpret and carry out their work within the regulatory structures of their organization, when dealing with complex crime. In the course of four articles, each of which has its own research questions and research objectives, this will be explored from four different angles.

In the first article, I aim to demonstrate how analysis of police-generated investigation data allows for more complex analyses of police practices and makes it possible to identify statistical patterns not commonly visible to the public (or sometimes, to the police organization either). Drawing upon my own empirical examples, I illustrate how exploiting the hitherto untapped potential for research that lies in police registry data can reveal significant needs for change or improvement in organizational strategies or priorities. The article demonstrates how greater use of police registry data gives ample opportunity to capture the complexities of police practice and thus contribute to more constructive discussions about the quality of this practice and help improve justice and the rule of law.

The second article takes advantage of such innovative police registry data, which makes it possible to explore the role of the police in the construction of THB police reports. Although several studies have contributed significantly to our knowledge about Norwegian THB law enforcement (Brunovskis & Surtees, 2012; Jahnsen, 2014a, 2014b; Skilbrei, 2010),

no study has previously been able to analyse the total set of THB reports, as these have not been available (such overviews are also seldom available in the international literature). By providing a unique statistical portrait of all cases registered as violations of THB legislation and by presenting a systematic analysis of these data, the article makes an empirical contribution to our knowledge about police responses to THB, and contributes to theoretical understandings of police performance and discretion. In combination with article I, it makes a significant methodological contribution to disciplines relevant to research on police organizations and crime.

The third article moves the focus onto the individuals working in the THB field, and explores subjective conceptions of success within police organizations. While previous research has discussed the issues of goals and success in police organizations (Innes & Sheptycki, 2004; Mackenzie & Hamilton-Smith, 2011), there is a notable paucity of empirical research focusing specifically on how success is perceived by police officials, i.e. on subjective understandings of success among public employees. Using the policing of THB as a case in point, the article provides a more nuanced understanding of the different ways police and prosecutors understand ‘success’ when policing complex crimes. Exploring how police officers balance their individual values and the rules and regulations of their organization when handling THB, the article contributes to discussions of organizational goals and performance.

Finally, **the fourth article** studies the police as actors in a multi-agency crime investigation. Drawing upon an open-systems perspective on organizations (see, e.g. Scott, 2004), and Giacomantonio’s typology of police organizational boundaries (2014), the article provides new knowledge about how participants in multi-agency partnerships negotiate over organizational boundaries and calls attention to some potential dangers arising from coordination between powerful state agencies. The article contributes to the sociology of police coordination as well as to theoretical discussions of accountability and the institutional integrity of deliberately separated public agencies.

1.3. A Reader’s Guide to the Thesis

This extended introduction clarifies the background and context of the four articles included in the thesis. Chapter 2 presents the study’s theoretical framework and demonstrates how street-level perspectives and perceptions from the sociology of organizations help increase our understanding of how police officers interpret and carry out their work within the structures of

their organization. Chapter 3 discusses the study's data and research design and reflects on the advantages, disadvantages and ethical challenges of conducting research within one's own organization. Chapter 4 presents short summaries of the four articles and clarifies their contribution to the literature. Finally, Chapter 5 presents the study's conclusions.

2

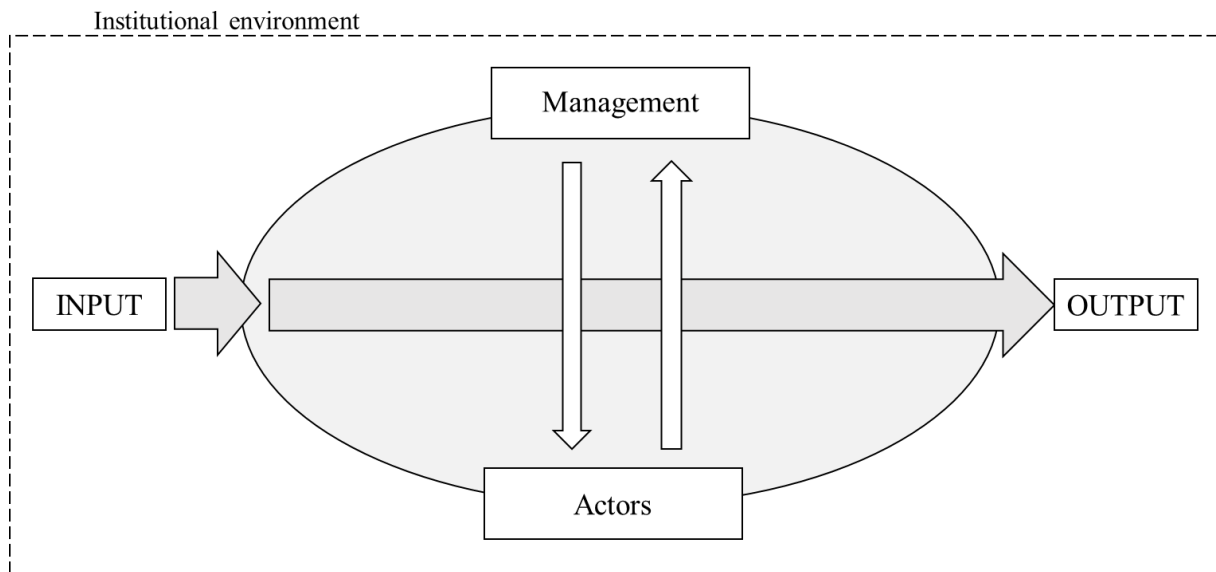
Theoretical framework

2.1. Organizations as Open Systems

During the 1960s, studies of organizations started to move their attention away from actors and processes (e.g. workers, managers, motivation, control) and to show a growing recognition of the environment within which the organization operates (Scott, 2004). In what is referred to as *open systems models* of organizations, researchers therefore started to devote increased attention to how their environments constitute and influence organizations and organizational processes. These open system models emphasized social structures as active processes rather than constant entities, suggesting that organizational processes and perceptions are not only controlled and constrained by external, regulatory structures (i.e. top-down processes), but that lower-level actors are also able to influence the organizational context in which they operate through reinterpreting, negotiating and challenging the authoritative claims made on them (i.e. bottom-up processes) (Hatch & Cunliffe, 2006; Scott, 2001). Theorists pursuing these ideas thus stressed that activities and meanings occurring at one level of the organization are linked to, and activate, activities and meanings at other levels (Scott, 2001, p. 105).

Figure 1 illustrates the dynamic forces in open system conceptions of organizations and provides the basis for our understanding of how certain tasks or problems (i.e. *inputs*) are understood and solutions decided on (i.e. *outputs*). In the context of this thesis, these inputs are understood as potential THB situations. The ways these situations are then interpreted and proceeded with are the result of how individual actors adopt to the rules and regulations laid

Figure 1. Organizational processes in open system models of organizations



Source: Inspired by Scott' model of institutional creation and diffusion (2001, p. 237).

down by management (the institutional environment in which these actors operate will be more explicitly described in 2.2.1.). In other words, how potential THB situations are dealt with will be the result of the combination of top-down diffusion and imposition mechanism and bottom-up invention and negotiation (see also Oliver, 1991). Of particular interest to this study is individual actors' *perceptions* of these inputs and outputs, including their interpretations, selection processes and formulation of problems and problem solving.

Because the creation of goals and suitable solving strategies are typically made in a system characterized by bounded rationality (March & Olsen, 1984), perceptions may differ between those who define the goals and those whose job it is to achieve them. Frontline officers, for instance, will tend to base their understanding of a crime problem and its appropriate solving strategies upon their individual experiences and tacit knowledge. Police management, on the other hand, will typically define problems in the light of legally valid evidence and more formalized, general knowledge, e.g. in the form of crime statistics (Granér & Kronkvist, 2014; Gundhus, 2013). Competing views of problems held by frontline workers and management will inevitably thus complicate the process of finding appropriate strategies to solve them. Disagreements over how inputs are understood can therefore result in internal displacements of organizational goals and priorities, and internal variations in regard to what is recognized as appropriate solving strategies.

In this thesis, article I provides suggestions to how researchers may better capture the complexities of police practice, thereby improving their understandings of the processes between inputs and outputs. While article II then focuses particularly on the inputs, article III looks specifically to the outputs. Finally, article IV looks at how individual actors, through bottom-up processes, are able to reinterpret and negotiate organizational demands as to reach their preferred outcomes.

The adoption of the open systems perspective had major impacts for the further development of organizational theory and the sociology of organizations, and was followed by a number of new ideas and theoretical frameworks (see Scott, 2004). Inspired by the ideas of Berger and Luckmann (1966), institutional theory (and later, neo-institutional theory) considered organizations to operate within a certain ‘institutional environment’ containing not only formal rules and regulations but also more informal, normative and cultural features that shape organizational activity (Scott, 2001), and which thus provide important frameworks to understand how organizational rules and strategies are interpreted and carried out at the local level (Sosin, 2010). Of particular importance were the seminal works of Meyer and Rowan (1977) and DiMaggio and Powell (1983), which offered major insights into what explains organizational forms and practices and how institutional systems shape organizations in different ways, and which laid the foundation for further explorations of the relations between actors and structures within organizations.

This thesis draws upon the open systems perspective on organizations and upon Scott’s conceptions of organizations and institutions (2001), which see organizations as actors surrounded and regulated by institutions comprising (broadly defined) ‘regulative, normative and cultural-cognitive elements that, together with associated activities and resources, provide stability and meaning to social life’ (Scott, 2001, p. 56). Inspired by ideas promoted by institutional theory, I am particularly concerned with the set of opportunities for action available to individual members of the police organization to choose from when performing their work (i.e. the *surrounding environment* of the organization). I am thus more interested in how individual actors operate within the structures of a specific regulatory system than I am with exploring the *police organization* as a system. This raises the questions: what type of organization is the police, and within what kind of surrounding environment is it operating? This will be discussed in the following sections.

2.2. Police as an Organization

In Norway, the police is organized as a unified service. This means that, while ‘the police’ consists of a set of separate police districts and national specialist investigative bodies, the Norwegian police service is defined as a single – and fundamentally – *public* police organization. Representing the frontline of government policy and having the role of enforcers of national law (Lipsky, 1980), individual police officers are expected to fit into the formal and regulatory structures of their organization, and to serve the public by performing a number of clearly defined tasks. Public police organizations are therefore commonly understood as *bureaucratic* organizations seeking to ‘sustain politically defined order and ordering via tracking, surveillance, and arrest’ (Manning, 2010, p. 44). Like individuals working in other public bureaucratic organizations, police officers must take into account a broader set of organizational goals and values and are expected to perform their work with the maximum of equal treatment and predictability (Christensen et al., 2015). Another important consideration is that public police organizations are extremely hierarchical. Managers control frontline workers by means of extensive legislation and command structures, which require all types of interventions performed by individual officers to be documented up through the system (Granér & Kronkvist, 2014).

In the context of organizational theory, *bureaucratic organizations* are fundamentally characterized as ones performing activities governed by regulatory structures (Granér & Kronkvist, 2014; Weber, 2006). However, organizations governed by regulatory structures may include a wide range of types of bureaucracies and may differ in regard to line workers’ autonomy. A characteristic common to most of them is that they operate in a complex political and social system involving interests, citizens and clients, and that they are therefore likely to face competing motivations, loyalties and sources of influence which are rooted both in the organization’s political and administrative management, and in its surrounding environment (Christensen et al., 2015, p. 22). Operating within this environment, frontline workers may differ in their ability to exert influence over their tasks and operations, and to make professional assessments as to how their duties can best be carried out. For instance, organizations involved in public administration – the most ‘classic’ types of bureaucracies – typically carry out tasks that are simple (i.e. non-complex), clearly defined and able to be performed in a routine fashion. The execution of these tasks is closely regulated by a set of rules that give little opportunity to individuals to draw upon their own experience, attitudes or perceptions when carrying them out (Granér & Kronkvist, 2014).

Other bureaucratic organizations, such as public welfare state organizations, on the other hand, may offer significantly greater potential for individual judgement. Individuals working in welfare bureaucracies are typically required to solve far more complex cases, that require individual solutions meeting their clients' needs. Professionals working in welfare bureaucracies are expected to manage clients' affairs in the best possible way, which gives them a good deal of power over their clients (Molander, 2016; Molander & Terum, 2008). For example, research on home care services (Vabø, 2014) has demonstrated that home care workers have considerable power to influence the content of the services they provide. Despite being subject to formal and informal ideals of how their patients should be treated, these workers were able to exert a wide measure of control over their work load by making use of a type of relational competence that enabled them to influence their clients' state of mind and lower their expectations.³ Through their everyday practice, these workers thus helped shape policies about what services could reasonably be required (Vabø, 2014).

Public *police* organizations, may be considered as coming somewhere in between the two above-mentioned types of bureaucracies. On one hand, they clearly have marked bureaucratic aspects, as regards, for example, how specific laws, statutes and regulations control the police organization's performance, and they have a strongly hierarchical structure which requires frontline officers to report to higher levels (Granér & Kronkvist, 2014; Heivoll, 2018). On the other hand, police officers are not just passive implementers of public policy: they are generally capable of responding to the institutional environment both creatively and strategically (Scott, 2001, p. 217). While the hierarchical structure involves strong top-down control, it also means that the police management has little direct control over frontline officers' execution of daily tasks. Furthermore, it is also often the case that those best qualified to make appropriate decisions are the frontline workers of the organization.

This leaves frontline officers with a considerable amount of discretion when doing their work. As professionals, police officers are expected to actively interpret their role as law enforcers (Molander et al., 2012; Reiner, 2010), and this means frontline workers have to balance a number of roles in their everyday work (Scott, 2008). Accordingly, officers also recognize a number of informal, unspoken expectations about how they should do their work, such as normative or cultural understandings of the role of the police (Scott, 2001). Law

³ This relational competence is referred to as *relational labour*, see e.g. Guy et al. (2010) or Hasenfeld (2010) for further discussion.

enforcement organizations have therefore been regarded as something in between a bureaucratic and a professional organization (Granér & Kronkvist, 2014), or as the ‘law-in-between’, i.e. as situated between ‘legislative mandated crime control policies and the frontline officers who must implement these policies’ (Jenness & Grattet, 2005, p. 338).

Even so, the autonomy of public police officers remains limited, compared to that of other individuals who implement public policy, such as those working in public welfare state organizations. This is because public police organizations are different from other public bureaucracies in at least two ways. First, they have a distinct political responsibility for carrying out state policy. As national law enforcers and the ultimate guardians of state laws, police officers’ actions must be grounded in the basic democratic principle of the rule of law (Myhrer, 2014). They must comply with government directives and have to perform specific tasks that are part of public action plans. Consequently, their freedom of manoeuvre is severely limited. Second, and as noted above, the police are expected to serve the general public by performing a wide range of tasks, including control and supervision, criminal proceedings and the general exercise of authority. The police’s activities are regulated by the *Police Act*, which states ‘The police shall through preventive, enforcing and helping activities contribute to society’s overall effort to promote and consolidate the citizens’ security under the law, safety and welfare in general.’⁴ The Norwegian police are thus expected to act in the area between law enforcement and assistance (Wathne, 2015); the dichotomy between these two has also dominated discussion about the role of the police in the international literature (Reiner, 2013).

2.2.1. The Norwegian Police Organization: Institutional Environment

In Scott’s understanding of institutions and organizations, organizations are surrounded by an institutional environment containing regulative, normative and cultural-cognitive elements (Scott, 2001). Looking to the Norwegian police organization, the *regulative* element in the enforcement of THB predominantly consists of the THB Act in the Penal Code. In addition, through the ratification of the *Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children* and the *Council of Europe Convention on Action against Trafficking in Human Beings*, Norwegian authorities are obliged to take responsibility for meeting the physical, psychological, social, legal and security needs of trafficking victims (Skilbrei, 2012). If we then look at the *normative* elements, these include normative

⁴ Section 1, Act no. 53 of Aug, 4, 1995, relating to the Police [The Police Act]. Translation retrieved from <http://app.uio.no/ub/ujur/oversatte-lover/data/lov-19950804-053-eng.pdf>

conceptions of goals and objectives that designate the legitimate means to pursue the desired ends (see e.g. Gundhus, 2009). While some of these conceptions are applicable to all members of the organization, others apply only to certain actors or positions within the organization (Scott, 2001, p. 64). For instance, while police officers are expected to provide both law enforcement and assistance, they may find that their loyalty to clients may conflict with their organization's formal goals and the pursuit of fast and efficient problem solving (Granér & Kronkvist, 2014; Hasenfeld, 2010). Thirdly, *cultural-cognitive* guiding principles concern the cognitive frames that surround the organization, i.e. the 'shared conceptions of the problems to be solved and the approaches to be employed, and, indeed, what constitutes a "solution"' (Scott, 2008). Rooted in the neo-institutional movement in the sociology of organizations, the focus on cultural-cognitive elements implies that individual actors' identification of problems and their choice of problem solving strategies are shaped by external cultural frameworks, i.e. collective definitions of the problem in question (cf. Hilgartner & Bosk, 1988). As noted by Scott, such cultural frameworks operate at multiple levels, going from shared beliefs in local situations (i.e. THB cases), to shared understandings about more general, organizing logics that structure organizational activities (i.e. understandings about the role of the police, about balancing law enforcement and assistance, etc.). However, as with *normative* principles, individuals may see a situation differently both in terms of problem definition and of selecting the appropriate strategies to solve the problem (Scott, 2001, p. 68).

2.2.2. Institutional Logics

When police officers choose between such cultural-cognitive guiding principles in their work, they can also be said to be choosing from a set of *institutional logics*. The concept of institutional logics arose from early institutional sociologists' notion that, as organizations conform to societal expectations by adopting similar structures and forms, they would also become increasingly homogeneous (Thornton & Ocasio, 2008, p. 100). Due to isomorphic (i.e. mimetic) pressures, actors who were in structurally equivalent positions would then end up resembling one another and be constrained by the dominant modes of action structuring the organization (i.e. by *top-down processes*) (DiMaggio & Powell, 1983).

On the basis of these ideas, it came to be understood that organizations were not, however, confined to *one* type of dominant mode of action, but tended rather to have multiple objectives or guiding principles. According to Friedland and Alford (1991), individuals' activities carry multiple meanings or motivations at the individual, organizational and societal

levels. Thus, in contrast to what was assumed by top-down diffusion mechanisms, individual actors were no longer seen as ‘mindless’ responders to such institutional pressures (Thornton & Ocasio, 2008, p. 100). By creating a new approach to institutional analysis, Friedland and Alford (1991) developed a conception of modern society as comprising a particular set of *institutional orders* (including capitalism, state bureaucracy, democracy, family and religion) that contained their own sets of different *institutional logics*. Thornton and Ocasio (1999, p. 804) developed this approach further by defining logics as ‘the socially constructed, historical patterns of material practices, assumptions, values, beliefs, and rules by which individuals produce and reproduce their material subsistence, organize time and space, and provide meaning to their social reality’.

The concept of institutional logics provides a link between individuals’ agency and reasoning and the socially constructed rule structures and practices that follow both normative and cultural-cognitive guiding principles (Thornton & Ocasio, 2008, p. 101), and call attention to the shared conceptual framework of available opportunities for action that individual members may choose between. While the concept is relevant for the thesis as a whole, it is of particular significance for article III, where I set out to explore logics empirically. Making use of the institutional logics framework, I seek to understand how, in dealing with THB, the dominant logic of *court convictions* meets and is challenged by other alternatives, and how individuals then choose between these in their work. Knowledge about such practices is important as it helps inform our understanding of how individual actors weigh up different regulative, normative, and cultural-cognitive principles in their work.

2.3. Street-level Bureaucracy and Professional Discretion

Since they implement public policy and experience multiple, potentially conflicting, organizational demands and have insufficient resources to do their work, police officers have often been referred to as *street-level bureaucrats* (Lipsky, 1980). Central to the street-level bureaucracy theory is the idea that, because few bureaucratic organizations are capable of managing all the conflicting demands they face, their line workers are forced to make individual judgements about the nature, amount and quality of benefits and sanctions to be provided by their organization (Lipsky, 1980). For the police, this may include making decisions about who to arrest and whose behaviour to overlook, choosing between different alternatives for problem solving (e.g. focusing on proactive or reactive police efforts), or strategically selecting cases that are ‘likely to succeed’ over cases that are ‘high risk’ (Lipsky,

1980, p. 107). By developing mechanisms to cope with organizational demands for efficiency and productivity, frontline officers may manage to close the gap between conflicting organizational goals and the resources available to achieve them. In this way, frontline workers' discretionary power allows them to balance the formal expectations of their organization (i.e. the *regulative* elements, (Scott, 2001)) and their own value systems (i.e. *normative* elements) (Buvik, 2016).

The broad discretion frontline officers have in initiating and shaping organizational responses to crime has been the subject of much discussion in police sociology and in criminological literature (Giacomantonio, 2015; Goldstein, 1964; Gundhus, 2017; Holmberg, 2000; Reiner, 2010; Rowe, 2007; Runhovde, 2015). Previous research has, for example, demonstrated that, given their limited resources, the police tend to make use of informal sanctions, under-enforcement and non-enforcement to cope with existing crime (Buvik, 2016). Similar coping mechanisms have been found in the context of THB law enforcement; a number of studies have argued that, although there is separate THB legislation, the detection of THB is dependent on police officers' individual assumptions and use of discretionary judgement (see, e.g. Barrick et al., 2014; Farrell, 2009; Farrell et al., 2010; Farrell et al., 2014; Farrell & Pfeffer, 2014; Jahnsen, 2014).

The exercise of discretion is considered a core characteristic of the work of professional and public service organizations. However, while considered both necessary and unavoidable in professionals' everyday work, discretion is also thought to threaten basic accountability and rule of law principles (Molander, 2016). As noted above, professionals given discretionary power that allows them to make autonomous judgements in their work can make decisions that will seriously affect people's lives (Grimen & Molander, 2008; Molander, 2016). Still, the general low visibility of frontline workers' operations and the dispersed character of routine police work makes police discretion hard to regulate (Goldstein, 1960). The issue of bias is therefore a profound one, not only for the quality of services but also for the legitimacy of government (Lipsky, 1980, p. 116).

Street-level perspectives provide useful analytical frameworks for understanding public police officials' performance of their everyday work, as they enable us to consider both their internal dynamics and their relationship to wider policy and society (Brodkin, 2011b, p. 199). Later studies building on Lipsky's street-level bureaucracy model have further extended the understanding of what constitutes 'policy delivery organizations', such as Brodkin's identification of *street-level organizations* (i.e. public, private or hybrid organizations engaged in policy delivery that are increasingly operating under new governance and

managerial regimes) (Brodkin, 2013a; 2013b). Focusing explicitly on how members of such organizations not only implement public policy but also significantly contribute to shape and transform it (Brodkin, 2010; 2011a; 2013a), these studies provide important insights into how tensions between management objectives, client demands and bureaucratic interests play out (Brodkin, 2008).

Theories of street-level discretion are thus highly relevant to this thesis and are used in different ways in the three empirical articles. First, article II explores the role of the police in the creation of THB complaints. On the basis of the article's findings, it is suggested that frontline police officers act as 'gatekeepers', exercising considerable discretionary power and control over the interpretation of situations deemed to fall under THB legislation, i.e. by selecting *which* cases to react to and investigate as potential THB cases. Further, article III examines what members of the police believe are appropriate responses to the THB problem. It demonstrates how ideas about success are also determined by frontline officers' *normative* conceptions (which potentially conflict with management's ideas of goals and success), and that street-level discretion provides opportunities for resistance to the formal rules and regulations laid down by management. By holding such 'alternative' criteria of success, line officers help shape the everyday work of the organization and regulate how policy is actually implemented. Finally, article IV explores how inter-organizational cooperation between state agencies provides participants with considerable room for discretion, thus making possible the strategic interchangeable use of criminal and administrative law against problems associated with THB.

2.4. Organizational Goals and Performance

Although members of public police organizations are tasked with responding to a wide range of formal and informal organizational goals, their main objective remains the delivery of their organization's services to the public (thus in the case of the Norwegian police, to 'promote and consolidate the citizens' security under the law, safety and welfare in general', cf. The Police Act). Furthermore, like other organizations implementing public policies, they are expected to be effective, impartial, professional and politically loyal in their work (Christensen et al., 2015, p. 119). All the above objectives are, however, characterized by a relatively high level of abstraction, which, as noted above, may require frontline workers to make discretionary judgments over how to define and ultimately reach these goals.

As a result of police officers' ability and opportunity to make discretionary judgements, various departures from organizational objectives may arise. First, diverging perceptions about organizational objectives may lead to disagreement about goals. As noted above, organizational goals are typically created under bounded rationality. The concept of bounded rationality implies that individuals have limited and incomplete information about e.g. risks, consequences or all available alternatives for action (Simon, 1972). Thus, as they cannot know all the conceivable outcomes, they must choose those with the best-known or most likely outcomes (March & Olsen, 1984). It may then happen, because knowledge and understanding of problems may vary within organizations, that management develop goals that are shared neither by the frontline workers nor by society in general, and which frontline workers have little control over. As seen in this study, conflict may e.g. arise between *proactive* and *reactive* efforts, or between *punitive* and more *victim-centred* action (Jahnsen & Skilbrei, 2017; Skilbrei, 2013). Still, as noted above, although the Norwegian police are formally expected to act in the area between law enforcement and assistance, making client-centred goals a priority can be challenging because focusing on victims' needs may conflict with organizational demands for efficiency and productivity (Bradford, Jackson, & Hough, 2013; Lipsky, 1980).

Second, in what is referred to as 'decoupling' in the organizational literature (see, e.g. Bromley & Powell, 2012; Meyer & Rowan, 1977), frontline workers adjust their own goals, which then diverge from those of the organization. Commonly understood as a gap between policy and practice in organizations, decoupling may occur if existing organizational goals are considered opaque or outdated (Bromley & Powell, 2012). Because frontline workers' actions are influenced by the extent to which they consider their managers' orders legitimate (Lipsky, 1980), decoupling may also simply result from resistance to orders (Christensen et al., 2015). In the context of complex crimes, decoupling may mean that police officers are using their discretionary power to create alternative indicators of success in their daily work.

Third, organizational goals may be multifaceted or vague, and may also involve external actors or agencies. For instance, when police are dealing with crimes that require them to collaborate with other organizations, goals will typically go beyond organizational boundaries and may therefore be characterized by complexity and ambiguity and therefore be difficult to meet (Christensen et al., 2015, p. 109). As I discuss further in article IV, co-ordination across organizations may thus challenge the protection of sometimes contradictory aims and interests.

It is potential conflicts over goals between law enforcement and victim assistance that are given most attention in this study. In the case of crimes in which the victim has been subject to particularly gross violations, or is otherwise particularly vulnerable, these types of goal conflicts may be very damaging to them. For instance, because obtaining THB convictions can be very difficult, seeking legal provisions other than THB might be a more resource-effective strategy to punish traffickers (often referred to as the ‘Al Capone’ approach, see e.g. Hoyle, Bosworth, & Dempsey, 2011). Such practices may, however, have serious consequences for the victims, potentially barring them from obtaining specific victim rights. Once again, this reminds us that while individual actors’ autonomy and discretionary space may efficiently improve the attainment of instrumental, organizational goals, it also has the potential to threaten basic principles of accountability and rule of law.

3

Data and Methodology

A study of how individual members of the police organization understand and carry out their work within a set of formal and informal regulative elements calls for analyses of various data and applications of methodologies. Below, I discuss the methodological approach taken in the research and analyses. I describe the data and data collection processes, and discuss the issue of generalization. Last, I address issues, including ethical challenges, connected with conducting research within one's own organization.

3.1. Research Design

Various terms are used to describe combinations of different research methods, including 'mixed methods', 'multiple methods', 'multi-methods design', and 'triangulation' (Kelle, 2006). I refer to the methodology of this study as 'mixed methods'. Its particular design is what Creswell and Plano Clark (2011) refer to as an explanatory sequential design, or what Kelle (2006) calls a sequential quantitative-qualitative design. This means that I start out by performing a quantitative study, and by generating statistical findings on distributions and correlations, I provide an overview of the research topic and describe its particular features at a macro level. These findings may, however, be difficult to interpret. In order to provide a deeper understanding of the personal experiences of police officers, and make it possible to identify different contextual factors (Johnson & Onwuegbuzie, 2004), the quantitative analyses are therefore followed by a qualitative study where I further investigate some of the findings deduced from the quantitative analyses. One of the strengths of qualitative analysis is

that it can ‘lift the veil on social microprocesses’, providing local knowledge about the phenomena and the actors involved. Such knowledge will not only help illuminate things that are unclear or puzzling in the statistical findings, e.g. by more fully explaining the actors’ behaviour, but can also potentially be used to develop theoretical concepts and provide explanations of the research topic (Kelle, 2001, p. 309). One of the advantages of using a mixed methods design is that I can draw on the strengths and minimize the weaknesses of the different methods within one research study (Johnson & Onwuegbuzie, 2004). Combining quantitative and qualitative analysis allows me to answer a broader range of research questions, thus providing new information at different levels of a sociological description of the research topic (Creswell & Plano Clark, 2011; Erzberger & Kelle, 2003; Johnson & Onwuegbuzie, 2004; Kelle, 2001).

There are various mixed methods designs and various recommendations, guidelines and ‘rules of integration’ in the literature of mixed methods studies (see e.g. Creswell & Plano Clark, 2011; Erzberger & Kelle, 2003). Approaches that are commonly discussed involve convergence (i.e. mutual verification of research results, see, Hammersley, 1997; Kelle, 2001), complementarity (different methods highlight different aspects of a phenomenon, see, Erzberger & Kelle, 2003), or the addition of new methods employed to expand or explain insights obtained in previous strands of a study (Tashakkori & Teddlie, 2008). The mixed methods design used in this study was chosen to achieve *completeness* (to produce a full picture of the research topic), for *developmental* reasons (hypotheses for the second methodological strand emerge from inferences in the first strand) and with an *expansion* rationale: that is, a second strand is included in order to expand or explain insights obtained in previous strands of a study (Tashakkori & Teddlie, 2008, p. 103).

In this study, the quantitative material (employed in the first methodological strand) consists of data from two unique sources of registry data obtained from the Norwegian police: the national crime register (STRASAK), and the Norwegian police’s case files database (BL). Data from these registers were collected and prepared for the purposes of this study, and merged into a single statistical data set. The second methodological strand, the qualitative data, contains interview data with 28 practitioners involved in various ways in dealing with THB. In the thesis, the quantitative data form the basis for analyses and discussions in articles I and II. The qualitative interview data are analysed in articles III and IV. Table 1 provides an overview of the four articles’ data, methods and analytical approach.

Table 1. Overview of research project⁵

	Article I	Article II	Article III	Article IV
Article title	Exploring Criminal Investigation Practices. The Benefits of Analysing Police-Generated Investigation Data	Identifying human trafficking in Norway: A register-based study of cases, outcomes and police practices	Conceptions of success: Understandings of successful policing of human trafficking	'It's about using the full sanction catalogue': on boundary negotiations in a multi-agency organised crime investigation
Methods	Methodological discussion	Empirical study, quantitative data	Empirical study, qualitative data	Empirical study, qualitative data
Data	Combination of national crime register data and police case files	Combination of national crime register data and police case files	Data from interviews with police and police prosecutors (N = 23)	Interview data with police, the Labour and Welfare Administration, and Tax Administration (N = 23)
Main research question(s)	How can analysis of police-generated investigation data contribute to criminal justice and police research, and to police organizations?	How does human trafficking come to the attention of the police? How do identification practices vary over time? Do initiation practices influence case outcomes?	How do police and prosecutors assess 'success' in THB cases? How do conceptions of success vary within police organizations? How do police officers weigh up different success criteria?	How did organizational boundaries shape the internal operations of the multi-agency 'Lime' project?
Data analysis		Logistic regression analysis	Thematic analysis	Thematic analysis
Analytical concepts	Organizational learning; Insider/outsider positions	Police mobilization; Professional discretion	Goals and success; Decoupling; Institutional logics; Professional discretion	Police organizational boundaries; Inter-organizational co-ordination work; Partnerships; Instrumentalism

3.2. Obtaining Research Permits

The Personal Data Act requires research collecting and recording personal information to be reported to the Norwegian Social Science Data Service (NSD). In this study, both the quantitative and qualitative data contain sensitive information about individuals who are directly or indirectly involved in THB. The study was therefore reported to the NSD well in

⁵ Table created with inspiration from Nesje (2018).

advance of data collection. Researchers who intend to analyse data containing confidential information, and who carry out interviews relating to matters governed by police officers' professional secrecy, need special permission to carry out their research. Applications for exemption from confidentiality for the interviewees were therefore sent to the Norwegian Police Directorate, the Director General of Public Prosecution, and the Council of Confidentiality and Research. After providing various additional details, I received research permits from all these bodies, which meant that I was given access to one of the relevant police registers (the national crime register) and could start extracting case information about recorded THB cases, and was allowed to interview people dealing with THB cases.

To access the second register containing police case files (which included the investigation data), a new series of applications was necessary. At this time (2014), each police district had its own register, which meant that I had to apply for access to each district (there were 27 at the time) and to special units (2). Applications were sent to the Chief of Police/Chief of special unit in all districts and special units, except for districts with less than two reported THB cases.⁶ After a succession of reminders and phone calls, permission and technical access was eventually given in all districts.

Later, when recruiting participants for individual interviews, applications for permission to carry out interviews were sent to the Chief of Police or Head of Section of the relevant police districts and special units. In advance of the data collection, I also obtained free and informed consent from all informants.

3.3. Quantitative Data

Article I discusses in great detail the content of the police registry data that are analysed in the thesis, including the advantages and disadvantages of using them for research purposes. The article also discusses how individual judgments may affect the creation of police records and includes critical views about using typical input and output variables to assess police practices. The following section will therefore not say much about these topics.

3.3.1. Data Collection and Preparation

The national crime register, STRASAK, contains administrative records of all reported criminal offences, with each offence appearing as a separate statistical unit. To begin with I searched for all cases reported as violations of Article 224 of the Penal Code (Human

⁶ This applies to five police districts, which together had a total of seven reported THB cases.

Trafficking) registered between November 2003 and December 2013, and extracted the data linked to them. Data extraction was done September 12, 2014 (N = 363). Three additional cases described as violations of ‘personal freedom’ but which ended in convictions for THB were added to the dataset. This extraction thus yielded a total of 366 THB cases. However, not all the cases were suitable for further analysis. To be included in the final data set, a case had to be closed (i.e. the police prosecutor had to have preferred an indictment or to have dropped the case). Because THB investigations can be very lengthy, the selected cases were updated, and any recent settlements five months after the initial extraction were noted. Cases that were still not closed (N = 6) were eliminated from the dataset. Two other cases were also eliminated (see article II for a detailed review of this process). In the end, there were 358 reported THB cases that were suitable for analysis. Data were then encoded to allow analysis in SPSS.

The statistical data extracted from STRASAK contain information about how all the cases progressed (e.g. the duration of the investigation and the prosecutor’s case processing time), but they are limited in the sense that by *themselves* they contain few or no clues to the ideas behind the decisions taken in the investigations. However, as noted above, this kind of information can potentially be retrieved from the police case handling system BL (the internal investigation database). Accordingly, to find out more about the reported THB cases, I looked them up in BL and extracted additional information about the police investigations that were carried out (see article II for detailed reviews of the following variables). The information included how the case came to the attention of the police, whether the alleged trafficking victim was willing to cooperate with the police, whether the identity of the suspect was known to the police at the time of the initiation of the case, and how many suspects there were when the criminal complaint was registered by the police. Finally, I merged the case file data with the data from STRASAK, making it available for quantitative analysis. Because no such complete and detailed register of all reported THB cases with their related variables had hitherto been created, establishing such a register can in itself be considered a major contribution to the field of research. Even though a few countries have conducted case law analyses of law enforcement responses to THB (see e.g. Farrell, McDevitt, & Fahy, 2008; Farrell & Pfeffer, 2014; National Rapporteur of Trafficking in Human Beings, 2012), very few countries have (at least to my knowledge) established such a detailed criminal case register as the one described above.

In THB cases with more than one victim, the criminal case registration follows the *victim*, not the offender.⁷ What follows from this is that each victim is given a separate case record number and is accordingly included in the register as a separate statistical unit. This means that one trafficking situation, involving either exploitation of one person or a more intricate THB case complex, can generate either a single record or several separate records in the national crime register. In the latter case, such separate (but connected) records are still administratively linked together in the crime register, which makes it possible to detect not only intricate THB case complexes, but also cases that are linked together in some other way. To examine how this appeared in my data, I went through all the cases, looking for any linkages between them. Unsurprisingly, I found that some few of the 358 recorded THB cases were somehow linked together. Nevertheless, this case review made me confident that it was reasonable to treat cases belonging to the same cluster of cases as *separate* cases; I found that, even within the same case complex (e.g. one including two traffickers and several victims) the cases had sometimes come to the attention of the police in different ways or at different times. Most important, all cases shall, by instruction from the Director General of Public Prosecution, be given individual case decisions (Riksadvokaten, 1994). In short, the case records of bigger case clusters included in the same prosecution process are not necessarily identical either as regards their nature or the decision reached on them.

3.3.2. Data Quality

One of the strengths of the quantitative data set designed for this study is that it contains the total population of THB cases reported between 2003 and 2013. The data are thus well suited to exploring and understanding variations over time within (the known cases of) a specific crime type (cf. Flyvbjerg, 2006). Thanks to the unique information obtained from the police case files, the data also provide important insights into practices that are crucial for the development of organizational learning. However, as the data extracted from the police databases were not originally compiled for research purposes, they may lack details or be affected by incorrect registration or local variations in registration practice (Riksadvokaten, 1994). The data do not contain information about discretionary judgments or other decisions about what happens outside the criminal case (to find out such things, we need to carry out individual interviews). Some variables are based on my own interpretation of information found in the police case files (see discussion in article II). Naturally, this introduces some subjectivity into the data.

⁷ Crime recording instructions are given by the Director General of Public Prosecution (Riksadvokaten, 1994).

In order to test data quality and validity, I compared the data and the research results against existing knowledge about THB law enforcement in Norway. First, data were compared with information from the Norwegian Coordination Unit for Victims of THB (KOM), which provides annual overviews of all THB court convictions (35 case clusters at the time of data preparation, see KOM, 2014), including information about the police district investigating each case, the gender and nationality of victim(s) and convicted person(s), and the type of exploitation. This made possible a careful comparison of the THB cases extracted from the police databases and the 35 convictions described in the KOM reports. In addition, the 35 judicial decisions were brought together and checked against the KOM register and my own data set. This type of case review serves as a useful test of the quantitative data set: if it was not possible to identify the court convictions from KOM's overviews in the data extracted from the national crime register, or if the given cases were *not* registered as ending in conviction, this would have brought the data quality into question. However, as the cases ending in conviction were (eventually) identified with the correct case outcomes, this assured me that the data gave an accurate picture of the reported THB cases.

The analytical units included in the final data set are cases that are *registered as violations of §224* (the THB Act), i.e. cases interpreted as THB by the police officer filing the report. They also include cases reported to the police by non-police actors, as these reports too must eventually have been understood as 'human trafficking' by the filing police officer. However, dark figures are believed to be substantial for THB, and it is also likely that many cases remain unknown, due to lack of knowledge and competence among frontline officers. Previous studies of police efforts against THB have also demonstrated that there is not necessarily any direct link between the letter of the law and how the law is actually interpreted and enforced by the police (Farrell et al., 2014; Jahnsen, 2014; Sønsterudbråten, 2013), which means that many THB cases are never even registered (or, they are registered as other types of crime). It is therefore important to point out that the data set is not intended to measure how many THB cases there are,⁸ but rather, to indicate the total number that have been reported.

⁸ A broad range of literature has discussed the many challenges involved in measuring and registering THB (see e.g. Brunovskis & Surtees, 2012; Di Nicola, 2007; Lerum & Brents, 2016; Savona & Steffanizi, 2007; Tyldum & Brunovskis, 2005; Zhang, 2012).

3.4. Qualitative Data

There were two separate rounds of interviews, with separate recruitment for each: in all, interviews with 28 practitioners were conducted. Using non-random, strategic sampling (Miles, Huberman, & Saldaña, 2013; Rapley, 2014), the aim was to include informants with different backgrounds and experiences, who were from different levels of the organization and from different specialist units and police districts. Although all the informants were included in the study because of their particular experience in investigating THB, the participants in the two rounds of data collection represented somewhat different fields of experience.

3.4.1. Sampling and Data Collection

The data collection for the PhD study overlaps with two separate projects that I was involved in simultaneously in the PhD research period, which raised questions directly connected to the PhD study (see Appendix 2 and 3). **The first project** was an evaluation of the multi-agency ‘Lime’ investigation (a wide-ranging criminal case often referred to as Norway’s biggest THB case) carried out with Annette Vestby (Norwegian Police University College). Although the Lime case included a variety of criminal offences, forced labour exploitation was defined as a core activity and was the starting point of the criminal case. Twenty-three respondents were recruited between December 2015 and March 2016 (i.e. a sequential sampling strategy, see Miles et al., 2013). Interviews were conducted with 18 officers from different parts of the police force (including management level officers, operational officers, investigators, police prosecutors,⁹ officers from specialist national investigation bodies (National Criminal Investigation Service (KRIPOS) and the National Authority for Investigation and Prosecution of Economic and Environmental crime (ØKOKRIM)), together with five participants from the Tax Authority and the Labour and Welfare Administration, who had been involved in the extensive multi-agency investigation team. Annette Vestby and I were both present at all the interviews.

⁹ Although the Police and the Prosecuting Authority are separate authorities (*The Police Authority* is organized under the Norwegian Ministry of Justice and Public Security and the Norwegian Police Directorate, *the Prosecuting Authority* is organized under the Director General of Public Prosecutions), the first level of prosecution is carried out within the police organization (Myhrer, 2015). This means that prosecutors holding police ranks head police investigations, which are conducted by police officers. The prosecution authority has the power to initiate investigations, to make decisions on ongoing cases, to request arrests or detention, as well as to prosecute cases in court (Bruusgaard & Stave, 2008). Prior to the police investigation, the prosecutors thus decide whether the case should be taken to court or dropped.

The data from this first round of collection is analysed in article IV, which also provides a detailed description of the sampling strategy. The participants were well informed about our research agenda: they knew we were carrying out interviews in connection with the evaluation of the investigation, but we always made sure we talked specifically about our individual PhD projects and thus also specifically asked permission to use the interview data in these projects, before we started the interviews. We also gave interviewees business cards and consent forms, and informed them that they could withdraw from the study at any time.

The second project was a collaborative project between the Norwegian Police University College (including my colleague Johanne Yttri Dahl) and the Centre for the Study of Democracy in Bulgaria: its title was ‘Strengthening law enforcement responses to transnational organized crime in the context of the migrant crisis’. For this study, five interviews were conducted with THB experts in February and March 2017. With the exception of one interview which I conducted alone, Johanne Yttri Dahl and I were both present at all the interviews.

To uncover subjective perspectives and evaluations of certain themes (i.e. sampling for meaning, Luborsky & Rubinstein, 1995) and to maximize our understanding of the research topic (Onwuegbuzie & Collins, 2007), participants were sampled from different police districts and from one specialist national investigation body, and selected on the basis of their particular expertise in the THB field. The police officers recruited in this second round had experience of responding to THB in connection with prostitution and with the labour market. Here too, questions directly related to the bilateral project were added to questions connected with my PhD study (including questions regarding general law enforcement against THB, understandings of goals and success, as well as more general challenges and organizational strategies in policing complex multidisciplinary crime). Informed consent was given by all respondents.

3.4.2. Analysis

Data were analysed using thematic analysis, a method for ‘identifying, analysing and reporting patterns (themes) within data’ (Braun & Clarke, 2006, p. 79). Using Nvivo 10 and 11, the interviews were coded for indicators of aims, goals and success. Both predetermined and emergent codes were used. The codes were then grouped into a thematic structure (Bazeley, 2009) to reflect common patterns that derived from the data, which was examined in relation to factors such as work type, experience and organizational affiliation.

3.4.3. Data Quality

The limitations of qualitative data are often connected with validity or credibility (Tashakkori & Teddlie, 2008). A particularly important threat for validity is the focus on remote or marginal cases (Kelle, 2006). Whereas the participants recruited in stage two of data collection were considered ‘general THB experts’, this was not true of the participants recruited for the first round of interviews. In the case of this first round, an important consideration is the participants’ ability to answer questions about topics beyond the actual ‘Lime’ case; although the majority of questions concerned this specific case, participants were also asked to talk about topics that went beyond it, such as general law enforcement around THB, understandings of goals and success, as well as more general challenges and organizational strategies in policing complex, multidisciplinary crime. It is therefore important to point out that, although not all participants considered tackling THB to be their core activity, every one of them had experience of dealing with this type of crime. Because of their experience and positions, they were therefore able to discuss the policing of THB more generally.

One potential issue arises from the fact that some of the interviewees may have had certain hopes and expectations of my research project, e.g. that it could ultimately lead to improvements in their working conditions. This is because, before it began, the study had for some time been listed in the national Plan of Action to prevent THB in Norway (originally, as an ‘evaluation of the police’s efforts against THB’). For some of the informants the study was thus long-awaited (a fact which some of them reminded me of during the interview). As a result, although I sought to follow the interview guide and to cover both positive and negative practices in the interviews, it is possible that some of the police officers felt the need to focus specifically on the negative parts of their work.

3.5. Additional Background Material

A number of documents have been used as background material for this study. To begin with, all annual directives known as ‘Objectives and priorities for criminal proceedings’¹⁰ issued by the Director General of Public Prosecutions between 2003 and 2014 were examined for any mentions of THB. Then all judicial decisions regarding THB were collected and used as part

¹⁰ ‘Mål og prioriteringer for straffesaksbehandlingen’

of the validity check of the quantitative data set. Reading through the court convictions also helped inform my general view of THB and its key features.

In addition, as a (very) limited pre-study, I accompanied the THB specialist unit in a Norwegian city on one of their night shifts. I joined two patrol teams, both by car and on foot. This took place after I had collected the quantitative data, but before I had started interviewing. I was keen to talk to the police officers in a more informal setting than in a pre-set, recorded interview, so as to increase my knowledge of how this specialist team worked. I also wanted to learn more about what my quantitative data material might *not* include. No data was recorded, but what I learned that night was used as background information that I bore in mind when I started designing the interview questions.

3.6. Generalizing

The issue of how one's research findings may relate to events or processes in other spatial or temporal contexts is an important topic in discussions of social research (Lund, 2014; Tashakkori & Teddlie, 2008). Confronting it requires a clarification of the analytical purpose of the study.

As an example of a type of 'complex crime', THB is given substantial attention in this thesis. However, owing to the many specific characteristics associated with efforts to tackle THB, the findings do not show close similarities with the policing of other crimes that have no common features with THB. Nor is this the intention: the analytic purpose is not to generalize findings that are valid for police officers' responses to crimes in general. Rather, the response to THB is used as a tool to understand individual police officers' handling of particularly complex crime phenomena. This helps produce more general arguments about police strategies and their potential limitations for handling such crimes. This type of generalization resonates with 'a contextualist strategy of generalization' (Mjøset, 2009, p. 52), where generalization is considered possible only within particular contexts and with a limited group or population.

As defined in this thesis, 'complex crime' means crimes where the victim requires particular attention but where victims may be reluctant to cooperate with law enforcement. Such crimes entail diverging understanding of problems, and (potentially) overlap with other types of crimes. While THB is a particularly good example of such crimes, there are other types of crimes that can also be understood as 'complex'. For instance, THB is by no means the only form of crime where police officers face challenges in dealing with victims: similar

challenges may also arise when dealing with crimes taking place in the labour market¹¹ that involve the exploitation of people with limited access to civil rights. In the policing of domestic violence, too, the police face challenges with victims who are reluctant to cooperate (Aas, 2009). Similar findings have also been reported in studies of police responses to rape (Spohn, 2014) and hate crimes (Farrell, 2014; Jenness & Grattet, 2005). Consequently, findings concerning police officers' handling of THB may also be transferable to the policing of other such types of 'complex' crime.

3.7. The Role of the Researcher

According to Brown (1996), there are two broad dimensions of police research: research conducted from within the police organization, and that from outside it (*insider/outsider positions*). These dimensions can be further divided into four sub-groups depending on researchers' professional backgrounds and affiliations, which will affect the levels of access to and support from the police they have. Following Brown's definition, I can be characterized as one of the *inside outsiders*, i.e. 'academically qualified civilians working within police forces' own internal research departments' (1996, p. 183). Yet, as an employee of the Norwegian Police University College, I am often seen as a 'member of the police organization' (by people both inside and outside the police), and thus a typical *inside* researcher. Although this does not completely agree with my own understanding of being an employee of the research department of the police's educational institution, this insider position might affect what kind of information I get from informants. This is discussed in the following sections.

3.7.1. Conducting Research within one's own Organization

As an employee of the Police University College, I am in close contact with practice in the field. Throughout the PhD project period, I have attended numerous conferences and meetings related to THB. This means that part of my background information and understanding about the research field has been shaped by a number of informal conversations with police officers, prosecutors, investigators, persons from control agencies etc. However, information from these conversations has not been recorded and it is not included as part of my analytical data

¹¹ Crimes taking place in the labour market ('arbeidslivskriminalitet'), are actions that violate Norwegian laws regarding wages and employment conditions, social security benefits and taxes and that exploit employees or undermine social structures (Arbeids- og sosialdepartementet, 2017).

material. Nonetheless, the conversations were important in keeping me updated with police thinking and in shaping my project throughout the research period.

In addition, since October 2016 I have been taking part in the national THB competence group (when I joined the group, I had completed the quantitative data collection and the first round of interviews, but had not yet started the second round of interviews). The competence group consists of 15-20 national experts, including police officers, prosecutors, collaborating partners and representatives from the Coordinating Unit for Victims of THB (KOM). The group meets regularly and its activities include arranging national meetings and seminars and developing national training tools. Being a participant in this group has significantly broadened my network and increased my knowledge about police responses to THB. In particular, I have received invaluable feedback and benefited greatly from discussing work in progress and from being able to critically discuss various types of police strategies in the group.

Researchers will always influence the social interactions that constitute the data (Reiner, 2000, p. 221). Participating in the competence group and being involved in THB research for several years, meant that when I sought to recruit experts in the field for the last round of interviews, I had already met four out of five of the experts that ended up being interviewed. Although I did not know any of them personally, some of them knew that I was involved in the competence group. Possibly, the fact that I was a member of the group, and was employed at the Police University College, helped me to gain the trust and co-operation of the interviewees. However, I do not believe that my role as a participant in the competence group resulted in bias in the data. My perception is that the interviews with people I had met several times before were indistinguishable from interviews with those I had never met or had met only once before.

Nonetheless, it is possible that the interviewees' response to me was different from what it would have been if they had defined me as a 'university researcher'. I cannot know this for sure, but an incident that happened the night I accompanied the THB specialist unit made me think I was perhaps being treated differently owing to my 'insider' position. On this occasion, a Norwegian TV journalist was also there for some hours. At one point during the shift, one of the teams had the journalist and me sitting in the back seat of their car when they became aware of a potential THB situation in a hotel, and decided to follow it up. The journalist was asked to remain in the car, while the police officers told me to follow them into the hotel, which I did. While there I was asked to assist them with a particular task – perhaps as mark of confidence, or perhaps as a kind of test, or perhaps simply because I was

physically more suited to doing it (this was their explanation). Anyway, what I was asked to do could have had major consequences for the parties involved, and as a researcher who had only asked to observe the special unit for a few hours, I did not want the situation to end differently from how it would have done if I had not been present. I therefore politely declined their request. Eventually, the police officers performed the task themselves.

3.7.2. Ethical Considerations

The data extracted from the police registers are originally recorded for investigative purposes, not for those of research. This means that neither the police officers dealing with the THB cases, nor the individuals involved in them, are informed that they are subjects of research. According to the guidelines of the National Committees for Research Ethics, subjects of research should consent to participating in the research, and should be informed about the aims of the study and its methods (NESH, 2006). While this is the case for the qualitative part of the study, the same cannot be said for the quantitative analyses.

All studies using register data have issues concerning lack of informed consent and lack of notification of relevant information. According to NESH, the demand for informed consent can be excluded in cases where the research does not involve physical contact with those being studied (2006, p. 14). There is, however, a question to be asked about the relation between the purpose of data registration (investigative purposes), and how these data are then used (research purposes). One might imagine, for example, that some information, such as personal background stories given by traumatized trafficking victims with limited trust in the police, would not be very useful for analysing organizational responses to THB. In addition to providing poor research results, making use of such personal information would, in my opinion, be ethically problematic. It is therefore important to stress that only a few particular variables are extracted from the police interrogations and analysed for the purposes of this study. This includes information about how THB cases came to the attention of the police, whether the victim cooperated with the police (i.e. whether they were willing to make a statement to the police), whether the identity of the suspect was known to the police when the case was registered, and how many suspects there were when the criminal complaint was registered by the police. No information from the court proceedings or other person-identifying information about those involved in the criminal cases is included in the research data.

4

Summaries of the Articles

Article I

Exploring Criminal Investigation Practices. The Benefits of Analysing Police-Generated Investigation Data

European Journal of Policing Studies (2017), 5(2), 5-23.

This study is co-authored with Johanne Yttri Dahl. I am first author and contributed 60% of the final article.

The article presents a thorough discussion and exemplification of the hitherto untapped potential for research that lies within different types of internal police databases, a resource that has not been sufficiently discussed in the literature on police performance and organizations. We point to three particularly rich sources of such data (national crime registers, police case files and data from forensic DNA databases), and claim that analysis of such data would help researchers open the ‘black box’ that conceals a large part of the police’s investigation practices, and provide important insights into practices that are crucial for the development of organizational learning. Using examples from our own research, we illustrate how police-generated investigation data (police case files) in particular contain a range of documents that give researchers access to the progress of police investigations, and that analyses of such data can improve our understanding not only of police investigation

practices, but also of the implications of specific methods or strategies. In addition, we argue that data from police databases facilitate more complex analyses of police strategies and methods, enable detailed examination of complete sets of criminal cases and make it possible to establish statistical patterns in criminal investigation practice.

More broadly, we claim that academic analysis of police-generated investigation data would contribute to criminal justice and police research, and be of use to police organizations. Drawing upon the ideas of Innes (2010), we discuss how analysis of internal organizational data can work as a ‘motor’ for change and improvement within police organizations, as it may reveal the need for change in practices that are normally hidden from the public. Further, by casting a light on practices that are not particularly well known within the police, such research may also ‘mirror’ police practices. New and more exact knowledge about police practices, often hidden by the unspoken assumptions of many police investigators, may also help capture the complexities of police practice, which in turn may enable police investigators to work better and improve their and strategies, and thus increasingly engage in knowledge-based police work. In addition, and importantly, greater use of internal organizational data gives ample opportunity to look more closely at police practices, including efforts to ‘control the controllers’ (Innes, 2010; Reiner, 2010).

Finally, research evidence describing processes that have usually been hidden may also offer new perspectives on broader official debates, contribute to more constructive discussions about the quality of police practice, as well as improve justice and the rule of law. Only if they have access to knowledge about such generally inaccessible parts of police work, can policymakers and the public have informed and critical views of police methods and practice. The thesis thus also makes an important methodological contribution to disciplines relevant to research on police organizations and crime.

Article II

Identifying human trafficking in Norway: A register-based study of cases, outcomes and police practices

European Journal of Criminology (2017), 14(5), 522-542.

The aim of this study is to examine the role of the police in the construction of THB police reports, the characteristics of the cases and their outcomes. In order to do this, I make use of innovative data such as that set out in article I. By designing a unique data set that brings

together information from two police registry sources (data from the national crime register and police case files data obtained from a criminal investigation database), I am able to carry out analyses that would not be possible using national crime data alone, or surveys, interviews or observational data. The article is the first of its kind to examine the totality of THB cases reported to the Norwegian police between 2003 and 2013, and to include analyses of the police's role in detecting and reporting THB cases and of variations in how action has been initiated.

In the article, the following research questions are explored: How does human trafficking come to the attention of the police? How do identification practices vary over time? Do identification practices influence case outcomes? Based on previous research on police organizations and on the particular features of human trafficking, I expected most THB cases to come to the police's attention from external actors (victims, NGOs, child protections services etc.) but that the police would gradually become more active in their identification practices owing to increased knowledge and experience. Last, I expected that, because of their limited time and resources, police officers would concentrate on the cases they believe are likely to result in a conviction, meaning that cases that are police-initiated are more likely to end with a criminal prosecution than are non-police-initiated cases which are otherwise identical.

In line with the first expectation, the findings suggest that most THB cases are brought to the police's attention by external actors. However, and contrary to the second expectation, the study shows that, over the decade under examination, the police play a decreasing rather than increasing part in the identification of human trafficking crimes (despite growing numbers of THB reports). This development in police organizational practice was quite surprising and could not have been demonstrated without the merging and analysis of the police registry data developed for this study. Last, and as anticipated, the study demonstrates that cases that are reported as a result of police initiatives are considerably more likely to lead to criminal prosecution than cases reported by non-police actors. The study concludes that the police possess great discretionary power to decide what is to be defined as human trafficking, and that such decisions are likely to be greatly affected by what resources are available, and the knowledge and motivation of frontline officers.

The article contributes to the criminological literature by providing and discussing a unique set of data concerning the handling of a type of crime we do not have very detailed information about. The importance of victim identification is a recurring issue both in academic research and in the field, and the study provides new information on crime

identification practices, as well as new insights into the relation between these and case outcomes. The findings are relevant to discussions about the discovery and outcomes of crimes, and for general discussions of law enforcement and criminal justice institutions.

Article III

Conceptions of success. Understandings of successful policing of human trafficking

Policing: A Journal of Policy and Practice (2018). 1-14. doi:10.1093/police/pay073

This article moves the focus onto the individuals working in the THB field, and explores subjective conceptions of success within police organizations. As its starting point, it suggests that police organizations are likely to experience multiple institutional demands that may impede the performance of the organizations' tasks and operations. While management tends to stress convictions and the demonstration of police authority as core organizational objectives, frontline officers may have different or additional understandings of success. Such internal divergences may result in conflict over goals and may displace organizational goals and priorities. Hitherto, research has paid little attention to subjective constructions of success among police officers and the implications of these for organizational performance.

Analysing interviews with police and police prosecutors working in the THB field (including management level officers, operational officers, investigators and officers from THB specialist groups), the study explores what individual members of police organizations consider to be 'success' when facing THB crimes. The study identifies three different conceptions of success – *convictions*, *victim awareness*, and *crime prevention* – that seem to guide the activities of police officers and police prosecutors and that give meaning to their work.

The findings demonstrate that what is regarded as success varies within the police, and that what type of work they do, and operational experience, influence how police officers relate to the issue. The study then goes on to explore how police officers balance their individual values and the rules and regulations of their organization when dealing with THB crimes. The article suggests that, when dealing with these multiple organizational goals, street-level discretion provides opportunities for resistance to the more formal rules and regulations laid down by management. It shows that, by adhering to 'alternative' success criteria (i.e. the improvement of THB victims' life situations), frontline officers help to shape the everyday work of the organization and to regulate how policy is actually implemented.

The findings indicate that the police hold substantial discretionary power when handling THB crimes, which supports the assumptions made in article II.

The article draws particular attention to potential conflict between client-centred goals and police organizations' instrumental productivity demands, and points out how pressure to meet institutional demands can divert attention away from victims' individual needs. The study thus offers important insights into some of the conflicts that the police face when dealing with complex crimes where the victim requires particular attention, raising the question whether such crimes require alternative definitions of success. By providing empirical evidence and more nuanced understanding of the different ways individual police officer speak of, and relate to, the issue of success in the policing of THB, the study contributes to the literature on police performance and organizational strategies.

Article IV

'It's about using the full sanction catalogue': on boundary negotiations in a multi-agency organised crime investigation

Included in Special Issue: Policing across organisational boundaries: developments in theory and practice, edited by Benoît Dupont, Peter K. Manning and Chad Whelan. Policing and Society, 27(6), 655-670.

This study is co-authored with Annette Vestby. We contributed equally to the final article.

In this paper, we turn our attention to the police as participants in multi-agency partnerships and explore the co-ordination between state agencies in the investigation of the Lime case, which is often referred to as 'the biggest THB case in Norway'. At a time of an increased incidence of cross-jurisdictional crimes carried out by large criminal networks, including also crimes that come within the frame of what we define as THB crimes, the need for multi-agency investigations is growing. However, the co-ordination of state agencies may lead to tension between the aims of the joint investigation and the separate jurisdictions and mandates of the agencies involved.

Inspired by Giacomantonio's work on the sociology of police co-ordination and his typology of police organizational boundaries (Giacomantonio, 2014, 2015), the study discusses issues that arise when organizations with different goals and interests collaborate on a shared project. Analysing interviews with investigators and management-level officers from the police, the Tax Authority and the Labour and Welfare Administration, the article

demonstrates how organizational boundaries are negotiable and can be bridged pragmatically so as to meet both agency-specific goals and the wider goals of the shared investigation. It finds that the police may turn their discretionary power to their advantage in such negotiation processes: by means of goal-oriented pragmatism, they are able to make strategic use of criminal and administrative law, interchanging them when necessary.

The article also demonstrates that investigation groups involving multiple state agencies potentially have great power. While collaborative approaches enable these agencies to pool their resources to tackle complex and sector-spanning crimes effectively, coordination across organizations may also challenge the existence of aims and interests that sometimes conflict. Discussing the investigation team's access to the wide and varied toolbox, referred to as the 'full sanction catalogue', the study raises questions about the reach of the state and its use of diverse powers to investigate and prosecute certain offences. In line with points made in article III, the study raises questions about weighing efficiency against the protection offered by formal organizations in terms of accountability and privacy, and notes that the use of a goal-oriented pragmatism may challenge existing accountability mechanisms. The study thus contributes to theoretical discussions about the sociology of police coordination work, as well as to broader sociological discussions about organizations, professional discretion and the police as a powerful state agency.

5

Conclusion

This thesis has aimed to explore how individual members of the police interpret and carry out their work within the regulatory structures of their organization, when dealing with complex crime. Such crimes demand a high degree of flexibility among individual police officers, as they are likely to challenge traditional goals of crime management (Ratcliffe, 2016). In particular, police officers may find that their performance and task delivery are hampered by victims who may be reluctant to engage with the police, by needs for inter-organizational cooperation and possibly also by conflicting understandings of the issue within their own organization.

5.1. Understanding Police Responses to Complex Crimes

Each in their own way, the empirical studies presented in articles II, III and IV contribute to our understanding of police responses to THB and to complex crimes in general. First, examining police officers' role in the construction of THB reports, article II indicates that the role of the police in the identification of new instances of THB is declining. By providing an accurate picture of the characteristics of cases and how they have changed, and by offering important insights into police practice at the local level, the findings add to a growing body of literature on law enforcement efforts against THB, and to the criminological literature. Further, article III demonstrates that notions of success vary within police organizations. This applies not only to the formal procedures of filing a THB report and seeking a conviction in court, but also to victim awareness and crime prevention perspectives which emerge as

important guiding principles for police officials dealing with THB. By shedding new light on officers' reasoning and responses to THB, the article contributes to theoretical discussions of police performance and organizational strategies. Finally, article IV demonstrates that, when the police are faced with complicated clusters of serious crimes, they are likely to adopt a goal-oriented pragmatism, making strategic and interchangeable use of criminal and administrative law. This means that, if police officers believe convictions can be more easily obtained through using sanctions other than those connected with THB, this may be seen as an appropriate strategy, and one that also helps officers to manage their workload. The study thus contributes new insights to the literature on police co-ordination and on inter-organizational activities. The study also adds to theoretical discussions of professional discretion by providing unique insights into how frontline officers can shape the everyday work of their organization and regulate how policy is actually implemented, thereby operating somewhat as the 'law-in-between' (cf. Brodtkin, 2013a; Jenness & Grattet, 2005).

However, by putting the findings into a broader context and taking an overall view of the empirical studies, they give a more versatile image of police responses than what is visible from looking at the articles separately. Thus, while article II suggests the decrease in police mobilization to be a result of police officers' discretionary selection of 'easier' cases over more complicated ones (in line with Lipsky's street-level bureaucracy perspective, 1980), the articles that follow it cast a somewhat different light on their approach. Seen from a more holistic perspective, a reasonable understanding may be that, when THB first came onto the agenda (with the introduction of the THB Act in 2003), the police invested significant effort into identifying potential THB situations and initiating investigations. As a result, a large proportion of the cases reported the following years was so-called 'police-initiated' (see article II). With time, however, officers may have found that they struggled to *succeed* with these cases (i.e. to get convictions in court). These complex cases did not always fit well into their organization's regulatory framework and core objectives. For instance, police officers may have experienced challenges in securing and maintaining victim cooperation (Cockbain & Brayley-Morris, 2017; Segrave et al., 2009), or in achieving the goal of conviction while also adequately safeguarding victims' needs (Brunovskis & Skilbrei, 2016; Jahnsen & Skilbrei, 2017; Skilbrei, 2013). Appearing in court involves exposure to severe stress, and many victims fear serious reprisals from traffickers. Consequently, not all trafficking victims wish to have their cases tried in court.

As a result, officers might have adopted alternative conceptions of success. As demonstrated by article III, such conceptions include a strong emphasis on victims' safety and

the improvement of their lives, as well as on various types of crime prevention and disruptive strategies. Drawing upon the literature on organizational sociology, individuals' creation of new or additional strategies to deal with THB can be understood as a type of 'decoupling' from the formal structures of their organization (Bromley & Powell, 2012). However, while the presence of multiple goals can result in conflict, multiple objectives and guiding principles may also coexist (Reay & Hinings, 2009; Waldorff et al., 2013). Police officials may therefore respond to a variety of organizational goals and see multiple means of achieving success. Adding qualitative data analysis to the quantitative data thus helps identify different contextual factors from those of the quantitative findings (Johnson & Onwuegbuzie, 2004): exploring police responses to complex crime from a bottom-up perspective helps illuminate other dimensions of organizational 'success' than what national crime registers are able to capture (Brodkin, 2011a), and to obtain a more nuanced and fuller understanding of police responses than is possible through quantitative analysis alone (Tashakkori & Teddlie, 2008).

As discussed above, the set of options available to deal with a problem can be understood as a set of institutional logics, which provide the formal and informal rules of action, interaction and interpretation that both guide and constrain police performance. Importantly, these guiding principles also provide a set of assumptions about what constitutes appropriate behaviour and how to succeed (Thornton & Ocasio, 1999). Thus, as this study has indicated, police officers dealing with complex crime may have to draw upon their entire institutional environment (including regulative, normative and cultural-cognitive elements) and balance different types of approaches, including logics of 'instrumentality' (i.e. making choices based solely on one's own interest, which are thus legally sanctioned) and logics of 'appropriateness' (i.e. making the most appropriate choices based on current circumstances, which are thus morally governed) (March & Olsen, 1989). These findings are also supported by the idea of bounded rationality: police officers faced with uncertain situations must draw upon their own experience to develop new methods and strategies for dealing with these crimes (March & Olsen, 1984). As individuals craft laws and rules that they believe will advance their interests (Scott, 2001), this may also explain why the THB Act is often given lower priority when THB is part of bigger cross-sectional crimes or combined with other crimes for which it may be easier to gain convictions.

The knowledge that develops among officers dealing with THB is often embedded in their narratives and unspoken assumptions, rather than in formalized and explicit knowledge available to the rest of the organization (Piore, 2011). Consequently, while the findings from article II remain valid when seen from a broader perspective, their interpretation needs to be

slightly modified. This also means that, in order to make solid assessments of police responses to complex crime, we need to know about the mechanisms that may develop when police organizations come up against complexity. The key thing, however, is to understand the role and importance of professional discretion and how individual officers take advantage of their discretionary power when responding to complex crime.

5.2. Understanding the Role of Professional Discretion

While frontline officers' actions are governed by particular laws, political pressure and explicit requests of not passively wait for trafficking victims to report crimes against them (Riksadvokaten, 2005), their discretionary power still allows freedom of action (Buvik, 2016). How these workers make use of the discretionary space available to them to serve their clients, potentially in ways that might not always be strictly within the rules, and how this influences priorities, victims, and the use of legal sanctions, is therefore central to the question of how street-level workers operate within the structures of their organizations (Rowe, 2012).

Despite being obligated to file a THB police report if they come across a potential THB situation, frontline officers are usually free from direct observation by either managers or the general public (Lipsky, 1980). As a result, police officers are essentially able to close their eyes to cases that are considered potentially complicated or resource-intensive (if, for example, they believe these cases will 'steal' resources from other cases). Similar situations have been found in previous research on police responses to THB (Farrell et al., 2014; Jahnsen, 2014a, 2014b; Sønsterudbråten, 2013; see also Spohn, 2014 on prosecutors' reluctance to file THB charges). While officers might get disciplined for unnecessary use of violence against a client, this is unlikely to happen if officers choose to look the other way when they encounter 'difficult' or 'non-cooperative' victims (Zacka, 2017). Frontline workers are therefore said to operate under a 'visibility cover', meaning that decisions to ignore particular situations will most likely remain unknown to the rest of the organization (Ericson, 1981, p. 11). The current study supports these views and paints a picture of a wide discretionary space that allows police officers to develop routines and simplifications as a way of managing the many demands they face in their work.

The study makes a number of contributions to discussions about police officers' discretionary space and ability to influence policy. First and foremost, it shows that police officers find strategic and creative ways to handle THB, because they can make discretionary judgements. One such strategy, the adoption of new or additional criteria of success, was

mentioned above. Another tactic involves choosing between legal sanctions: the study shows that, by turning their discretionary power to their advantage, police officers are able to make strategic choices between legal sanctions in order to 'succeed with their cases'. This type of 'ad hoc instrumentalism' (Sklansky, 2012) can be understood as the extreme limit of discretionary practice: by picking the right sanction, officers may increase their chances of reaching at least some kind of instrumental, organizational goal. The dark side of such practices can, however, be significant: paying little attention to the formal legal categories and seeing the available set of rules and procedures simply as a set of interchangeable tools, significantly challenges traditional expectations of police accountability, and may have serious consequences for victims, who may be deprived of assistance, protection and follow-up measures (Jahnsen & Skilbrei, 2017). Pressure to meet institutional demands can divert attention away from victims' individual needs, and may thus create goal conflicts and imbalance between officers' individual values and the rules and regulations of their organization (Hasenfeld, 2010).

The study also indicates that police officers possess considerable discretionary power to decide which cases should be defined as potential THB situations, as well as which cases should be regarded as police priorities. In this way, police officers are operating at the interface between policies as officially laid down and policies in practice, determining who gets what, and how (Brodkin, 2011a). Such use of professional discretion can be understood in different ways. On the one hand, making discretionary judgement over the nature, amount and quality of their services is both appropriate and necessary, and is essential if the police are to perform their tasks efficiently (Lipsky, 1980; Runhovde, 2017; Zacka, 2017). Giving less priority to one particularly resource-intensive case so that a number of less complex cases can be dealt with may therefore be both necessary and wise. Police professionals are granted discretionary power because of their recognized expertise and authority: they are trusted to act on the basis of their best judgement (Molander, 2016). This also means that they are expected to deal with their clients' problems in the best possible way (Molander & Terum, 2008), treating citizens with respect and being as mindful as possible of the specific circumstances and needs of individual clients (Zacka, 2017, p. 49).

On the other hand, widespread use of discretion may threaten the principles of the rule of law and weaken democratic control over the implementation of laws and policies (Molander et al., 2012). Extensive use of discretion can lead to unpredictability and inconsistency in law enforcement (Granér & Kronkvist, 2014; Molander et al., 2012), such as the avoidance of pursuing cases that are considered complicated and resource-intensive. As

shown in this study, due to scarcity of resources, police officers are forced to make pragmatic choices in the face of the high numbers of potential THB cases. However, if this means they will only file reports of those incidents they believe will stand up best in court, closing their eyes to more ‘difficult’ ones, this constitutes a severe threat to basic accountability and the principles of the rule of law. Nonetheless, it must be emphasized that there is no doubt that there can be good and objective reasons not to file a THB complaint. What is regarded as problematic, however, is police officers intentionally closing their eyes to certain cases because they see them as particularly resource-intensive or difficult.

Making use of street-level perspectives and theoretical approaches drawn from the sociology of organizations to explore police responses to complex crime increases our understanding of how individual officers take advantage of their discretionary power when responding to such crime. Exploring police responses from a bottom-up perspective allows us to understand how these lower-level actors, through processes including interpretation, reasoning and sense-making, are also able to influence the organizational context in which they operate (Scott, 2001, pp. 236-237). Overall, this study has depicted a dynamic interplay between top-down and bottom-up processes in the Norwegian police organization. Despite being constrained by a strong bureaucratic structure and having a political responsibility for carrying out state policy, the study shows that individual actors are still able to reinterpret and challenge the formal rules and regulations of their organization. Seeing how these frontline officers navigate within their environment is key to understanding how they also indirectly construct policy on the ground.

5.3. The Way Ahead

While the study provides insights which can help us make more informed assessments of police responses and which should make police officers better able to meet the challenges of complex crime problems, it also raises some important questions that call for further study in future research. One central issue is how we can ensure that individual police officers’ discretionary power is exercised in a way that does not threaten principles of accountability and police legitimacy. Possible solutions may include more inspection and control, audit systems, and better professional regulation (Rowe, 2012). Another suggestion is that practitioners’ competence—their professional knowledge and practical skills—should be increased (Vabø, 2014). On the basis of this study, there would seem to be a particular need

for more research on how to enable frontline officers to be more responsive to the individual needs of their clients and thus to bring out the ‘good’ sides of discretion (Rowe, 2012).

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Article II

Identifying human trafficking in Norway: A register-based study of cases, outcomes and police practices

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Abstract

This article examines the identification of human trafficking crimes in Norway. By combining two different sources of police registry data that contain the total set of human trafficking cases reported to the Norwegian police between 2003 and 2013, the study examines the role of the police in the creation of human trafficking complaints, the characteristics of the complaints and their outcomes. Findings suggest that, despite a growing number of reported human trafficking complaints, the police seem to play a decreasing part in the identification of human trafficking crimes. The potential under-representation of police initiatives and its consequences for case outcomes is discussed in light of a theory of discretionary decision-making among police officials.

Keywords

Discretion, human trafficking, law enforcement, Norway, police, register data

Introduction

According to the United Nations (UNODC, 2015), nearly all countries are to some extent affected by trafficking in human beings (THB), which is a complex form of crime comprising several different types of exploitation whose details and circumstances are often very difficult to demonstrate. Recent years have seen the emergence of new forms of exploitation, and trafficking is being confronted in a continuously broadening range of businesses and sectors of society (Shelley, 2010). This ongoing change complicates law

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enforcement by the police, together with the identification of victims and the subsequent criminal prosecution of trafficking cases.

A growing body of criminological and criminal justice literature has investigated the relationship between the police and the THB field (Barrick et al., 2014; Broad, 2015; Farrell, 2014; Munro, 2006; Segrave et al., 2009; Wilson et al., 2006). Some studies have also included police registry data such as criminal investigation files in their analyses (Farrell and Pfeffer, 2014; Farrell et al., 2014; Jokinen et al., 2011). However, there has been no examination of a complete national set of reported THB cases by analysing criminal investigation data. Connecting investigation data to official accounts of THB cases allows linkages to data on outcomes of individual cases and will offer new insights concerning police methods, roles and strategies.

This study aims to contribute to this growing area of criminological research by exploring the identification of THB by the Norwegian police. Using two unique sources of registry data, including criminal investigation data obtained from the Norwegian police, I present a quantitative analysis of the total set of reported THB cases in Norway between 2003, when THB legislation first took effect, and 2013 ($n = 358$). The study contributes to the international literature on THB and police organization in several ways. First, I examine the police's role in detecting and reporting cases of THB and paint a statistical portrait of the reported cases and any changes over time in the corpus of complaints. Such overviews are rarely available in the criminological literature. Secondly, I analyse variations in initiation practices throughout the period 2003–13. The study thus responds to previous calls for THB studies to take features of the local context into account (Winterdyk and Reichel, 2010). Finally, I look at the THB case outcomes and examine whether these cases result in a legal decision against the person(s) charged with the crime. This study is the first of its kind to analyse Norwegian police registry data, and accordingly provides reliable information about actual police efforts concerning THB crimes.

Background

The Norwegian legal framework

In the early 2000s, THB was a rather unfamiliar type of crime in Norway. With a marked increase in the size of the Oslo street prostitution market from around 2001 (Skilbrei, 2010, 2012), researchers, as well as the media, began to take a growing interest in trafficking, its victims and perpetrators. Trafficking was eventually considered a serious form of organized crime that required political action. The first Governmental Action Plan for fighting THB was presented in 2003 (Justis- og politidepartementet, 2003). Concurrently, Norway ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children (generally referred to as the Palermo Protocol), and incorporated THB as a separate article in the Norwegian Penal Code. Based on the Palermo Protocol's definition of trafficking, Article 224¹ in the Penal Code states that THB takes place when:

...any person who by force, threats, misuse of another person's vulnerability, or other improper conduct exploits another person for the purpose of a) prostitution or other sexual purposes, b)

forced labour or forced servitude, [from 2006] including begging, c) war service in a foreign country, or d) removal of any of the said person's organs, or who induces another person to allow himself or herself to be used for such purposes.

National legislation does not yet rule out the so-called 'blurred boundaries' (Skilbrei and Tveit, 2008) that often complicate the understandings of both the police and other parties (for example, safe houses, child protection services or non-governmental organizations (NGOs)) and their responses to the crime. Previous studies have argued that, despite separate articles covering THB, the detection of THB incidents is still influenced by the police organization's receptivity to change as well as individual police officers' use of discretionary judgement (Barrick et al., 2014; Farrell et al., 2010; Jahnsen, 2014).

According to the Norwegian Coordinating Unit for Victims of Human Trafficking (KOM, 2015), the number of THB cases reported to the Norwegian police is rising every year. However, a number of authors have pointed out that it is very challenging to demonstrate the magnitude of THB (Tyldum and Brunovskis, 2005; Weitzer, 2014). Increases in reports may potentially be the result of special training or priority-setting by the police or of greater public awareness. Fluctuations in victim or police recording practices may also affect official crime statistics (Reiner, 2010: 152).

An extensive research effort has been made to understand THB and the various responses to trafficking in Norway. Most of this research has dealt with trafficking for the purpose of sexual exploitation, such as studies on transnational prostitution (Brunovskis and Tyldum, 2004), the African prostitution market in Norway (Skilbrei et al., 2006) and the Nordic prostitution market (Holmström and Skilbrei, 2008; Skilbrei and Holmström, 2013). Another important strand of the THB literature discusses the identification of victims (Brunovskis and Surtees, 2012; Tyldum and Brunovskis, 2005). Some studies have also examined policy-making processes (Brunovskis, 2012; Brunovskis et al., 2010; Skilbrei, 2012), as well as how THB cases are treated in court (McDonald, 2014; Skilbrei, 2010).

A few qualitative studies have discussed different aspects of the police's work within the THB field in Norway. Despite having a state police, which should generally mean a relatively uniform response to THB crimes, Brunovskis et al. (2010: 74) found distinct differences in victim identification strategies between the two biggest cities in Norway: whereas the police in Oslo usually await criminal complaints from victims or from others outside the police, the police in Bergen focus on more actively identifying potential victims and initiating THB investigations. Similar differences in identification strategies are found in a study of the Norwegian police's fight against trafficking for prostitution (Jahnsen, 2014) and in a study of Norwegian agencies' cooperation in protecting and assisting victims of trafficking (Sønsterudbråten, 2013).

These studies have provided valuable insights regarding the Norwegian police's enforcement of THB and local differences in police strategies, and have laid substantial groundwork for further research. However, none of these studies has made use of the police's own criminal record data. The original contribution of this study is therefore not only to provide the first use of such data for research on responses to THB in Norway, but also to examine initiation practices and the legal outcomes of each case. By making innovative use of these quantitative data, general propositions made on the basis of results obtained from in-depth studies of qualitative data can be tested.

Identification of trafficking cases

In Norway, the identification of potential victims is carried out by a number of different parties, such as the police, safe houses, immigration authorities and child protection services. Through Norway's ratification of the Council of Europe's Convention,² all occupational groups that frequently make contact with potential victims of trafficking should be able to identify victims and refer them for further assistance (Council of Europe, 2005). As applied to the police, this means that rank-and-file officers should also be able to recognize potential incidents of THB. Police identification of potential victims is also accentuated in official documents from the government and the Director General of Public Prosecutions.

However, a number of cultural challenges make police identification difficult. One particular challenge concerns 'non-cooperative' victims. Victims are controlled by traffickers by different means and may fear reprisals against themselves or their families if they report a criminal offence to the police (Shelley, 2010: 129–30). For example, Nigerian trafficking networks routinely use voodoo rituals as a threat against trafficked women (Baarda, 2015). Many victims come from highly corrupt countries and therefore have a general distrust of the police (Shelley, 2010). Identification of victims can also be difficult because many victims do not consider themselves as being in an abusive situation, and, if they do, they often see their present situation as less desperate compared with their life in their home country (Segrave et al., 2009: 45).

The challenges the police face when identifying victims are discussed at length and from different perspectives in the international literature. They include 'hands-on' experiences and suggestions (Segrave et al., 2009), challenges in identifying specific forms of trafficking (Barrick et al., 2014), border control identification (Pickering and Ham, 2014) and the role of local police forces. Wilson et al. (2006) and Farrell et al. (2010) show that available resources and a determination to reveal THB do not result in identifications as long as local police officers do not recognize (or rather misclassify) victims. Research has also demonstrated that the ability to recognize potential victims is not sufficient in the fight against THB. Analysing US THB case records, Farrell et al. (2014: 154) showed that, even when local law enforcement possessed sufficient experience to recognize victims, limited time was dedicated to proactive investigations.

The THB literature has also called attention to the implementation of new penal provisions and demonstrated that the passage of new laws does not immediately lead to greater identification of trafficking crimes (Farrell, 2009, 2014; Farrell et al., 2014; Spohn, 2014). Research has also shown that the police's fight against THB often relies on practices and routines developed for other, more traditional types of crime (Farrell and Pfeffer, 2014).

The concept of human trafficking is sometimes used interchangeably with human smuggling. The distinction between these concepts (and the often blurred lines between them) has been much discussed in the criminological literature (Perrin, 2010; Segrave et al., 2009; Shelley, 2010). Most importantly, human smuggling is different from THB in that smuggling is defined as a consensual act that does not include aspects of threats, coercion or misuse of people's vulnerability. Police officers with limited knowledge about the specifics of THB may find it particularly difficult to differentiate between

potential victims of trafficking and illegal migrants. This may have severe consequences: as noted by Perrin (2010: 14), trafficked individuals who are mistaken for smuggled migrants may be deported and denied the protection they are entitled to as potential victims of THB.

Organizational aspects of policing trafficking

The relationship between the police and the THB field has also been discussed from an organizational perspective. In sociological studies of the police, the *street-level bureaucracy* theory is commonly used to understand police practices both at the individual and at the organizational level (Lipsky, 1980). Lipsky's analytical concept of street-level bureaucrats refers to public service workers who are in direct contact with citizens and who are expected to make discretionary judgements in their work. Police officials fit well into this category: they usually have to make decisions on the spot, and have to decide whom to arrest and whose behaviour to overlook (Lipsky, 1980: 13). As discussed above, several studies have pointed out such discretionary decision-making practices within the trafficking field in Norway (Brunovskis et al., 2010; Jahnsen, 2014; Sønsterudbråten, 2013). In addition, Lipsky points out that street-level bureaucrats are forced to select particular clients before others if they know they cannot succeed with all, even if this practice is contrary to legal requirements to provide all clients with an equal chance for service (1980: 107).

In the literature on police organization and performance, a distinction is commonly made between *police-initiated mobilization* and *citizen-initiated mobilization* (Black and Reiss, 1970). Police-initiated mobilization includes activities such as 'investigative activities, preventive patrol and direct intervention in the lives of citizens (including the techniques of stopping, frisking, searching, and questioning)' (Reiss, 1971: 64). These approaches differ from more 'passive' or 'awaiting' police mobilization. Several studies have demonstrated that the majority of police mobilization is initiated as a result of so-called citizen-initiated reports (Black and Reiss, 1970; Bottomley and Coleman, 1981; Finstad, 2013; Wilson, 1968).

Hypotheses

I propose a set of hypotheses on the initiation and outcomes of THB cases in Norway. First, I pursue the conceptual framework of police-initiated and citizen-initiated mobilization (Black and Reiss, 1970), but categorize these as *police-initiated* vs. *non-police-initiated reports*. I examine all reported crimes of THB as well as the police's role in identifying these, and ask how the THB cases are initiated. Today there are no Norwegian official records that explicitly state the role of the police in the *detection* of crimes, and, consequently, our knowledge about how criminal cases come to the attention of the police is very limited. According to Bottomley and Coleman (1981: 53–5), presumptions about case initiation practices may still be made by differentiating between *public* and *private* aspects of policing: whereas certain types of criminal complaint (such as drug dealing or particular types of thefts or burglaries) will commonly be *police initiated*, crimes that take place within more private or hidden settings (such as domestic violence

or human trafficking) are more likely to be disclosed by *non-police actors* such as victims or shelter staff. Based on previous research on police organizations and on the particular features of THB crimes, I propose the following hypothesis:

H1: Most human trafficking reports result from non-police-initiated mobilization.

Then, by studying initiation practices throughout the period 2003–13, I ask whether the role of the police has changed over time. From research on organizational behaviour and innovation and on particular challenges to detecting THB crimes, some development in the police's response to THB throughout the period is expected. Following Farrell et al. (2014), I expect that the introduction of new legal tools is only one step forward in the process of legal change. Furthermore, research has demonstrated that legal changes are effective only when the cultural dimensions of trafficking are understood (Bernat and Winkeller, 2010). Because of some of the specific cultural challenges of THB, it is expected that local police officers need more time to acquire specialized knowledge and experience with THB cases than do agencies such as safe houses, which are more frequently visited by victims seeking help. These investments in knowledge and increasing experience will lead to increased police activity in the THB field, and thus to an increase in police-initiated reports. Accordingly, my second hypothesis is:

H2: The predominance of non-police-initiated mobilization declines over time.

Finally, I ask whether initiation practices influence the outcomes of cases. When a criminal offence is reported to the police, this will generally lead to a criminal investigation and possibly a subsequent criminal prosecution. Decisions regarding the criminal investigation should be identical regardless of how the offences come to the attention of the police (Riksadvokaten, 1999). Drawing on the theory of street-level bureaucracies, we may expect police officials with limited time and resources to concentrate on the cases they believe are most likely to result in a criminal conviction. Actors such as safe houses or child protection services, on the other hand, may encourage victims to file complaints although previous experiences indicate that offences are difficult to prove in court. Some structural differences in case outcomes may therefore be expected. My third hypothesis is thus:

H3: Police-initiated cases are more likely than otherwise identical non-police-initiated cases to result in a criminal prosecution.

The next sections present the data I analyse to test the three hypotheses, the results from the data analysis and a discussion of the results in light of theory and previous research.

Data and methods

Register data from the Norwegian police

The National Database of Criminal Cases (STRASAK) contains information about all reported criminal cases in Norway, including a rich array of information such as case

characteristics and case outcomes. However, the STRASAK register lacks information on how the criminal cases came to the attention of the police, information about the criminal complaints and detailed information about case outcomes. This particular information must be gathered from the computerized case handling system (BL) of the Norwegian police (a database containing criminal investigation data), and subsequently linked to the STRASAK register.

The use of police registers in research has increased in recent years and has been used in, for example, studies of human trafficking (Farrell et al., 2014), effectiveness in criminal investigation (Knutsson, 2013), domestic burglaries (Hirschfield et al., 2010) and domestic violence (Aas, 2009). However, few studies have explored criminal case record data in depth; to my knowledge, a study by Dahl and Lomell (2013) of the use of DNA evidence in Norwegian criminal cases is the only academic study that has linked a large set of reported crimes (1676 cases) with criminal investigation data.

In Norway, access to the police's case handling system data is not usually given to researchers. Access was granted here because of my employment at the Norwegian Police University College and the study being supported by the Norwegian Ministry of Justice and Public Security. One of the major benefits of the present dataset is thus that it combines two unique sources of police data containing factual information about the police's work and reported criminal cases – information that is not normally available to the public or researchers.

Another major advantage of using police registry data is that they contain the total population of recorded and closed human trafficking cases. However, because only a small proportion of all trafficking occurrences are detected, the data must not be mistaken for the total population of *actual* incidents of human trafficking in Norway (see Tyldum and Brunovskis, 2005, for a fuller description of possible selection bias in the recorded cases). That said, the totality of the reports makes it possible to search for fairly minor variations in case characteristics as well as variations at the police strategy level.

Register data are particularly helpful in studies where respondents may be reluctant to report or participate (Lyngstad and Skardhamar, 2011: 627). Given that the present study seeks to examine the police's encounter with human trafficking – a task continuously subject to public and academic debate – one may suspect that not all police officers would want to report on details concerning their strategies. The register data offer information that might not surface through other types of data collection, such as interviews or survey data. Because the police registry data are not originally collected for research purposes, they are not influenced by (consciously or unconsciously) incorrect reports by police officers.

Extraction of the analytical sample

All cases reported as violations of Article 224 of the Penal Code (human trafficking) between November 2003 and December 2013 were extracted from the STRASAK register. The data were extracted on 12 September 2014. In Norway, crime recording instructions are developed to ensure clear and uniform registration of crimes (Riksadvokaten, 1994). The instructions specify that a 'case' (as defined in this paper) can include only

one specific offence. In cases with several victims or offenders, *one case* is generally reported per *one victim*.

Three additional trafficking cases declared as violations of ‘personal freedom’ but convicted as human trafficking in court were added to the dataset. This extraction yielded a total of 366 THB cases. However, not all cases were suitable for further analysis. Most importantly, to be included in the case outcome analysis, the case had to be closed (that is, the police prosecutor preferred indictment of the suspect or the case was dropped). Because the police are no longer responsible for criminal prosecution after a potential indictment, cases that were conducted in court but had not yet received a final court decision are included in the dataset.

Because the investigation of human trafficking cases is often lengthy, the data were updated with any recent case settlements five months after the initial extraction. Cases that were still not closed ($n = 6$) were eliminated from the dataset. Two additional cases were also eliminated. One case had been redefined as a violation of labour laws (not THB) during the criminal investigation, and another (ongoing) case had been hidden from the police register and was only accessible to a limited group of police investigators. Because this latter case had not yet reached a final decision before data access was restricted, it was removed from the dataset. In the end, 358 reported THB cases were suitable for analysis. The data on these cases were then supplemented with additional case details from the police case handling system BL.

Dependent variables

Two variables serve as dependent variables in separate analysis stages. The *case initiator* variable has three categories: *police-initiated*, *victim-initiated* and *third-party-initiated*. Information about how the THB cases come to the attention of the police was obtained by reading through the criminal complaints in BL. Most complaints included some explanation of the background to the criminal complaint. This information – sometimes in combination with transcripts of judicial examinations of the involved parties – was usually sufficient to establish who took the initiative to register the complaint. Occasionally, it was also necessary to read through investigation reports written by police investigators or incoming letters or notes of concern sent to the police. The category *police-initiated* is used if the police, on their own initiative, report cases when they come across assumed victims of trafficking during patrols or when they respond to calls for service, or during ongoing investigation of other criminal offences. The category *victim-initiated* applies to cases where the offended party files a complaint either alone or together with legal counsel or shelter staff, as well as cases in which the police receive letters from counsellors on behalf of the offended party. Finally, *third-party-initiated* cases are those in which the police are contacted by safe houses, child protection centres, reception centres, NGOs or private citizens. For the regression analyses, the categories *victim-initiated* and *third-party-initiated* are merged into the category *non-police-initiated reports* to yield a binary outcome.

The *case outcome* variable has two categories, and states whether the prosecuting authorities chose an indictment in a case. In Norway, both the police and the prosecuting authorities are involved in criminal investigations. Whereas police investigators are

responsible for the actual performance of the investigation, police prosecutors have overall responsibility for the investigation and determine whether the evidence is strong enough to choose an indictment (Myhrer, 2001). The category *indictment* refers to cases that were tried in court and resulted in a conviction or an acquittal, as well as to cases that were still being processed in court at the time of the data extraction. The category *no indictment* covers all remaining cases such as dismissed cases and cases sent abroad for further investigation.

Independent variables

The data cover the period 2003–13. A variable for the calendar year is included in the models as a linear predictor. This means that the expected change in the dependent variable resulting from one calendar year change is the same regardless of the initial value of the calendar year variable.

The Norwegian police service is divided into 27 police districts, with each district being responsible for the prevention and investigation of crime within a particular regional area. To examine local differences in police mobilization, the police districts were grouped into five regional categories: *Oslo*, *Stavanger*, *Bergen*, *Trondheim* and *all other regions*, a residual category of districts. The regions are represented by dummy variables in the logistic regression models. A small number of specialist national investigative bodies such as the Norwegian Police Security Service (PST) and the National Criminal Investigation Service (KRIPOS) investigate their own cases. These bodies were classified as belonging to the category *all other regions*.

Three variables measuring specific case characteristics were included. The first variable states whether the offended party was willing to cooperate with the police. Because exploitation is generally very difficult to prove, victims' verbal testimonies are of great importance in the prosecution of a THB case. The variable stating victims' willingness to cooperate with the police was based on my own interpretation after reading through the case documents in BL. Most offended parties provide some information to the police regarding the criminal offence and/or the offender, and are thus defined as *cooperative*. However, not all are willing to make a statement to the police. Although such unwillingness may result from fear of reprisals by the offender or others, these victims were defined as *non-cooperative* in the analyses. The group *non-cooperative* also covers offended individuals who no longer want help from the police, as well as those who have escaped from relief agencies or returned to their home country during the criminal investigation, with the result that the police are not able to find them. In a few THB cases, the offended party was not identified, and the police were therefore unable to conduct an examination of the victim. These particular cases were defined as *missing* in the variable stating victim cooperativeness.

The second variable indicates whether the identity of the suspect was known to the police when the case was detected or reported to the police. This information is regarded as decisive in solving a criminal case (Skolnick and Bayley, 1986: 5). Information was obtained by reading through the criminal complaints (or other case documents, if necessary) in BL. Nicknames or non-identifiable descriptions were *not* regarded as 'known identity'.

The third variable states the *numbers* of suspects when the criminal complaint was registered by the police. This information was also obtained from BL, and is based on information about the suspect(s) that is stated in the criminal complaint or in the examination of the victim(s). In some THB cases the number of suspects is stated even though the identity of the suspect(s) is unknown. The ‘missing’ category is quite large in this last variable: 137 of the 358 cases lack information about the number of suspects at the time of registration. These missing cases are coded as ‘unknown numbers of suspects’ in the analyses.

Analysis plan

In the first step of the analysis, I present and discuss a statistical overview of the case material. In the second step, I proceed to test the three hypotheses proposed above. To this end, a series of logistic regression models are estimated with various specifications. The results from these models are presented as odds ratios (ORs) with 95% confidence intervals (CIs).

Results

Table 1 shows the distributions of the cases over the *case initiator* variable and the other analysis variables. There is a considerable difference between the number of forced prostitution and forced labour cases, where, out of the total of 358 registered human trafficking cases, 267 (75 percent) concern trafficking for prostitution or other sexual purposes. There is only one case of trade in human organs.

The data also indicate a growth in the number of cases over time. Since 2004, the year after trafficking legislation came into effect, the number of cases has grown annually (at an uneven rate). The cases come to the attention of the police in several ways. As expected, based on previous research, *police-initiated* reports constitute 30 percent of the total cases ($n = 106$). *Police-initiated* reports refer to cases where the police come across individuals recognized as potential victims of trafficking during patrols, when they respond to specific calls for service, or during ongoing investigations of other criminal cases. Findings are thus in line with H1, which suggested that most human trafficking reports result from non-police-initiated mobilization ($p < .001$). Half of the total set of reports ($n = 179$) are filed by the victim, either alone, or together with legal counsel or accompanied by a person from a women’s shelter; 15 percent of the offences ($n = 54$) are brought to the police’s attention by third parties, such as local NGOs, child protection services, reception centres or private citizens. This last category of cases was reported to the police either as criminal complaints or as notes of concern. In 19 of the 358 cases, the case initiator was unknown.

Looking more closely at the case initiator differences, Table 1 also reveals differences in the types of case. Whereas 40 percent of the forced labour cases result from *police-initiated* mobilization, this applies to only 26 percent of the prostitution cases. Because there is only one instance of removal of organs in the data, this particular case was excluded from the subsequent logistic regression analyses. The same applies to cases with missing information on the case initiator ($n = 19$).

Table 1. Human trafficking case characteristics by case initiator ($n = 358$).

	Total		Case initiator (percent)		
	N	Percent	Police-initiated	Victim-initiated	Third party ^a
<i>Case type</i>					
Prostitution or other sexual purposes	267	75	26	55	12
Forced labour or forced servitude	90	25	40	34	23
Removal of a person's organs	1	<1	–	–	100
<i>Reports by year</i>					
2003	1	<1	–	100	–
2004	15	4	73	27	–
2005	10	3	30	60	10
2006	37	10	49	43	3
2007	28	8	43	39	4
2008	35	10	11	71	9
2009	39	11	21	67	8
2010	39	11	28	54	18
2011	47	13	27	48	19
2012	51	14	18	49	28
2013	56	16	31	38	27
<i>Police district</i>					
Oslo	171	48	21	65	14
Stavanger region	20	6	30	55	3
Bergen region	63	18	57	33	6
Trondheim region	14	4	57	7	2
All other regions	90	25	30	40	23
Total	358		30	50	15

Note:

a. Cases are brought to the police by NGOs, child protection services, reception centres or private citizens.

Analysis of case initiation

Table 2 displays the results from two logistic regression analyses where I test for variation in case initiation practices over time. The results show that there has been a marked decrease in *police-initiated* reports relative to the complaints made by victims or by others outside the police. The odds ratio for annual variation obtained from Model 1 shows that the odds of a reported human trafficking case being initiated by the police has decreased by 13 percent every year since the introduction of trafficking legislation in 2003. Therefore, the findings do not support H2, which suggests that the predominance of non-police-initiated mobilization declines over time.

As noted, previous research has demonstrated distinct regional differences in initiation practices within the Norwegian police. The nature and progress of these local differences may affect the coefficient measuring annual variation in initiation. Therefore, a set of dummy variables representing the police districts in the four largest cities in Norway

Table 2. Logistic regression of cases resulting from police-initiated mobilization ($n = 339$).

	Model 1		Model 2	
	<i>b</i> (SE)	OR (CI)	<i>b</i> (SE)	OR (CI)
Calendar year	-0.137 (0.044)**	0.87 (0.80–0.95)	-0.129 (0.049)**	0.88 (0.80–0.97)
<i>Police district</i>				
Oslo			-0.55 (0.332)	0.58 (0.30–1.11)
Stavanger region			0.085 (0.557)	1.09 (0.37–3.25)
Bergen region			1.209 (0.372)***	3.35 (1.62–6.94)
Trondheim region			1.412 (0.76)	4.11 (0.93–18.20)
All other regions (ref.)			0	1.00
Constant	0.081 (0.298)	1.08	-0.024 (0.448)	0.98
-2 log likelihood (d.f.)	411.443 (1)		376.353 (5)	
Change in -2LL	–		35.089***	
Pseudo- R^2 (Nagelkerke)	.040		.174	

* $p < .05$; ** $p < .01$; *** $p < .001$.

(*Oslo, Stavanger, Bergen and Trondheim*) is included in Model 2. The reference group is all Norwegian police districts or national units, except for the four districts represented by dummy variables. The results show that, despite controlling for regional differences in initiation, the relative decrease in *police-initiated* mobilization (compared with *non-police-initiated* mobilization) pointed out in Model 1 is almost unchanged (OR = 0.88). Model 2 also shows that the police in the *Bergen region* stand out with regard to report characteristics: the odds of this particular police district initiating a trafficking case alone are more than three times higher than those for the *other regions* (reference category). Thus, the findings confirm the conclusions from studies based on qualitative data that suggest the existence of major geographical differences in identification strategies (Brunovskis et al., 2010; Jahnsen, 2014; Sønsterudbråten, 2013).

Analysis of case outcomes

In 89 of the 358 reported human trafficking cases (24.9 percent), indictment of the suspect was chosen: 58 of the cases ended with convictions in court, 8 ended with an acquittal and 7 were still in court or not yet legally valid at the time of the data extraction. Furthermore, 7 of the cases were dropped, 6 were settled without a criminal trial and 3 were sent abroad for further criminal investigation. Table 3 reports results from a set of logistic regression analyses with the police prosecutor's case decision as the dependent variable. A score of 1 was assigned to this variable if the case resulted in an *indictment*.

Model 1 demonstrates that human trafficking cases initiated by the police are over 13 times more likely to end with an *indictment* of the suspect compared with trafficking cases filed by victims or third parties. Accordingly, the findings from Model 1 support

Table 3. Logistic regression of cases leading to indictment by a police prosecutor ($n = 295$).

	Model 1		Model 2	
	<i>b</i> (SE)	OR (CI)	<i>b</i> (SE)	OR (CI)
<i>Case initiator</i>				
Police-initiated	2.596 (0.325)***	13.41 (7.09–25.37)	2.510 (0.387)***	12.31 (5.77–26.25)
Citizen-initiated (ref.)	0	1.00	0	1.00
<i>Case type</i>				
Forced labour			–0.666 (0.436)	0.51 (0.22–1.21)
Prostitution (ref.)			0	1.00
Cooperative victim (yes = 1)			1.244 (0.799)	3.47 (0.73–16.61)
Suspect identity known (yes = 1)			1.082 (0.508)*	2.95 (1.09–7.99)
<i>Number of suspects</i>				
One suspect			2.400 (0.866)**	11.03 (2.02–60.16)
Two or more suspects			2.670 (0.906)**	14.38 (2.44–84.90)
Unknown (ref.)			0	1.00
Constant	–2.272 (0.235)***	0.10	–6.008 (1.135)***	0.002
–2 log likelihood (d.f.)	243.074 (1)		193.742 (6)	
Change in –2LL			49.332***	
Pseudo-R ² (Nagelkerke)	.334		.516	

* $p < .05$; ** $p < .01$; *** $p < .001$.

H3, which asserts that more police-initiated cases end with a criminal prosecution than non-police-initiated cases.

Initiation practices are, of course, not the only predictor of whether a case leads to a criminal prosecution. As in other criminal proceedings, cases are more likely to end with an indictment of the suspect if the police are provided with certain pieces of information (Skolnick and Bayley, 1986: 5). Three specific case-related variables presumed to affect the outcome are therefore introduced in Model 2. A variable stating case type is also included (not significant). The results show that THB cases are more likely to lead to criminal prosecution if the identity of the suspect is known when the case is reported (OR = 2.95). Looking more closely at the *number* of suspects (when the case was detected or reported to the police), THB cases with two or more suspects are considerably more likely to end with an indictment than cases where no information about the suspect or the number of suspects is stated in the criminal complaint or in the preliminary judicial examination of the victim (OR = 14.38). In contrast to expectations based on the literature (Farrell, 2009; Shelley, 2010), the variable indicating *victim cooperativeness* is not significant ($p = .119$). However, the results still indicate that the victim influences the chances of criminal prosecution to some extent. Despite these findings, the positive association between *police-initiated* reports and criminal prosecution remains very strong (OR = 12.31).

Discussion

This paper has examined the Norwegian police's role in the identification of human trafficking crimes. Consistent with previous criminological research (Black and Reiss, 1970; Finstad, 2013; Wilson, 1968) and the study's first hypothesis, the results show that more criminal cases come to the attention of the police through criminal complaints from victims or from others outside the police than from police identification approaches alone. By examining the total set of reported human trafficking cases between 2003 and 2013, it was found that two-thirds of the cases were reported by victims or by third parties such as NGOs, safe houses or reception centres. Furthermore, and contrary to the expectations derived from the second hypothesis, the findings revealed a marked increase in such non-police-initiated reports relative to the criminal complaints reported by police officers. Finally, and in line with the third hypothesis, the study demonstrated that police-initiated trafficking cases were considerably more likely to result in a criminal prosecution than cases reported by victims or third parties.

As noted, the literature highlights a number of different challenges concerning law enforcement in relation to human trafficking. A lack of victim cooperativeness, a lack of trust in the police and the fact that many victims regard their situation as the least harmful alternative are all very likely to complicate the police identification and criminal prosecution of THB cases. In recognition of these challenges, as well as the generally low visibility of human trafficking crimes, it is perhaps not surprising that victims of trafficking or agencies dealing with assumed victims of trafficking submit more criminal complaints than police officers do on their own initiative, for instance, when coming across potential victims of trafficking during patrol work. As noted above, the police's ability to detect crimes and to initiate criminal investigations is likely to differ when policing

‘private’ and ‘public’ areas (Bottomley and Coleman, 1981). However, such challenges are also critical because they can serve as an excuse for police inaction. Aware of the many challenges they are about to face, police officials may feel sceptical about the possibility of successful prosecution even before the criminal investigation has started.

The under-representation (and relative decline) of police mobilization may still be interpreted as resulting from (1) a strong increase in victim and third-party mobilization, and/or (2) poor or inadequate police practices. The increase in victim and third-party mobilization is demonstrated by the data in Table 1. Although the annual changes in victim-initiated reports are somewhat irregular, the increase in third-party reports is clear: whereas few of the total cases are reported by third parties in the years before 2010, in subsequent years up to 28 percent of the reports stem from third-party mobilization. This increase in third-party reports might arise from the recent growth in media attention and increase in Norwegian THB lawsuits (KOM, 2015), as well as increased public funding directed at fighting THB crimes. Such developments may in turn lead victims to seek help and eventually file criminal complaints with the police.

Interpreting the results as evidence of poor or inadequate police practices should be cautioned against. One way of assessing police practices is to observe them in light of formal guidelines or state directives. In Norway, the fight against THB has been highlighted as a national police priority by the Norwegian government since the introduction of Article 224 in 2003. Also, every annual directive issued by the Director General of Public Prosecutions since 2005 has emphasized that the police ‘cannot passively await criminal complaints from victims of trafficking’ (Riksadvokaten, 2005). It is therefore quite striking that, despite these clearly expressed organizational and national priorities, this study has demonstrated that the police initiate a decreasing share of the total number of reported THB cases.

However, these findings alone do not signify ‘poor practices’. Goldstein (1964: 142) points out that very few police agencies have the number of personnel required to detect the total amount of criminality and to prosecute all offenders. Because ‘full enforcement’ is not achievable (or realistic), the police organization must establish the ‘ideal’ level of law enforcement within a certain crime field (Goldstein, 1964). However, taking the directives proposed by the Norwegian government and the Director General of Public Prosecutions into account, a reasonable interpretation of the findings is that there is a discrepancy between such ideals and the reality of the Norwegian police’s fight against THB.

A different way of assessing police practices concerns the implementation of new legislation and the development of new police competencies to match such legislation. Resistance to new laws or crime law policies has been well documented in the literature (Ericson, 2005; Manning, 1997; Skolnick and Bayley, 1986). According to Farrell et al. (2014: 143), new crime laws depend on distinct institutional responses being promoted, *particularly* in cases such as THB where there is a history of resistance from law enforcement agencies. In light of this, one may suspect that police officials disregard potential THB cases or intentionally seek other penal provisions if they detect such crimes, owing to a lack of competence or inadequate experience with such cases. Nevertheless, because the data do not provide information about the Norwegian police’s willingness or ability to implement new legal tools, this is just one of many conceivable interpretations of the findings.

Discretionary decision-making among police officers has been widely documented in the police literature (Belur et al., 2015; Herbert, 1998; Manning, 1997; Wilson, 1968). Therefore, although Norwegian police officers might not specifically resist using Article 224, they are still likely to exercise a great deal of discretion in their work. Although the data do not provide explicit information about decision-making practices among Norwegian police officers, evidence of such discretionary reasoning has been demonstrated in previous studies of the Norwegian police's work against TBH. For instance, Sønsterudbråten (2013) showed that the police lack the resources to deal with all existing cases of THB. In her study, police officers argued that, when investigating a large THB case, they have to finish the investigation before initiating a new THB case, and that they probably could have identified a new trafficking case 'every day' (2013: 83–5). This lack of resources within the Norwegian THB field is also demonstrated by Jahnsen (2014). In addition, Jahnsen found that some types of THB (such as trafficking for forced labour within agriculture or construction) tend to be regarded as more challenging than, for example, trafficking linked to prostitution, and that such 'difficult' types of trafficking are typically given less priority within the police (2014: 226–7).

An additional interpretation of the findings therefore suggests that some police officers might be reluctant to file complaints in cases they recognize to be potentially lengthy, intricate and resource intensive because they anticipate that these cases will 'steal' resources from other cases. This notion is in line with the street-level bureaucracy theory, suggesting that police officers select among clients to control their work situation (Lipsky, 1980). Findings from the two above-mentioned studies seem to support the idea that Norwegian police officers have to use discretionary judgement to decide what kind of cases they wish to prosecute, and what kind of cases they have to 'leave', when confronted with more trafficking clients than they are able to serve. Agencies such as safe houses or reception centres, on the other hand, are not responsible for the criminal prosecution of cases and are not driven by goal-oriented management in the same manner as the police organization. If third parties are confronted with increasing numbers of THB victims, they can therefore continue to encourage and help victims to file a complaint, even when previous experience indicates that complaints will be difficult to prove in court.

Despite previous evidence of widespread use of discretion among police officers, our knowledge about discretionary decision-making among the police and the public is still limited. Whether selection practices among the police (such as those proposed by the street-level bureaucracy theory) signify 'poor' police practices is also a normative judgement: perhaps it is both necessary and wise to give less priority to one particularly resource-intensive case so that one can deal instead with several less complex cases. However, if such selections result in practices whereby victims are not assisted because their cases are considered too 'difficult', this undoubtedly reflects inadequate police practices.

My third hypothesis (H3) claimed that police-initiated cases would be more likely to result in an indictment than cases initiated by victims or third parties. One mechanism behind this expectation is that police and third parties may have different goals and success criteria. For instance, despite the low probability of criminal prosecution, third parties may urge 'unlimited numbers' of potential victims to file a complaint. The police, on the other hand, may be restricted by limited time and resources in terms of their ability to file new cases. Analyses directly related to H3 revealed that police-initiated THB

cases were considerably more likely to result in an indictment than other types of cases. These findings may also be interpreted as providing support for police officials' use of discretionary reasoning. In particular, the findings seem to support the idea derived from the street-level bureaucracy theory that suggests that, if necessary, police officers will select cases that are 'likely to succeed' over cases that are 'high risk' (Lipsky, 1980: 107).

Furthermore, and not surprisingly, analyses showed that THB cases are more likely to result in a criminal prosecution if certain information about the suspect(s) is known when the case is reported. Although complete identification of suspects seems to be conclusive for an indictment of a case, the analyses imply that almost *any* kind of information about the suspect(s) will increase the likelihood of an indictment. More surprising was the fact that the introduction of the variables stating case type, victim cooperativeness and information about the suspect caused only a relatively small change in the coefficient for case initiator (OR = 13.41 to OR = 12.31). This implies that, although certain case characteristics seem to affect the police's assessment of whether or not to file a criminal complaint, the police must perform additional (hitherto unknown) assessments before they file a THB case report. The data presented above fall short of explaining such decision-making practices among Norwegian police officers. The study still implies that identification processes are of importance to the final outcomes in human trafficking cases.

Limitations

The police register data were not originally compiled for research purposes and may lack case details or be affected by incorrect registrations or local variations in registration practices (Riksadvokaten, 1994). In addition, some of the variables included in the analyses are based on my own readings and interpretations of information found in the case documents. This procedure introduces some subjectivity into the data. Moreover, a potential drawback of using such data is the difficulty involved in replicating the study, because the data are proprietary and cannot easily be shared (although other arrangements can be made with researchers who want to replicate this study).

In the analysis of case outcomes (Table 3), the number of observations is slightly lower than in the preceding analyses owing to a number of missing values in the 'cooperative victim' variable, because it was impossible to consider cooperativeness in all reported THB cases. Given unlimited time and data resources, it might have been possible to salvage even more information from the registers and replace a few of the missing items.

Although the study demonstrates an actual increase in non-police-initiated mobilization, the data do not address the question of whether the under-representation (and relative decline) of police mobilization is the result of a lack of police competencies, a lack of available resources or investigative 'fatigue'. The findings could possibly also have been discussed in light of theories of police innovation, for example, within the conceptual framework of 'organizational perviousness' to change (Jenness and Grattet, 2005), suggesting that the ability of organizations to change depends on previous experience of institutional change. Because specific organizational elements such as goals, priorities, training and available personnel are likely to influence police identification practices (Ericson, 2005: 230–1), the findings could also have argued in favour of so-called

‘programmatic innovations’ (King, 2000), which include, for example, specialized training, crime analysis and victim assistance.

Conclusion

The police organization is different from most other organizations in the way that discretionary power is greatest among the line members (Wilson, 1968: 7). Such discretionary judgement among front-line officers can create certain gaps between the ideals and the realities in law enforcement (Goldstein, 1964). This study underlines the exercise of such discretionary assessment, and the resulting gaps, as exemplified by local police initiation strategies.

As demonstrated by the growing mobilization among both victims of trafficking and third parties dealing with victims of trafficking, citizens also exercise considerable control over law enforcement (Reiss, 1971: 65). Despite the lower probability of criminal prosecution among the cases reported by these actors, the study emphasizes that the public also possesses distinct discretionary power with regard to defining THB crimes.

The issue of decision-making and discretionary judgement among police officials is an intriguing one that could be usefully explored in further research. Future studies should seek to examine police officials’ decisions about whether to initiate criminal investigations and whether to prefer an indictment in a criminal case. Future research should also pursue the differences in case outcomes found in this study and explore questions regarding the purposes of police investigation: justice for all, or justice for those who are most able to get it?

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Notes

1. For a complete presentation of Article 224, see Skilbrei (2010). Norway implemented a new Penal Code on 1 October 2015, in which Article 224 is replaced by Article 257 (‘human trafficking’) and Article 258 (‘gross human trafficking’).
2. Ratified in 2008.

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Appendix 1

The human trafficking articles in the Norwegian Penal Code¹

Article 257: Any person who by violence, threats, taking advantage of a vulnerable situation or other improper conduct forces, exploits or deceives another person into/for

- a) prostitution or other sexual services,
- b) labour or services, including begging,
- c) active military service in a foreign country, or
- d) consenting to the removal of one of the person's internal organs,

shall be punished for human trafficking with imprisonment for a term not exceeding six years.

The same penalty shall be applied to any person who

- a) facilitates such force, exploitation or deception as specified in the first paragraph by procuring, transporting or receiving the person,
- b) otherwise contributes to the force, exploitation or deception, or
- c) provides payment or any other advantage to obtain consent for such a course of action from a person who has authority over the aggrieved person, or who receives such payment or advantage.

Any person who commits an act as specified in the first or second paragraph against a person who is under 18 years of age shall be subject to punishment regardless of whether the act involved violence, threats, taking advantage of a vulnerable situation or other improper conduct. Any person who was ignorant of the fact that the aggrieved person was under 18 years of age shall be subject to a penalty if he/she may be held to blame in any way for such ignorance.

Article 258: Aggravated human trafficking is punishable by imprisonment for a term not exceeding 10 years. In determining whether the violation is aggravated, particular weight shall be given to whether the person subjected to the act was under 18 years of age, whether severe violence or force was used and whether the act generated significant proceeds. Any person who was ignorant of the fact that the aggrieved person was under 18 years of age shall be punished if he/she may be held to blame in any way for such ignorance.

¹ Translation provided by the Ministry of Justice and Public Security, https://lovdata.no/dokument/NLE/lov/2005-05-20-28/KAPITTEL_2#KAPITTEL_2 (Accessed February 20, 2018).

Appendix 2

Interview guide, first round of data collection (translated from Norwegian)

1. Introduction

- Information and introduction. Evaluation of the Lime investigation, our Ph.D. projects, informed consent, our contact information. Tape recording. Confidentiality and anonymity.
- Can you tell us about your role and tasks in the investigation? When/what, role, background.

2. The covert investigation – positive and negative experiences, acquired knowledge, regarding:

- *Samordningsorganet* [an agency that granted money to the investigation and that seeks to strengthen efforts against serious and organized crime at the national level]
- Investigation staff - cooperation between agencies
- Needs for involvement of a Public Prosecutor
- Information sharing between control agencies and the police
 - To what extent do the police rely on third parties to detect cases of financial crime and human trafficking? What about this particular case?
- Methodology and professional learning from the covert investigation

3. The raid – positive and negative experiences, acquired knowledge based on role/background

4. The open part of the investigation - positive and negative experiences, acquired knowledge, regarding:

- Aims and goals, deciding on goals, goal attainment
- Organization of the project group
 - Analysis/assessments made ahead of the investigation
- Project management
 - Experiences with project scheme and management-level group
 - Indicia
 - Management of resources/personnel – cooperation with police districts / specialist national investigative bodies
- Priorities within the case – scaling down the case
- Methodology and professional learning from the open investigation
 - To what extent do the police utilize available data and registers/analysis?
 - International cooperation with police / prosecution authorities
- Protection and safeguarding of victims – from the raid and up until court proceedings
- Interpretation/understanding of victims, including potential ‘non-cooperation’ - implications for practice
- Police competence to distinguish between offenders and offended persons
- ‘Crimes without victims’ - being able to recognize – vs. organized crime

5. Culture and strategies

- Endurance – time-consuming investigation, how to relate to additional cases that appeared during the investigation
- Using the THB Act vs. using alternative penal/administrative sanctions

- Costs and expenses in large investigations – e.g. possibilities of initiating and investigating new cases
- Important strategical decisions and crossroads
- Why this case? Why now?

6. Methodology and professional learning

- Ideas about the organization of cases of this dimension
- Challenges when facing complex crimes like this – how to adopt their efforts to new and continuously changing crimes
- Cooperation with the business sector
- Final comments on what should be done / done differently

Appendix 3

Interview guide, second round of data collection (translated from Norwegian)

1. Introduction

- Information and introduction. ‘Strengthening Law Enforcement’ ... project, my Ph.D. project, informed consent, our contact information. Tape recording. Confidentiality and anonymity.
- Can you tell us about your role and tasks in relation to handling THB? Background.

2. Current crime situation and developments

As part of the Strengthening Law Enforcement project, we are concerned with how the refugee crisis / migration flows can affect the risk of trafficking in Norway.

- What do you think about this link?
- Is there a change in the crime scene due to the refugee crisis?
- Does the migration crisis affect your work? In what way?
- The link between THB and human smuggling

3. Police responses against THB

Recent developments in the field - new forms of exploitation - within an increasing number of sectors of society

- The police’s ability to handle new and continuously changing crimes
- Challenges in regard to the organization / structure of the police
- Is there something you think the police are doing particularly well in their efforts against THB?
- General challenges when facing complex crimes
- What is most challenging about your work (relating to THB)?

4. Cooperation

- National cooperation – THB (sections, police districts, specialist national investigative bodies)
- Is there anything you want to point out as particularly good?
- Especially challenging?
- International cooperation – THB
- Organization of the cooperation – formal / informal structures
- Challenges
- How to improve international cooperation

5. Goals and success

We are interested in hearing your thoughts regarding goals, success, goal attainment

- What does it mean to succeed in a case - what is a ‘successful’ outcome?
- Aims and goals, goal setting, goal attainment – what is the most important thing when handling THB?
- E.g. – is a case outcome successful if you manage to put an end to the exploitation, but do not achieve a THB conviction?
- Using the THB Act vs. using alternative penal/administrative sanctions
- How important is it to pursue the THB Act?

- Challenges on different levels of the organization: individual officers, police districts, national level

6. Police methods

- Efforts against THB: Would you say that you work both with crime prevention, intelligence, investigation? Where are the differences/boundaries?
- Proactive vs. reactive police efforts
- Intelligence