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Reference to this paper in APA (6th):

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: An International Journal of Research and Policy*, 27(6), 655-670. doi: 10.1080/10439463.2017.1341510

This is an Accepted Manuscript of an article published by Taylor & Francis in Policing and Society on June 19, available online: <http://www.tandfonline.com/doi/full/10.1080/10439463.2017.1341510>

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

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Acknowledgements

We are grateful to Helene O.I. Gundhus and Fredrik Engelstad for valuable feedback, as well as to the three anonymous reviewers for their insightful comments on earlier versions of this paper.

This is an Accepted Manuscript of an article published by Taylor & Francis in Policing and Society on June 19, available online:

<http://www.tandfonline.com/doi/full/10.1080/10439463.2017.1341510>

To cite this article: Heidi Fischer Bjelland & Annette Vestby (2017): 'It's about using the full sanction catalogue': on boundary negotiations in a multi-agency organised crime investigation, *Policing and Society*, DOI: 10.1080/10439463.2017.1341510

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

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Inter-organisational and inter-disciplinary investigations are increasingly deployed against criminal networks and cross-jurisdictional crimes. This study provides a unique empirical window into an inter-organisational investigation against a large organized crime network in Norway. Building on interview data from the participants in the multi-agency investigation team that was summoned for this case, the article discusses co-ordination issues that arise when organisations with different goals and interests collaborate to reach a common goal. The article studies co-ordination from inside of the investigation team and discusses the interchangeable use of criminal and administrative law. While bridging organisational boundaries enable agencies to pool powers, co-ordination across organisations may challenge the protection of sometimes conflicting aims and interests.

Keywords: organisational boundaries, inter-organisational co-ordination, security networks, policing

Introduction

Oslo area, September 2014: After a period of comprehensive communication surveillance and covert investigation, 280 officers from the police, the Tax Administration (henceforth 'TA'), and the Labour and Welfare Administration ('*Labour & Welfare*') carried out a raid on 20 shops in the 'Lime' grocery chain. The grocery chain was established and operated by an organised criminal network that was previously known to the police. The shops were profitable to the network who allegedly utilised human trafficking for forced labour, illicit work, money laundering, benefit fraud, tax evasion, violations of immigration law, employment offences, identity theft, and credit card fraudⁱ. The raid marked the beginning of a prolonged multi-agency investigation, covering a variety of criminal and administrative violations. The investigation was structured as a multi-agency *project*, which meant that investigators from all participating agencies (police, TA, Labour & Welfare) were removed from their daily tasks, co-localised in a shared, rented office space, and co-ordinated by the Lime project's chief investigator.

Pluralisation characterises contemporary policing, and partnerships as well as networked security governance between state and non-state actors have been examined empirically (Gundhus *et al.*, 2008, Nøkleberg, 2016, Sjøgaard *et al.*, 2016). This study explores the co-ordination of state powers in the multi-agency Lime project. While the literature on the pluralisation of policing and nodal governance of security (Johnston and Shearing, 2003, Shearing and Wood, 2003) emphasises the role of non-state agents in the provision of security, this study delves into the heterogeneity of powers and interests in state sector governmental nodes. Partnership working and information sharing among public agencies intensifies 'the state gaze' [...] in a way which is valued for its ability to make the daily work of the various state agents easier.' (O'Neill and Loftus, 2013, p. 451). This study contributes to the existing literature in two ways: Empirically, through studying the internal

operations of a pragmatically assembled multi-agency security network whose operations spanned the jurisdictions of a wide range of agencies, and theoretically, by analysing how instrumental practices of co-ordination may challenge accountability and the institutional integrity of deliberately separated public agencies.

While we view the agencies involved in the Lime investigation as ‘nodes’ in a security network, they also exist as discrete, formal organisations. While the agencies agreed to pool their legal resources and expertise in a joint effort against the allegedly criminal network, accomplishing shared objectives required negotiation of the boundaries drawn around their organisations. In the past, each agency had had some knowledge about parts of the total criminal enterprise. Their knowledge of the criminal network and coercive powers were dispersed due to their separate jurisdictions and information sources. Prior to the establishment of the project, Labour & Welfare had some administrative law cases regarding illicit work circulating in the courts, and TA had previously been involved in a short-lived collaboration with a police unit targeting the network’s businesses. The police’s national intelligence database was rife with entries from all over the country. For the project participants, access to shared information was a key incentive to participate in the co-ordinated project, as well as a perceived necessity to put an end to the criminal enterprise.

Co-ordinating the work and resources of nodes in security networks necessitates negotiations over organisational boundaries. Following Giacomantonio’s recent work on the sociology of police co-ordination (2015), this article explores negotiations of such boundaries within a multi-agency investigation: How did organisational boundaries shape the internal operations of the Lime project? The study builds on unique empirical data consisting of 23 interviews with investigators and management level officers from all three agencies in the Lime project.

Multi-agency co-ordination

Multi-agency co-ordination has been an area of interest in the literature on both organisations (Alexander, 1995, Hardy *et al.*, 2003) and the police (Crawford, 1994, O’Neill and McCarthy, 2014, Webster, 2015). Faced with multi-jurisdictional criminal activities, police are increasingly participating in multi-agency networks that include regulatory agencies and other non-police agencies (Maguire, 2000, Rosenbaum, 2002, Willis and Mastrofski, 2011, O’Neill and McCarthy, 2014, Webster, 2015). Although police involvement in such networks is most commonly associated with preventive policing (e.g., Meyer and Mazerolle, 2014, Strype *et al.*, 2014), the police are now increasingly involved in more reactive efforts, such as in the formation and use of joint investigation teams (Block, 2008). A recent example is *Operation Wasp Nest*, a multi-agency investigation of human trafficking co-ordinated by the Danish police, and the pan-European *Operation ETUTU*, directed at West African human trafficking networks (Europol, 2016). The growth of multi-agency co-ordination is claimed to be part of a broader shift in governance and crime control (Maguire, 2000, Mazerolle and Ransley, 2006a, 2006b).

Some studies have noted police scepticism regarding partnerships and have pointed out practical issues, cultural challenges, and the potential for conflict in multi-agency networks (see Bullock *et al.*, 2006, Crawford, 1999). However, research has also demonstrated that multi-agency co-ordination will create greater opportunities to use suitable legal tools in criminal prosecutions (Mazerolle and Ransley, 2006b), that it may ease the work load for the police, facilitate for pragmatic approaches and thus result in more effective police work (O’Neill and McCarthy, 2014). One of the most prominent arguments in favour of multi-agency co-ordination is the opportunity it provides to facilitate information sharing across organisations, and thereby increase the efficiency of law enforcement (Plecas *et al.*, 2011). Previous studies have demonstrated that information sharing between agencies will increase both the quality and usefulness of data, which in turn will lead to better decision-

making (Kahn *et al.*, 2002). Researchers exploring some of the internal dynamics of multi-agency networks (Whelan, 2015) have also identified the importance of interpersonal trust (Beech and Huxham, 2003, Fleming and Rhodes, 2005, O'Neill and McCarthy, 2014, Cotter, 2015, Whelan, 2016). Informal communication and personal relationships have been found to particularly affect the access to and sharing of information in networks (LeBeuf, 2005, Cotter, 2015).

Sharing resources in security networks

Viewing the co-ordinated agencies in this study as a security network, we consider them a set of organisational nodes that were interconnected and co-ordinated 'in order to authorize and/or provide security [...]' (Dupont, 2004, p. 78). The agencies in this study agreed to co-ordinate their resources because of a high degree of consensus around the objectives of the project. In network terms, studying how resources are pooled and used amounts to analysing how 'connections between nodes [...] influence security outcomes by shaping the flow of network assets (that is, information and resources)' (Brewer, 2017, p. 453). Coining the term 'ad hoc instrumentalism', Sklansky (2012, p. 161) outlines a perspective of 'legal rules and legal procedures simply as a set of interchangeable tools,' where 'officials are encouraged to use whichever tools are most effective against the person or persons causing the problem.' In the Lime project, the legal resources of the co-ordinated agencies were put to use where they were perceived to be most likely to succeed, indicating an instrumentalist view of the legal tools. Renan (2015) terms the creation of toolboxes by co-ordinating resources that exist across state agencies, 'pooling powers'. Among the security outcomes discussed in this article are both the efficiency of the instrumentalist approach of the project, as well as the significance of pooling the networked agencies' resources for accountability (Mazerolle & Ransley, 2006b, Sklansky, 2012, Renan, 2015, Dowdle, 2017).

Power relations

Previous research on multi-agency partnerships have shown that although a flat structure is often sought in such collaborations, power differentials exist and conflicts between agencies still tend to arise. This can create unexpected or even undesirable outcomes for the partners in the network (Crawford, 1999, Gilling et al., 2013). Often, it is the police that end up with the lead position (Crawford 1999, p. 127-8). In the Lime project, the police was defined as the leading agency already from the outset. Although agreeing on a shared project objective the project was principally defined by the police's understanding of the crime problem, meaning it was the criminal violations rather than the administrative law cases that defined the project. As discussed by Fleming and Rhodes (2005), tensions over objectives and priorities may cause competition between those involved in a network. The importance of initial clarifications of project objectives and lines of accountability within inter-organisational partnerships has also been highlighted by other researchers (Crawford, 1999, Bullock et al., 2002, Meyer and Mazerolle, 2014). Clarifying responsibilities between the agencies in the Lime project may have reduced 'the level of "latent conflict"' (Crawford 1999: 146) that may develop from different objectives and success criteria.

Police co-ordination

Organisational boundaries are a central phenomenon in the organisational literature (see e.g. Luhmann, 1995, Yan and Louis, 1999, Hernes, 2004, Santos and Eisenhardt, 2005), and have been linked to tasks and identity (Hirschhorn and Gilmore, 1992), efficiency, power and competence (Santos and Eisenhardt, 2005), as well as normative, relational, and activity criteria (Scott, 2000).

Grounded in the open-systems perspective on formal organisations (see e.g. Scott, 2004) and a broader sociology of organisations, Giacomantonio's typology of *police organisational boundaries* (2014, 2015) concerns co-ordination and negotiation of

organisational boundaries between work units in police organisations. Giacomantonio defines work units as ‘teams of people organized for particular work tasks within organizations’ (Giacomantonio, 2015, p.18), and organisational boundaries as sites where negotiations between these units take place. More specifically, organisational boundaries are ‘areas of responsibility that are unclaimed or contested between units’ (2015, p.23). As such, ‘boundaries’ are only analytically meaningful where there is a need for frequent negotiations (2015, p.104). Negotiations occur over resources such as personnel or equipment (*scarcity* boundaries), over geographical distance or jurisdictional lines (*proximity* boundaries) and over issues related to the use of common databases or communication systems (*technical/systemic* boundaries).

The typology of police organisational boundaries poses a relevant and significant frame of reference for our empirical case. However, building on a fieldwork within a multi-jurisdictional police environment, Giacomantonio’s typology does not encompass boundary negotiation that may arise between the police and non-police agencies. The type of co-ordination work explored by Giacomantonio thus differs from the co-ordination that takes place in the *inter*-organisational Lime project. While intra-organisational co-ordination between work units within the police is aided by police officials’ shared purpose of law enforcement, this is not the case for the Lime investigation network which is, with respect to the participants’ organisational mandates and corresponding legal authorities, more heterogeneous. Although both TA and Labour & Welfare officials involved in the Lime project investigated specific areas within the project and can reasonably be seen as doing *policing*, they are not *police*. Committed to different rules and mandates, co-ordination—that is, synchronizing the work of purposely separate agencies—may contrast with their respective goals and interests.

Because the agencies participating in the Lime project controlled their own personnel and resources, they did not have to negotiate over resources with one another (i.e. negotiations of scarcity boundaries, cf. Giacomantonio, 2015). Below, we will therefore focus on how *proximity* and *systemic* boundaries shaped the internal operations of the project.

Data and methods

This study is based on semi-structured interviews with 23 participants from the police, TA and Labour & Welfare, of whom 17 are investigators and six are management-level officers. All three agencies are represented in the study by participants from both levels. Twelve participants hail from various police districts, another six from special police agencies with national mandates, and five participants are from TA and Labour & Welfare. All participants explicitly and individually gave their free and informed consent to participate in the study.

Sampling

Upon first meeting with the project group in December 2015, the project management provided a list of 43 people currently involved in the project, including seven management-level officers. We sampled participants from different agencies and hierarchical levels from the list of active participants (the project was based on secondments, and several investigators joined and left during the investigation). All participants were affiliated with a specialised sub-group within the investigation (e.g. '*Analysis*', '*Financial investigation*' or '*Victims*'), and we sampled to cover these groups, and organisational affiliation. The sampling strategy was not undertaken to secure generalisability, but to achieve maximum variation, with sampling conducted on 'conceptual grounds' (Miles *et al.*, 2013). Participants were recruited successively throughout the collection period. Our sampling strategy can thus be characterised as sequential (Miles *et al.*, 2013).

The interviews were semi-structured and based on a topic guide concerning interviewees' experiences working on the investigation, covering a) the participant's entry into the project group and his/her role and tasks, b) detection, co-ordination and information sharing during the covert phase of the investigation, c) experiences with the open investigation, with emphasis on co-ordination, d) project management and goal setting and e) agencies' limits and possibilities in relation to a complex and changing crime area. Interviews were recorded and lasted on average one hour. Interviews were conducted at the participants' workplaces, either in the project's rented office space or at their regular workplace. Both authors participated in all interviews.

Data analysis

All interviews were transcribed concurrently with data collection, and our collaborative analysis (Cornish *et al.*, 2013) began with transcription and a round of largely inductive and descriptive annotations. After writing up a descriptive account of our case, we found 'co-ordination' to be a key concept by which we decided to 'attempt to theorise the significance of the patterns and their broader meanings' (Braun and Clarke, 2006, Bazeley, 2009). We developed codes partly deduced from theory (Bowen, 2006), and coded the data with terms focused on co-ordination, boundaries, comparisons, negotiations and other expressions of difference and alignment between groups of actors in the project (cf. Giacomantonio, 2015).

We analysed our data using thematic analysis, a flexible and widely used 'method for identifying, analysing and reporting patterns (themes) within data' (Braun and Clarke, 2006). Using NVivo 10, we coded for manifest expressions of experience with an understanding of boundaries and differences, looking for 'repeated patterns of meaning' (Braun and Clarke, 2006). The aim of the analysis was to give a rich description of this particular aspect of the data which in turn could provide a narrow focus suitable for an analysis of boundary negotiations within the multi-agency security network (Braun and Clarke, 2006). We co-

ordinated our coding practice by reviewing matrices of coded excerpts. Although no further formal test of inter-coder reliability (Cornish *et al.*, 2013) was performed, we monitored the consistency of our coding by continuously reviewing coded excerpts.

Findings

‘The full sanction catalogue’: Bridging the proximity boundary of criminal and administrative law

Different violations discovered in relation to the grocery chain fell under the criminal and administrative jurisdictions of the three agencies. Human trafficking, credit card fraud and money laundering ‘belong’ to the police and were part of the criminal case, benefit fraud and illicit work within the purview of Labour & Welfare, and tax evasion to the TA. The project generated many administrative law cases, and some of these were used to support the criminal charges. Many of the suspects’ actions could be targeted using either administrative or criminal law, most notably in the financial investigations of the network. Here, the agencies were functionally proximate. Thus we consider the delineation of jurisdiction between the agencies as proximity boundaries which required negotiation of which agency and corresponding set of legislation would be used to target particular violations (Giacomantonio, 2015).

As separate nodes in the security network that relates to the labour market, no one agency was responsible for the totality of offences uncovered in the project. The overarching goal of the project was to stop the criminal activities by seizing the network’s assets, and coordinating the agencies’ legal powers and sanctions could aid in accomplishing it. ‘Pooling powers’ dispersed among agencies enables legal authority and expertise to be combined (Renan, 2015). The pragmatic and goal-oriented multi-agency approach taken in this police-initiated project is congruent with previous research on the fit between the pragmatism of

police occupational culture, and partnership working (Reiner, 2010, O'Neill & McCarthy, 2014).

The administrative agencies have coercive powers suited to fulfil their mandates. These are founded in administrative law, and require a lower threshold of suspicion than the police's enforcement measures. Under their administrative rules, Labour & Welfare were authorised to ID workers in the grocery chain. They would check whether workers received unemployment or sickness benefits while working, proving benefit fraud and preparing the case for a special administrative court. Under similar rules, TA can collect documents, computers and mobile phones from a place of business. If tax evasion can be proved in an administrative law case, the required threshold of proof is lower than for the criminal law route to confiscation. Pragmatic decisions were made with regard to which agency would confiscate and thus whether the administrative or criminal 'track' should be used (Sklansky, 2012). A TA informant said:

Isn't it better that we, who can get assets through a lower threshold of proof, take them? And perhaps greater sums, and more easily. Maybe even more quickly. The most important thing is that someone takes their profits, and does it in the most efficient way. [...] So we went with those two parallel tracks. [...] It's about taking their profits by using—let's call it the full sanction catalogue.

A police officer reflected similarly:

So far, we work in both tracks: Police and TA. We'll see how far that takes us. I think it's the right way to do it, and the most important thing is the goal: Stop the business and take the money.

Both quotes reflect a goal-oriented pragmatism. The legal authority of the participating agencies become if not shared, at least conditionally available, in pursuit of the stated goal.

The approach of the Lime project can be analysed through Sklansky's concept 'ad hoc instrumentalism':

[A]d hoc instrumentalism empowers a wider range of front-line officials, including but not limited to prosecutors, to view all substantive laws and all enforcement regimes, criminal and civil, as tools to be employed strategically, as the circumstances demand. (2012, p. 201)

From this instrumental perspective, whether violations are pursued using administrative or criminal law is not important in and of itself. The most important thing is that the network's assets are seized. There runs a proximity boundary between the police and the TA in relation to offences that may authorise confiscation, and bridging creates a pool of resources out of which the connected agencies can choose the ones that are most likely to accomplish their goal (Sklansky, 2012, Renan, 2015). Pooling of resources in pursuit of increased effectiveness and decreased vulnerability is an important aspect to why being connected to a security network is attractive (cf. Fleming & Rhodes, 2005, Dupont, 2006, p. 168).

The dynamic between the agencies carried the potential of mutual benefit: Unlike TA, the police are allowed to conduct searches and to seize property at private addresses (which TA's regulations do not allow). The police may achieve confiscations more easily by collaborating with TA, and when TA is partnered with the police, they may gain access to information (from the police's searches at private addresses or communication surveillance) that they would not be able to procure themselves. A similar dynamic applied in the relationship between police and Labour & Welfare. Due to the suspicion of 'aggravated human trafficking' in the criminal case, police were authorised to use communications surveillance. This brought to light possible frauds that Labour & Welfare were unable to discover through their own methods:

[T]his is perhaps the first time people who have been at no risk of being caught, have actually been caught. [...] We wouldn't have been able to handle these cases with our own means, our legal authority. There had been zero risk, really. (Labour & Welfare investigator)

Sharing data from the communication surveillance with Labour and Welfare was necessary to optimally pool the agencies' resources. Through explicit negotiation of which suspects were of mutual interest to the agencies and whom their efforts should thus be directed toward, data from the communications surveillance could be transmitted to Labour and Welfare for use in their administrative case:

We run into some challenges with communications surveillance. We can't use it directly in our administrative case. [The administrative law] violations have to be reported to the police for that to happen. We had a number of persons of interest, and so we came to an agreement with the police as to which suspects they would go for. [...] and that we would report to the police. So we and the police selected 18 persons that we [Labour and Welfare] would look into from our end, and then we used what was discovered in the police's investigation of those persons.

The outcome of boundary negotiations may be to uphold boundaries, as well as to bridge (Giacomantonio, 2015). Striking the balance between maintaining and bridging the boundaries between agencies remained challenging throughout, as illustrated by the example given by a senior police officer:

[W]e want Labour & Welfare to check a shop because we [the police] want to know who's there. But they only record those workers who receive benefits. [...] But they get the names of everyone who's there, right? But the ones receiving benefits are the only ones entered into the system. And they sit there with a piece of paper with the name of

everyone that was in the shop. [We] who're investigating human trafficking, we're very interested in the names of the others who were there. In one way, we were the ones who sent them there [Labour & Welfare to the shop], but they need independent grounds for doing it. We can't deputise them, and there's a reason why that's the case. That we can't just say 'Labour & Welfare—go there—[...]—If the police were supposed to be able to do that, we would've had that legal authority ourselves. So, we can't deputise them, but we're in the same project. We share a goal. We must be able to say to Labour & Welfare: 'Check that shop'. And they'll do it, but we need to be able to get the information [...] into the shared project [...].

Power relations

The participating agencies' combined legal authority and expertise were suited to serve the shared goal of the project. All the while, each agency still had their own agency-specific goals and interests which were furthered by participating in the project. Although many administrative cases were investigated to support the criminal prosecution, some 'satellite' administrative cases were pursued by the agencies due to their own organisational mandates. Even though not every administrative case could be subsumed under the shared umbrella of the overarching goal, the goals of the participating agencies were largely complementary.

While we find that the relationship between the goals of the agencies relative to the shared goal of the project was harmonious, actualizing the goals proved more fraught. Signs of this emerged during the raid against the shops in the early stage of the project: Each shop was raided by a multi-agency team in order to use their various authorities to collect evidence, arrest, and interview witnesses, as well as for the agencies to confiscate according to their own needs. Large numbers of (largely patrol) police officers from several districts were seconded to participate in the raid, and with few exceptions these had no relation to the case

or subject areas of the regulatory agencies. This created friction between participants whose agency-specific needs were not always met, as described by an informant from the TA:

There was so much chaos that day. [S]everal police officers thought that we should seize as few documents as possible. I think a lot of police officers aren't used to taking so many papers for evidence, but we want to bring all of it with us. [...] But the police had the last word, so in most of the shops a lot of material was left behind.

A Labour & Welfare investigator relayed similar experiences:

[...] We had hoped to be able to give more input before the raid. About what sorts of investigative steps we would like for our cases. And I think that's where... some of that communication, that we hadn't worked together before, that they sort of "Yeah, yeah, benefit fraud. We got it." But we were like, "There are so many exceptions, we'll need this and this documentation." And we don't have it. And now it's too late.

The raid made practical, professional differences between agencies visible. Despite a complementary goal structure, many seconded police officers were not familiar enough with financial investigations or the work of the administrative agencies to support the evidence collection and thus the further investigation of some administrative cases. '[O]nly certain nodes can fully exploit the opportunities this new governance yields' (Dupont, 2004, p. 78), and while we found no conflict regarding the goals or fundamental idea of pooling authority and expertise, the project was initiated by the police and structured with criminal prosecution and policing objectives in mind. The police, we argue, was 'the most central (and, hence, most powerful)' (Brewer, 2017, p. 454), least constrained, and most influential node within the project (Dupont, 2006, p. 175). That we found no evidence of overt conflict over objectives does not mean that negotiations over how the work of the agencies should be connected took place in a space void of power relations. The police importantly exercised

power ‘through *the power to define*: to set broad agendas [...] and direct resources’ which increased their ‘relative capacity [...] to achieve desired outcomes’ (Crawford, 1999, pp. 132–133). Our analysis suggests that every agency was largely satisfied with what they got out of participating. Still, it is likely that their interests would be better and more easily served had their problem definitions and investigative requirements been equally present to the police’s in the planning stages of the project.

Connecting the work of similarly specialised subgroups

‘Police is not just police’ one informant from one of the regulatory agencies said, pointing out that expertise and experience is not predictably located within organisations. Financial crime detection and investigation is not generalized knowledge in the police. We found that police and non-police participants alike experienced the difference between investigators with and without financial investigation expertise as significant. *Police* investigators were either generalist criminal investigators, organised crime investigators, or financial crime investigators:

What it’s like to work with the police? It varies, really. I don’t feel that we work with ‘the police’, because we work with some officers that work with financial crimes, and those who work with other cases [...] [T]hey have different platforms. But [...] we’ve been on a team with the people from [national financial crime unit], and then you’re on the same planet, really, if you know what I mean. We understand that things take time, that there is a crazy number of documents and numbers and everything else. (TA investigator)

Both the TA’s and Labour and Welfare’s investigations related wholly to the financial aspects of the Lime project. The difference between police with and without any expertise in that subject area was thus most keenly felt by the regulatory agencies. The Labour and Welfare investigator who gave the following quote had extensive experience from working with the

police on cases involving benefit fraud, but had never previously worked with an organised crime unit:

We worked with a new branch of the police this time. We've worked with the specialists in the police districts for a long time. But now – I don't know, they work with organised crime and they're not used to working with other public agencies, I think. The cultures are different. There are keys to investigating benefit fraud that are difficult for a novice to understand. There were some things from the early cooperation, I don't want to call it problematic, but it takes time to speak the same language, understand each other, what's important and how we work.

Both quotes illustrate how the informants distinguish between 'police' in general on the one hand, and specialist financial crime investigators on the other. Professionals with expertise in some form of financial investigation can be viewed as a subgroup that was less heterogeneous than the project as a whole with regard to expertise and prior case experiences. Our findings suggest that shared expertise among partners from separate organisations was a beneficial background on which to connect the work of the participating agencies.

Professional secrecy

Throughout the project, the regulatory agencies contributed information useful to the criminal investigation, while they also used information from the criminal investigation in their administrative cases. However, all participating agencies were bound by separate legislation regarding information exchange with partner agencies. These rules of professional secrecy ran through the project organisation and represented systemic boundaries (cf. Giacomantonio, 2015) between participants from different agencies. The purpose of secrecy provisions is to protect data from improper dissemination, and sharing information is thus an exception.

Negotiations over access to other agencies' data were often explicit, and thus were suitable for

studying tensions between network demands and the purposes and obligations of its connected formal organisations.

Each of the agencies whose work was co-ordinated in the project had purchase of parts of the activities of the suspects, and it varied which agency could share what information, at what time, for what purpose, and with whom. As a Labour & Welfare investigator put it:

[Information sharing] is problematic when you're in a group like this—well, we're released from our confidentiality depending on who else is present. For example, there'll be information that we can give to the Tax authority, but if the Labour Inspection Authority is in the same room, we'll either have to ask them to leave, or—you know.

Due to mutually supporting rules and a formalised procedure, neither TA nor Labour & Welfare described information sharing between the two as particularly challenging. TA could share more with the police than Labour & Welfare could. If the minimum sentence for a suspected crime is six months' imprisonment, TA may share 'most of what we have' (TA investigator). The relationship between the police and Labour & Welfare, on the other hand, was described as challenging:

[Information sharing has been] challenging. That's got mostly to do with Labour & Welfare, though, in this project. Customs—no problem. TA—more pragmatic about these things, and we have better formal agreements with them. While Labour & Welfare—they're a bit of a hybrid organisation, they aren't primarily a control agency [...] (Police officer)

The primary aim of Labour & Welfare is to contribute to social and economic security, and to support (re-)entry into the workforce (Administration of Labour and Welfare Act, 2006). They can share information with the police to the extent that sharing promotes their

own purposes. As the quote from a Labour & Welfare investigator illustrates, this was challenging in the multi-agency, co-localised environment of the Lime project:

Our legal basis for sharing information is based on whether it serves our purposes to do so. And that's quite a discretionary judgment—when we can say that it is, and when it isn't. You're sitting in a meeting and have to weigh every word in a way that doesn't breach confidentiality. It's a big responsibility [...] and the other thing is that we may well have information that in light of the group's shared goals we should've shared. But we can't necessarily do that.

Labour & Welfare is allowed to share more with TA than they are permitted to share with the police, and don't have rules governing sharing information related to criminal activity.

However, the police have wider access to share information with the partner agencies in the project:

We [the police] can probably get a bit too eager sometimes. We've talked about information sharing all the time. And what we've arrived at is, and I've always meant this, but to get the other agencies to see it – there are purposes behind what we're doing that enables us to share information. (Police officer)

We found that the police viewed themselves as the most able and willing to share information in the project. The police are allowed to share information with public agencies if the purpose is crime prevention. This mandate gives the police wide purchase on a range of social and criminal problems, making their potential reach in security networks less 'confined within distinct subgroups, or clusters.' (Brewer, 2017, p. 453) Whether an effort is considered 'preventive' is largely a matter of discretion. For instance, if the police pick up information suggesting ongoing benefit fraud during communications surveillance, sharing this with Labour & Welfare could be considered preventive. Thus, the police are far more able to

bridge the systemic boundary of professional secrecy from their side, compared with the partner agencies in this study (Giacomantonio, 2015).

Access to shared IT systems

The lack of shared software for information processing and project management highlighted IT systems as yet another systemic boundary between participants. The project was subdivided into eight functional teams, and every individual participant was assigned to one of the following: analysis, confiscations, communication surveillance, documents, investigation management, victims, tactical investigation and financial investigation (Labour & Welfare and TA participants were members of the tactical and financial investigation teams). In the information infrastructure, communication surveillance, confiscations and analysis occupied central positions. The communications surveillance team recorded e-mails, texts and phone calls in both the covert and the exploratory phase of the criminal investigation. The confiscations group systematised and recorded the extensive materials collected. The analysis group created systems and procedures for data processing that facilitated sharing of the materials collected.

The proprietary software *Indicia* was the analysis team's primary tool to impose a unitary order and recording practices for information in the project. *Indicia* is used by Norwegian police for intelligence work and project management. Its separate modules makes it well suited for recording, systematising and linking information, as well as for delegating and following up on tasks. An interview transcript, for instance, can be uploaded to the database with names or places tagged, enabling others who may be interested in those names or places to find them. Additionally, *Indicia* features free text searches in the database. Ideally, the software could be a one-stop shop for anyone who wanted to know whether someone had recorded information of interest.

All police officers, but only the police, have had access to Indicia. The software is connected to a national intelligence database where most information is visible to every user, but access can be controlled. Entries related to organised crime or ongoing projects are usually hidden from anyone not positively authorised to view them. However, a user cannot be given access only to the project module without access to the national intelligence database at the same time. There was a perceived need for everyone, regardless of agency, to work together in the same information environment:

It's been hell getting the system owners to let the control agencies in—TA and Labour & Welfare. That's where the job gets done, and we can't have satellites that don't see what we're working on or that we can't delegate tasks to. (Police officer)

The question of access to Indicia highlighted tension between the concern for expediency and communication within the project, and the separation of agencies' data. Everyone was eventually given access, and could search police reports and interview transcripts. The key to bridging this systemic boundary was to define the participants as police personnel. As an investigator from one of the non-police agencies explains: 'We worked in Indicia, but not as [representative from our own agency]. As police.' Once they had access, the investigators from the control agencies had varying experiences with the usefulness of this access:

We've had access to the police systems when we worked in the shared office space, but we received some training in Indicia [...] There's probably a lot there that could have been useful that we only now [in a late stage of the project] feel like we have the time to look up. There are piles and piles of documents. You'd drown.

Another says that:

[Indicia] was very useful. When a case has so many people working on it and there are so many documents, we don't always know who we're looking for. Someone could have discovered something that they didn't know was relevant to us because they didn't know that this person received benefits. And we didn't know that the person worked [while receiving benefits].

Familiarity with the system, adequate training, but also the quality of the entries and how information was indexed for retrieval likely impacted how and to what extent this bridge between the police system and the control agencies was utilised. While the analysis team created a system for information processing, the result was largely determined by how the investigators who added documents to the data base adhered to it.

Connecting disparate areas of expertise

The material collected in the Lime project was massive: interviews, communication surveillance containing e-mails and text messages in addition to at least 50 000 phone calls, confiscations of paper documents from the 20 raided shops and electronic confiscations consisting of hundreds of thousands of files. While giving all agencies access to Indicia helped bridge a systemic boundary, the information flow between participants and teams hinged in part on the ability to recognise data of interest to other participants. While Indicia was a tool for organising information, the interpretation, naming and tagging of the data required manual and deliberate action from whoever handled it. A police officer who worked on communication surveillance reflected on the challenges of serving colleagues in the multi-agency and multi-disciplinary project with relevant information:

[K]nowing what to look for—what should we look for to support the financial investigators? [...] [T]hose of us who work on communication surveillance, who don't have any background in financial crime—what should we look for? Which calls are

important? What is required to prove guilt?

The communication surveillance police officer is an expert on this collection method, but is not familiar with every crime type detected in the project. The function of his team was to collect and convey information to investigators from the different agencies as it emerged. Similarly, police officers conducted interviews, and the TA investigators could see from the transcripts that follow-up questions that were obvious to them had not been asked:

It has been challenging, really, that the people who have interviewed and that have listened to the phone calls—that don't know about financial crimes—they can hear things and they don't know what to ask that would be relevant for us [TA] to know about. [...] It's been completely impossible for police officers who don't work with financial crimes to recognise that this would be something the TA needs.

Distributing information from the interviews or telephone tap to specialised investigators was challenging. At times, the information flow was hindered by 'gatekeepers' lacking expertise in financial crime in general, or benefit or tax fraud in particular. This challenge was somewhat alleviated by the ability of the agencies to search parts of the collected material themselves in Indicia. However, as a Labour & Welfare investigator reported, delving into the data in this way was not an entirely satisfactory option:

I know there is a lot of information there, and I know where to find it. It's more a question of finding the time to look for it. Looking through communication surveillance and confiscations is very time consuming.

Despite the challenges described above, working in a shared space appears to have aided investigators in locating specialised knowledge within the project, improving information flow to some extent. Through collegial conversations and overhearing what other

teams were working on, investigators became familiar with details and status of other parts of the investigation:

If the police have something we need—say from the telephone tap—and we can use it, they usually have to give it to us in a format that we’re allowed to use. We’ll say: ‘We need this. Can you write us a report?’ (TA investigator)

The quote above also refers to how information in a police document, for instance from communication surveillance, was translated into a format that the administrative agencies could use in their own cases. TA could not lawfully use that information in their investigation, but had to receive it in the form of a police report. The information flow from the police to the other agencies was facilitated by informal transmission of snippets of information, as well as through inclusion in the shared ICT environment. Simply sharing the same office space created opportunities to overhear and subsequently ask for the right information report from the police. Information was translated from a police-specific format to a report accessible to TA.

Discussion

Bridging systemic boundaries of information flow

Shared knowledge is important because it enables participants to communicate with greater accuracy (Gittell, 2011), and increases awareness of how their tasks relate to those of others. Above, we argued that professional secrecy and the lack of a common management system were influential systemic boundaries which impacted the information flow within the project, and required negotiation by the participants.

To connect the work of agencies within the project, the project management secured access to the police intelligence database and project management system Indicia for the non-

police agencies. This initiative resembles boundary spanning activities discussed by Giacomantonio (2015), in that relevant boundary actors (such as managers) may overcome systemic boundaries by creating new systems or rule frameworks. The non-police agencies' access was the result of intra-organisational negotiation between project managers and system administrators, and was unique in the sense that, as far as we have been able to ascertain, access had never been given to anyone outside the police before. Still, information exchange raises complex issues of confidentiality (Nash & Walker, 2009, Harvey, Hornsby, & Sattar, 2015), contrasting agency-specific obligations with the shared interest of the project as a whole. Although the use of the intelligence software as a medium for information sharing is striking, basic confidentiality considerations underlay the negotiation (as by default users do not have access to classified intelligence).

Indicia in principle made the police's information readily available, but availability of data does not, as noted by Dupont (2006, p. 169), 'ensure its diffusion and use by all institutional nodes.' Having access to the same information is important because 'the holder of information often fails to recognize the value of it to others' (LeBeuf, 2005). Still, unfamiliarity with partners' interests and needs proved to interfere with the project's information flow. Challenges existed both between participants belonging to different agencies, and between participants with expertise in different subject areas. While the projects' police investigators share basic standardised training in criminal investigation, specialisation makes investigators more apt at recognising valuable information for some types of crime rather than others. Examining the negotiation of *inter-organisational* boundaries between the project participants, we found that the sharing of expertise, such as 'having knowledge about financial investigation', helped participants from different agencies co-operate. Nevertheless, it was a common perception that information flow persisted to be difficult throughout the project.

While some information simply could not be shared due to issues of confidentiality—the administrative agencies notably have less license to share with the police than vice versa—the participants in many cases managed to find pragmatic solutions to co-ordinate their work. Co-localisation in the shared, rented office space appears to have created an organisational context conducive for building familiarity and trust within the project as a work unit. Spending every day in the same space gave ample opportunity for informal meetings, coffee breaks, and accidental encounters between investigators from different agencies. This facilitated what we consider *informal pockets of information sharing* where inter-agency co-ordination was aided by the personalised trust that participants came to place in each other, giving room for attempts to bridge systemic boundaries of information flow (cf. Giacomantonio, 2015). These findings align with previous research, which has found that information sharing also relies on informal activities and personal relationships (Dupont, 2004, O’Neill and McCarthy, 2014, Cotter, 2015, Søggaard *et al.*, 2016), and ‘that the underlying relational properties of security networks [...] [make] it difficult to distinguish between formal and informal ties’ (Whelan, 2016).

Although we identify informal pockets of information sharing, we do not claim that the codes of confidentiality were dishonoured by the investigators. While all participants were guided by separate codes of secrecy which regulated each agency’s information sharing practices, these regulations also enabled them to make discretionary judgment calls based on their abstract knowledge, regarding whether a particular case justified information sharing. Discretion accounts for much of the usefulness of a flexible network approach (Mazerolle and Ransley, 2006b, p.185), and, as we find in this study, the discretionary space is even more flexible in partnerships where interests are strongly interwoven (Hartmann, 2014).

Negotiating jurisdiction: using the whole ‘sanction catalogue’

Partnerships (or other modes of networked practice, such as third party policing) represent pragmatic attempts to solve problems of crime and disorder, in which getting the job done might be more important than questions of whether the problem at hand is crime or an administrative violation (Maguire, 2000; cf. Weber, 2013). Networked crime control occurs in response to external pressures to disperse the ‘responsibility and interest in crime control across a range of regulatory nodes’ (Mazerolle and Ransley, 2006b). Partnering with other ‘regulatory nodes’, the police gain access to the ‘legal levers’ and sanctions of their partners. The police inhabit a role as information brokers in security networks, partly because of the content of their information (Ericson and Haggerty, 1997, Crawford, 1999).

Co-ordinating resources from three agencies created a potentially wide and varied toolbox for the Lime project, referred to as ‘the sanction catalogue’ by one participant. As shown, different parts of the Lime case complex fell under the separate jurisdictions of the involved agencies. While many violations firmly and obviously belonged to one particular agency, other violations could be handled by either TA or the police. Working towards a shared project goal, these jurisdictions could be interpreted as *proximity boundaries* (cf. Giacomantonio, 2015) that necessitated negotiation to achieve effective co-ordination. For instance, if hindered by own organisational jurisdictions, the police could propose Labour & Welfare to do shop controls. These controls were legitimate in light of Labour & Welfare’s jurisdiction, but might not have occurred but for the request of the police. Being able to choose strategically between the most suitable ‘tracks’ available for the project as a whole, also known as ‘ad hoc instrumentalism’ (Sklansky, 2012), was perceived as an effective strategy for spanning the proximity boundaries and ensuring that useful information was shared in included in the project.

Accountability versus efficiency

The collaborative strategy and ‘pooling powers’ made the Lime project’s investigations more efficient (Dupont, 2006, Mazerolle & Ransley, 2006b, Renan, 2015): securing confiscation through the TA’s authority required a lower threshold of proof compared with the police, and reduced the risk of failure and wasted resources. Further, pooling enabled participants to be effective in the first place: Labour & Welfare would not be in a position to discover and investigate many of the cases discovered except through the police’s communications surveillance. Joining the two tracks of administrative and criminal law in pursuit of a shared objective created a dynamic toolbox which furthered agencies’ ability to handle a cross-jurisdictional crime problem. However, whether participation is an effective strategy for individual agencies in achieving their goals will depend in part, as shown in this study, to what extent their interests and particular needs are embedded in the goals and structure of the co-ordinated effort (Mazerolle & Ransley, 2006b, p. 181). While agencies agreed on the goals and the general road map for getting there, the police benefited from having had an important hand in defining the project, its ‘crimes [and] appropriate solutions’ (Crawford, 1999, p. 133).

Increased efficiency, though, came bundled with accountability challenges. Even if the instrumental approach demonstrated in this study was conducted according to the letter of the law, such practices border on deputisation of partner agencies by the police. Co-ordinating agencies potentially creates tension between the goal of the joint project and the separate mandates of the agencies and professions involved. Ad hoc instrumentalism challenges traditional expectations of political accountability, meaning ‘the desirability of formal, legal constraints on official action’ (Sklansky, 2012), sought by adherence to ‘rationalised and transparent systems of bureaucratic control’ (Dowdle, 2017, p. 198). Using administrative law for crime control ends and vice versa blurs the boundary between the two tracks, and requires that we find ‘ways to bolster accountability at the intersection of the systems [...] by making

the system, and its lines of responsibility, more transparent' (Sklansky, 2012, p. 219). The tracks exist with different purposes, and the choice between them is consequential for those whom interventions are directed at, in terms of rights and the standard of proof required to sanction (Mazerolle & Ransley, 2006b, p. 179, cf. Goold, 2016). Our findings illustrate the need for further studies on whether close-knit multi-agency constellations strain professionals' primary obligations to the recipients of their services (Grimen, 2008).

Concluding remarks

Multi-agency investigations are increasingly deployed against criminal networks and cross-jurisdictional crimes. This study's unique empirical material from an inter-organisational investigation allows an analysis of the internal dynamics of a security network of co-ordinated state sector governmental nodes. Networks involving multiple state agencies hold great potential power, which warrants further studies into the practices and ideologies of co-ordination.

Despite difficulties presented by organisational boundaries, we find that the participants generally managed to co-ordinate work across agencies. While bridging organisational boundaries enabled agencies to pool their powers, co-ordination across organisations may challenge the protection of sometimes conflicting aims and interests. Although potentially effective against cross-jurisdictional crime, use of the full 'sanction catalogue' also raises important questions about weighing efficiency against the protections offered by formal organisations in terms of accountability. This study thus also contributes to the literature on the interchangeable use of criminal and administrative law, a topic notably explored in 'crimmigration' research (Stumpf, 2006, Sklansky, 2012, Weber, 2013, Gundhus, 2017). Tempering efficiency with transparency, we argue, is paramount to preserve the institutional integrity of, and trust in, deliberately separated public agencies as they participate in powerful networked assemblages.

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ⁱ The Oslo District Court is expected to render its decision in the spring of 2017.