

Corporate harm and embedded labour exploitation in agri-food supply networks

Abstract

Harm facilitated by corporations has received increased attention in recent years. However, corporate crime and harm remain under-researched themes in relation to labour exploitation, both in theoretical and empirical terms. The purpose of this paper is to argue that in the context of agricultural and food supply networks, harmful labour practices result from structural problems associated with the demand for products. While individual employers and businesses have a role in facilitating these harmful practices, they also emerge from otherwise legitimate agri-food supply network dynamics, such as subcontracted labour which results in fragmented responsibility. Therefore, labour practices have significant implications for the nature, organisation, and control of corporate harms, whereby harmful consequences become normalised, accepted, and embedded in agri-food supply network practices. Criminological analyses of food production and contemporary markets more widely can begin to address the systemic challenges of harmful labour practices, both in domestic and global supply networks.

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Introduction

A significant body of research focuses on labour exploitation in local, national, and global supply networks (Barrientos, 2013; LeBaron et al., 2018; Potter and Hamilton, 2014). As argued by Scott (2017), research on exploitation has traditionally focused on individual perpetrators and criminal networks, which tend to be associated with the most brutal forms of mistreatment. The question that guides this paper is 'how do the dynamics of some food supply networks result in harmful labour practices?'. On this basis, its core argument is that practices are routinised, embedded, and normalised within otherwise legitimate agri-food supply business processes – which highlights the importance of legitimate actors. In order to understand these harms, it is essential to foreground the underlying structural dynamics and system dysfunctions within supply networks. To some extent, the research agenda already emphasises the role of legitimate business and

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supply networks in facilitating labour exploitation (Barrientos, 2013; LeBaron, 2015). However, little attention has been given to the notion of harm in relation to labour exploitation (*REMOVED*; Scott, 2017). Making these links allows for a more rigorous analysis of embedded exploitation, since many practices are neither reported nor criminalised, so are not formally labelled as crimes. A harm approach provides the basis for a wider range of exploitative practices to be considered, which as a spectrum extends from the most severe cases typically associated with criminal law, such as human trafficking and forced labour (FRA, 2015), to other 'routine' abuses that are neither reported nor criminalised. It also provides a chance for criminology to assert its relevance amid concerns that it neglects ambiguous areas where the lines between legal, immoral, illegal, and criminal behaviour are not clear cut (Passas, 2005; Reiman, 1998), including the exploitation spectrum. With this spectrum in mind, it is important to consider how and why these practices occur, which begins to focus attention away from individual perpetrators towards labour markets and their supply networks.

The paper is structured as per the following: first, it reviews existing research on harmful labour practices within agri-food supply networks, before examining the methods adopted for the current research, which consisted of a qualitative case study in the UK agri-food industry. Second, the empirical contributions are discussed, by considering the role of product and labour supply networks that emphasise structural explanations for harm. A stronger focus on structural as well as individual factors will help to provide a more nuanced analysis which problematises the notions of intent and individual responsibility. Rather than providing a full empirical explanation for the concept of harm and corporate behaviour, the intention here is to be explorative of a specific UK industry as a reference point for broader concerns around low-paid work. Given that many poor workplace and supply network practices are neither criminalised nor subject to investigation, a 'harm' lens provides the basis to incorporate such practices into the scope of study while acknowledging their controversial nature.

Theoretical approaches of harm and labour exploitation

Previous work has discussed the notion of labour exploitation (Alvesalo et al., 2014), which does not have a universally accepted definition (OSCE, 2018). Criminal codes tend to define 'severe exploitation' in the forms of human trafficking and forced labour (FRA, 2015), such as the UK's Modern Slavery Act 2015. 'Less severe' or non-criminalised exploitation may be implicitly codified by civil law as breaches of employment contracts or tax regulations. In broader sociological terms, labour exploitation may be seen as a standard aspect of work and so occurs beyond criminal-legal frameworks entirely, especially if framed from a Marxist perspective (Brass, 2015). Others have coined terms such as 'lawful but awful' business practices (Passas, 2005), which theoretically move some exploitation beyond the confines of legal definitions. These perspectives link with the idea of labour exploitation as a spectrum, ranging from 'decent work' to severe exploitation, with numerous grey areas in-between. Such sociological definitions help to draw attention to practices beyond the most severe; although classifying them as exploitation remains problematic in the absence of legal sanctions. Therefore, this paper places a strong emphasis on 'harms' that frequently emerge from food production processes⁽¹⁾.

As with labour exploitation, the concept of harm is problematic to define, yet has recently gained attention within criminology (Boukli and Kotzé, 2018; Scott, 2017). Greenfield and Paoli (2013: 864) define harm as "violations of stakeholders' legitimate interests", referring to functional (physical and psychological), material, environmental and privacy harms. Through the work of critical criminologists, there is a well-grounded assertion that relatively few harmful actions (and omissions) are criminalised or subject to prosecution (Box, 1984; Tombs and Whyte, 2015). For this reason, alternative definitions of 'social harm' incorporate broader societal and structural factors during peoples' life cycles (Boukli and Kotzé, 2018). However, approaches to harm that focus on individuals could theoretically be combined with broader societal structures that enable them, which guides the essence of this paper.

Such discussions on harm contribute to existing criminological frameworks of state-corporate crime. Kramer et al. (2002) develop an explanatory framework of state-corporate crime at the

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micro, meso, and macro levels: micro referring to individual (inter)actions; meso referring to organisational structures and processes; and macro referring to the broader political-economic environment. This paper primarily discusses harmful labour practices at the macro and meso levels, while considering the various pressures associated with factors such as organisational goals and managerial pressure. These issues integrate with existing discussions on societal challenges associated with labour markets, as illustrated through Bloodworth's (2018) ethnographic work on the day-to-day experiences of low-paid work in the UK.

In severe instances of harmful labour practices, individual 'rogues' and organised crime groups have traditionally been portrayed as key perpetrators (LeBaron, 2015). This is partially because it may be easier to blame a small number of individuals and criminal networks, rather than addressing systemic and more controversial underlying problems (Scott, 2017), such as working conditions, regulation, and immigration policy. However, individual perpetrators do not usually create the vulnerabilities that allow them to harm workers – they may even adhere to established 'rules of the game', whereby the structure of the situation requires them to exploit vulnerabilities in order to remain competitive (Mayer, 2007: 148). Therefore, the research paradigm on harmful labour practices has gradually shifted to emphasise legitimate businesses, supply networks, and state regulation of labour markets as key facilitators of exploitation. The combination of industry factors associated with food production and the demand for products in competitive markets generate 'gaps' whereby opportunities for harm emerge. Vaughan (1996: xiv) refers to factors such as competition, routinisation, as well as complex organisational structures, e.g. numerous layers of management and/or subcontracting that diffuse responsibility, to explain deviance within organisational settings.

More broadly, the harmful consequences of food production are becoming increasingly apparent, including food fraud affecting consumers and businesses, impacts of production on the physical environment, as well as the inhumane treatment of non-human animals (Croall, 2012). Workers who occupy low-paid positions in the agri-food industry are all exposed to harmful practices due to the type of dirty, difficult and dangerous work that dominates the industry. Migrant workers

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are likely to face additional challenges associated with language barriers when understanding health and safety practices and their overall work conditions; whereas undocumented migrants face further concerns around detention and deportation if they are reported to immigration authorities. These issues associated with harmful labour practices inform the later discussion, since many of the processes under consideration harm workers. While it is not argued that all forms of non-criminalised or non-reported harms should be treated as criminal, the analysis helps to bring their controversial nature to the forefront of attention in order to discuss how and why they occur. This attention provides a platform for considering how unreported harms linked with routinised practices could be brought within the regulatory remit.

Existing research on agri-food supply network dynamics

The global agri-food industry is characterised by a diverse range of products, businesses, and workers, as well as regulatory regimes that oversee production and distribution. A significant body of literature discusses the dynamics of these global networks and value chains (LeBaron et al., 2018; OSCE, 2018), from which key critical points emerge. The industry and its supply networks across different countries tend to be dominated by a small number of multi-national buyers or retailers, whose influence has significantly increased since the 1980s (Geddes and Scott, 2010), along with the rise of neoliberal developments such as privatisation, fragmented regulatory oversight, and globalisation. The dominance of multi-national firms has contributed to increasing price pressures on smaller businesses within the industry, which has increased supply and demand pressures – frequently resulting in subcontracted, flexible labour (EHRC, 2010). These features are classically represented in the UK agri-food industry (EHRC, 2010; Potter and Hamilton, 2014), which relies heavily on seasonal work, low-wage migrant labour, and intense ‘just in time’ production deadlines. Tombs and Whyte (2015: 31) argue that supply networks can even become a ‘technique for contracting out crime’, since organisations further down supply networks may need to commit illegal acts in order to meet their contractual obligations and make profits. These market dynamics provide opportunities for unscrupulous employers and intermediaries to take advantage of their workers.

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However, many employers, managers and businesses arguably respond in a rational manner to legitimate business pressures associated with the demand for products, and do not intentionally set out to cause harm (Scott, 2017). For example, suppliers may transfer costs and risks to workers in the form of inadequate safety training or flexible contracts. These pressures on suppliers emerge from buyers and market dynamics, especially where market conditions are uncertain and there may be limits to legal means of achievement (Box 1984). Yet when discussing the notion of corporate harm and crime, Reiman (1998: 68-69) asserts that even if someone pursues a legitimate business goal, this does not mean that any resulting harm is less serious. These responses may unwittingly result in harmful labour practices, especially for migrant workers, who do not necessarily have the language skills needed in order to understand employment terms or safety standards (EHRC, 2010).

These concerns extend to the notion of 'labour supply chains' (Allain et al., 2013), whereby numerous labour intermediaries (i.e. work agencies or gangmasters) may be involved in supplying workers to firms. Subcontracting may allow businesses to reduce their expenditure while maintaining flexibility, especially since labour is one of the easiest and quickest costs to cut (Geddes and Scott, 2010: 199). Colling (2005) suggests that companies may subcontract business activities because they believe that this demonstrates 'good practice' in line with industry trends, addresses short-term peaks in demand without the costs of permanent employment, and allows them to draw on resources that are otherwise unavailable. The flexible nature of demand for products in the food industry means that suppliers are expected to adapt in order to maintain their business relationships with buyers.

Nevertheless, subcontracting creates gaps for harmful practices to develop. For instance, working relationships between workers and employers can be unclear, since workers may be unsure about which company they are working for or who they should report concerns to (James et al., 2007). These factors have been associated with poor labour practices and adverse health and safety outcomes (Walters and James, 2009). For workers, such issues remain significant, even if harm that occurs from legitimate processes is not reported or investigated. In order to better understand

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these business processes and supply network dynamics, it is helpful to consider them in conjunction with insights from a range of stakeholders, including businesses.

Methods

The research conducted for this study was a qualitative, exploratory case study of the UK agri-food industry. A total of 27 participants were included – 14 migrant workers and 13 stakeholders, including representatives from industry, regulation, and labour movements. This paper draws primarily from businesses and workers due to the emphasis on supply networks – although see *REMOVED* for a fuller account of worker perspectives. The agri-food industry contains numerous sub-sectors, and the migrant participants had collectively worked in fields, food processing, takeaways and retail warehouses. A table summarising the characteristics of the migrant participants is provided below in Figure 1. The stakeholder perspectives are intended to provide a more rounded view on harmful employment practices – as Lloyd and James (2008) assert, research on migrant labour requires input from industry as well as workers themselves.

<TABLE-1>

Migrant participants and caseworkers were accessed through support organisations in the West Midlands region of the UK. These organisations support migrants on issues such as employment, immigration, and welfare benefits. The migrants were not undocumented, and most participants were proficient in English; interpreters were used only in a small number of cases (see Table 1). A comprehensive discussion on using interpreters can be found in previous work (Temple and Young, 2004). It is recognised that migrants with legal status and some language skills may not be as vulnerable to harmful workplace practices as undocumented workers, largely due to the extra dependence of the latter group on their employers.

The sampling approach for this study was purposive, which resulted in participants who were employed in different sub-sectors of the food industry, including farming, food packing/processing, retail warehousing, fast-food takeaways, and, in one case, a restaurant.

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Adopting purposive sampling is arguably a useful (or sometimes, the only) way for researchers to access difficult-to-reach participants, which allows them to utilise participants' availability. The main requirement for participation included experience of working in a food industry job. As noted in Table 1, some participants had experience of working in more than one sub-sector. The purposive sampling method means that a particular sub-sector was not targeted; doing so may have excluded valuable opinions and experiences from the broader industry. These sub-sectors frequently operate differently from each other; for example, farm work may involve prolonged exposure to extreme temperatures that is not found in fast-food takeaways. However, these sub-sectors face similar pressures, since they are characterised by low-paid work, flexible contracts, and 'just in time' supply chains that are important for the overall industry. Accessing 'expert' stakeholders such as businesses presents challenges due to their reputational concerns (Harvey, 2010); however, gaining access to such groups can provide researchers with valuable and non-public information (Lilleker, 2003), which was the intention during this project.

Following interview transcription, a thematic analysis was conducted in order to develop key themes for subsequent discussion. A central benefit of thematic analysis is that researchers can be flexible with their approach while still delivering rigorous analysis through the organisation of themes (Attride-Stirling, 2001), which was particularly important given the number of different stakeholders who participated. With the aid of qualitative analysis software NVivo, the participant transcripts were coded in order to identify harmful employment practices. Regarding the theoretical issues introduced earlier in this paper, including the role of organisational processes in relation to corporate harm, the analysis showed that there were distinctions between harms associated with, firstly, the demand for food products, and secondly, with the demand for labour. While this study does not claim to be generalisable to the entire agri-food industry or working conditions more widely, it offers some illustrative and suggestive factors that indicate repetitive practices within businesses and supply networks which arguably have harmful consequences for workers.

Analysing the harmful consequences of supply network dynamics

When discussing supply network dynamics, moving beyond traditional notions of intent and interpersonal violence typically associated with many crimes is essential in order to understand how harmful practices can result. While individual 'rogue' employers and criminal enterprises have an important role in facilitating harm, less attention has been given to the dynamics of legitimate markets and business processes. In other words, considering 'internal' legitimate actors as well as 'external' criminal actors provides a more rigorous understanding of how and why deviant practices are enabled (Lord et al., 2017). The combination of employment vulnerabilities associated with food production and the demand for products in competitive markets generates 'gaps' whereby opportunities for harmful labour practices emerge. Based on the data, these gaps are conceptualised as forming structural vulnerabilities associated with 'product' and 'labour' supply networks. These factors are embedded and form standard, routinised practices for numerous businesses across the global agri-food industry, which is discussed as a product of organisational decision making.

Product supply network pressures

The data for this project suggests that sudden fluctuations in demand for products can increase work intensity; for instance, if orders unexpectedly increased, the deadline for meeting these did not change. Producers and processors risk losing future business if they are unable to meet their existing orders, which risks passing down risks to workers in the form of more intense, fast-paced work (Tombs and Whyte, 2015). Most workers cited harmful consequences due to this workplace pressure, and are represented here by two participants who signpost physical harms. One participant, Zaki, suggested that specific supply network pressures had an impact on working conditions:

... sometimes, if it's summer, because it's a food factory, then we have a peak season, or peak times in the week. Or maybe when it's the Christmas period. Because of that, we are trying to sell as many goods as possible. So the pressure is on, and you have to go very fast ...

Zaki-Male-Nigeria-40

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Based on these pressures to meet orders amid increasing demand, Zaki implies that they contribute to poor day-to-day working conditions:

... in the factory, there are different kinds of temperatures, you have the freezer, the cold room, the chilled room, and normal temperatures ... The company doesn't provide you with special clothing, you have to provide clothing for yourself. But sometimes you're moving from one area to another for long periods of time ... sometimes you don't get chance to put on extra layers, so you're moving from normal temperature to freezing without extra layers ...

Zaki-Male-Nigeria-40

Zaki's reference to cold temperatures relates to workplace conditions that have been poorly managed, whereby employers could easily resolve them. However, from his first quote, employers/businesses are under significant (unexpected) pressure to fulfil their orders from buyers, especially during peak production times where orders are at their greatest and so pressure to meet this demand increases. This pressure means that some corners may be 'cut' and have harmful impacts on workers. Suppliers have frequently been known to pass on the costs and risks of production to their workforce due to external pressures to meet demand (Tombs and Whyte, 2015). The important point here is not that managers or employers are deliberately seeking to harm workers, but that industry demands result in oversights and/or poor judgement, because their over-riding priority is to fulfil contract obligations:

... we know what we can do with a given number of workers in order to meet a particular order. But if one of our buyers suddenly calls us and says that they want to double the order, the deadline for that order won't change, and we either meet it or risk losing their business ...

Gangmaster-1

This extract links with the assertion that buyers tend to place extra pressure on their suppliers when demand increases, which in turn means that suppliers must manage their costs and risks to remain competitive. Related to this pressure, the issue of health and safety is a key concern in the

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agri-food industry, due to its reliance on manual, physical work, which can be adversely affected by high-pressured supply network dynamics:

I saw one guy who cut his hand last week. He cut his hand really badly, very deep, his finger's not working ... because of no health and safety, there is no health and safety there ...

Behrouz-Male-Iran-26

While it is unrealistic to attribute every possible workplace injury to companies, previous work has nevertheless highlighted systemic omissions and neglect in the area of health and safety (Walters and James, 2009), suggesting that businesses can take a significantly more pro-active approach to prevent injuries. When questioned on the issue of health and safety practices, one employer acknowledged the agri-food industry's shortcomings in relation to supply network pressures:

... we try to make sure that new workers understand health and safety issues ... but we rely a lot on verbal communication and learning on the job for these kinds of things ... There's not always time to train people with these short notice contracts because that can easily divert half your workforce. If they're away training, they can't pick fruit or whatever the job is.

Gangmaster-1

Behrouz's injured co-worker stated that his injury was not reported to any authority apart from the company, but was dismissed as an unfortunate 'accident', which risks encouraging worker self-blame. Whether the incident was due to the company's poor safety standards, the worker's mistake, or some combination of both, he was still subject to physical harm in the context of a fast-paced workplace and demand for products. Such a harm perspective is useful to draw attention to cases that remain unreported, and demonstrates the real nature of such low-paid work in the agri-food industry.

In these cases, most worker participants did not feel that managers and employers were acting maliciously towards them, but suggested neglect and poor oversight due to the intense pressure

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associated with the need to meet orders and work quickly. These workplace experiences suggest 'routine' or embedded forms of harm that can easily be overlooked. Zaki and Behrouz describe practices that are physically harmful, either in the short- or long-term, especially when seen in the context of supply network pressures not necessarily of their or their employers' making. As noted above, although these experiences at first glance would seem to be easily resolved by employers being more pro-active, it is the external pressures that contribute to them overlooking workplace conditions, thereby highlighting that the harm here is more closely associated with 'oversights' or forms of neglect, rather than intentional harm.

Aside from the day-to-day impacts of these factors on migrant workers, most industry stakeholders highlighted the broader impacts of price pressures and competition. The following extract represents a key concern highlighted by stakeholders, primarily regarding how purchasing practices in longer supply networks can affect workers in other locations of these networks:

It's not a secret that purchasing practices are also instrumental in causing this problem, because these people [workers] are so far removed from the eyeline of the people making the decision, we think it's easier for them to press the button marked panic and say, well we need a last-minute response. And they might be seven stages away from the people who are actually going to have to work 16-hour days in order to deliver this product, because it saves money at this end of the operation ...

TradeUnion-Rep

The trade union representative suggests that dominant actors such as buyers are not necessarily aware of the impacts their decisions will have at the bottom-end of supply networks. Buyers may think they are responding rationally to business problems, and will not necessarily see the harmful effects of their decisions on workers, such as long work shifts or injuries that result from intense work. This issue begins to examine the problems with lengthy and complex supply networks, and suggests that such pressures influence individual responses to the demand for products, rather than being an exclusive problem of individual criminal actors. In relation to the trade union

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representative's point about complex supply networks, some suppliers outsource or subcontract their costs through 'labour supply networks'.

Labour supply network dynamics

The pressures generated by factors inherent to the agri-food industry, as well as business practices concerning demand for products, mean that costs and risks can be transferred down supply networks. Not only do suppliers face pressure to meet orders, but they may transfer this pressure to labour providers and workers in the form of flexible employment contracts and poor safety training. Participants indicated that supply network length was an important factor in relation to tackling labour exploitation. However, most stakeholders recognised that supply network 'length' can be interpreted in different ways. The below extract represents the most straightforward illustrative example provided of both global and domestic supply networks:

... longer or shorter chains, that can refer to distance from home and also the relationships that are in place. So for example, in a supply chain which supplies bananas from Ecuador, in some cases the supply network may be shorter than our supply chain of say, cabbages from Kent. In the sense that if we buy direct from a farm or plantation in South America, we've got that direct relationship and oversight with the plantation, we can do more. If we're dealing with some kind of import or agent, or middle men, then that becomes more difficult.

Buyer-1

From a global perspective, networks that extend over numerous countries face their own challenges, including logistics planning over extended areas and the potential for food manipulation or exploitative labour practices (Walters and James, 2009). However, Buyer-1 refers to the notion of labour supply, which can complicate network relationships, whether they extend over a local, national, or global level. Purchasing directly from suppliers over longer spatial distances can be more manageable when compared to purchasing through intermediaries over shorter distances, since buyers can apply direct pressure to their suppliers and growers to improve labour standards. This oversight is more problematic to manage if suppliers outsource their labour

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costs to intermediaries, since buyers may be unaware of subcontracting relationships, especially since many of them deal with numerous product streams and suppliers.

In the UK, the controversial notion of zero-hours contracts continues to dominate discussions around 'decent work' and labour conditions,⁽²⁾ especially since the Taylor Review highlighted casual contracts and the 'gig economy' (Taylor, 2017). Participants drew distinctions between flexible and permanent work – the below extract represents a worker who had the most recent experience of transitioning from a flexible to a permanent contract:

... most people are on zero-hours contracts, I'd say 70% are on this contract. They have some people who are on permanent contracts, so if they don't come in, or get sick, the company must pay those people, because they have a permanent contract. For example, they have a contract for 40, 48 hours a week. If they come in and the machine is not working, that is not their fault, the company still has to pay them. But for zero-hours contracts, they don't pay anything, they tell you to clock out and go home.

Navdar-Male-Syria-40

From an employer perspective, zero-hours contracts can be useful when demand for their services fluctuates, and they frequently turn to labour intermediaries who provide a 'reserve pool' of labour. While zero-hours contracts are a legal aspect of supply networks, they may result in harmful consequences for workers, including an over-reliance on employers, as well as long term insecurity and associated health problems (TUC, 2008). The employer participants adopted critical stances towards zero-hours contracts in line with limitations highlighted in the previous extract, yet seemed to recognise them as integral to their industry, as represented here:

... that would help our industry an awful lot if zero-hours contracts were scrapped. It's a disgusting thing, and we'd all be better, everything would be a lot better if you get rid of zero-hours ... Some people travel for miles, it takes them hours to get to the field to sign on, they get to work and they get told that we don't need you today. So they get put back on the bus, sent away and don't earn any wages. But if they don't turn up to say they're ready for work, they won't get used again ...

Gangmaster-2

In this case, Gangmaster-2 stated that his company used zero-hours contracts, but planned to take steps to reduce the insecurity associated with them, such as providing workers with a full day's pay even if their work fell short of this. However, more widely in supply network processes, flexible contracts risk becoming widespread to the extent that they are accepted as 'normal' industry practice, despite their harmful implications. This reliance on industry norms is not necessarily evidence of good practice, since industries may contain systemic problems that facilitate crime and harm (Gobert and Punch, 2003). These dynamics and influences are largely beyond the control of individual employers, even if they are willing to support workers and hold strong views against flexible contracts. The combination of food and labour supply networks, as well as socio-economic influences, brings into question what underlying processes may be occurring in order to enable exploitation, given that structural as well as individual factors arguably have a prominent role in this context.

Routinisation of corporate harm in agri-food industries

Referring back to Bloodworth's (2018) study, the issues raised in this analysis are not exclusive to migrant labour, but point to a collective vulnerability around low paid work and the 'gig economy' where temporary, flexible jobs are becoming increasingly typical within society. The neoliberal socio-economic conditions that have developed since the 1970s have included the diminishing role of trade unions, which can act as a bulwark against harm in the workplace (Scott, 2017). Simultaneously, there have been significant changes that have taken place in the global agri-food industry that have had an impact on its supply networks. These changes include the increasing dominance of multi-national retailers over small and medium-sized businesses, including farmers. For example, four of the UK's largest retailers now have approximately 75% of the overall UK food market share, which has reduced the number of smaller food businesses in the country (Geddes and Scott, 2010: 195).

From stakeholder participants, there was some indication that employers, managers and businesses do not want to see labour exploitation occurring in their supply networks, at least on

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an individual level. These considerations relate to the complexities of organisational decision making. As Vaughan (2007: 4) asserts, it is the 'meso-level', i.e. complex organisations, that make visible the ways in which macro-institutional forces beyond organisations (e.g. political-legal frameworks) join with micro-processes in order to affect individual decisions and actions. In this way, deviance becomes normalised in the context of organisational settings (Vaughan, 2007: 4). While individual business people may not want to see labour exploitation occurring, in practice individual 'voices' may become lost as part of wider decision-making processes. The company policy that emerges is therefore the outcome of several inputs, rather than a single individual's input: hence, policy is unlikely to represent the view of a single person (Gobert, 1994: 408).

These assumptions of organisational decision making suggest that the actions of organisations are more than the sum of individual actions. Fisse and Braithwaite (1988: 479) assert that while individual actors are important in organisational settings, organisations have 'manifest routines' which to some extent operate independently of individuals who 'flick the switches'. In other words, organisations are systems in their own right, not just the collective actions of individuals. Related to organisational routine, it is likely that employers become preoccupied with daily, routine tasks and business decisions to the extent that they are unaware of exploitative and harmful labour practices. Stakeholders tended to support this perspective, which was most explicitly phrased through the following extract:

I do think that every person deep down wants to not have exploitation in their supply chains, I don't think anyone wants that. But I think a lot of people get very focused on the facts of what they've got to do every day. They've got to please their shareholders, meet their orders, so that can kind of put blinkers up, because they're just in the mind frame of, this is what we've got to do, this is our role.

Buyer-2

In many cases, perpetrators of harmful practices are therefore typically 'normal people' who try to respond rationally to legitimate business concerns. Associated with these responses, criminologists have developed explanations for the dynamics of organisational decision making

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in facilitating crime and harm. Box (1984: 64) asserts that the combination of organisational goals and individual characteristics generate motivations to facilitate state-corporate crimes, especially where there are tensions between organisations and the environments in which they operate. These motivations are realised through a number of factors, including appropriate opportunities to facilitate the resulting harm (Box, 1984: 64), and considering risk of prosecution (Yeager, 2006: 29). Therefore, decision-making processes designed to resolve legitimate business challenges, which are influenced by organisational and broader market factors, frequently result in harmful consequences.

These organisational decision-making processes, in this case within the intense supply and demand mechanisms of agri-food supply networks, epitomise neoliberal approaches that can facilitate harm to workers. Sassen (2005) asserts that in the context of 'global cities', businesses that facilitate flows of information and capital are not tightly linked to national boundaries and national regulatory oversight, which arguably makes harm prevention in some supply networks problematic. In particular, the key functions of organisations and supply networks can become complex to the extent that they are outsourced to intermediaries, especially those subject to changing market dynamics (Sassen, 2005). Given the vast number of food products that cross borders, associated harmful labour practices are a matter of routine, rather than exceptional cases.

Conclusion

This paper has argued that agri-food network dynamics can facilitate a range of harmful labour practices, which revolve around the demand for products. It is the demand for products in supply networks, combined with complex organisational settings such as numerous layers of subcontracting and management decisions that encourage less accountability and more secrecy, that influence individual decision-making processes and so normalise deviance – in this case, harmful labour practices. These structural dynamics consist of factors inherent to food production, such as seasonality, tight profit margins, and, frequently, the dominance of buyers over suppliers. Suppliers may respond rationally to legitimate business pressures by outsourcing their costs to labour intermediaries, which can harm workers in the form of flexible contracts. Many of these

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practices do not occur simply due to 'rogue' employers. Instead, businesses respond to daily pressures in order to maintain their business interests, which can result in harm to workers. The structure of supply networks means that businesses may be required to cut corners in order to remain competitive. This complexity suggests that exploitation and harm is grounded in supply network dynamics and socio-economic factors, which facilitate individual experiences. As Lord et al. (2017) argue in the context of food fraud, analytical focus is needed not just on organised crime, but on the factors that shape the organisation of deviant practices, frequently through legitimate supply network processes.

The start of this paper acknowledged that if exploitation is conceptualised as a spectrum, the structural factors discussed can result in routine abuses, as well as more severe practices. Importantly, if less severe abuses such as underpayment and unfair dismissal are left unchecked, this can encourage more severe practices to develop, especially if workers tolerate such treatment and employers do not see regulatory repercussions (France, 2016). These routine abuses have implications for the broader exploitation spectrum, because they highlight the advantage of developing a stronger regulatory remit that would address less severe practices in order to prevent conditions from further deteriorating (*REMOVED*). Clearly there would be challenges in defining a wider range of harmful, illegal and criminal workplace and supply network practices. However, as Aubert (1952: 266) once argued in relation to the uncertainties of white-collar crimes, such problems cannot be resolved by trying to categorise them as 'crimes' or 'not crimes'; their ambiguous and controversial nature makes them sociologically relevant.

More broadly, aside from drawing attention to unreported or non-criminalised incidents on this exploitation continuum, a harm-based approach allows criminology to remain relevant in discussions on these controversial forms of harm, especially since it has been accused of neglecting 'grey areas' of study where connections between victims and perpetrators are not straightforward, or where there are no criminal convictions (Reiman, 1998; Scott, 2017). Therefore, when addressing harm, it is essential to examine meso and macro state-corporate structures as well as micro decision-making processes in order to move beyond individual blame for a relatively

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small number of heinous crimes. Adopting this approach will help to identify and assess harmful labour practices and their consequences across a range of sectors.

Notes

1. The intention is not to equal labour exploitation with harm, since they are distinct concepts (although there is sometimes overlap). Not all harmful behaviour is exploitative, since harms facilitated by corporations can result in numerous forms of violence (Gobert and Punch, 2003). Importantly, some would question whether all exploitation is necessarily harmful (Zwolinski and Wertheimer, 2017), especially if workers appear to benefit in relative terms, i.e. when compared to having no work, or for migrants, earning more than they would in their home countries.
2. In the UK, employers who use zero-hours contracts are not obliged to offer workers regular hours in a given week. Zero-hours contracts are becoming increasingly common across numerous economic sectors: the insecurity and low pay associated with them can cause significant anxiety and longer-term health problems (TUC 2008).

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