

Effective enforcement

(Effekt av tilsyn)

The Inspectors's Dilemma

When do we provide guidance, and when do we make formal decisions?

Jørgen Wesenlund Spangen, Chief Counsel and Deputy Head of Legal and International Affairs



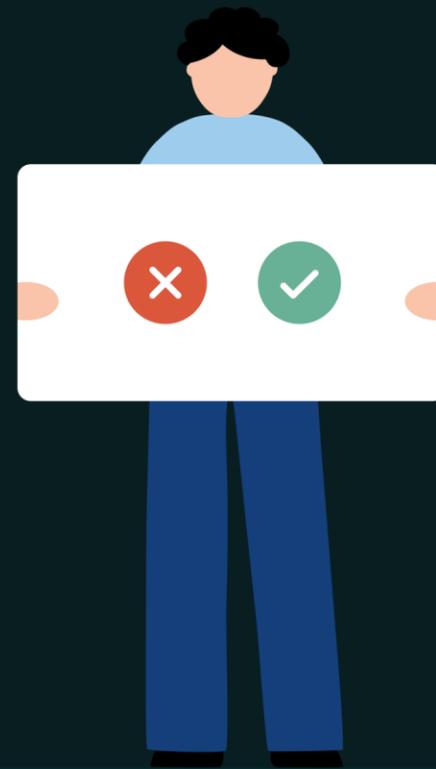
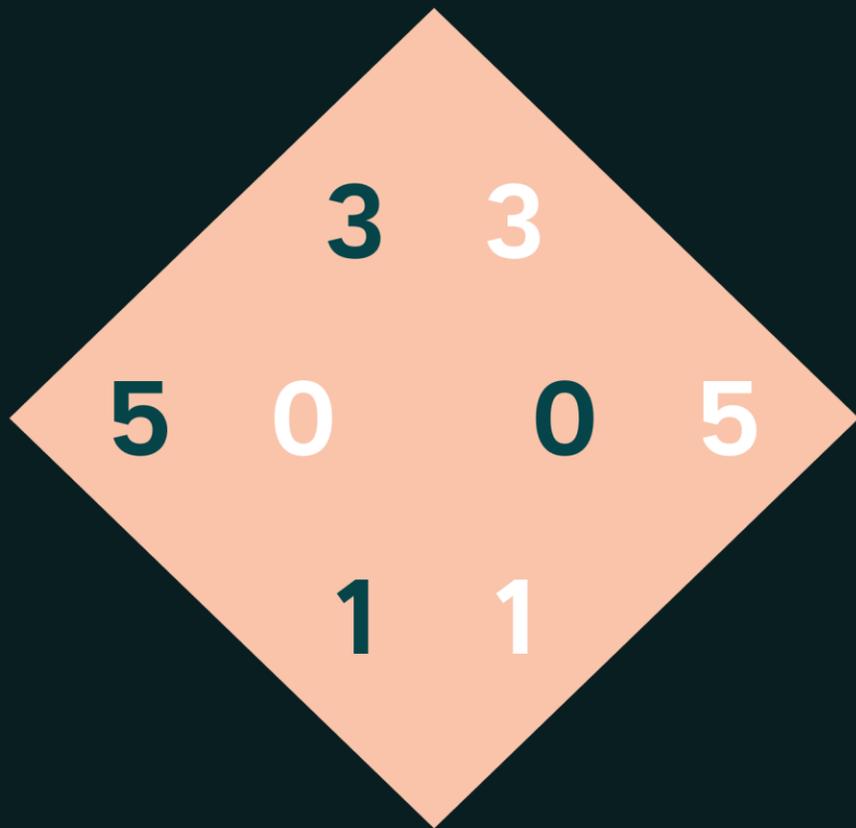
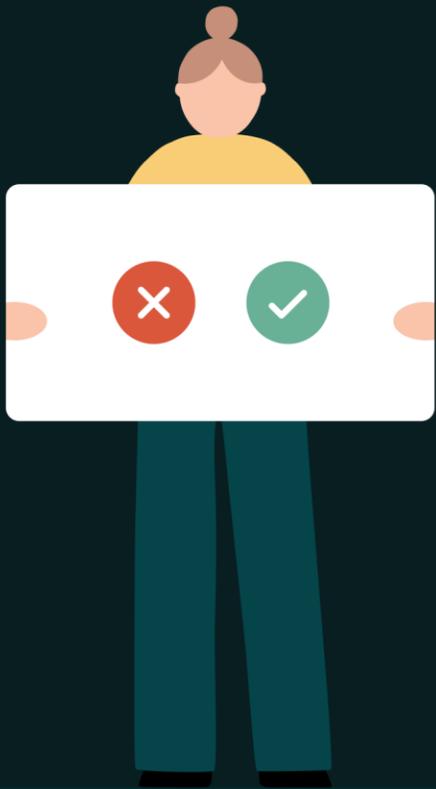
Forvaltning av dyrevelferd i Norge

Hvordan få lovverk til å virke?



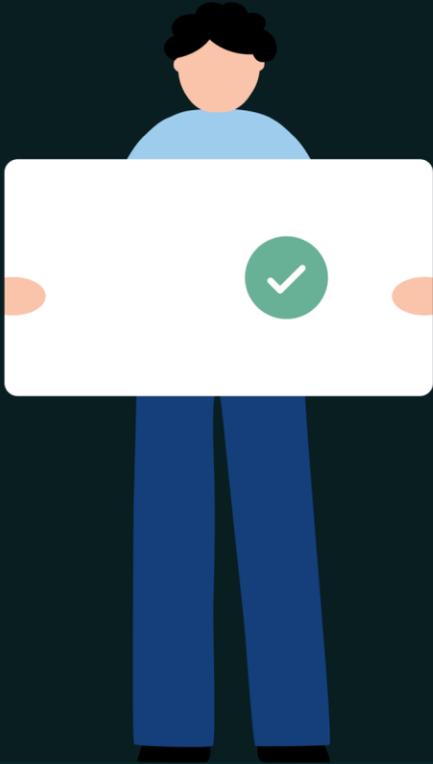
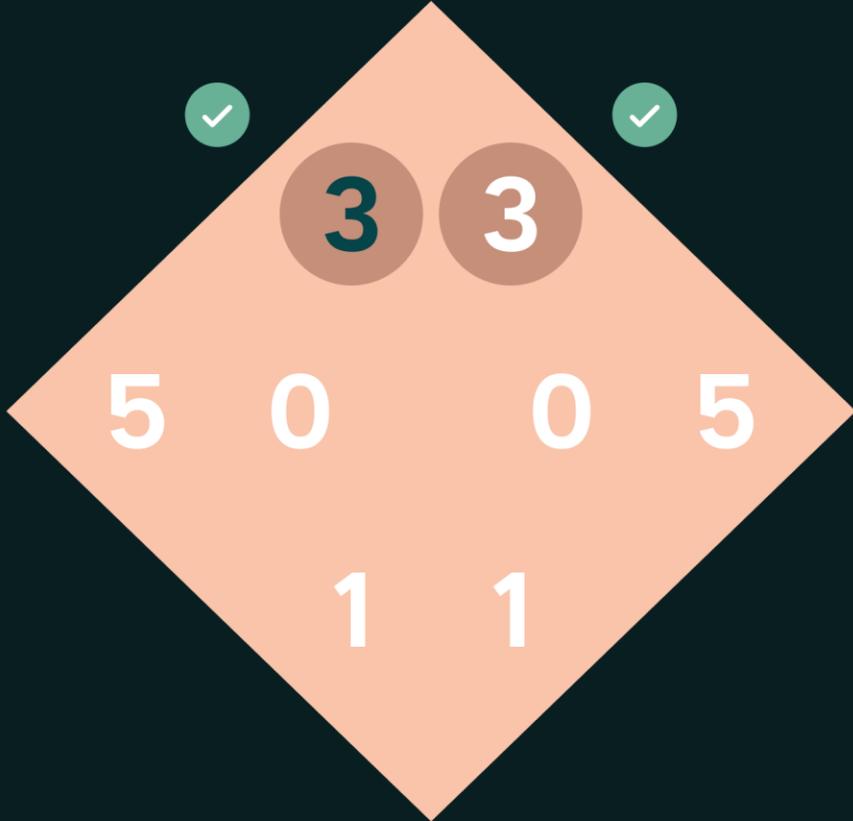
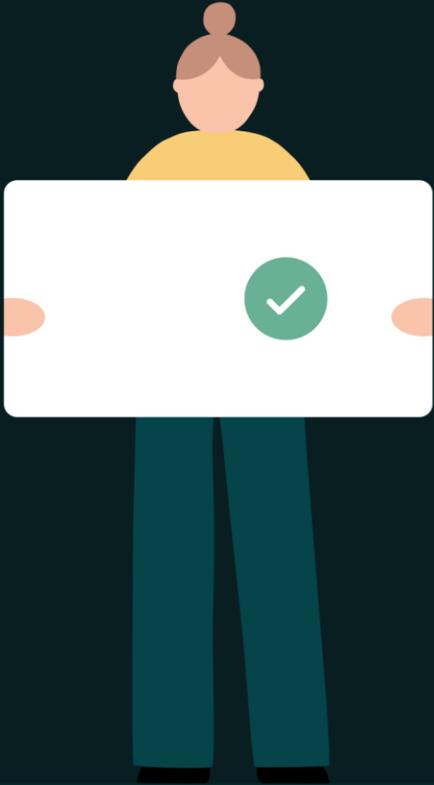
Aniwel Project (2015-2021)

- **Goal:** How to design and manage enforcement that promote good animal welfare and respect for animals, aka. effective enforcement of the Animal Welfare Act.
- **Interdisciplinary approach:** Political Science, Law, Sociology, Anthropology, Veterinary Science, Animal Science
- **Broad Data Collection:** Hereunder observations at 3 slaughterhouses
- **Effective enforcement:**
 - Start with guidance, escalate only if needed
 - Use "tit-for-tat" strategy



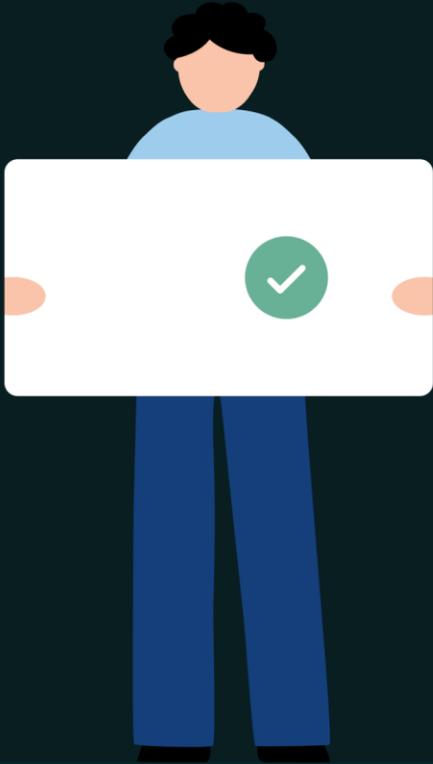
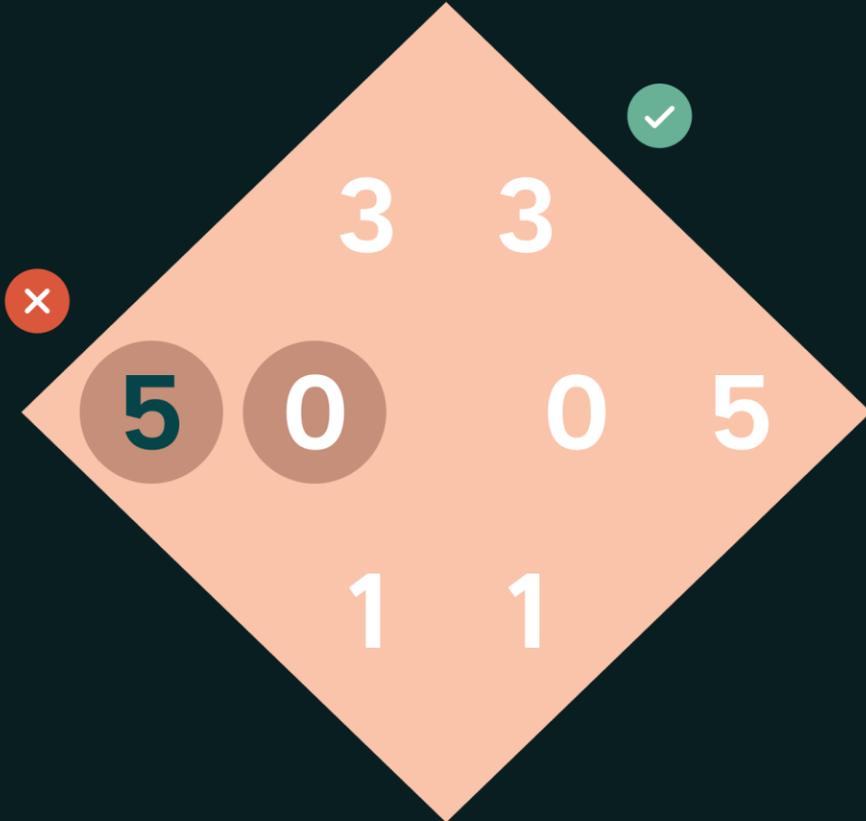
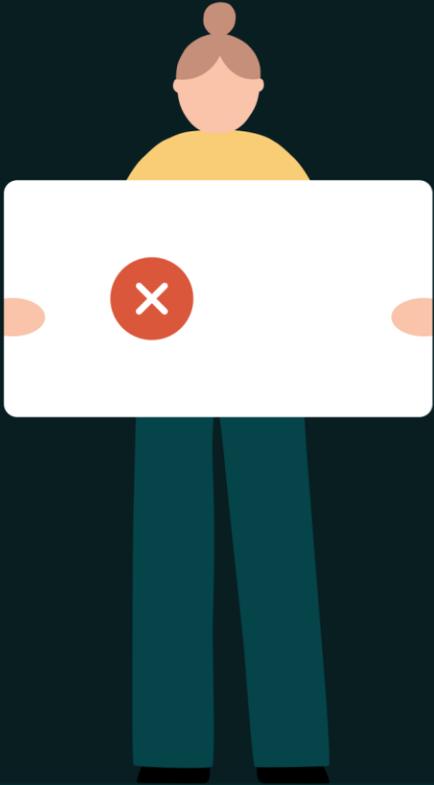
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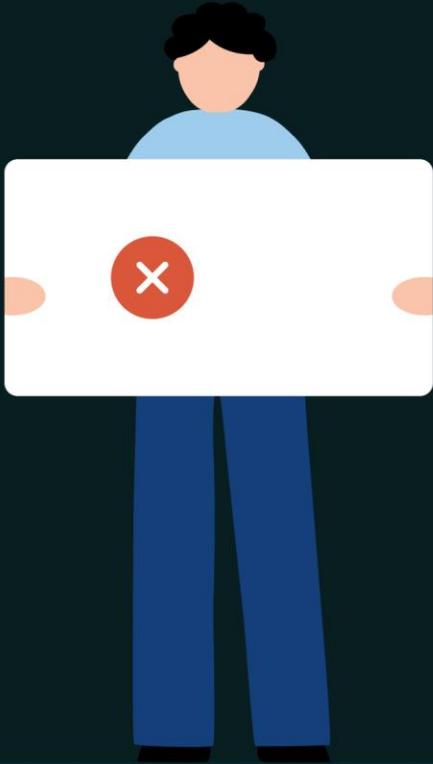
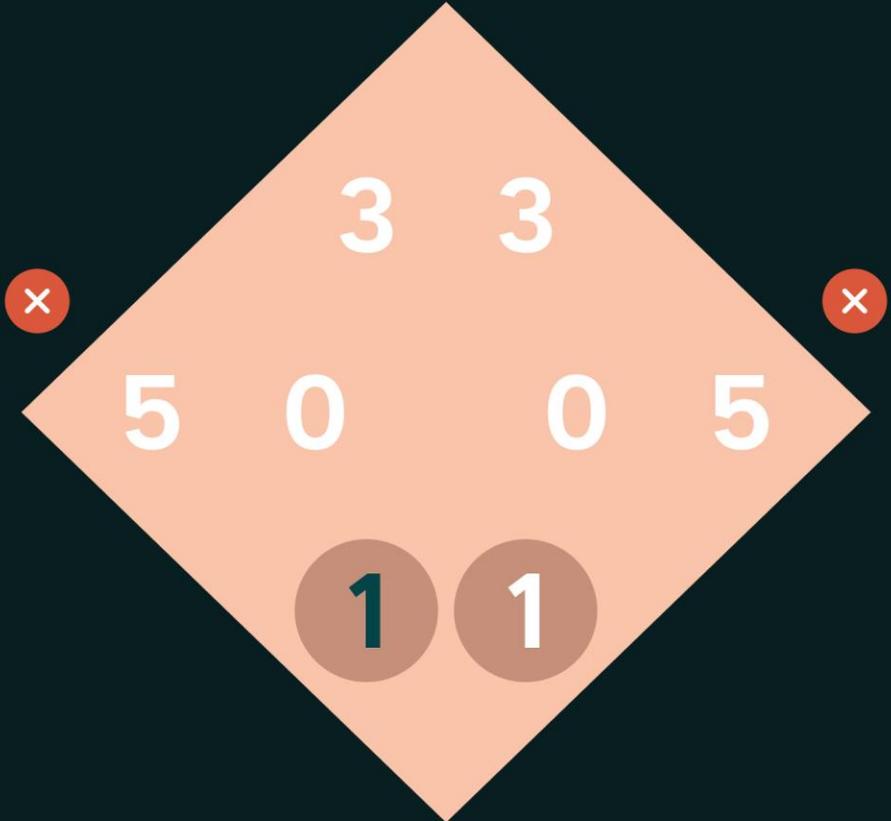
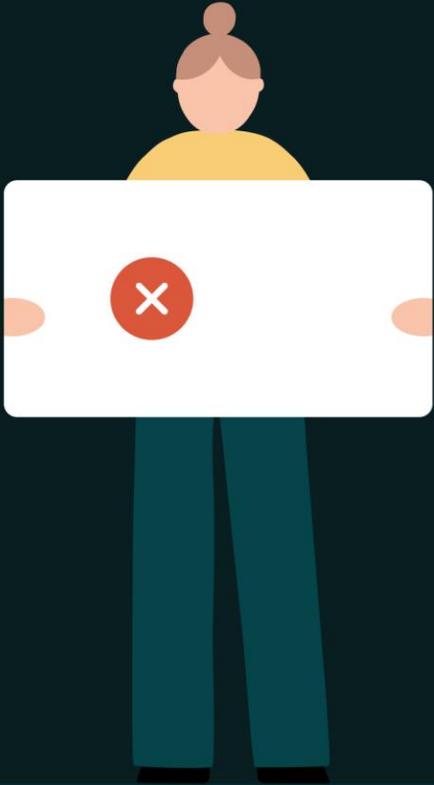
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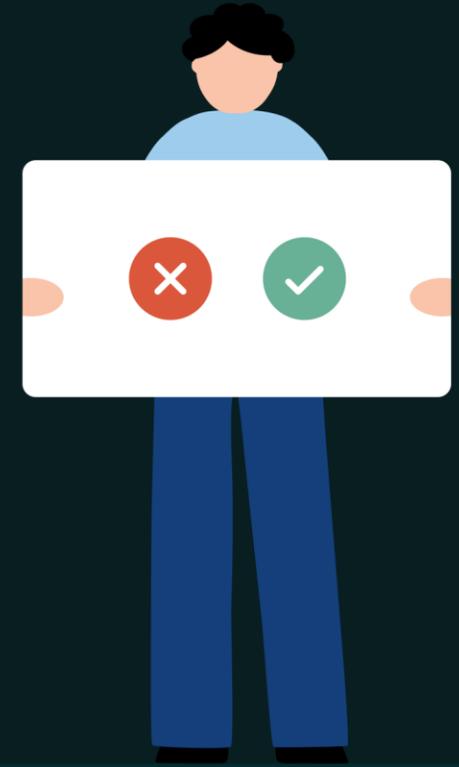
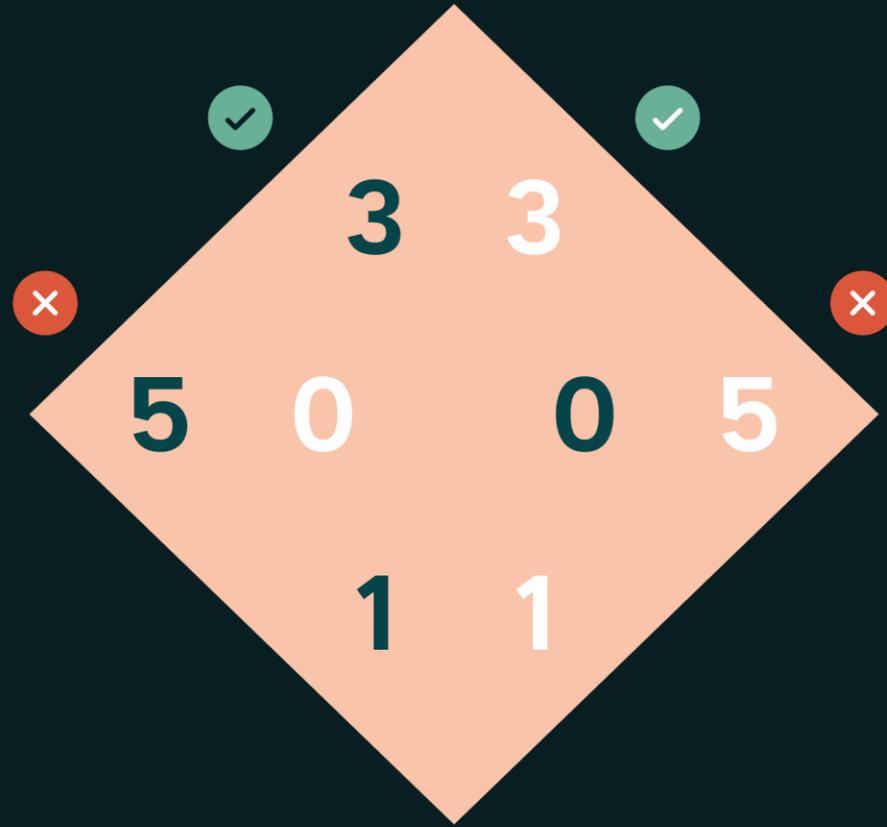
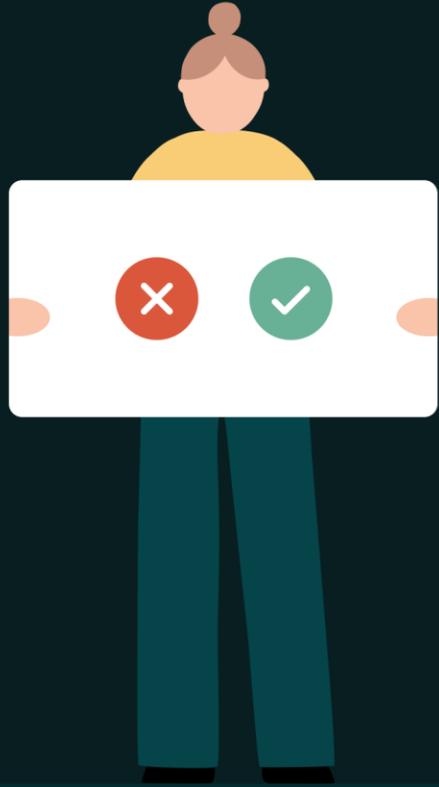
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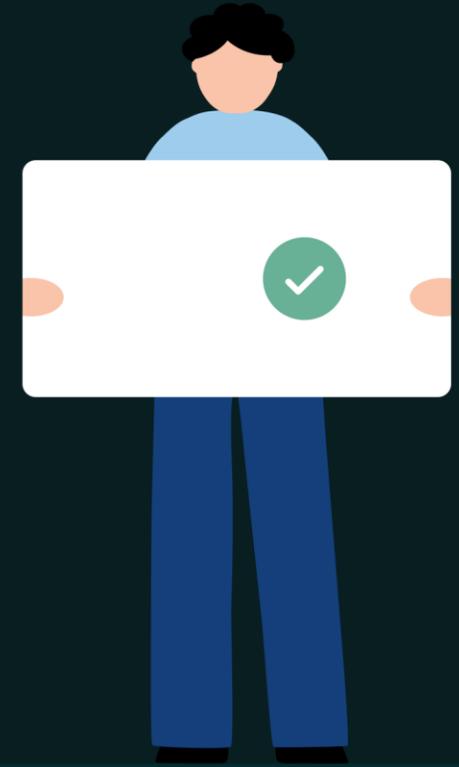
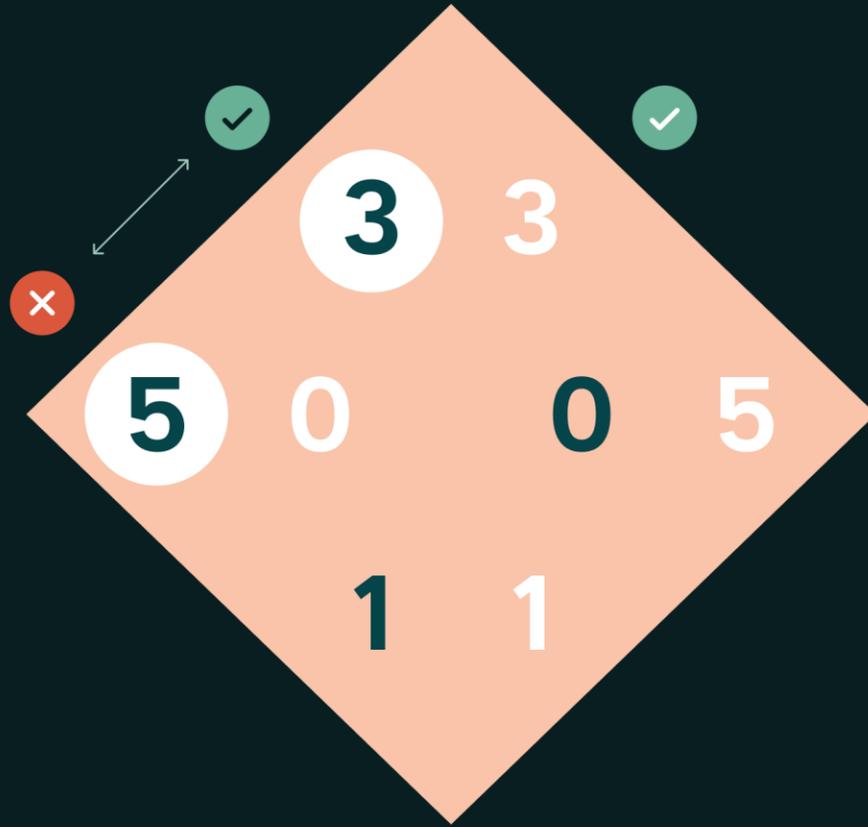
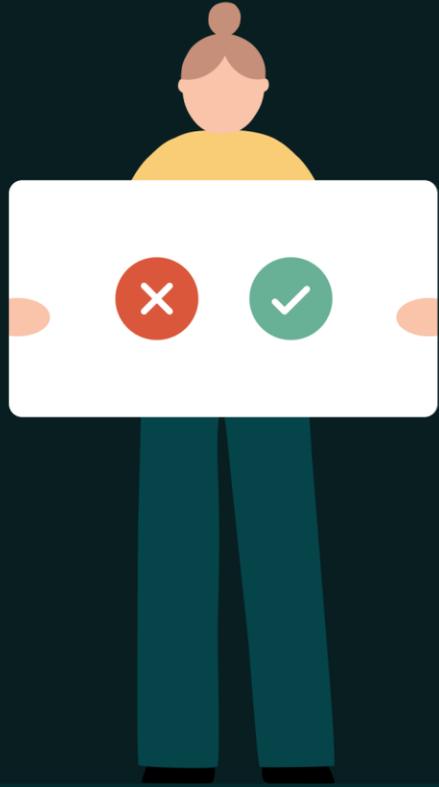


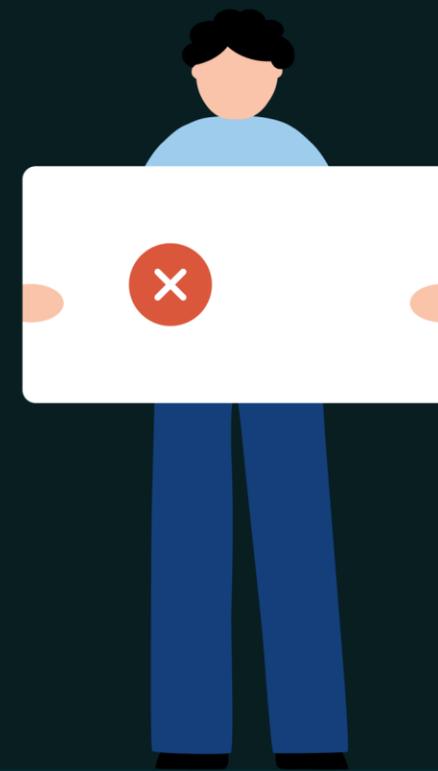
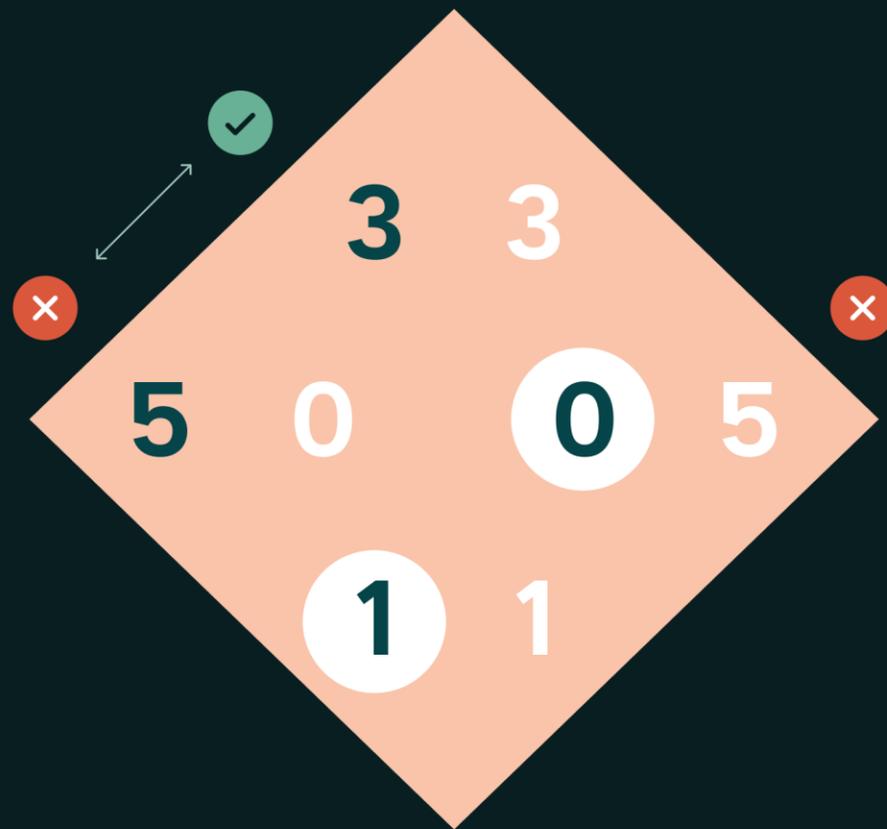
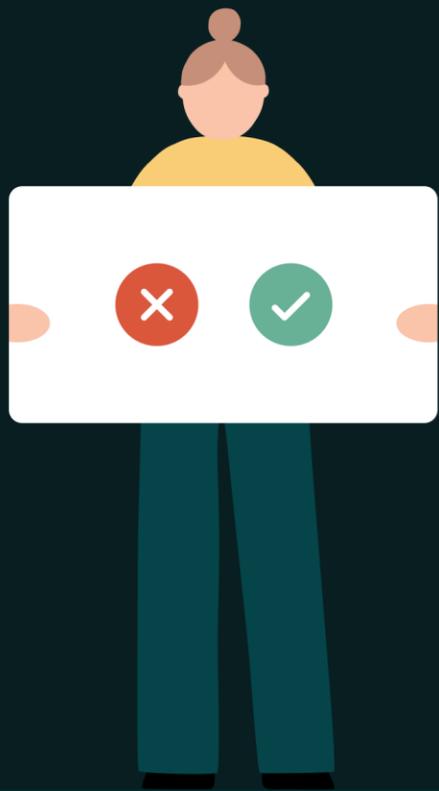
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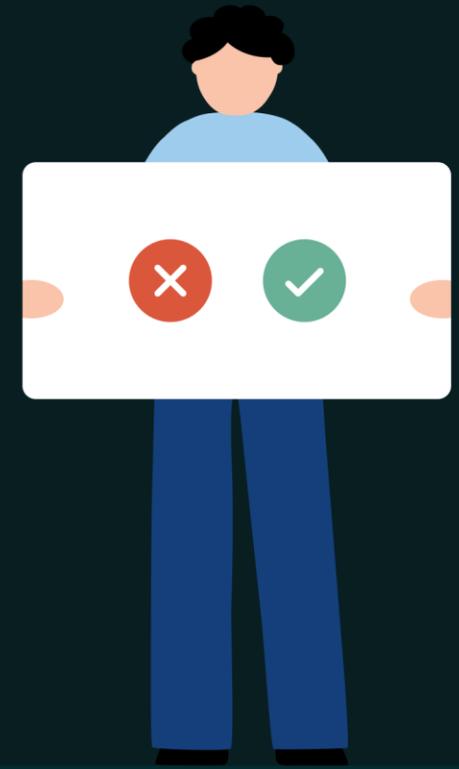
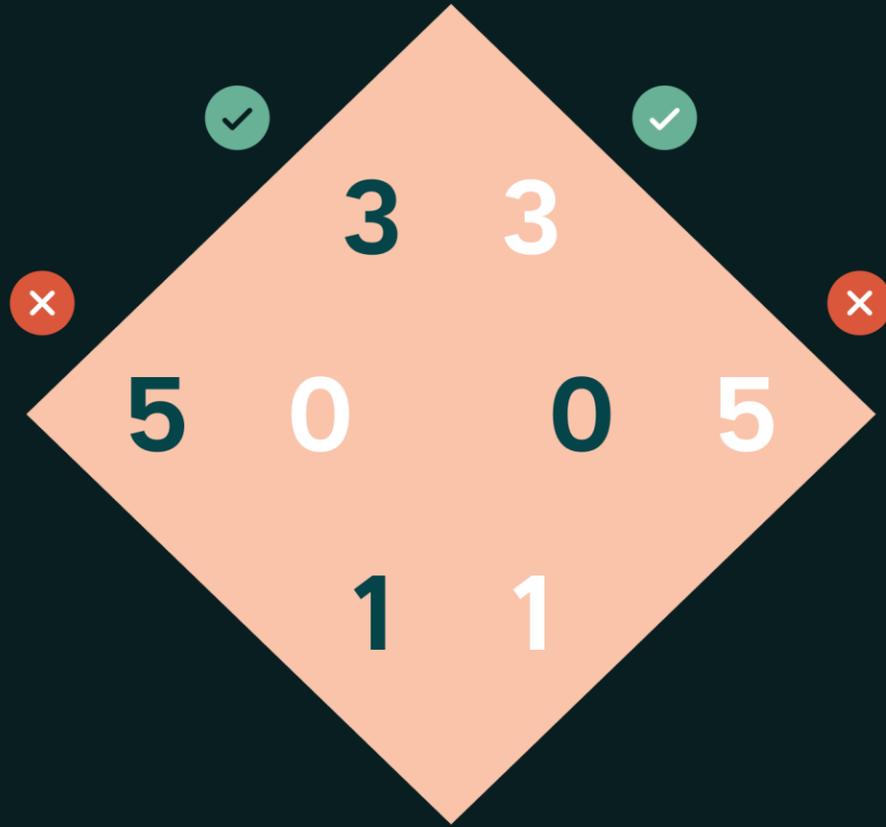
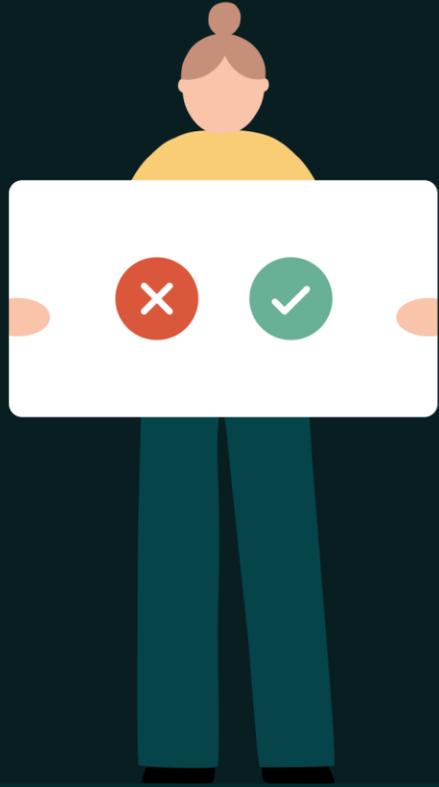
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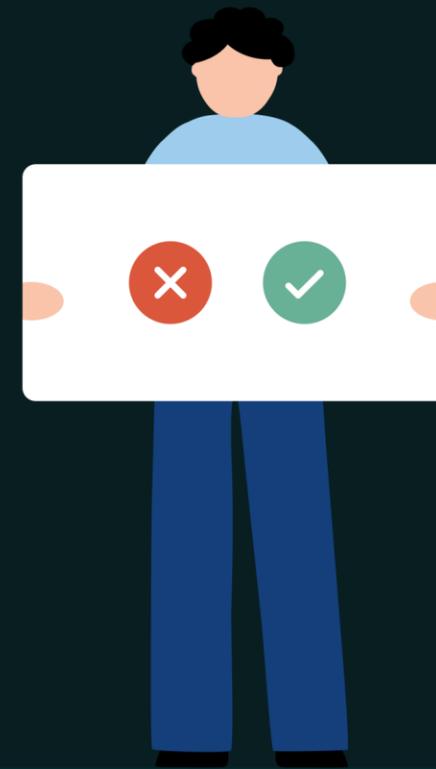
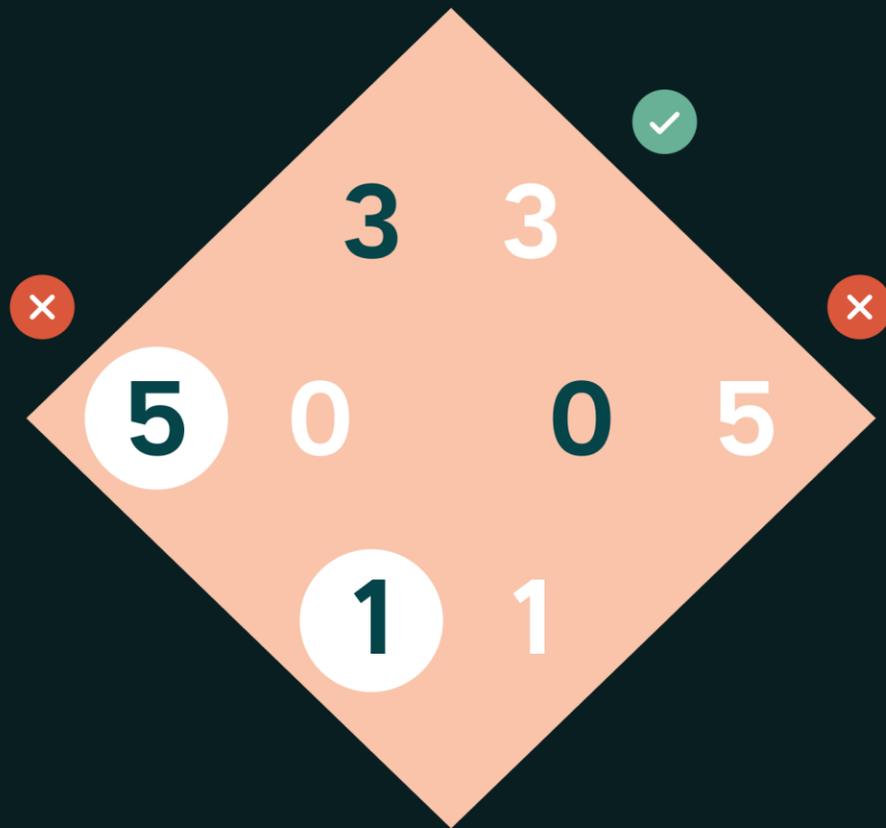
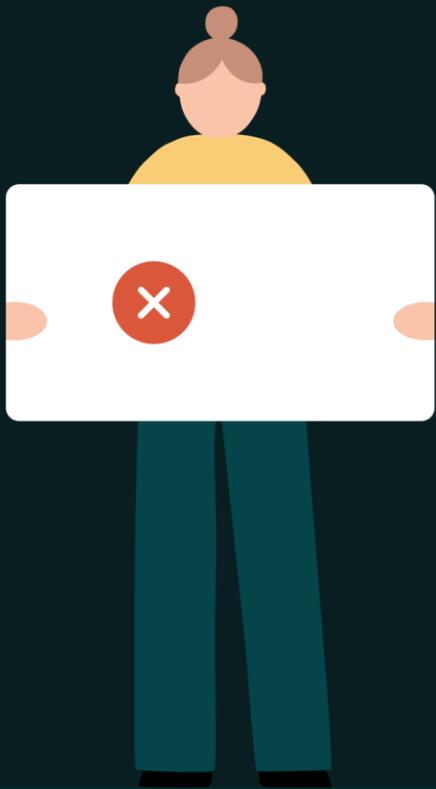




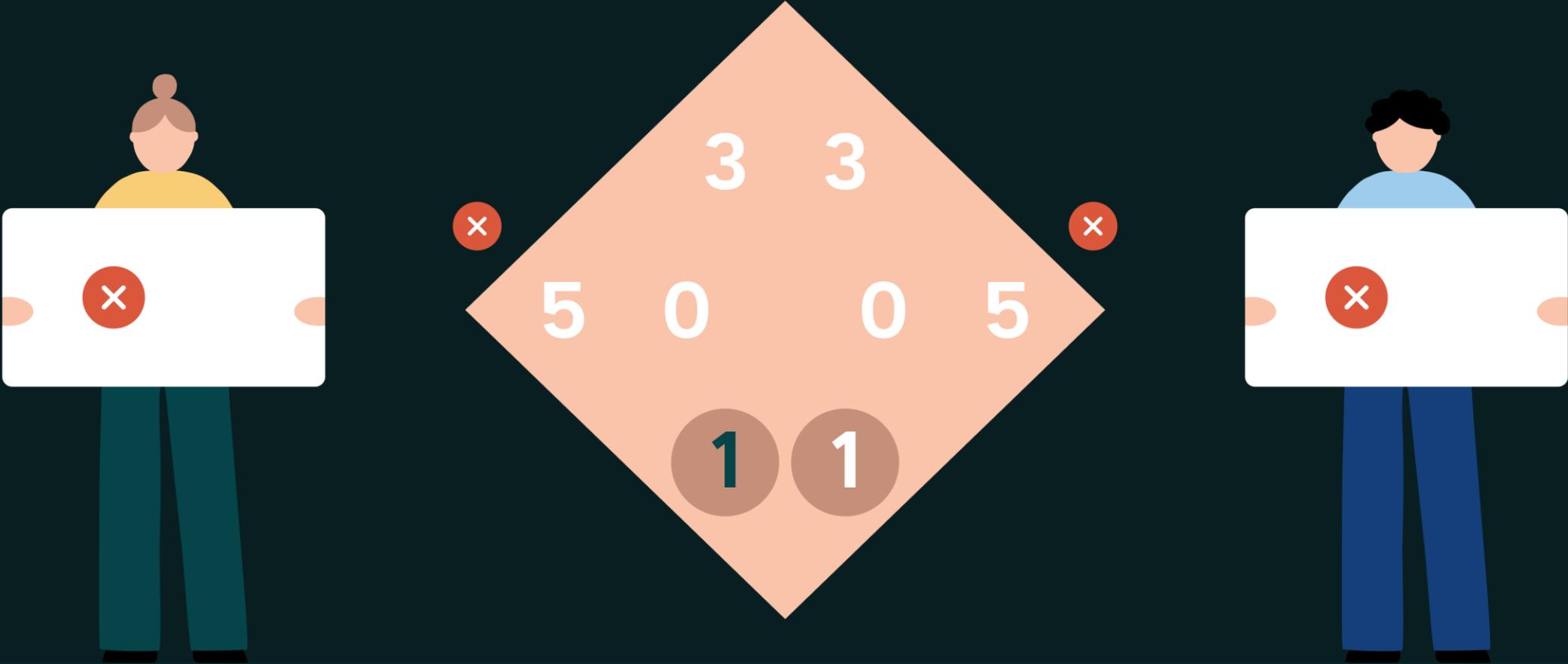








RESULT: Two individuals acting in their own self-interest always end up with a worse outcome than if they had cooperated.





Player 1											
Player 2											

Player 1		?	?	?	?	?	?	?	?	?	?
Player 2		?	?	?	?	?	?	?	?	?	?

What is the best strategy?

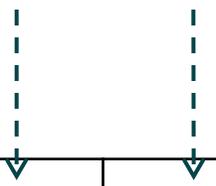
'tit' 'tat'



Player 1			?	?	?	?	?	?	?	?	?
Player 2		?	?	?	?	?	?	?	?	?	?

Tit-for-Tat (TfT)

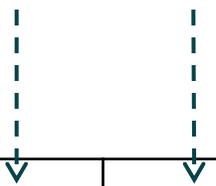
'tit' 'tat'



Player 1	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Player 2	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

Tit-for-Tat (TfT)

'tit' 'tat'



Player 1	✓	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗
Player 2	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗	✗

Tit-for-Tat (TfT)

Purpose-oriented supervision
(Formålsorientert tilsyn)

Inconsistency

Formalistic supervision
(Formalistisk tilsyn)

Slaughterhouse Peaceville

(Slakteri Fredheimen)

Application of the Law

The purpose of the Act governs the application of the detailed provisions of the Act

Reactions

Guided by appropriateness

Way of Communication

Guided by appropriateness

Slaughterhouse Saberville

(Slakteri Raslesabel)

Application of the Law

Variation among inspectors. Trend toward formalization which has increased use of written reports and less oral dialogue

Reactions

The use of **automatic escalation of sanctions** (based on narrow criteria like repeated violations) creates friction and perceived unfairness, leading to **collective resistance** among transporters

Way of Communication

Communication has shifted toward written reports and formal routines

Slaughterhouse Battleburg

(Slakteri Slagmarka)

Application of the Law

Detailed provisions are used as ends in themselves

Reactions

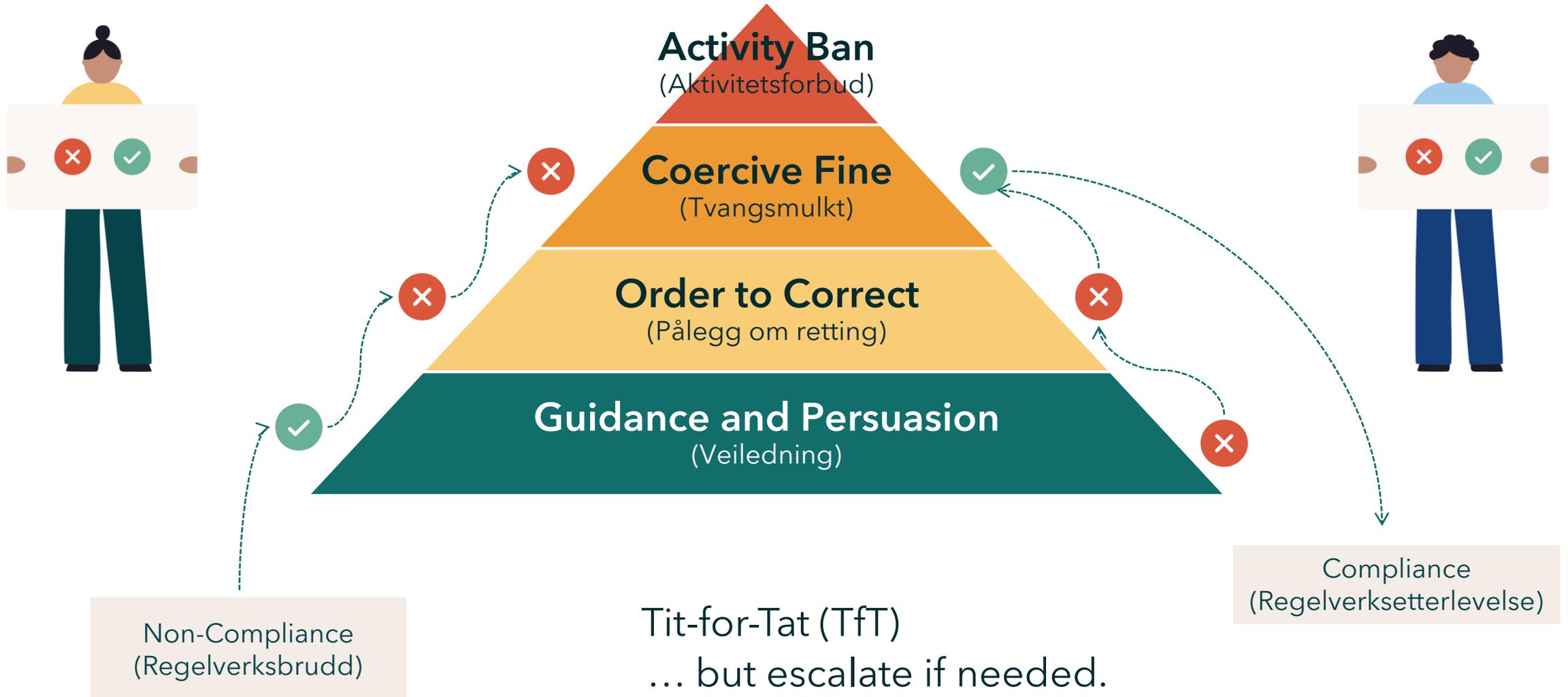
Based on automaticity

Way of Communication

Formal considerations always take priority

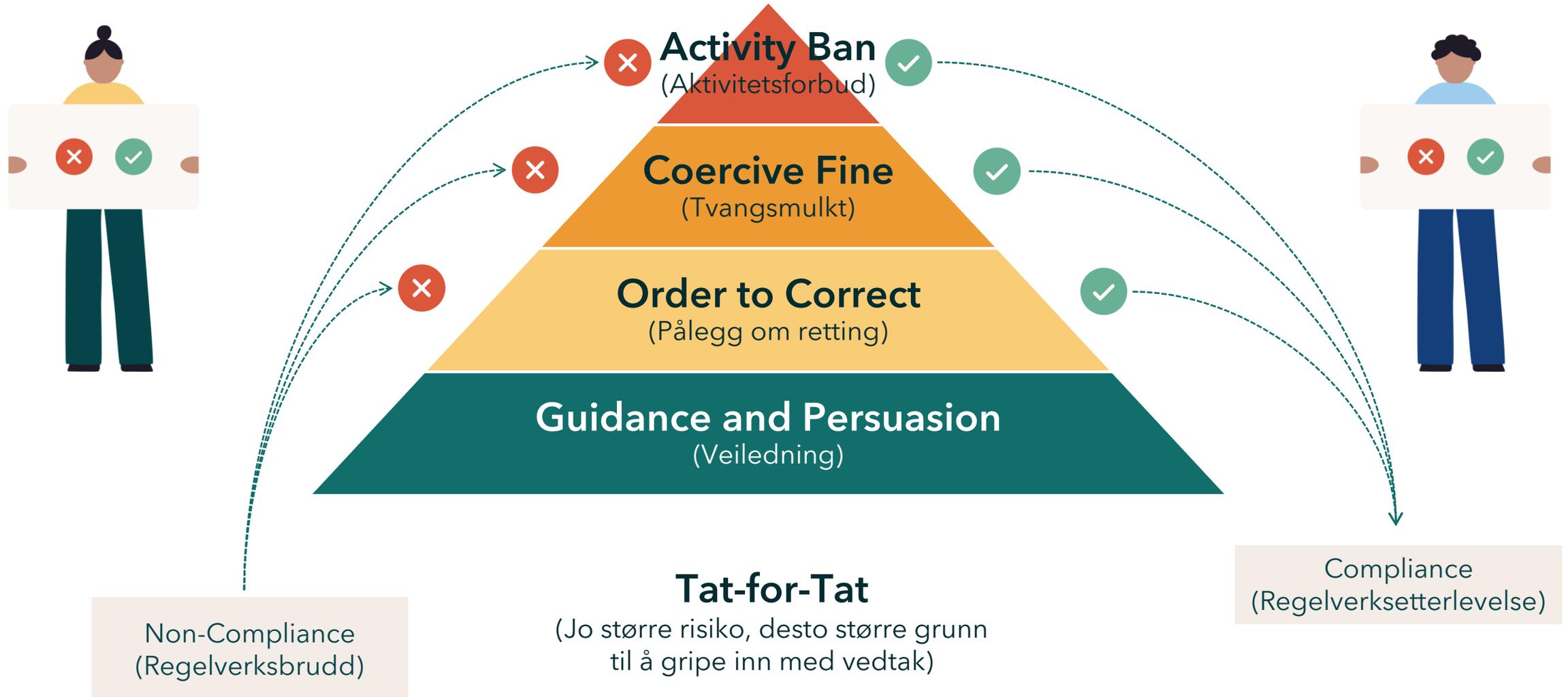
The inspectors's dilemma

(Inspektørens dilemma)



The inspectors's dilemma

(Inspektørens dilemma)



Divide into small groups (8 people): Each group tackles 1-2 questions

Trust and Dialogue

- Why is trust between inspectorate and industry so critical?
- What practical steps can build trust without compromising enforcement?

Responsive Regulation (Tit-for-Tat)

- Should enforcement always escalate automatically, or should it depend on intent and effort?
- How can inspectors balance strict rule enforcement with flexibility for real-world situations?

Preventing Conflict

- What can organizations do to avoid person-dependent conflicts?
- Would changing inspectors before harsh measures help? Why or why not?

Future Competence

- What skills should inspectors have beyond technical knowledge?
- Would a national training program improve consistency and fairness?

Characteristics of Successful Strategies

- **Nice:** Cooperate first.
- **Forgiving:** Be willing to return to cooperation after initial resistance.
- **Clear:** Make sure your pattern is easy to understand and to mirror.
- **Retaliatory:** Respond immediately to resistance to prevent exploitation.