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## **Determinants of the willingness to make a statement of victims of human trafficking for the purpose of sexual exploitation in the triangle offender–police–victim**

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**Abstract** An important precondition for improving the prosecution of offences relating to human trafficking for the purpose of sexual exploitation is the promotion of victims' willingness to make a witness statement. In a qualitative study, "Determinants of the willingness to make a statement of victims of human trafficking for the purpose of sexual exploitation pursuant to section 232 of the Penal Code", carried out in 2008/09 in Germany by the Institute for Social Research on Women (Sozialwissenschaftliches FrauenForschungsInstitut) in Freiburg on behalf of the Federal Criminal Police Office (Bundeskriminalamt), Germany, 53 victims were interviewed. From a social science perspective, factors were identified which are of subjective relevance for the victims, influencing their willingness to cooperate with the police and to testify against traffickers in court. The factors were related to offender strategies (e. g. violence, deception), to police action (e. g. checks, interrogations) or to the person of the victim herself (e.g. residence status, migration goals, language, attitude towards prostitution). After a description of these

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This contribution is a further development of the results which were published in the final report of the project (Helfferich et al. 2010; especially chapter 4 and 5). Compared to the first analysis which was predominantly addressed to the police, the reconstructive attitude puts more emphasis on the subjective perspective.

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single factors by means of qualitative content analysis in two further steps the analysis focused rather more on the context of the situation as a triangle of trafficker, police and victim as the main actors. In a second step, the willingness to make a statement could be related to the specific co-action especially of pressure from trafficker or pimp not to make a statement and action on the side of the police. This specific co-action depends on whether the victims have or do not have a legal residence status. Third, as a key for a better understanding how the situation on a more general level is subjectively perceived by the victim in terms of power relations, this context of interaction was reconstructed by hermeneutic conversation analysis, putting attention to the semantic construction of agency and power. The willingness to make a statement can be seen as result e.g. from the construction of an “almighty” trafficker and a police that is helpless to fight trafficking and to create a sense of security. For the last two steps the “shared space of action” (Voß) is introduced as a theoretical framework to conceptualize the emergence of the willingness to make a statement from the interaction of pressures against and in favour of a witness statement and as a “coproduction” of three (and possibly more, including lawyers, staff of counseling services and shelters, new partners etc.) interacting actors. This leads to conclusions, how the willingness to make a statement can be improved.

**Keywords** Human trafficking · Sexual exploitation · Victimization

### The starting point

The lack of willingness of victims to make witness statements is an obstacle for the conviction of offenders engaging in trafficking in human beings committed for the purpose of sexual exploitation. It is known that the identification of victims by the police at an early stage can encourage the willingness to make a statement. Police investigations can be initiated, segregation from offenders<sup>1</sup> and questioning within a secure environment can be made possible, and the deportation of women from third countries, who are arrested in Germany without a residence permit, can be prevented. Not only the segregation from offenders but also the application of section 25, subsection 4a, of the Residence Act can encourage the willingness of a victim to cooperate with the police and turn against the offenders. Section 25, subsection 4a, makes it possible to grant temporary residence permits to victims of human trafficking who are willing to make a statement during penal proceedings and whose statements are considered relevant. Targeted addressing of victims can lower hurdles for revelations.

Although the topic is of high importance, there is little research on the determinants of the willingness to make a statement and on the perspective of victims of trafficking for sexual exploitation in general. Significant results exist from the perspective of law enforcement (Herz and Minthe 2005), which, on the one hand,

<sup>1</sup> Terms: “offenders” and “victims” are social terms that are used in order to clearly designate positions. “Offender system” is used to address a whole network of people that are involved in various roles concerning trafficking and exploitation, including all rules and structures. Respondents themselves are being cited as follows: “the pimp”, “the boss”, the “friends of the boss,” the “people” or “the men,” and for those affected usually “the girls”.

represent the perspective of institutions and, on the other hand, only examine the section that becomes known to the prosecution. General research on the subjective perspective of crime victims (Baurmann and Schädler 1999) in turn, includes the special situation of victims of trafficking for sexual exploitation in a very limited way only. There is also little literature on aspects such as for instance offender strategies, which might be of influence on the willingness to make a statement. They are studied mainly in connection with the logistics of organized crime (Sieber and Bögel 1993) of which human trafficking for the purpose of sexual exploitation makes up only a small part (van Duyne et al. 2002).

The following contribution will extend the knowledge about the determinants of willingness to make a statement. It presents results of a study, which focused on the view from “inside”, that is the perspective of the victims of trafficking in human beings for the purpose of sexual exploitation pursuant to section 232 of the Penal Code. According to this, a qualitative approach was chosen (interviews with victims) and the research question aimed at a description of determinants as those conditions, which are of subjective relevance for victims and—as perceived by the victims themselves—influenced their willingness to make a statement.

In an explorative and inductive approach, oriented at the procedures of Grounded Theory, the theoretical framework and the focus of the research question are further worked out while analyzing the data. In this case, the aim to describe analytically isolated determinants was, on the one hand, extended to describe the *interrelation and constellations* of determinants. Victims with and without a legal residence status were compared, to discuss the specific constellation of the influence of trafficker and of police as determinants systematically for both cases. On the other hand, a broader research question focused on the reconstruction of the subjective perspective of victims, who come to a general conclusion whether they should make a statement or not by evaluating the influence of trafficker, police and their own agency and by interpreting their own situation in terms of power relations with underlying assumptions, who has power over whom and who can or cannot protect the victim.

This means, after starting with a description of analytically isolated determinants, a shift toward a contextualization of determinants. Looking for a theoretical framework to conceptualize how the (subjective perception of the) interrelation of determinants or the interrelation of trafficker, police and victim generate or hinder a statement, the concept of a “shared space of action” of victims (aggrieved persons) and police (Voß 2001:34) seemed an appropriate starting point. This concept was developed in a project “Professional communication with victims and witnesses” with the intention to improve professional dealing with victims. The shared space of action is defined as a social space, constituted by personal encounter of participants or actors (in this case: police officers and victims, in general: citizens and representatives of government) and is the basis for cooperation and “co-production” (Voß 2001: 10). *The willingness to make a statement is supposed to result from this “coproduction”*—if the concept is enlarged to include the trafficker(s) or pimp(s) and perhaps other important actors such as e.g. partners, lawyers, advisers and social workers. For the purpose of this paper the concept is of interest because it refrains from a hierarchical and police-centred perspective, to see the victim in its function to help or hinder prosecution of offenders only, and it includes the expectations and fears of the victim and the complex relation between trafficker/pimp and victim as

well as the relation between police and trafficker/pimp. The concept and its fruitfulness will be discussed in “[Discussion and conclusion](#)”. In a similar way the configuration of the triad of offenders–police–victims was analyzed in a qualitative study on domestic violence (Helfferrich 2005).

Altogether the paper does not discuss the first question only: “*What are the determinants that influence the willingness to make a witness statement of victims of human trafficking for the purpose of sexual exploitation?*”, but additionally: “*How are these determinants interrelated, comparing cases with and without legal residence permission?*” and “*How do victims construct the shared sphere of action of trafficker, police and victim herself in terms of power relations and how does this subjectively perceived context generate the willingness to make a statement or make such a statement impossible?*” The contribution starts—after general remarks on the research process (1)—with the description of determinants of willingness to make a statement (2) that are attributable to offenders (2.1), resulting from police action (2.2), arising from the history of the victim, for example the migration goal and the attitude towards prostitution (2.3), and determination function of environment (2.4). In a second step (3), the specific constellations for the shared sphere of action of the three actors—offenders, police and the victims themselves—are being described separately for subgroups of women according to their legal residence status. In the third step subjective theories of power relations between victims, offenders and police and, possibly, other actors are reconstructed (4), in order to understand/comprehend the effects of this interaction. Finally, (5) results are classified and conclusions drawn.

## Research design and qualitative analyses

The study was designed as a qualitative interview study because the interest of research was the subjective perspective of the victims of human trafficking in all its diversity and complexity.  $N=53$  victims were interviewed in a semi narrative-biographical manner and based on a guideline by the Institute for Social Research on Women (Sozialwissenschaftliches FrauenForschungsInstitut) in Freiburg on behalf of the Federal Criminal Police Office (Bundeskriminalamt). Interviewees were mediated nationwide by specialized counseling services combating trafficking in women.

Three groups of women—women who had made a statement, women who were known to the police but made no statement and women without contacts to the police—should be equally represented in the sample. But it turned out to be difficult to find women who made no statement: Only few of them showed up at counseling centers and even less agreed to give an interview. By this, in 37 interviews out of 53, the interviewee had made a statement and these women contribute more to the results than women of the other groups. The reasons for these difficulties and a possible bias of the sample have to be discussed. In the analyses it was checked whether different patterns could be found in interviews without a statement/not being known to police compared to those which include a report of a statement.

The sample shows a broad spectrum in terms of legal status, country of origin, age at migration, relationship to the offender, and other aspects such as reasons for migration, attitudes towards prostitution and biographical context. The largest group

of countries of origin were made up of women from Eastern Europe/EU accession countries (Bulgaria, Estonia, Lithuania, Poland, Romania, Slovak Republic, Czech Republic, Hungary: 23); other women came from former CIS countries (Russia, Kazakhstan, Moldavia, Ukraine, Belarus: 9), Africa (especially Nigeria, 9), Thailand (5), other countries (2), and Germany (5). The sexual exploitation for some already began in childhood, for the rest between the ages of 14 to 39 years, with an accumulation between the ages of 17 to 22 years. Altogether, the spectrum ranged from a prostitute, who had applied to an advertised job offer herself and who defined the offender as a business partner, via women who got married and then were exploited by their husbands, through to women who were lured to Germany with promises and then were forced into prostitution, for example in the context of organized crime.

For each of the three research questions, a different strategy of qualitative analyses was appropriate. To obtain a list of relevant determinants, content analysis was employed. All interviews were analyzed with special regard to factors influencing the willingness to make a statement. A system of categories and subcategories was developed and filled with associated quotes, with determinants deductively predefined as well as inductively gained from the text. Within a rating procedure the research team assessed for each case whether a determinant was a major reason for making a statement, contributed to another key motive or had a marginal influence only. Most of the determinants could be grouped in four major categories:

- a) offender strategies (“Offender strategies”)
- b) determinants associated with the police and police action (“Police and police action related determinants”)
- c) determinants associated with the person of the victim (“Determinants associated with the victim: migration objectives and attitude towards prostitution”)
- d) frameworks (legal status, lack of knowledge of language and law; “Other aspects”).

No single determinant could by itself predict the willingness or reluctance to make a statement. In one case, for example, violence was the factor to encourage the willingness to make a statement in order to get out of an intolerable situation, in another case victims’ fear of the offenders reduced the willingness to make a statement; in a third case violence played a marginal role.

The second research question, aiming at the co-action of determinants under specific conditions, uses the basic principle of qualitative research: contrasting cases. The analyses take into account specific determinants, mainly the pressure towards refraining from a statement, exerted by traffickers or pimps, and the action of police towards making a statement.

The focus of the third research question is on (power-) relations between actors—the triangle of victim, offender(s) and the police—, as they are perceived or constructed by the interviewees. If, as an example, violence is mentioned, this episode may be analyzed as a subjective construct of a “mighty offender”. This reconstructive perspective, employed to show the significance of the subjectively reconstructed power relations in the shared space of action, requires a conversation analysis as a hermeneutic strategy of qualitative analysis, rather more going for

details in the semantic, metaphoric or grammatical expressions in the narration instead for contents. Especially it can be analyzed, what kind of meaning is given to the agency and power of the actors. Choosing an active construction “He hit me / they forced” for instance indicates the agency of the trafficker and the status of an object on the side of the interviewee herself (“Agency-Analyses”; see Helfferich 2005: 323).

### **Determinants of the willingness to make a witness statement**

Offender strategies were the main motive or contributed to a main motive for making or abstaining from a statement in most interviews. From a subjective perspective therefore, a central relevance is given to them. Determinants related to police action depend on the kind of contact between victim and police such as checks, custodial measures or interrogations. As this aspect is of special interest, the analysis is more detailed. Concerning the person of the victim, results are presented as the impact of the reasons to migrate and of the attitude towards prostitution.

#### **Offender strategies**

All interviewees mentioned strategies of the offenders. In particular, the contents of what was classified as “offender strategy” differed strongly. In this variety three main subcategories could be identified: fear, personal commitment and obligation. Offender strategies were mentioned in the narrative context to explain why the victim assimilate the assigned work (e.g. prostitution) and rules (e.g. the delivery of money), making protest seem futile. Offender strategies were related to other determinants, especially to the dependent and vulnerable position of victims (e.g. no passport, lack of language skills, etc.).

#### *Threat of force, violence, isolation, control and punishment (fear)*

Violence and threats of violence or other handicaps in the most varied forms were to be found in all the narratives that described the way into prostitution as not intended and not based on an informed decision. Only a few interviews with women, who reported a consensual entry into prostitution, do not contain a scenario of threats. The spectrum of threat was broad and included aspects such as the threat to use force, to arrange deportation, to kill the women or to make their activity of prostitution public. The forms of exerted violence varied across a wide spectrum, too, with different intensity and duration. Violence or threats of violence were aimed at the victim directly, the family in the country of origin or the children of the respondents, or they announced punishment in case of a return to the country of origin. Threats could be enforced starting with blows through to food deprivation; particularly exemplary punishment rituals right up to the killing of “girls” were reported. A special form of the offender strategy was the exaction of an oath, which was confirmed with magical practices (Voodoo); contravening these forces would cause disease and death.

Other forms of offender strategies were prohibition of external contacts and control measures, taking away the mobile phone, and permission to go out only in accompaniment. Strategies of control also included the taking away of a valid passport and handing over false documents (*“These people obtain a passport for replacement—whether this is right or wrong, I do not know. But you get something to identify yourself”*: 1–19), false information, e.g. on the legal situation or the punishability of prostitution and on the options in Germany.

*Promises, making women fall in love (personal commitment)*

Interviews in which later violence and threats played a major role, could start in a quite positive way: there was hope to achieve the goal of migration (e.g. to earn money) with the help of the offenders or hope within a love relationship with the prospect of marriage, having *“a good time”*, *“like being on holiday”*. These offender strategies of promises and deception about the nature of the promised work have been reported primarily by women who either had no perspective (poverty and unemployment) in their country of origin, and/or had interest in a marriage for matters of legalization or provision, or who were young and just believed in these promises of adventure, detachment from parents, independence or simply love itself. *“He promised me a great love or pretended it”* (30–40), *“It was like a fairy tale. It was romantic, was real love, was flowers, all. Everything a girl could want was there ”*(1–11). Young women talked about these *“new cool Russians”* (2–31) or the *“fancy car”* (1–29) and about a desirable lifestyle that was offered (3–35). The ostentatious wealth displayed made the promises of the offenders seem credible.

With a view to their own history, these strategies explained how women, who opposed prostitution, were caught up in this predicament. The positive start and the promises were soon exposed as a fraud, and threats and violence then escorted a rude awakening (*“Yes, it was clear to me in which situation I have fallen”*: 1–17, *“and then I realized ...”*: 1–47).

*Debt trap and contracts (obligation)*

This determinant is of relevance because it established a different kind of dependence: not by force but by a quasi-contractual obligation<sup>2</sup> to repay debts to the offenders, even if the source and level of debt were not traceable. Generally, debts were founded on travel costs advanced on loan (for women from Africa and Asia up to 45,000 €) or on transfer payments paid by the offender in order to “buy” a prostitute from someone else, that had to be worked off (between 5,000 and 25,000 €). Agreements on how to pay back the debt were seen as some kind of contract, which—from a subjective point of view—was understood as a promise to be set free after the debt had been repaid, which set a timeframe for which the work had to be endured.

<sup>2</sup> A voodoo oath also includes an element of an agreement and contract. This magic can also promise positive forces, protection and wealth.

Offender strategies consisted of insisting on a contract in order to enforce working off the debt through prostitution (“*And he says: You cannot imagine how many costs we have had for you, and we need to get back our money*”: 1–47). Among the women surveyed the contract was extended, by including other new costs such as rent, food, etc.; also charged or imposed were fines for “misconduct” within the offender system, which made final repayment impossible. “*I worked off the 10,000 for him within three weeks. As regards the other money, I had to work four or five months for him. He always said: It is still far from the end, you still owe more money.*” (1–11) In these situations it seemed hardly possible to reach the goal of migration, despite the burdens that the women took upon themselves.

### *Relevance of offender strategies regarding the willingness to make a statement*

Seen with the eyes of victims, *threats of violence and used violence*—violence as a feature of offender systems as well as violence in the context of a personal relationship with an offender—were a major factor for or against the making of a statement. This strategy was usually accompanied by other offender strategies. *Love relationship* or marriage with an offender rather antagonized the making of a statement. Because of emotional ties or emotional dependence on the offender, the precondition for the willingness to make a statement was the detachment of the victim from the love relationship and redefining it as an exploitative and violent relationship. These cases show the dynamics of domestic violence, which usually are marked by difficult detachment processes. Exploitation and violence, enforcing prostitution, were the offender strategies, which then ultimately resulted in the willingness to make a statement. *Debt* was often used as leverage, but it was a crucial motive to make a statement in relatively few cases only, and in no case was it a main reason. Women who had initially accepted the “contract” could develop a willingness to make a statement, if they felt the handling of the contract was unfair. If related to other offender strategies, the issue of debt gained relevance to the willingness to make a statement.

The women for whom violence was a strong motive to make a stand against the offenders came primarily from Eastern Europe, but also from Germany. Interviewees from Thailand named as offender strategy less physical violence, but above all debts and threats, similar to women from Africa. Love or marriage, was almost exclusively reported by Eastern Europeans.

Altogether, it seems necessary to take offender strategies into account, if the willingness to make a statement is to be improved.

### Police and police action related determinants

The kind of contacts with the police varied systematically so that a generalization is not possible. In the accounts given by women who had escaped from imprisonment in a brothel and who were willing to make a statement at the time of initial contact with the police, the way of referring to police action was different from that contained in the accounts of women who were arrested and whose willingness to make a statement arose in the course of questioning only. It proved useful to make a first rough distinction between the subjective experience of police action in advance

of interrogations, the experience of the police contacts themselves, especially the interrogation, and the experience of custodial measures. Subjective theories about the nature and position of the police are an important determinant, too, but as they are part of the construction of power relations they are discussed in detail in “[The construction of the shared space of action of offender, police and victim](#)”. With their possibilities of intervention, the police might be interpreted as a punitive institution and fear of the police, i.e. of deportation or detention, affects the willingness to make a statement as well as assumptions that police and offenders collaborate.

### *Police action beforehand*

Episodes of experiences with the police made before more close contacts such as interrogations dealt with different situations from identity checks to arrests (“raid”, “check papers”, “search”, etc.). From a subjective point of view, the contacts were accentuated in two ways: once according to a scheme involving the brief control of papers without consequences: “*And they were a woman and man, and said police and so on, and ID document, please. And I gave my ID, (...). And said okay, thank you and goodbye just went away but did not come back.*” (10–20) “*Every week the police and there was no interrogation, only a passport control, and looked a little where we work.*” (2–09) The second characterization is the depiction of a “raid” in the sense of a threatening and at first incomprehensible situation. “*A bunch of people in black with guns stormed in.*” (1–25) Elements mentioned were disguise (1–30), armament (1–29), use of force/as “*just broke the door*” (1–51), “*kicked in the door*” (2–09). Comparative terms used included an “*earthquake*” (1–47) or a shock (2–09) or a mix-up with a kidnapping (1–23) or “*bandits who rob me.*” (1–29)

### *Contacts by the police, particularly interrogations*

Interrogations are described in varying detailedness. A key factor is whether the police can “offer” possible legal measures (admittance to an effective witness protection program; for women without a legal residence status: granting of a temporary residence status) in case of a cooperation in conjunction with counseling schemes, and whether these measures from a subjective point of view constitute a reasonable and appropriate problem solution. Here, the determinants of migration goals, counseling and police measures interact in a special way.

A second topic was the personal and emotional experience. Clearer than for those parts in the interviews of this study where the interviewees spoke about contacts with the police beforehand or in general, interviewees now talked about the personal relationship between themselves and the police as an institution or individual officers. They describe these officers beyond mere police work through elements of personal encounter. The main issues that emerge in the associated quotations can be divided into four subcategories, which may have either a positive or a negative connotation (the remarks on the length of interrogations and related stress are excluded from analysis):

- *Trust versus fear*: trust is a key subcategory, and the opposite of fear. The subjective theories of the interviewees combine confidence with the willingness to

make a statement and fear with statement barriers. *"The police must try to win the confidence of the women, it is so important. Without trust it is not going to work. This fear has to go. If this fear is always there, it does not work. (...) The police must find a way to eliminate this fear. (...) If someone feels good, then one talks and has power and feels good, one wants to talk. But if you're not feeling good, with handcuffs."* (1–47) Trust, information and communication were associated with a reduction of anxiety, caused by ignorance and misinformation: *"So when he saw that I still could not talk, he said, then he started to walk, he says, we'll get through it."* (1–36, [and *"they have talked to me / explained to me"*] 1–11, 1–21, 1–06). The opposite of trust are the fears of the police and of the offenders, who were given as a reason for refusal to make a statement or sub-statement.

- *Empathy versus disinterest*: Assessment criterion was whether the police noticed that the victim was not being well and handled the interaction with consideration: *"Then I noticed that they always offered me a coffee; they saw that I was feeling bad."* (1–27) Besides the coffee, which was mentioned several times, other topics raised were cigarettes, a rest, a blanket against the cold, and the opportunity to take a shower. The semantics positions the police towards the woman by: *"They asked/offered "* (2–31, 1–30, 1–21), *"Heart"* (1–41), *"Compassion / sympathized"* (1–02, 1–21). *"For example, this policeman, he has worked a lifetime for people like us, he just had a normal human heart, he did not consider the matter as work, he looked at me."* Counterpart was the ignoring of needs (no blanket, cigarettes withdrawn etc.: 1–25) and bureaucratic references to files. *"They listened (...) he just wrote, wrote (...) done only what is necessary, with that letter and recording the complaint."* (2–34)
- *Acceptance versus discrimination*: Negative reports revolve around the issue of insult, shame: *"The police officer who interviewed me, insulted me, he asked me whether I wanted a beer ... He was very rude to me and very insolent. He behaved as if I were scum (...) I said almost nothing, because he was very rude to me."* (1–21)
- *Recognition as victims versus accusations*: It was considered a negative to be addressed as a *"whore"* (1–42, 1–47) or *"just a prostitute"* (1–51) without recognizing the context of constraint that had forced the women into prostitution. Therefore, a number of interviewees required that the interviewing officers should be familiar with the milieu and should know *"what's up with the pimps"* (2–34). Also negatively perceived was the treatment as a suspect (for document fraud or complicity).

### *Custodial measures*

Custodial measures ranged from one night *"inside the police department"* up to several months in prison. The accounts given by the interviewees did not always allow a correct interpretation of the legal police action concerned (information obtained from the advisers made it clear, however, that the measures taken included provisional detention pending deportation, pre-trial custody for suspected commission of, or complicity in an offence, and provisional arrest; the interviewees were mostly accused of human trafficking and/or illegal stay and violation of passport

regulations). The subjective core-relevance of custodial measures is that something is happening to the interviewees and they themselves have no possibility to act. An initial emphasis in the accounts of long-term detention was the lack of information about the reason and duration of detention or false information, inter alia due to verbal communication problems. “*Was very—really, I remember now exactly, was very, very bad because I did not understand what, how, where.*” (1–29, also 1–27) “*I did not understand. (...). I thought I would go to prison and would never see my children again.*” (1–27) “*Nobody really talked to me, not even asked me how it happened that I called the police*” (1–06). Correlates in the stories are “panic” and “hysterical moods” (1–06), self-harm and suicidal thoughts (1–23, 1–12). Detention pending deportation was dominated by the fear of being deported (see above). There were positive and negative reviews concerning detention for shorter periods (held at the police station for one night and being fingerprinted/photographed), with criteria, such as those described above.

*Relevance of police action in advance, custodial measures and questioning to the willingness to make a statement*

The opportunity for contacts with the police as well as the personal experience differ and their relevance to the willingness to make a statement, too.

For various reasons, contacts within the context of checks are not marked as relevant to make victims reveal themselves as being victims of human trafficking. The interviewees tell the reason for this: The interventions were conducted in the premises of the offender system. The social control within the offender system (women who spoke with officials several times were already considered traitors) as well as the idea of a disinterested or even dangerous police force hindered the revelation. Only when women, identified during searches as persons without a legal residence status, were spatially removed from the offender system and taken to the police station, they could disclose their history.

In contrast to this, the detention of interviewees or announcement of detention by the police had a strong—usually the main—influence on the decision to cooperate with the law enforcement authorities. It was the highest possible subjectively perceived form of pressure that could result from police action. And the resulting fears (to be deported, to be imprisoned) led to statements of women concerning human trafficking, indeed. On the other hand, despite high pressure through imprisonment, there were stories of women that stated even stronger motives, which considerably influenced their decision to refuse a statement. Thus, a coactive connection between the most influential intervention strategies by the police and women’s positive decision for making a statement could not be identified. Important additional factors of influence in this context were the relation of offender strategies and the women’s own interests.

Concerning interrogations, a key reason for the willingness to make a statement usually was the appropriateness of possibilities which the police could offer the women during questioning. This concerned predominantly the granting of residence permits to those having no legal residency status—in about one third of these cases linked with protection from the offenders. In this situation, the police was the only institution through which women could obtain a permit of residency. Furthermore,

some of them were in custody prior to deportation and therefore within reach of the police, which restricted their scope of decision-making significantly.

The personal dimension of interrogations by the police had a varied and mostly not definitive impact for the decision in favor of or against a statement. Positive descriptions in this respect referred rather to the building of trust over a fairly long period of time. Next to a respectful treatment (see above), a positive effect of the questioning was ensured by quick identification of victims (even if the women had approached the police on different matters at first hand), mediation of interpreter services, and the offer of mediation to support facilities.

But this did not always result in a statement—especially if the interviewee was not willing to cooperate. An influence of the behavior of police officers was reported by those interviewees, who already had made a partial statement and now extended it, or by women, who feared to be accused of human trafficking or illegal residency and to be deported. These respondents themselves established a connection between respectful treatment, without “pressure”, and the development of feelings like “relief” and “trust” (especially important in cases with a great potential threat from the offenders) on the one hand, and the making of a statement on the other.

All relevant police measures play a role as a determinant in conjunction with migration goals and the legal residence status.

Determinants associated with the victim: migration objectives and attitude towards prostitution

Determinants of the willingness to make a statement associated with the victim were another major category, divided into two sub-categories “reasons for/goals of migration” and “attitude towards prostitution”. “Reasons for migration” means certain aspects of the life situation in the country of origin, such as hopelessness, loss of family, illness and needs of family members. “Migration goals” represent the intentions and wishes such as making money, residency, or marriage. The influence of the legal residence status is discussed in the following “[The co-action of determinants as interaction of offender–police–victim](#)” more in detail.

*Reasons for migration and migration goals and their relevance for the statement*

Except for those few cases, where respondents answered job advertisements on a voluntary basis and being aware of the type of work they were supposed to do, backgrounds for the decision to migrate consisted of poverty in the family of origin, acute financial problems and debt due to illness in the family, death of relatives, unemployment, hopelessness, lack of job opportunities, ruined family and social relations, negligence suffered as a child and experiences of violence in the family and through other persons.

A predominant migration goal was to make money. Related to this was a willful deception about the nature of work with which they intended to earn money. Another goal was the desire to marry a German. After contacts with the police, the migration goals either were further pursued or shifted. In the foreground was then either the desire to return home (if the migration goal was met or abandoned), or the hope to remain in Germany and possibly get a chance for a fresh start with an education and

work, or simply the desire to avoid detention and to be protected against offenders. The objective of remaining in Germany to find protection and security, was essential, especially for those who themselves or their next of kin had been threatened by the offenders in case of return to the country of origin and, thus, whose return was linked to an existential threat. One possible aspect of motivation to make a statement disappeared, if the goal of remaining in Germany could also be achieved by marrying a German.

Reasons for migration and goals were main influences for or against a statement to the police or they contributed to other main factors. Migration goals served as strong influence for or against the willingness to make a statement to women who wanted to remain in Germany, because here the interviewees could reach their *migration goals of earning money or being protected from the offenders, who would threaten them in the event of returning to the country of origin*. A statement could be the only means to secure their (temporary) stay—this meant a deal “statement for residency”. In the same way, the protection against deportation—especially if a threat existed in the country of origin—and the avoidance of a five-year entry ban were strong incentives for a statement.

#### *Attitude towards prostitution and its relevance for the statement*

Attitudes to prostitution also showed a wide spectrum, as did the other determinants.

A strict rejection of prostitution and the conviction, that one could not possibly do something like that, generated distance to the offender system and pushed the willingness to make a statement. In other cases, the initial revulsion and resistance was followed by a “habituation” as a pragmatic adaptation to a seemingly hopeless situation; in that case, other main motives were needed for a statement. A professional attitude to prostitution was conducive to the willingness to make a statement if at all, as a secondary motive at most.

#### Other aspects

Another essential condition, which at this point shall not be discussed in depth, is the relevance of language. This relates to difficulties in obtaining reliable information, especially, when German writing can not be understood, either. Also, some women did not know whether prostitution was legal in Germany, whether they needed a work permit and whether they would have to pay taxes, and therefore had fear of prosecution. The availability of multilingual information and mediation of communication is a major issue for police action strategies.

#### **The co-action of determinants as interaction of offender–police–victim**

Determinants were grouped as offender strategies, police action, and determinants concerning victims and thus could be assigned to three actors. This enables to grasp the interaction of determinants as interaction between the three actors. The interest of offenders in this case runs counter the interest of the police (offenders against, police for a statement of the victim). For the following, the analysis is focused on the

influence of offenders and police, especially the pressure in favor of or against a statement.

Among the conditions, particularly the legal status of the women concerned is crucial. For women with an illegal residence status, the police generally have strong sanction powers: they can detain and deport—and therefore make the migration goal, e.g. to make money, unattainable. Offenders specifically instilled fear of the police to prevent victims from cooperating with the police by telling them, the police would imprison or deport them. For women without a legal residence status the confrontation with the police appears to be extremely frightening and stressful.

In case of victims without a legal residence status the issue of identity documents has been settled in different ways: entry on tourist visa, issuing fake documents, using identity documents of other women. The status of illegal residency allowed offenders to implement control strategies by issuing fake papers or withholding passports on the one hand, on the other, fear of deportation was necessarily associated with fear of the police. This is what reduced the willingness to make a statement significantly.

Because of this importance, it appears useful to differentiate between women with and without a legal residence status (up to the date of statement or, if no statement was made, up to the survey date). Women without a legal residence status, are further classified into those who contacted the police on their own initiative and at that time were willing to make a statement, and those who were apprehended and whose willingness to make a statement developed only in the course of contact with the police. For each of these two groups there are enough cases in the sample (15 and nine women respectively; women with a legal status: 13) to come to conclusions.

#### The case of apprehended women without a legal residence

Apprehended women without a legal residence came under high pressure from the police due to an arrest, an announcement of possible deportation, and a re-entry ban in case of lack of cooperation (or in case of suspicion of complicity). They had not contacted the police previously; if they testified, their willingness to make a statement was then processed in the course of police contacts. One sub-group was also under high pressure by frightening offender strategies: The women or their relatives in Germany or in the country of origin were still within reach of the offenders, some of whom, after the women had been arrested, increased their threats to kill the women after their deportation or relatives (particularly children) in the country of origin to prevent a statement.

An existential dilemma was created by these two powerful systems of police and offenders: the fear of the offenders argued against a statement, the fear of deportation argued for a statement—both options contained existential consequences. Consultation and advice in a counseling centre played an important role in the resolution of this ambivalence. The deciding factor for a statement was ultimately a subjective assessment of whether a solution in the interest of the victim could be found or not, i.e. if the police was able to deprive the offenders of their sanctioning power and was able to provide protection and safety in case of a statement being made, and if at least a temporarily and partially acceptable perspective could be offered—in possible cooperation with a counseling service. The interviews include examples of such

“disempowerment” of the offenders, e.g. a repeal of voodoo magic, the arrest of an offender, and the organization of protection e.g. for relatives in the country of origin. As mentioned in “[Police and police action related determinants](#)”, the building of trust and offering an acceptable perspective (especially a temporary residence permit) as solutions for the situation proved to be critical for the statement. Relief was also brought by reducing the exposed role of the victim witness, for example if further statements or otherwise acquired intelligence concerning the offender already existed and a conviction could not be achieved solely on the basis of the victims’ statement.

A problem, on the one hand, proved to be the temporary limitation of the residence permit offered, which made the new cooperation of victims and police appear to be a transitory change only, resulting in the reconstitution of the former power of the offender over the victim after cooperation had ended. Another shortcoming was that the temporary residence permit offered no protection for children or other relatives in the country of origin, since the offender threats also referred to next of kin. It offered not more than “little security”.

Another sub-group was also under high pressure from the police—due to the lack of legal residence—but no pressure was applied by the offenders anymore. The women were no longer within reach of the perpetrators, because they had run away or had managed to escape permanently, or the perpetrators had been arrested. The offender system was no longer constructed as a powerful system, but police and the judiciary were. In all five cases allocated, the decision to make a statement could and had to be made quickly—this was possible only after an external intervention by mainly the police. Here, too, conducive to the willingness to make a statement was relief within the questioning-situation as well as the possibility of a life perspective, which was mainly tied to the achievement of the migration goals. Protection against the offenders was a minor issue.

The case of women without a legal residence, who had contacted the police on their own initiative

These women had turned to the police on their own, were willing to make a statement immediately, and/or used the contacts established by the police as an exit option. Here, too, constellations of high pressure exerted by powerful offenders and fear of the police were identified. But, in contrast to the cases described above, this ambivalence was resolved before police contacts came about. For the women the experience of exploitation had either become so unbearable or the pressure had escalated to such a high degree, that the fear of the police seemed to be the lesser of the two evils. One respondent fled to the police in terror for fear of being murdered.

The development of the willingness to make a statement and the self-motivated contacting of the police, had been fostered rather by third-person support and counseling for women who were exposed to low pressure by the offenders.

The case of women with a legal residence

This concerned EU citizens, German women and women married to a German national. The usual police strategy to identify women without a legal residence status

is to take them into the department, keep them at least one night and possibly arrest them. This was not applicable due to the legal residence status. Also, these women were not threatened by deportation. But there were police measures directed against women with a legal residence status, which were described by them as arrests on suspicion of complicity in human trafficking or obstruction of justice in the context of investigations for human trafficking. High pressure applied by police led to a rapid statement when pressure was low on the part of the offenders.

On the other hand, there was mostly high pressure on the part of the offenders, especially by threats or use of massive physical violence, abduction of children and the threat of a long jail sentence for tax evasion or because of working without a work permit. In three interviews with German women who were exploited in the context of organized crime (motorcycle club, trafficking in weapons, drugs and children), the pressure of the offenders was so strong that no statement was made (3–35, 2–04, 2–54). There is no interview for this environment with a statement made.

#### Interrelation of determinants as interaction of actors—conclusion

First, it appears that victims of human trafficking are under a threefold, predominantly high pressure: pressure from the offenders, pressure from police action and pressure resulting from the need to achieve the migration or life goals. Women without a legal residence were afraid of the police, but this can also apply to women with a legal residence. Women with and without a legal residence were under intense pressure from the offenders.

But it's not only a question of whose pressure is subjectively more intense. For the conclusions, the main argument was rather to encourage the willingness to make a statement *by absorbing pressure applied by offenders to prevent a statement* (reliable information to the victim, mediation of communication, arresting offenders), *by taking advantage of pressure generated by migration goals* (offering protection and security, development of a perspective in cooperation with counseling services, residence permit) and finally *by building trust and regulating pressure through police action* in the context of statutory provisions and fear induced by the offenders (according to the need of a rapid detection of victims: use of the possibility of spatial separation from the offender system, in particular relief through the rapid dissolution of the dual role as criminal offender and victim, avoidance of imprisonment).

The women's willingness to make a statement was positively influenced where police action was experienced as a pressure (for example imprisonment) and was applied in the context of statutory provisions, resulting in a good cooperation with the judiciary, fast mediation of counseling services, and provision of information on options and legal possibilities.

#### **The construction of the shared space of action of offender, police and victim**

Qualitative studies provide an understanding of the subjective perspective of the victim. The configuration of pressure as described in “[The co-action of determinants as interaction of offender–police–victim](#)”, is always relevant as a *subjectively interpreted power relation*. Experiences are not (only) relevant as

“objective condition”, but with the subjective meaning that is given to them. Even “objective” similar kind of violence might have a different influence on the willingness to make a statement, depending on the definition of the situation as hopeless entrapment or as something that can be left behind one day. A main influence in deciding against a statement and/or not to contact the police were the plain assumptions that the police were collaborating with the offenders—based on any own experience—, that they were corrupt and would arrest and deport the interviewee. The subjective evaluation is important, whether the police is able to protect them or not, if victims fear the violence of offenders and if they want to be safe and protected. Therefore it is of interest to reconstruct the victims’ perspective on the shared space of action and their subjective theories about the (relative) power and agency of offenders and police.

### Subjective theories about the police

Theories about the police arose from three sources: first, own experiences specific for the women’s countries of origin, second, circulating general knowledge and third, constructs based on information mediated by offenders. Either the theory about the police transferred the image of the police in the country of origin to the police in Germany, or differences between the police in both countries were made.

Explicit theories about the police in the country of origin were negative—there was not one positive theory found in the interviews—and were related to a discourse over poverty, oppression and injustice. The validity of the theory is claimed by formulation as a generalization such as: *“If you are a rich man (...) and hit a poor man and when I go and report it to the police (...) you just give them money, and they will instead put me in jail”* (3–07, Nigeria) or *“In Belarus, the police will only work for those who pay. And the criminals pay the police there, even the pimps”* (30–40, Belarus) and *“The police can be bought”* (1–45, Moldova). This means, the victims themselves expect no help.

Assumptions about the police in Germany also differed greatly. For the groups differentiated in *“The co-action of determinants as interaction of offender–police–victim”*, however, two elements proved to be important in varying degrees: first, the police was seen more or less as a powerful and punitive authority towards women, second, the offender system was more or less linked with the police. In particular, women with an illegal residence status are concerned by the construct of the police as a sanctioning authority. Fear of the police was fueled by the offenders, who warned that the police would deport the victims, punish them, imprison them, or who withheld relevant information, e.g. the legality of prostitution: *“For example, I, I’ve been living my life in fear, and what you hear from your boss, who always says, the police, they’re evil, you must not cooperate with the police”* (1–49, also, representation of the police as the “worst enemy”) or *“They always said, yes, if you go to the police, this won’t help you anyway, because (weeps) the authorities rather believe a German than some East European whore.”* (1–02, Estonia)

Also mediated by the offenders, but certainly linked to theories about the police from the country of origin, is the image of the police collaborating with offenders. Police would inform offenders of raids in advance (1–13, 1–04, 1–06, especially in gang-related crime involving organized prostitution), policemen were clients or

*“friends of the family”* (1–38) and were being given a share in *“us and the drugs”* (2–31). *“Here was a policeman and he said that my boss is evil or even that I must file a complaint (...) immediately I said no, because I knew very well that he has friends at the police. He always informed of when the police come.”* (2–43) This was cited not only as a construct established by offenders, but also as a construct validated through their own experiences.

### Subjective construction of offender’s power

In the course of the narratives, the ascribed power of the offenders or the offender system was based on violence and threats of violence. Violence accompanied the enforcement of offender claims, the breaking of own resistance, intimidation and the loosing of the perspective of running away (*“That’s why I have borne it for so long”*: 1–47, *“I was forced to work. And then there was no way to stop”*: 1–10). The threats and violence of offenders as persons (e.g. if the exploiter also was the husband: domestic violence) or offender systems (gang organization: highly ritualized violence) were constructed as never ending and generalized (*“always”, “again and again”*). Violence is an essential feature of the subjective perception of a powerful and dangerous offender or offender system, while loosing one’s own ability to act.

In the initial period, the offender strategy consisting of impressing, promising and making the victim fall in love, and attitudes to prostitution as a job, could support a meaning of the relationship between victim and offender as partners and as the offender as helpful, to achieve the victims’ goals—e.g. making money. The police was then perceived as an annoying to opposing outsider that undermined this possibility of making money. This continued, when the victim of trafficking gave consent to prostitution, following the illusion of a mutually beneficial business relationship. But this interpretation was abandoned when prostitution was forced or exploitation intensified. From the victim’s perspective the offender then had the power to enforce prostitution and/or to dictate terms.

### Subjectively construed power relations police–offender

The offenders were also attributed with superiority within the offender-police relationship and with power extending *into* the police, when it was reported that the offenders would be informed of raids, etc. by some police officers in advance. For some respondents, the offender system was construed as powerful to such an extent, that the police could not protect the victim (*“You had to make a statement to receive witness protection, but I was not ready, because they cannot protect that much”*: 2–54).

If offenders warned the victim of the police and threatened her of what would happen if she turned to the police, this also included a message concerning the relationship between the victim and police: the police were going to pursue the victim and cause harm—a victim of trafficking would then become a victim of the police. The victim would not stand a chance and would not be trusted by the police. Thus, power had been attributed to the police, too, but only in relation to the victim. This construct could even manifest the fiction that the offenders would protect the victim from the police by e.g. issuing false papers.

Therefore, the subjective interpretation of the shared space of action is—in different ways for subgroups—determined by the power of the offender over the victim and over the police and the power of police over the victim, e.g. the offenders could, thus, protect the victim from the police whereas the police could not protect the victim from the offenders.

## **Discussion and conclusion**

In the qualitative study “Determinants of the willingness to make a statement of victims of human trafficking for the purpose of sexual exploitation pursuant to section 232 of the Penal Code”, carried out in 2008/09 by the Institute for Social Research on Women in Freiburg on behalf of the Federal Criminal Police Office, Germany, 53 victims were interviewed. The analysis shows factors of subjective relevance, which influence the willingness of victims to testify in court. Differentiated for women with and without a legal residence status, it can be seen in the next step, how the specific co-action of offenders’ pressure to prevent the victim making a statement and the police action influences the willingness to make a statement. In the last step, the subjective meaning is added that is given to the agency and power of the offender and of the police. The interaction of offender, police and victim as a shared space of action is perceived as power relation between offender and police.

Particular challenges were the heterogeneity of the group of victims of trafficking for sexual exploitation. Although to analyze heterogeneity and complexity is the strength of qualitative methods geared towards diversity, generalizations are difficult. The solution was not to generalize results on the influence of single determinants, but to generalize the underlying mechanism of action: that is to locate various factors in the interaction of the main actors in a shared space of action. Before conclusions are drawn, the quality of the sample is discussed and the relation between “objective determinants” and the “subjective meaning” clarified.

### **The quality of the sample**

The sample fulfils the criterion for sample quality in qualitative research: it covers the diversity of the target group. But a bias might result from the fact, that mostly women who made a statement were interviewed. One of the reasons for the difficulties to recruit women who had made no statement might be a deportation of victims without a legal residence status before they were identified as a victim, or the victims’ wish to return to the country of origin as soon as possible. Other reasons, as discussed by advisers in the counseling centers in this study, might be the conviction, that contacting the police would not be helpful but rather stressful, especially for those women who do not want the offender to be prosecuted or who do not want to touch the past any more. But this does not result in a systematic difference in relevant factors of influence. And as for almost all contexts of trafficking (except for prostitution embedded in organized crime in motorcycle club, trafficking in weapons, drugs and children) cases as well with a statement as well as without a statement could be found, it can be stated, that the results can be

formulated for women, who did not make a statement, too, even if they do not contribute to the qualitative data in the same way as women who made a statement.

“Objective condition” or “subjective meaning”?

Qualitative research can not claim to reveal the “objective truth” of events in the past. But referring to evidence of other studies as triangulation, it can be seen, that the subjective experiences are in accord with the objective conditions. Shelley’s description of different “business models” of trafficking in human beings for Russia, China, Balkan countries and Africa fits very well to the subjective meaning given to offender strategies and the construction of the shared space of action (Shelley 2010). And in “The co-action of determinants as interaction of offender–police–victim” the importance of context factors like legal residence status, poverty, language problems etc. can be seen as “objective condition” in accordance with what is known about the situation of trafficked migrant women. By this it can be stated, that the fundamental aspects of the relationship between victim, offender (system) and police on a structural level generate the typical constellations of subjectively relevant determinants.

By this it was stated that, on the one hand, the “subjective” stories are based on real experiences of “objective” conditions. On the other hand, however, these stories are always a coping mechanism of these real-life experiences, assigning a certain meaning and relevance to ones own history. By this the diversity can be explained: the same “objective” condition might generate different results as the coping strategies differ.

Is the concept of the shared space of action appropriate?

The idea of a “shared space of action”, developed by Voß for police work with victims (Voß 2001: 34), has been adopted in search of a concept able to capture and theoretically embed the complex interaction of determinants. On the one hand, this concept is spatially extended to include the offender system as an actor, too. On the other hand, it is extended in time, and the change within the action sphere is described, starting with the victimization and exploitation and ending with possible criminal proceedings against the offenders.

Taking into account the high importance of offender strategies, it is necessary to extend the shared space of action, including now the offender(s) (trafficker, pimp, all contributing to the chain of trafficking etc.), too. Another particularity of the willingness to make a statement by females trafficked for the purpose of sexual exploitation, points in the same direction. From the perspective of law enforcement the “close vicinity of the victims to the milieu” (Heine-Wiedenmann and Ackermann 1998: 18ff) was stated and seen as keeping victims from making a statement. This “close vicinity to the milieu” as a *structural feature* of the shared space of action can, according to the results of the study presented in this paper, be understood from the perspective of the victim: women who have become victims of human trafficking for the purpose of sexual exploitation have spent a longer or shorter period of their lives in an offender system, which taught a certain (negative) attitude towards the police. Some of these women are still within reach of the

offender system at the time of a possible statement. Therefore, the shared space of action does not primarily refer to victims and the police, as is the case with other crime victims, but also involves the offender system. The willingness to make a statement requires leaving or escaping from the offender system, that is: detachment and a willingness to go against the offenders and cause harm to them by cooperating with the police.

The shared space of action involves the offender–victim relationship and the pressure applied to victims by offenders in order to prevent a statement, as well as a relationship between the police and the offender system. But the space of action is not necessarily limited to these three actors. There is evidence from the interviews that in some cases a new partner induces important changes in the system of power relations. Counseling services and social workers can be included in the system as well. A discussion of this further extension of the concept is very promising, but it had to be deferred in the context of this paper.

### Conclusions based on the concept of the shared space of action

The space of action is shared by offender, police and victim. Moreover, one actor shapes the relationship between the other two (or more) parties, and, thus, the offender influences the relationship between victims and police, as the police influence the relationship between victims and offenders. In this respect, the results of previous sections are brought together and are interpreted and conclusions are drawn.

In the preliminary phase in which the police are either not present or appear in the context of raids and controls, the constructs of victim-offender, offender-police, and police-victim relationships are significantly influenced by offender myths and interaction rituals. The relationship between the offender and the victim is defined either as a mutually beneficial business relationship, or the offenders convey their strategies as having power over the victim. Moreover, offenders clearly set out the role of the police: Firstly, police are “on the other side”, secondly, the offenders cannot really be harmed by the police—their power may even extend into police ranks—and thirdly, the victim will not be able to break out of prostitution with the help of the police. The police will not be able to protect the victim, and the victim will not stand a chance. Where offenders portrayed the police as “worst enemy” and victims adopted this construct, the handing over of fake documents, for example, could create a fiction, that the offenders would protect the victims from the police. The presentation of controls as either lackadaisical and therefore not dangerous or staged as a dramatic attack refers to interaction rituals in which the boundaries of both systems are maintained. The common sphere of action is considerably influenced by offender myths and the display of their power. While the police are portrayed as the chasers of victims, offenders describe themselves as guardians—as long as the victim is willing to conform to the offenders’ superiority. The strategies of isolation and withholding of information can be understood as attempts to enforce these interpretations with the victims. Offenders do not only have physical power but also power of definition.

The relevance of physical separation and detachment of the victims from the offender system in terms of the mediated constructs of the relationship police-

offender-victim has to be emphasized, because only this allows experiences and interpretations to emerge, that can change the prior construct of the action sphere.<sup>3</sup>

The subjective depictions of police interviews as personal contact in “**Police and police action related determinants**” show the possibility of such a change of construct, because the detachment of victims from the offender system restricts the offender’s prerogative of the definition of the situation. This incision indicates a change of theme-level. The police not only are no longer on the other side, but questionings are being portrayed as encounters of victims. The categories of the questioning can be interpreted as a sign of high sensitivity in terms of whether the police refers the victim back to the offender system (e.g. failed victim identification), addresses a person simply as a “whore” or focuses on criminal sanctions for passport offenses or complicity in human trafficking, which are incompatible with the victim status. Conversely, the desire for “trust” can be seen as a prerequisite for change. The shift from the offender system to cooperation with the police signifies that a new relationship between victim and police emerges, which was not provided for in the previously construed joint action sphere.

The results can further be interpreted in a way that once the police are in charge the pattern of interpretation of the relationship of offender, victim and police can be deconstructed (provided the police identify a victim as such). This construct of the power of the offenders and the pursuer-role of the police is countered by the disempowerment of offenders, positive cooperation with victims, strengthening of victims through information, offering perspectives combined with counseling, and effective protection measures. Making a statement ultimately demands of the victim to cause harm to the offenders and to support the prosecution of the offenders. This means high risk, great burden and reversal of previous interpretations, which is not feasible without the protection of the police. The perceived relevance of the organization of the questioning could thus be interpreted as utilization of the only ‘power’ the victim has: the power to refuse or to make a statement.

As a last conclusion: The results suggest that the police should shape their part in this field of interaction—within the limits of the official legal mandate—from a powerless adversary to an institution which reflects the expectations on the side of the victim to generate willingness to make a statement in a professional “coproduction”. From this point of view it is most important, what can be “offered” to the victim in case of cooperation.

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<sup>3</sup> More groups of women with a legal residence status are a result of the EU expansion. They cannot be detained and questioned for clarifying their status of residency. Occasionally the women reported regular contacts with the police combined with repeated offers of help.

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