Reference to this paper in APA (6th):

Bjelland, H. F. (2016). Identifying human trafficking in Norway: A register-based study of cases, outcomes and police practices. *European Journal of Criminology,* 1-21. doi: 10.1177/1477370816677619

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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.

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 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 224[1] 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 police officials 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 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 is 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 is 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.

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

	Total		Case initiator (percent)		
	N	Percent	Police-initiated	Victim-initiated	Third party[a]
Case type					
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
Reports by year					
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
Police district					
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.

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

	Model 1		Model 2	
	b (SE)	OR (CI)	b (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)
Police district				
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	

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

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 (*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

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

	Model 1		Model 2	
	b (SE)	OR (CI)	b (SE)	OR (CI)
Case initiator				
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
Case type				
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)
Number of suspects				
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	

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

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 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 case. 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?

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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