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Why is Studying Police Misconduct So Difficult?

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Police misconduct remains vastly understudied in Finland. This reflection draws on my personal experience researching the phenomenon and the challenges I have encountered. I argue that rather than expanding police powers, we should prioritise increasing transparency around police misconduct.

Introduction

Once again, the expansion of police powers is under discussion in Finland. At the same time, even serious police misconduct has begun to attract more attention in the media. Headley, D'Alessio, and Stolzenberg define police misconduct as a broad term

encompassing a wide range of behaviours, from criminal acts to unethical or immoral conduct. In Finland, approximately 1,000 complaints concerning police misconduct are filed each year, yet they rarely proceed within the criminal justice system. Finnish scholars, however, seem largely uninterested in police misconduct. Studies have rarely addressed police misconduct complaints, let alone how they proceed in the criminal justice system. In this reflection, I will address some of the difficulties in researching this understudied phenomenon, based on my own experience.

Five Challenges in Studying Police Misconduct

Studying police misconduct in Finland is more difficult than one might expect. This observation is based on my own experience over the past year. So far, I have identified five challenges.

1. **Lack of information.** Because police misconduct (especially on-duty) has barely been studied in Finland, studying the phenomenon requires substantial proactivity from researchers. There are no earlier research designs to follow. Researchers must be ready to ask questions and think issues through independently. Sometimes researchers encounter conflicting information and advice that might eventually prove to be incorrect.
2. **Fragmented Complaint Processes.** Police misconduct complaints may be handled differently depending on the case. There are several avenues for filing complaints. Cases may be handled, for example, administratively or through the criminal justice system. Indeed, it may even be difficult for ordinary people to know the best pathway to file a complaint.
3. **Barriers to Information Access.** Tracing police misconduct through the criminal justice system is challenging. For those unfamiliar with the existing systems, it may be difficult to even know what the best way is to retrieve the information they seek. Practices and systems can differ; they are in constant flux, and at times institutional secrecy prevails. The Police Crime Unit's practices have been clarified recently, which makes research easier. Court cases, however, cannot be searched by profession. Although on-duty misconduct should involve an Offence in Public Office (Finnish: *virkarikos*), previous research has shown this is not always the case. Recently, journalists have highlighted difficulties in obtaining data from district courts. Lastly, these systems were not designed for research purposes. What is ideal to study, and what is practically feasible, can diverge significantly.
4. **GDPR Complications.** The General Data Protection Regulation (GDPR) has further complicated the interpretation of the publicity of documents. Researchers are asked to conduct impact assessments, even for public documents, to ensure privacy

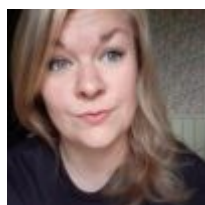
protection. Individual doctoral researchers, for example, are solely responsible for GDPR compliance, even if they lack expertise in the area. This is not a risk everyone is willing to take.

- 5. Studying Police Misconduct in a High-Trust Context.** Investigating police misconduct in a high-trust context presents unique challenges. Some assume that high trust in policing implies the absence of misconduct. As a result, the issue remains underexplored in Finland—even compared to other Nordic countries. This problem does not solely concern high-trust contexts. Researchers may be discouraged from writing ‘too critically’ about the police, or critics might be accused of unnecessarily “stigmatising” the police.

Conclusion

The police have exceptional powers to interfere with individuals’ basic rights. Therefore, we should ensure transparency and accountability when someone exercising public power abuses their position. At present, transparency is lacking and accountability remains unclear. Yet, once again, we are eager to expand police powers. High trust should not become an excuse not to investigate these issues.

About the Author



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