

Nordic Research Council for Criminology (NSfK)
 Research Seminar 2023 - Abstracts

<p>Panel 1 Chair: Johan Edman</p>	
<p><i>Punishment as help? The role of punishment in contemporary drug policy making.</i></p> <p>Tobias Kammergaard</p>	<p>In 2021, a proposal to decriminalize personal possession of illicit drugs was downvoted in the Norwegian parliament after having been underway for years and being widely debated. The debate of this proposal constitutes a particularly informative case for exploring discourses around the use of punishment in contemporary drug policy making, as the title of the reform proposal was “From Punishment to Help”, and it was the use and understanding of punishment that were dividing those for and against the reform. In this paper, the arguments mobilized against the reform will be explored based on a thematic analysis of 100 hearing statements submitted to the government. The thematic analysis revealed a strong counter-discourse where punishment was constructed as a form of ‘help’ to aid (especially young people) with seizing or avoiding illicit drug use. In that regard, it is explored how those opposing decriminalization of drug possession foregrounded the ‘benevolent’ rather than the ‘punitive’ aspects of punishment (Barker, 2013), and how this understanding of punishment serves to rationalize the continued use of punishment for personal possession of illicit drugs.</p>
<p><i>Ecological hybris. How salmon farming turned into a serious environmental problem.</i></p> <p>Paul Larsson</p>	<p>The presentation will describe the problems in connection to salmon farming. Norway is the world's largest producer of farmed salmon. The industry is Norway's second largest export industry after oil, dominated by a few large companies. In 2021, salmon was exported for NOK 65 billion. The list of problems, violations and crimes connected to fish farming is long. There are breaches of laws against animal welfare in connection to the production, problems with pollution of the fjords and extermination of other species (clams, wild fish etc), there are diseases most known the Salmon lice that also spread to the wild fish, there has been overuse of antibiotics, escaped salmon endangers the wild salmon population, the production pollutes the seas with micro-plastic, to name some. How did we get in this situation? How can we explain what has happened? The presentation will try to explore these questions by using traditional criminological theories and theories of white-collar crime.</p>
<p><i>Punitive Turn and the Legislative Process in Criminal Law-Making.</i></p> <p>Birgit Feldtmann, Kasper Jørgensen, Lene Wachter Lentz & Annette Olesen</p>	<p>In Nordic criminological and legal research literature, it is often argued that a ‘punitive turn, Nordic style’ took place in the 1990s. Recent research has mapped the development of the Danish criminal law during the last four decades on a general level and identified an increasing number of amendments from the beginning of the 2000s. How this drift into a more punitive ‘law and order’ society impacts on criminal law-making is however yet to be studied empirically. We have identified all new amendments, and new provisions and modified existing provisions in the Danish criminal law in the period 1980-2019 using the online database, Karnov. Each provision has been registered into the qualitative data analysis program, Nvivo, and categorized according to whether it has influenced on the punitive turn in Denmark. Based on this data, the document analysis method combined with the doctrinal legal research method is used to examine how the punitive turn in Denmark has influenced the legislative process in criminal law-making from 1980-2019. The paper presents the preliminary findings of this project.</p>
<p><i>Putting the penal debate in perspective: Historical</i></p>	<p>In my presentation of a recently started project, I want to discuss how a long-term historical perspective might prevent criminological presentism, and how it can put contemporary descriptions of Swedish criminal policy in perspective. In the</p>

<p><i>criminology and the case of Sweden 1860–2020</i></p> <p>Johan Edman</p>	<p>planned project, the use of criminal policy knowledge in Sweden will be investigated during the years 1860–2020. The aim of is, firstly, to investigate what kind of knowledge Swedish politicians have based their criminal policy statements on, if and how this has changed over time and, secondly, to thereby contribute with a historical perspective on today’s criminal policy debate. Is there any basis for the descriptions of a criminal policy development that is increasingly punitive, emotionally driven, populist and politicized? And if it is, is it something unique to our time or something that has also shaped the criminal policy of older times?</p>
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<p>Panel 2 Chair: Karoliina Suonpää</p>	
<p><i>Building healthy relationships to reduce recidivism and prevent the intergenerational transmission of crime</i></p> <p>Åsa Norman</p>	<p>Social network theories provide a framework for understanding how the quality and closeness of relationships can influence individual agency, e.g., manifesting in prosocial or antisocial behaviours. For individuals with criminal behaviours, the recreation of social bonds that focus on healthy relationships, where prosocial behaviour is favoured, can provide a route towards reduced recidivism. The Nordic tradition of including rehabilitation as part of punishment creates good conditions for interventions aimed at improving relationships. Recent empirical evidence from Sweden showed that a prison-based intervention that focused on building positive parenting had beneficial effects on parent-child relationship quality, and on indicators for decreased criminal interest. This shows promise regarding the possibility of influencing criminal behaviours and future recidivism through the promotion of healthy relationships. This paper will provide empirical examples and discuss future ways that interventions that focus on creating and strengthening prosocial, healthy relationships can be used in the Nordic region to influence recidivism and prevent the intergenerational transmission of crime.</p>
<p><i>Community-Level Relationships Between Homelessness and Crime in Finland</i></p> <p>Fred Markowitz</p>	<p>Individual-level evidence from several countries indicates that mental health problems and homelessness are risk factors for criminal offending and victimization. However, there has been very little community-level analysis of how homelessness is related to crime rates. In Finland, despite remarkable progress in reducing homelessness, a substantial portion of offenders experience homelessness. In this paper, I discuss the criminogenic consequences of homelessness and then use data from 261 municipalities over a 13-year period in Finland to examine how homelessness is related to rates of criminal offenses and imprisonment. Results from a series of random and fixed-effects equations indicate that, net of common covariates, rates of homelessness are associated with increased rates of violent crime under the influence, property crime, and public intoxication offenses. The relationships are especially pronounced for more ‘visible’ forms of homelessness. The findings suggest that efforts to reduce homelessness through the provision of stable housing are not only essential to facilitating recovery and reintegration, but may also help improve community safety.</p>
<p><i>Estimating the incapacitation effect among first-time incarcerated offenders</i></p> <p>Enes Al Weswasi</p>	<p>Objectives: To estimate how many crimes are averted through incapacitation among first-time incarcerated offenders.</p> <p>Methods: The counterfactual challenge of estimating criminal acts committed had the offender not been incarcerated is approached by utilizing a matching design. Data consist of all offenders convicted in Sweden in 2018 and matched on a vector of time-stable and time-varying covariates that are drawn from a wide set of Swedish registers.</p>

	<p>Results: The annual incapacitation effect is 0.29 when measured as averted convictions and 0.66 when measured as averted convicted crimes. For the highest risk group, annual averted convictions are 0.74 and 1.71 averted convicted crimes. For offenders in the medium risk groups, the corresponding figure is annual averted convictions are 0.16 and 0.22 averted convicted crimes.</p> <p>Conclusion: For first-time incarcerated offenders, the incapacitation effect is modest and the heterogeneous effects found among risk groups warrant consideration if the crime-preventive effect is large enough for low-risk inmates and if non-custodial sanctions may be an alternative to ease overcrowding without considerable cost risks in terms of recidivism.</p>
<p><i>Does Punishment Severity Matter for Recidivism and Social Integration? A Quasi-Experimental Study</i></p> <p>Karoliina Suonpää</p>	<p>Authors: Suonpää, K (presenter), Aaltonen, M; Savolainen, J; Tyni, S & Aaltonen, O-P</p> <p>We examine the effects of harsher punishment for driving under influence (DUI) among drivers sentenced to differing penalties. We follow 35,000 individuals convicted of DUI or aggravated DUI in Finland, and analyze their general recidivism, DUI recidivism, and social integration (measured by employment) after the conviction. The severity of the punishment for driving under influence results from the level of blood alcohol content (BAC); according to the Finnish penal code, the offenders with BAC over 1.2 g/liter are convicted for aggravated DUI. The probability of receiving a (suspended) prison sentence, instead of a fine, increases sharply at the cut-off. In our quasi-experimental study, we exploit this cut-off and use a regression discontinuity design where we compare the offenders just below and above the BAC threshold for aggravated DUI. Regarding crime-related outcomes, the study design is preregistered. The results suggest that having a harsher punishment does not have a meaningful impact on general recidivism, DUI recidivism, or social integration of the offenders convicted of DUI.</p>

<p>Panel 3 Chair: Peter Smith</p>	
<p><i>Education for Incarcerated People</i></p> <p>Anders Lachenmeier & Sofie Amalie Poulsen</p>	<p>Based on 1730 surveys and 41 interviews we will present incarcerated peoples' experiences with access and barriers to education in Danish prisons and jails. This presentation will give insight into the requests, barriers, experiences, motivations, critiques, and thoughts concerning education. The incarcerated people themselves are rarely included in talks about their educational options, possibilities and the facilitation in the prisons and jails, therefore our studies are built on their perspectives. Some of the quantitative findings we will present are the interests in participating in education, what educational courses take place and what courses are requested and we will demonstrate that the requests are realistic in relation to the incarcerated people's current educational level. This will be nuanced by qualitative perspectives on motivations for education and what barriers are experienced. Our findings show a dissonance between the educational courses that are taking place and the ones that are being requested, despite the incarcerated people having the needed educational level for attendance. Most of the educational courses taking place are on a ground school level, which primarily accommodates the people that haven't finished ground school. However, a lot of incarcerated people express discontent with the lack of full, higher level educations, and the lack of communication, structure and digital opportunities lead to educations being interrupted and unfinished.</p>

<p><i>Prison alternatives in Iceland: Rehabilitation or budget concerns?</i></p> <p>Helgi Gunnlaugsson</p>	<p>Non-custodial sanctions have increasingly been adopted in recent decades in Iceland. Community work has been possible since 1995, electronic monitoring since 2012. A half-way house has also been run in Reykjavík. Finally, more open prison units are now available than in the beginning of the century. These alternatives to prison suggest a tendency in Iceland to introduce punishment types with potential rehabilitation qualities in dealing with crime control. At the same time, these measures have reduced government expenditures on prisons being less costly and are thus politically attractive. New proposals of a recent prison commission appointed by the Minister of Justice will be reviewed. The main question centers on how much these proposals include custodial and/or non-custodial sanctions.</p>
<p><i>The Nordic penal model in the digital age: smart prisons, video visitation and surveillance in the 21st century</i></p> <p>Rose Boyle & Peter Smith</p>	<p>Prisons in the Nordic countries, often held up as models of humane treatment and rehabilitative opportunity, have been slow to adapt to an increasingly digitalized society. This is however gradually changing, and we now see the first purpose-built, "smart" prisons, where digital technologies are offered as solutions for existing challenges in the prison system such as suicide prevention, access to healthcare and welfare services, and effective surveillance. Many of these solutions are promoted as being rehabilitative, such as by providing tools for increased self-sufficiency amongst the prison population and allowing for greater connection with the outside world. At the same time, digital technologies also give rise to security concerns, as well as enhanced opportunities for surveillance of inmates and increased possibilities for monitoring their private lives. This prompts the question of how the rise of digital technology affects the Nordic model of punishment, and its core principles of normalization and dynamic security?</p>

<p>Panel 4 Chair: Linnéa Österman</p>	
<p><i>Narratives of facilitated and frustrated desistance</i></p> <p>Sylvia Koffeld-Hamidane</p>	<p>The transitional phase from prison to society can be challenging, for people going through it, but also for government agents responsible for supporting people during resettlement. In Norway, the Correctional Service's explicit goal is to focus on release preparation throughout the prison sentence. However, the Norwegian penal system has recently gone through changes that negatively influence the opportunities to work in line with this goal. In this context, voluntary organizations have taken on ever greater responsibilities when it comes to supporting people through the gate. The boundaries between non-governmental organizations and the Correctional Service may become increasingly blurry as a result. My aim in this paper is to present the lived experiences of newly released former prisoners of how staff within the Correctional Services and non-governmental organizations facilitate or frustrate desistance processes in the transition from prison to society. I explore participants' narratives through a longitudinal, prospective design. For this paper, I've interviewed six men newly released from Norwegian prisons.</p>
<p><i>What Works? MOSAIK works! On motivational intervention methods in Danish probation service</i></p> <p>Asbjørn Storgaard</p>	<p>"MOSAIK works!" a probation officer enthusiastically answered as I posed the classic question "what works?" while conducting an extensive field work study in two Danish probation offices (in 2022) as part of my PhD research. The term "MOSAIK", which denotes the flagship program for offender rehabilitation in Denmark, is a Danish abbreviation for "motivational conversation within the Prison and Probation Service" [MOTiverende SAMtaleintervention i Kriminalforsorgen]. Being indebted to the STICS program and the RNR intervention regime in general, MOSAIK is a collection of evidence-based intervention procedures deployed in the offender supervision process. These procedures are designed so as to facilitate clients' awareness of their criminogenic responses, provide the clients with tools for countering these and thereby increase the</p>

	likelihood for desistance. In the presentation I shall very briefly sketch out the contents of MOSAIK, then, I shall relay some of the most striking findings of the subsequent analyses of the field work material (observations and interviews) concerning MOSAIK and, finally, I will discuss the rehabilitative potential of MOSAIK from a theoretical perspective.
<p><i>NSfK-funded research in progress: Minority Women's Experiences of Desistance in Sweden (MiWoDeS)</i></p> <p>Linnéa Österman</p>	Recent years has seen important progress in terms of acknowledging how gendered conditions and norms influence desistance-related processes for women. However, power relations in society relate to a number of different, intersecting, aspects of a person's identity. The desistance field, though, is arguably one that lags behind in applying intersectional perspectives. The limited research that exists suggest that minority positions can negatively impact (male) desistance experiences, through for example lived experiences of racism and/or discrimination in the criminal justice system and on the labour market. MiWoDeS is an explorative study that specifically sets out to explore how minority women voice their story of desistance-related change in Sweden, including interactions with services and systems that they meet along the way, viewed through an intersecting lens of different identities and social positions that they uphold. The study is ongoing and although it is unlikely that any direct results will be ready to be presented at the May conference, the paper will discuss early experiences of the fieldwork, including initial discoveries and challenges.

<p>Panel 5 Chair: Julie Laursen</p>	
<p><i>Remand imprisonment in the Nordic penal context: Usage, development and consequences</i></p> <p>Emeli Lönnqvist</p>	Remand imprisonment entails the detention of criminal suspects pre-trial. Despite their right to be presumed innocent and treated accordingly, remand prisoners are often detained in dilapidated conditions without access to meaningful activities and human interaction, sometimes for extensive periods of time. As the time spent in remand is deducted from potential punishments, the usage of remand imprisonment has profound effects both on an individual level as well as in regards to the content of punishment, including access to treatment programs and other rehabilitative efforts. The presentation will elaborate on the connections between remand imprisonment, punishment and rehabilitation by drawing on insights of how the usage of remand imprisonment has developed over time in the Nordic context and its affiliated consequences in the context of criminal justice.
<p><i>5-star hotel, but hard to escape": Online reviews of Norwegian prisons</i></p> <p>Marina Hiller Foshaugen & Maja Vestad</p>	What can online reviews reveal about perceptions of the Norwegian prison system? Google Maps allows registered users to leave reviews and ratings of locations, including prisons and detention facilities. We conducted a systematic analysis of all Google reviews and ratings (N = 214) of Norwegian prisons between 2017 and 2021. Our analysis suggests that some of this communication – given its online visibility – reflects established stereotypes about prison life, its employees and people imprisoned, while other posts can be considered a critique or ridicule of the criminal justice system. We discuss the purpose of this type of online communication and how it relates to notions of Nordic exceptionalism.
<p><i>Children Experiencing Parental Incarceration in Finland: A Register-Based Study</i></p> <p>Ilona Nissinen</p>	Parental criminality is associated with a range of factors that may negatively affect child development and future outcomes. A possible consequence of parental criminality is parental incarceration (PI). Using Nordic register-based data, my doctoral thesis aims to assess the impact of PI on offspring criminal behavior and violence victimization, taking into account diverse background factors including unmeasured familial and environmental factors using family fixed-effects models and within-individual analyses. Furthermore, the role of the offending type that

	<p>led to PI (violent vs. non-violent offending), sex of parent and offspring, and age of offspring during PI will be examined. However, the first article in the dissertation is a descriptive one, as descriptive information on children of prisoners in Finland is scarce. The aim is to study occurrence of PI in Finnish population examining, for example, the frequency of children ever experiencing PI, the children's age, and the frequency and duration of PI.</p> <p>Further, associations between PI and offspring outcomes will be examined. Preliminary results will be presented.</p>
<p><i>The peaceful prison – indeterminacy, power and order</i></p> <p>Julie Laursen</p>	<p>Some prisons feel quiet, settled and organised rather than chaotic, violent and coercive. Based on ongoing ethnographic fieldwork and interviews with prisoners serving indeterminate sentences in Herstedvester prison in Denmark, this paper aims to explain why this particular prison is largely characterised by order and peacefulness despite the fact that it holds prisoners serving long sentences for very serious crime. I argue that the complex intertwining of forms of 'tight' power (Crewe 2011), specific conditions of progression in indeterminate sentences and feelings of shame and guilt (Levins 2023) creates a culture of collaboration in this particular prison, especially amongst prisoners serving long-term or indeterminate sentences. Since their chances of release are hinged upon collaboration with the prison, they focus on individual progression and abstain from collective acts of resistance. Furthermore, the shame and guilt felt by prisoners result in fragmentation and atomization of the prisoner community rather than reproduction of traditional forms of prisoner hierarchies.</p>

<p>Panel 6 Chair: Maiju Tanskanen</p>	
<p><i>Prosecutorial decisions behind courts' judgements – analysing Finnish robbery cases</i></p> <p>Tiina Malin</p>	<p>Equality in sentencing involves a presumption that sentences should not base on extra-legal factors. In courtroom context, studies on sentencing disparities have paid a lot of attention to between-court and –judge variation in sentences. However, remarkable role in the sentencing process is not only on judge but also on the prosecutor. This study examines aggravation assessments of robberies made by both prosecutors and judges. Our data consist of robbery convictions from six Finnish district courts (n = 331). We divided the courts into two groups representing extremities in their aggravation assessment. Preliminary descriptive results indicate that both the actions of prosecutors and judges differ between these two court groups. The presentation will better shed light on the prosecutors' role in regional sentencing disparities. If the relationships and policies between these two actors differ regionally, problems with sentencing consistency may arise.</p>
<p><i>"What's in it for us?" A study of the Norwegian Correctional Services' International Engagements</i></p> <p>Katrine Antonsen</p>	<p>The Norwegian penal system has long been considered exceptional and one of the most humane in the world. The allegedly low reoffending rates, good material conditions as well as the ambition to "turn prisoners into good neighbours" have attracted and astonished researchers, journalists and NGOs worldwide. But what happens when one attempts to export Scandinavian penal values to countries with completely different tolerances, societal conditions and political contexts? And what does Norway gain from such efforts? The Norwegian Correctional Service has engaged in the export of Scandinavian penal values for decades. Nevertheless, this practice has rarely been the subject of analysis. Except for the evaluation of single projects, no studies deal with the topic from a holistic point of view. Drawing on qualitative analysis of policy documents as well as interviews with key actors, this paper seeks to investigate what the NCS are involved in, why they are involved, and with what effects. The aim is to make an empirical and theoretical contribution to the field of Scandinavian penal exports and to develop</p>

	data and analysis that can enhance further criminological study on the phenomenon.
<p><i>When is violence between partners "family violence" according to the police? Social correlates of the police classification of family violence based on Finnish register-based data</i></p> <p>Maiju Tanskanen</p>	<p>Although there have been considerable policy efforts in the Nordic countries to improve societal and criminal justice responses to intimate partner violence (IPV) and domestic violence in general, several challenges may hinder the implementation of these efforts. Specifically, as the police are often the first agency to respond to any interpersonal violence, the capability of the police to adequately identify different types of violence is critical to any societal responses to IPV.</p> <p>This study investigates the classification of family violence by the Finnish police using large register-based data of suspected criminal offenses classified as IPV based on population register information on the relationship between the suspect and the victim. The study examines the role of various social correlates, such as the socioeconomic status and criminal histories of the suspect and the victim, in whether an IPV case had been flagged as family violence by the police. In analyzing whether the police classification of family violence is systematically associated with "extra-legal" factors, the findings have implications for assessing the validity of this classification.</p>

<p>Panel 7 Chair: Margret Valdimarsdottir</p>	
<p><i>Beware Children! A street-level approach on social problem work, where policy becomes practice and children becomes risky business</i></p> <p>Emma-Lisa Gångare</p>	<p>The paper opens the black box of informal street-level organization (SLO) of social problem work concerning children below fifth teen years – i.e., criminally irresponsible – who commits crimes, focusing on early reaction and classification. Drawing on traditions of ethnography the study explores how local social workers and police investigators organize in the bottom-up collaboration known as the YOA-group in a disadvantaged area in one of Sweden's largest municipalities. Together they struggle to negotiate, shape, and challenge conditionality work in a multi-order setting marked by devolution, uncertainty, and ambiguity. The overall purpose is to acknowledge the modern spaces of policy in practice – as an alternative to traditional separation of policy making and implementation – by recreating relational practices. Yet, the primary outcome reveals deliberations on social care versus recidivism and uniform thresholds. It illustrates ways in which street-level workers negotiate and shape not only the implementation of policy and welfare reforms but also the making of the social problem that the policy is supposed to concern.</p>
<p><i>Sanction or Support? Which children are affected by the new system responses to juvenile crime in Denmark</i></p> <p>Britt Ø. Larsen</p>	<p>In 2019, Denmark enacted a new policy reform, which introduced court-like proceedings to children under the minimum age of criminal responsibility, and cases with juveniles age 10 to 17 committing serious offences are now handled by Youth Crime Boards (YCB) and the Youth Probation Service (YPS). In this session, we will present the first findings of the quantitative data analyses from a research project investigating the effects of the new Danish system. Based on administrative data from YCB, YPS and register data from Statistics Denmark, we will describe the characteristics of the new system and the children who enter it. We link individual information across different data sources and present new information on e.g. the total duration of the 'improvement programs' (including re-entry of cases), and the combinations of child welfare interventions issued to children by the YCB. We compare the characteristics of the cases referred to YCB and YPS to the 'target group' described in the policy reform, and discuss whether the new Danish system 'catch' the right children.</p>

<p><i>Sanction or Support? Experiences with new system responses to juvenile crime in Denmark</i></p> <p>Tea Torbenfeldt Bengtsson & Theresa Dyrvig Henriksen</p>	<p>In the Nordic countries, social work and child welfare interventions have traditionally played a central role in preventing children’s involvement in future crime. Hence, child welfare authorities, rather than the criminal justice system, have handled cases with children involved in crime. However, in 2019 Denmark enacted a new policy reform, which introduced court-like proceedings to children under the minimum age of criminal responsibility, and cases with juveniles age 10 to 17 committing serious offences are now handled by Youth Crime Boards (YCB) and the Youth Probation Service (YPS). In this session, we will present the first findings of the qualitative data collection from a research project investigating the new Danish system and how it affects the lives of children and adolescents. The qualitative data includes interviews with caseworkers, YCB members, probations officers, as well as observations from meetings in YCB and YPS. We will summarize central experiences with issuing mandatory child welfare interventions to at-risk children as a response to crime and point to some of the adverse and unintended side-effects of the new Danish system.</p>
<p><i>Social control of immigrant youth in Iceland</i></p> <p>Margret Valdimarsdottir</p>	<p>In the last 20 years, Iceland has transformed from an extremely homogeneous country to a nation with one of the highest proportion of immigrants in Europe (e.g., Eurostat statistics, 2022). The growing number of immigrants calls for research on the implications of the changing composition of the Icelandic population. It has been theorized that a growing minority group leads to perceptions of increased threat (e.g., increase in crime and violence), which in turn provokes increased formal and informal control mechanisms (e.g., Novak and Chamlin, 2012).</p> <p>The aim of the current research is to test hypotheses about the link between immigration status and social control by school authorities and the police. More specifically, if misbehavior by adolescents with an immigrant background are more likely to lead to formal interventions than misbehavior by other young people (such as school authorities notifying the police). During adolescence, most people break some rules that usually have little or no consequences, but due to unconscious prejudices teachers, school administrators and police may be more reactive when minority youth are involved. Frequent interventions by people in positions of power tend to shape identity and attitudes towards authority, which can lead to further delinquent behavior and social isolation (or the formation of groups of people with the same background). Despite their importance, these factors have not been explored in Iceland.</p> <p>The research uses the most recent wave of the International Self-report Delinquency study (ISR4). ISR4 is a school-based survey with data collected through self-completed questionnaires administered in the classroom, focusing on 13- to 17-year-old students. Data collection in started in October 2022 and will be completed by the end of January 2023.</p>

<p>Panel 8 Chair: Agneta Mallén</p>	
<p><i>Reoffenders’ legal consciousness:- Living with or around justiciable problems</i></p> <p>Annette Olesen</p>	<p>Typically, reoffenders speak from the midst of problematic circumstances and their living situations are affected by significant ‘legal events’. Thus, legal consciousness of reoffenders could be considered substantially more pervasive than for ordinary people whose everyday lives are not repeatedly encountered bylaw. This paper examines the legal consciousness of reoffenders in Denmark and Norway through their interpretations of barriers to reentry from prison. It draws on observational, focus group, and interview data and reveals how reoffenders think and talk about core matters in daily living that have clear legal aspects. My evidence shows that reoffenders find it extremely challenging to talk about their problems and ask for help. On the contrary, they often lump their</p>

	<p>problems by doing nothing. Some of the reoffenders in this study attributed their 'reaction' to the pressure they expect to face if they take (legal) action and try to better their living conditions. Others lump their problems as they hope that public institutions will intervene if their problems intensify. The present findings show how 'lumping it' is a strategy used more broadly than previously recognized.</p>
<p><i>Prisoners' perceptions of enforcement of their rights in Finnish prisons</i></p> <p>Helena Huhta</p>	<p>Helena Huhta (presenter), Susanna Lundell & Maija Helminen</p> <p>This paper explores prisoners' perceptions regarding the enforcement of their rights in Finnish prisons. The data consists of 13 prisoner, five ex-prisoner and four expert interviews. We ask how prisoners perceive the enforcement of their rights during incarceration and what kinds of obstacles prisoners encounter in accessing their rights? Our theoretical framework builds on procedural justice theory. Our results show that inequalities that prisoners had experienced while incarceration concern thematically activities (work, schooling, substance abuse treatment), services (health care, preparation for release), phone calls and access to internet. Prisoners also found that they were not provided adequate information about their rights and decisions concerning their rights were not properly reasoned. The main explanations for the injustices prisoners' experienced were first of all discretion which is built in the Finnish Imprisonment Act and other regulation. Secondly, prisoners believe that some decisions given by authorities were deliberately incorrect. Thirdly, prisoners perceived the injustices to follow from the lack of staff in prisons.</p> <p>Few interviewed prisoners had appealed when they had perceived their rights neglected. According to the interviews, prisoners may not resort to appealing, because they are unsure about their rights, find legislation hard to interpret, find the appealing process slow and difficult and positive results unlikely. Prisoners also fear that appealing can be revenged by the prison staff. In addition, the prisoners may decide not to appeal, when they believe the reason is the lack of resources. While previous research on procedural justice in prison context has focused on analyzing how fair treatment can produce normative compliance in prisons, we stress that it is important that prisoners simply do not settle for the conditions and given decisions but that their ability to negotiate, bring up their concerns and appeal, when necessary, is acknowledged and supported.</p>
<p><i>Availability and vulnerability of health assets in low-security prisons</i></p> <p>Pernille Nyvoll</p>	<p>Health assets, a term deriving from the salutogenic model of health, are individuals' internal or externally accessible resources to enhance their ability to optimize their own health. This qualitative and comparative study explores existing health assets in the context of prisoners in Norwegian low-security prisons. Ethnographic data is collected from two low-security prisons that have both been described as "exceptional" by international as well as domestic observers. These prisons give more autonomy to prisoners, provide plentiful access to nature and a variety of activities, and facilitate a closer prison-staff relationship. During the data collection, one of the prisons underwent several disruptions and organizational changes. The findings show how disruptions are likely to affect health assets and the perceived well-being among prisoners. The insights drawn from this study may be useful for anyone seeking to decrease the possible damaging effects of imprisonment in prisons with higher, as well as lower, security levels.</p>
<p><i>Prison in Finnish. Ålandic prisoners' experiences of serving a prison sentence in Finland</i></p> <p>Agneta Mallén</p>	<p>Åland, an archipelago region between Finland and Sweden, is an autonomous, demilitarized, neutralized, and unilingual Swedish-language region with about 30 000 inhabitants that is part of Finland. All Ålandic prisoners serve their sentence in mainland Finland. This study focuses on how Swedish-speaking Ålandic prisoners experience prison sentence in Finland, where the majority language is Finnish. Research show, that prisoners who are serving a sentence away from home, in another language environment, find prison life particularly harsh. Serving a prison</p>

	<p>sentence in another language than the prisoners' own, obstructs communication with staff and other prisoners, which makes everyday life and rehabilitation more difficult. To gather the Ålandic prisoners' experiences, semi-structured, qualitative interviews are made with all current Ålandic prisoners in Finland and ten Ålandic ex-prisoners who were imprisoned in Finland in the 2010s. This study examines an entirely new field of research, as there currently exists no studies about experiences of Ålandic prisoners.</p>
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<p>Panel 9 Chair: Christian Gade</p>	
<p><i>To Refer or Not Refer? Police Discretion and Morality in the Danish Victim-Offender Mediation Programme</i></p> <p>Clara Rosa Sandbye</p>	<p>Despite a growing interest in restorative justice as a non-punitive response to crime in Denmark and other Nordic countries, the case flow in the Danish Victim-Offender Mediation Program (Konfliktråd) is declining. Police officers are responsible for referring citizens to mediation, and the aim of this case study is to investigate elements of their practice that can illuminate the low case flow. We draw on 16 interviews with officers in one police district, thereby approaching the issue of access to mediation from the perspectives of police officers themselves. Our study supports previous findings, suggesting that discretion is common among police officers who follow their 'gut feeling' and assessments of eligibility as they refer cases to Konfliktråd. Their discretion is exercised through action as well as inaction and is at once prompted by the policy surrounding Konfliktråd and a way of practicing moral police work. We explore the dynamics of their normative practice of informing people about Konfliktråd which is key to understanding barriers to restorative justice in Denmark.</p>
<p><i>Gate-keeping or gate-pushing restorative justice? The police and prosecutor's dilemmas on victim-offender mediation</i></p> <p>Aino Jauhiainen</p>	<p>Selecting criminal cases for victim-offender mediation involves great use of discretion in time-constrained circumstances. While prosecutors and the police can direct cases to victim-offender mediation as a balanced consideration of the aims of both the criminal and restorative justice systems, there is often a difference in legislative ideals and their implementation in practice. This difference has been scarcely studied regarding restorative justice initiatives. Based on a framework of street-level bureaucracy, this study analyzes dilemmas and coping strategies related to discretion on victim-offender mediation. The data consists of semi-structured interviews (N=17) with police officers and prosecutors and is viewed through thematic analysis. Findings indicate that the criminal justice system's objectives of procedural efficiency construct a core dilemma for discretion on victim-offender mediation, suggesting possibilities of both gate-keeping and gate-pushing. Based on the results, implications for the interrelation of criminal and restorative justice are discussed.</p>
<p><i>Written agreements in restorative justice processes: What do participants decide upon and how does it potentially relate to recidivism?</i></p> <p>Thorbjørn Larsen</p>	<p>The use of restorative justice processes as an avenue to reduce recidivism and promote reintegration is increasingly common in the Nordic countries and the rest of the world. In many theoretical and practical applications of restorative justice, written agreements have been proposed as one of the key elements facilitating positive change. Although theorized to be important, there is limited research exploring the concrete content of written restorative justice agreements, particularly in a Nordic context. In this presentation I will present findings from a descriptive analysis of over 70 written restorative justice conference agreements, collected as a part of the ongoing Danish Konfliktråd Impact Project. The results will shed light on both the content of such agreements and identify relationships between this content and participants' satisfaction with their agreements. Further, I will present preliminary reflections on if/how working with written agreements can serve as a helpful tool towards reducing recidivism and promoting societal integration.</p>

<p><i>Reflections on restorative justice as de facto and de jure punishment</i></p> <p>Christian Gade</p>	<p>Restorative justice (with practices like victim-offender mediation, conferences and circles) has frequently been presented as something that is radically different from punishment. With a point of departure in a new punishment framework, I want to problematize the proclaimed dichotomy between restorative justice and punishment by arguing that some cases of restorative justice constitute de facto punishment from the perspectives of several positions on what punishment is. Furthermore, I want to suggest that from a consequentialist point of view, restorative justice could reasonably be adopted as a new form of de jure punishment, which could potentially have positive consequences in relation to recidivism, victim wellbeing and economic costs. My presentation will build on my new article 'Promoting restorative justice as de jure punishment,' published in The International Journal of Restorative Justice. The article is freely available here: https://pure.au.dk/portal/files/289441521/IJRJ_2022_01_def_Gade.pdf</p>
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<p>Panel 10 Chair: Sébastien Tutenges</p>	
<p><i>Governing human security: Reassessing the boundary between soldiering and policing in protecting the public</i></p> <p>Sine Vorland Holen</p>	<p>Nordic countries' concern for social and political issues related to human security has led to a convergence of crime control and security policy. This raises important questions about how to divide civil-military responsibilities. The goal of protecting civilians during conflict requires military forces to make situational judgments about whether to intervene when they encounter violence against civilians and to justify their actions. However, there is a lack of research on how security practitioners understand the merging of professional roles in protecting civilians and how they clarify responsibilities. This paper uses interviews with Norwegian military personnel who have served in operations where violence against civilians is common to explore how they differentiate between soldiering and policing in order to protect the public and what law they should uphold.</p>
<p><i>App-based textual interviews with hard-to-reach populations</i></p> <p>Silje Anderdal Bakken</p>	<p>Today, social interaction is increasingly taking place on digital platforms. Especially since the past few years with COVID that with its social distancing and lock-downs has normalized digital interaction even further. Interacting digitally and at a distance can be an advantage when doing qualitative interviews in the field of criminology. In this paper, I discuss methodological advantages and challenges met when interviewing drug market participants (N=98) on Wickr, an encrypted text-based mobile phone application. On the positive side, interviewing through apps reduces the interview effect by providing an anonymous and safe space that enhances informality and flexibility within the conversation. Which led to the interviewees quite openly explaining about their illegal activities, while the interviewers felt safe and established a good conversation. At the same time, the combination of synchronous and asynchronous conversations, as well as the symbiosis of online and offline events, challenge the interview being textual and app-based. This leads to important reflections concerning both methodology and ethics.</p>
<p><i>The Jihadist: Collective Representations of an Emerging Identity in Street Culture</i></p> <p>Sébastien Tutenges</p>	<p>The social identity of the jihadist has gained prominence in street culture over the last two decades. Depictions of jihadists have spread in popular music, movies, and media reports. Propaganda celebrating or condemning jihadism has circulated widely online. And a significant number of individuals with a background in street crime have converted to jihadism. Drawing on ethnographic fieldwork in Oslo, this paper examines how Muslims involved in street life and crime construct and take distance to the social identity of the jihadist. We apply and refine the Durkheimian concept of "collective representation" to show how this construction of identity affects the way people on the street understand themselves and their enemies and the actions they take toward jihadi extremism. The paper concludes with a</p>

	discussion of a recent Durkheimian turn in Nordic criminology, amounting to what may be termed: Durkheimian cultural criminology.
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Panel 11 Chair: Lena Roxell	
<i>Rehabilitering i fængsler i menneskeretligt perspektiv</i> Hans Jørgen Engbo	Er rehabilitering en menneskeret for de indsatte i fængslerne? De fleste vil nok umiddelbart svare ja til dettespørgsmål. Men spørgsmålet er ikke helt så enkelt, som det kunne se ud til. Svaret på spørgsmålet må beroen afklaring af flere spørgsmål: Hvad betyder "rehabilitering" (eller "resocialisering", som er den mest brugte betegnelse i Danmark)? Hvad menes med "en menneskeret"? Er der tale om en moralsk ret eller en juridisk ret, som vil kunne kræveshåndhævet ved domstolenes hjælp? Hvem har ansvaret for rehabilitering? Kriminalforsorgen, andre offentlige myndigheder og/eller andre? Hvilketansvar har den indsatte selv? Hvordan er sammenhængen mellem retten til rehabilitering og princippet om normalisering? I hvilket omfang må den indsattes ret til rehabilitering vige for fængselsmæssige sikkerhedshensyn? Hvordan kan man måle, i hvilket omfang den indsattes ret til rehabilitering respekteres? Kan recidivmålingerbenyttes? Disse spørgsmål vil jeg søge at besvare med udgangspunkt i menneskeretlige retskilder. Præsentationen vil blive afviklet mundtligt på dansk/skandinavisk, men med PowerPoint slides på engelsk.
<i>Normalitetsprinsippet, digitalisering og velferdsrettigheder</i> Mira Stokke	Digitaliseringen krever nytenking om normalitet under soning i fengsel. Det finnes lite kunnskap om digital ekskludering blant innsatte i en nordisk kontekst. Denne undersøkelsen problematiserer hvordan digitalt utenforskap vedvarer etter løslatelse, og identifiserer digitale hindringer i møte med den offentlige forvaltningen. Funnene baserer seg på kvalitative intervjuer med tidligere innsatte i norske fengsler. Det eksisterer digital ekskludering på flere nivåer, ved tilgang, kunnskap og utbytte. Undersøkelsen viser også en risiko for rettighetstap, særlig grunnet utfordringer tilknyttet digitale identiteter og kommunikasjon med velferdsforvaltningen. Det er behov for en helhetlig forståelse av digitale utfordringer, og funnene er derfor aktuelle på tvers av forvaltningsorganer og private aktører.
<i>Färre fall av återfall? Behandling, utbildning och arbete under fängelsetiden</i> Lena Roxell	Sedan början av 2000-talet har återfallen efter fängelsestraff minskat i Sverige. Till viss del kan det förklaras av att klientssammansättningen på fängelserna har förändrats. Kön, ålder, tidigare belastning, brottstyp och utdömt straff är faktorer som har påverkat utfallet. En fråga som inte har studerats är hur olika insatser under fängelsetiden kan ha betydelse för att minska återfallen. I den här studien undersöks om behandling, utbildning och arbete under fängelsetiden har betydelse för att minska återfallen. Urvalet består av kvinnor och män som skrevs ut från svenska fängelser under åren 2012 – 2015. För att svara på frågan om återfall har data hämtats från Lagföringsregistret. Uppföljningstiden är tre år. Propensity Score Matching används för att analysera materialet och besvara frågan om insatserna har betydelse för att minska risken att återfalla.

<p>Panel 12 Chair: Hildur Fjóra Antonsdóttir</p>	
<p><i>Cybercrime: Types, trends, and victimization experiences in Iceland</i></p> <p>Jonas Orri Jonasson</p>	<p>Jónas Orri (presenter) and Helgi Gunnlaugsson</p> <p>The web has increasingly been used as a source to target suitable victims all over the globe. By using the internet people worldwide can be connected, offering all kinds of new opportunities for deviant activities and crime. A variety of internet-related threats are regularly being reported in the mass media, e.g. computer fraud, cyber vandalism, cyberbullying and most recently cyberwarfare. The first study in Iceland examining cybercrime victimization among the Icelandic public was conducted in cooperation with the Social Sciences Research Institute in 2016. The same survey has been repeated in 2018, 2020 and 2022 to a sample of about 2000 respondents reflecting the Icelandic population 18 years and older. According to the findings in 2016 about 13 percent of the respondents reported having been victimized by cybercrime in the past three years prior to the survey. In 2018 and 2020 close to 20% of the respondents admitted cybercrime victimization. In 2022 the same survey was repeated once again, using the same questionnaire as before. Do we see an increase in cybercrime victimization?</p>
<p><i>Principle of Non-Punishment of victims of human trafficking and the victim-offender overlap as a criminal procedural problem in the pre-trial investigation</i></p> <p>Jani Hannonen</p>	<p>According to the Principle of Non-Punishment victims of human trafficking should not be punished for offences they have been compelled to commit. A victim who is compelled to commit crimes is simultaneously a victim and an offender. It is a common phenomenon that human trafficking victims are involved in the trafficking or pandering offence in which they are exploited. This victim-offender overlap challenges the traditional procedural law thinking that clearly differentiates the procedural roles of plaintiff and defendant. The responsibility to recognize this dual role falls especially on the criminal investigation authority because the case is still taking form in the pre-trial investigation. The research question is: "What kind of problems does the victim-offender overlap cause in the pre-trial investigation and which effects does this dual role have on deciding the victim-offender's criminal liability?". The research question is answered by combining empirical analysis of expert interviews and critical doctrinal analysis of the established procedural roles from the victim-offender's perspective. The interviews were conducted between October 2021 and January 2022.</p>
<p><i>Deserving and Undeserving Victims of Crime According to the Icelandic State Compensation Scheme</i></p> <p>Hildur Fjóra Antonsdóttir</p>	<p>State compensation schemes for victims of crime are based on the idea that the state has a duty to protect its citizens from crime, and awards compensation as recognition of a sense of public sympathy and social solidarity with victims. However, state compensation schemes are framed by laws and policies that condition the eligibility of applications. Awards can therefore be lawfully limited or denied which inevitably creates categories of deserving and undeserving victims. Within the framework of victim labelling theory, the study aims to gain a better understanding of the social implications of the Icelandic Criminal Injuries Compensation Fund (CICF) and asks: How are the categories of deserving and undeserving victims of crime constituted in the operations of the CICF? How have these categories changed over time? The study is based on a content analysis of all case files from the CICF from 2010 and 2019. The data includes age, gender, citizenship, and areas of residence of victims and offenders; type of crime; amount sought and awarded, and rational for amounts awarded, declined, or reduced. The policy implications of the findings will also be discussed.</p>