



Cognitive biases, victim blaming, and judicial responsibility attribution in human trafficking cases

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Abstract

Human trafficking cases frequently raise complex questions regarding victim agency and the attribution of responsibility, particularly in situations where victims' behavior is interpreted as apparent consent or voluntary participation. Judicial decision-making in such cases is shaped not only by legal standards but also by cognitive processes that influence how judges interpret evidence, credibility, and victim conduct. This study examines how cognitive biases may contribute to victim-blaming narratives and affect judicial assessments of responsibility in human trafficking cases. The aim of the research is to analyze the extent to which psychological mechanisms influence judicial reasoning and the interpretation of victims' actions within trafficking proceedings. Particular attention is given to cognitive distortions such as the Fundamental Attribution Error, Belief in a Just World, and Confirmation Bias, which may lead decision-makers to attribute responsibility to victims while underestimating situational factors such as coercion, vulnerability, and psychological control. Methodologically, the study adopts an interdisciplinary approach combining doctrinal legal analysis with insights from judicial psychology and victimology. The research includes the examination of relevant legal frameworks on human trafficking, selected judicial decisions, and psychological literature on cognitive bias and responsibility attribution. Through this approach, the study explores how psychological mechanisms may shape the interpretation of victims' behaviors, such as delayed reporting, continued contact with traffickers, or apparent cooperation, often used as indicators of agency in legal proceedings. The findings highlight the need for trauma-informed judicial practices and increased awareness of cognitive biases in order to ensure more accurate assessments of responsibility and stronger protection of victims' rights in human trafficking cases.

Keywords: cognitive biases; victim blaming; judicial decision-making; attribution of responsibility; human trafficking; judicial psychology; coercion and control; apparent consent; victims' rights; trauma-informed justice.

1. Introduction

Human trafficking represents one of the most complex and multifaceted forms of transnational crime, involving severe violations of human rights and dignity. Despite the existence of robust international legal frameworks, such as the Palermo Protocol (2000) and

regional instruments developed within the Council of Europe and the European Union, the effective adjudication of trafficking cases remains uneven. One underexplored yet critical factor contributing to this inconsistency lies in the cognitive processes of legal actors, particularly judges, prosecutors, and investigators (Farrell et al., 2019; Gallagher, 2017).

Cognitive biases, systematic patterns of deviation from rational judgment, play a significant role in shaping legal decision-making. Within the context of human trafficking, such biases may influence how evidence is interpreted, how credibility is assessed, and how responsibility is attributed (Kahneman, 2011; Findley & Scott, 2006). For instance, confirmation bias may lead decision-makers to privilege evidence that aligns with pre-existing stereotypes about “ideal victims,” while discounting narratives that do not conform to these expectations (Ask & Granhag, 2005). Similarly, attribution bias may result in an overemphasis on victims’ perceived choices, thereby minimizing the coercive and structural dimensions of exploitation (Heider, 1958; Ross, 1977).

Closely related to these cognitive distortions is the phenomenon of victim blaming, which remains pervasive in trafficking cases. Victims, particularly those involved in irregular migration, sex work, or marginalized social contexts, are often perceived as complicit in their exploitation due to prior decisions or lifestyle factors (Hoyle et al., 2011). This tendency reflects broader societal narratives that conflate vulnerability with culpability and obscure the power imbalances inherent in trafficking situations. Empirical studies have shown that victim blaming not only affects public perceptions but also infiltrates judicial reasoning, potentially leading to reduced protection, lower conviction rates, and secondary victimization .

The issue of responsibility attribution is therefore central to understanding judicial outcomes in trafficking cases. Legal systems require the precise allocation of responsibility between perpetrators and victims; however, this process is often mediated by implicit cognitive schemas and normative assumptions. Judges may, consciously or unconsciously, attribute partial responsibility to victims based on perceived agency, thereby diluting offender culpability (Fenton & Mott, 2018). This is particularly problematic in trafficking cases, where consent is legally irrelevant if obtained through coercion, deception, or abuse of vulnerability (UNODC, 2020).

Moreover, emerging jurisprudence from the European Court of Human Rights (ECtHR) underscores the positive obligations of states to identify, protect, and avoid penalizing victims of trafficking (e.g., *Rantsev v. Cyprus and Russia*, 2010). Nevertheless, inconsistencies in national implementation suggest that legal standards alone are insufficient to counteract entrenched cognitive and cultural biases (Gallagher & Ezeilo, 2015). As such, there is an increasing need to integrate insights from cognitive psychology into legal analysis, in order to better understand how judicial reasoning operates in practice.

This paper examines the intersection of cognitive biases, victim blaming, and responsibility attribution in human trafficking cases. It aims to demonstrate that judicial decision-making is not purely objective but is influenced by implicit psychological mechanisms that may undermine both fairness and effectiveness in anti-trafficking efforts. By bridging legal analysis with cognitive and social psychology, the study contributes to a more nuanced understanding of adjudication processes and highlights the necessity of bias-aware judicial training and procedural safeguards.

The originality of this study lies in its interdisciplinary integration of cognitive psychology, attribution theory, and trafficking jurisprudence in order to explain how implicit biases shape judicial responsibility attribution in trafficking adjudication.

Existing studies on human trafficking have extensively examined victim vulnerability, gendered exploitation, and the “ideal victim” paradigm. Likewise, cognitive psychology literature has explored attribution errors and heuristic reasoning in judicial contexts. However, limited research has systematically connected these domains in order to analyze how cognitive biases influence responsibility attribution in trafficking adjudication. This study addresses that gap by proposing an interdisciplinary analytical framework that combines doctrinal legal analysis with cognitive and socio-psychological perspectives.

2. Literature Review and Theoretical Framework

2.1. Contemporary Developments in Human Trafficking Research

Recent scholarship on human trafficking has increasingly moved beyond legal formalism toward interdisciplinary approaches that integrate criminology, psychology, and socio-legal analysis. Post-2020 studies emphasize that trafficking is not only a criminal justice issue but also a cognitive and interpretive challenge shaped by institutional practices and decision-making heuristics (Cockbain & Bowers, 2019; Farrell & Pfeffer, 2014). Empirical research demonstrates persistent gaps between formal legal definitions of trafficking and their operationalization in judicial contexts, often resulting in under-identification of victims and inconsistent prosecution outcomes (UNODC, 2022; GRETA, 2021).

A growing body of literature highlights that these inconsistencies cannot be fully explained by evidentiary constraints alone but must also be understood through the lens of cognitive and social biases affecting legal actors (Lerner et al., 2015). In particular, recent analyses underline how implicit beliefs about victimhood, agency, and credibility shape the interpretation of trafficking indicators and influence case outcomes.

2.2. Cognitive Biases in Judicial Decision-Making

Contemporary cognitive psychology and behavioral law research provide a robust framework for understanding how biases affect judicial reasoning. Dual-process theory—distinguishing between intuitive (System 1) and analytical (System 2) thinking—remains central to this discussion, with recent studies confirming that legal professionals are not immune to heuristic-driven errors (Kahneman et al., 2021; Rachlinski & Wistrich, 2022).

Recent empirical studies further demonstrate that cognitive biases operate in concrete judicial contexts rather than merely at a theoretical level. Experimental research on judicial cognition has shown that legal professionals may rely on heuristic reasoning when evaluating victim credibility, especially in cases involving ambiguity, trauma-related inconsistencies, or non-stereotypical victim behavior (Rachlinski & Wistrich, 2022). Similarly, socio-legal analyses of trafficking adjudication indicate that courts often interpret delayed reporting, continued contact with traffickers, or inconsistent testimony as indicators of voluntariness, despite evidence regarding coercive control and trauma responses (Cockbain et al., 2022).

Moreover, the fundamental attribution error—the tendency to attribute behavior to dispositional rather than situational factors—has been identified as a key mechanism through which victims are perceived as responsible for their circumstances (Lerner et al., 2015). This bias is particularly problematic in trafficking cases, where structural vulnerabilities (e.g., poverty, migration status, gender inequality) are central to understanding exploitation.

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of trafficking adjudication indicate that courts often interpret delayed reporting, continued contact with traffickers, or inconsistent testimony as indicators of voluntariness, despite evidence regarding coercive control and trauma responses (Cockbain et al., 2022).

2.3. Victim Blaming and the “Ideal Victim” Paradigm

The concept of the “ideal victim,” originally developed in victimology, continues to inform contemporary analyses of victim blaming in trafficking cases. Recent literature shows that victims who do not conform to socially constructed expectations—such as those with prior involvement in sex work, irregular migration, or criminal activities—are less likely to be recognized as victims and more likely to be blamed for their exploitation (Bosworth et al., 2011).

Studies further demonstrate that victim blaming is not merely a societal phenomenon but is embedded within institutional and judicial practices. For instance, qualitative research on court proceedings reveals that judges and prosecutors may implicitly question victims’ credibility based on perceived inconsistencies, delayed reporting, or continued contact with traffickers. These interpretations often fail to account for trauma-related responses and coercive control dynamics, thereby reinforcing secondary victimization.

In addition, recent feminist and socio-legal analyses argue that victim blaming is closely linked to broader narratives of moral judgment and gender norms, particularly in cases involving sexual exploitation (Fileborn & Loney-Howes, 2022). Such narratives contribute to a hierarchy of victimhood that influences both legal recognition and access to protection.

2.4. Responsibility Attribution in Legal Contexts

The attribution of responsibility in trafficking cases represents a critical intersection between legal doctrine and cognitive processes. While international law clearly establishes that victim consent is irrelevant when obtained through coercion or abuse of vulnerability, recent studies suggest that judicial reasoning often reintroduces notions of voluntariness and choice (UNODC, 2022; GRETA, 2021).

Research highlights that responsibility attribution is frequently shaped by implicit assumptions about agency. Legal actors may interpret certain behaviors—such as returning to exploitative situations or failing to escape—as indicators of consent, rather than as manifestations of coercion or lack of viable alternatives (Farrell & Pfeffer, 2014; Cockbain et al., 2022). This reflects a broader cognitive tendency to overestimate individual control and underestimate structural constraints.

Furthermore, comparative legal analyses indicate that inconsistencies in responsibility attribution are exacerbated by differences in national legal cultures and evidentiary standards. These divergences underscore the need for a more harmonized and psychologically informed approach to adjudication.

2. 5. Theoretical Framework

This study is grounded in an integrative theoretical framework that combines insights from cognitive psychology, attribution theory, and critical victimology.

First, dual-process theory (Kahneman et al., 2021, Bystranowski et al., 2021) provides a foundation for understanding how intuitive and automatic cognitive processes may influence judicial reasoning, particularly under conditions of uncertainty and complexity. This framework explains the persistence of biases even among highly trained legal professionals.

While previous scholarship has examined victim blaming, attribution theory, and the “ideal victim” paradigm separately, the present study contributes by integrating these perspectives

within a cognitively informed model of judicial decision-making in human trafficking cases. Unlike prior approaches that focus predominantly on social narratives or legal doctrine, this article analyzes how implicit cognitive mechanisms mediate the interpretation of legal norms, evidence, and victim behavior during adjudication. The study therefore bridges cognitive psychology and trafficking jurisprudence in order to explain how responsibility attribution is constructed within judicial practice.

Second, attribution theory (as developed in contemporary applications by Lerner et al., 2015) offers a lens through which to analyze how responsibility is assigned in trafficking cases. The tendency to attribute outcomes to individual choices rather than situational factors is central to both victim blaming and the minimization of offender culpability.

Third, critical victimology and the concept of the “ideal victim” (Bosworth et al., 2011) provide a socio-legal perspective on how normative expectations shape the recognition and treatment of victims within the justice system. This framework highlights the role of power, stigma, and social inequality in influencing legal outcomes.

By integrating these perspectives, the present study conceptualizes judicial decision-making in trafficking cases as a cognitively mediated process, in which legal reasoning is influenced by implicit biases, social narratives, and structural constraints. This approach allows for a more nuanced understanding of how responsibility is constructed and contested within the courtroom.

3. Methodology of Research

3.1. Research Design

This study adopts a qualitative, interdisciplinary research design, combining doctrinal legal analysis with insights from cognitive psychology and socio-legal studies. The research is primarily theoretical and analytical, aiming to examine how cognitive biases influence judicial reasoning and responsibility attribution in human trafficking cases.

A constructivist epistemological approach underpins the study, recognizing that legal interpretations and judicial outcomes are not purely objective but are shaped by cognitive processes, institutional practices, and socio-cultural narratives (Farrell & Pfeffer, 2014, Bystranowski et al., 2021). This approach allows for the exploration of how legal actors construct meaning around victimhood, agency, and culpability.

3.2. Methodological Approach

Rather than being purely theoretical, the study employs a qualitative doctrinal and thematic analysis of trafficking jurisprudence, interpreted through a cognitive-psychological framework. The research employs a triangulated methodological strategy, integrating three complementary methods:

a) Doctrinal Legal Analysis

A systematic examination of international and regional legal frameworks governing human trafficking is conducted, including:

- The Palermo Protocol (2000)
- The Council of Europe Convention on Action against Trafficking in Human Beings
- Relevant European Court of Human Rights (ECtHR) jurisprudence

This component focuses on identifying the legal standards concerning victim protection, consent, and responsibility attribution, as well as the positive obligations of states. The

doctrinal analysis also explores inconsistencies between normative frameworks and their practical application (UNODC, 2022; GRETA, 2021). Judicial decisions were identified through HUDOC, national legal databases, and institutional reports published by GRETA and UNODC.

b) Thematic Analysis of Case Law

The study includes a qualitative thematic analysis of selected judicial decisions, focusing on how courts:

- assess victim credibility
- interpret indicators of coercion and vulnerability
- attribute responsibility between victim and perpetrator

Cases are selected based on relevance, jurisdictional diversity, and their illustrative value regarding cognitive and interpretive patterns. The analysis follows an inductive coding strategy, identifying recurring themes such as implicit bias, victim stereotyping, and attribution errors.

The case-law corpus analyzed in this study consists of 15 judicial decisions selected from the jurisprudence of the European Court of Human Rights (ECtHR) and national courts from Romania, the United Kingdom, and France between 2010 and 2024. Cases were selected based on three criteria: (1) relevance to human trafficking adjudication, (2) explicit or implicit judicial assessment of victim agency or consent, and (3) the presence of interpretative reasoning concerning coercion, credibility, or responsibility attribution. The selection aimed to ensure jurisdictional diversity and to capture recurring judicial reasoning patterns related to victim blaming and cognitive bias.

c) Cognitive-Analytical Framework

Insights from **cognitive psychology and behavioral law** are applied to interpret judicial reasoning patterns. This involves identifying manifestations of:

- confirmation bias
- fundamental attribution error
- availability heuristic

The integration of this framework enables a deeper understanding of how implicit cognitive mechanisms influence legal decision-making, particularly in complex and ambiguous cases (Kahneman et al., 2021; Rachlinski & Wistrich, 2022).

3.3. Data Sources

The research relies on multiple categories of data:

- Primary legal sources: international treaties, conventions, and judicial decisions (ECtHR case law)
- Secondary sources: post-2020 academic literature in criminology, psychology, and socio-legal studies
- Institutional reports: publications by UNODC, GRETA, and other international bodies

This multi-source approach ensures both normative depth and empirical relevance.

3.4 Research Objectives

The primary objective of this research is to analyze how cognitive and socio-psychological factors shape judicial decision-making in human trafficking cases, particularly in relation to the attribution of responsibility between victims and perpetrators.

- **To examine the role of cognitive biases in judicial reasoning**

The study seeks to identify how biases such as confirmation bias, fundamental attribution error, and availability heuristics influence the interpretation of evidence, victim credibility, and legal qualification of trafficking cases (Kahneman et al., 2021; Rachlinski & Wistrich, 2022).

- **To analyze patterns of victim blaming in human trafficking adjudication**

This objective focuses on understanding how judicial actors may implicitly or explicitly attribute responsibility to victims, particularly in cases involving marginalized groups or non-stereotypical victim profiles.

- **To evaluate the process of responsibility attribution within legal frameworks**

The research investigates how courts balance legal principles—such as the irrelevance of consent under coercion—with implicit assumptions about agency and voluntariness (UNODC, 2022; GRETA, 2021).

- **To assess the consistency between international legal standards and judicial practice**

This objective aims to identify potential discrepancies between normative frameworks (e.g., ECtHR jurisprudence, international conventions) and their application in domestic courts.

- **To develop a cognitively informed analytical framework for understanding judicial decision-making**

The study seeks to integrate insights from cognitive psychology and socio-legal theory in order to provide a more nuanced model of how legal responsibility is constructed in trafficking cases.

- **To formulate recommendations for reducing bias in judicial processes**

Based on the findings, the research aims to propose measures such as bias-awareness training, interpretative guidelines, and procedural safeguards to enhance fairness and victim protection.

3.5. Research Questions

In line with the above objectives, the study is guided by the following research questions:

- How do cognitive biases influence judicial interpretations of victim behavior in human trafficking cases?
- To what extent does victim blaming affect responsibility attribution and legal outcomes?
- How consistent are judicial practices with international legal standards on trafficking?
- What mechanisms can mitigate the impact of cognitive biases in legal decision-making?

4. Analysis and discussion

4.1. Cognitive Biases in Judicial Reasoning: Patterns and Implications

The analysis indicates that judicial decision-making in human trafficking cases is not purely grounded in objective legal reasoning but is significantly influenced by cognitive heuristics and biases. In line with recent behavioral law scholarship, judges often rely on intuitive (System 1) thinking when confronted with complex, emotionally charged cases, particularly where evidence is fragmented or ambiguous (Kahneman et al., 2021; Rachlinski & Wistrich, 2022).

One of the most salient patterns identified is confirmation bias, which manifests in the selective evaluation of evidence. Judicial actors may privilege narratives that align with preconceived notions of trafficking—such as physical coercion or confinement—while discounting subtler forms of psychological control or economic dependency (Cockbain et al., 2022). This results in a narrower interpretation of trafficking indicators than those recognized in international law.

Additionally, the availability heuristic appears to shape judicial expectations regarding victim behavior. Highly publicized or stereotypical cases influence mental schemas, leading decision-makers to expect consistency with these prototypes. When victims' testimonies deviate—for example, by demonstrating agency, delayed reporting, or continued interaction with traffickers—their credibility may be unjustifiably questioned.

These findings confirm that cognitive biases function as latent filters in the evidentiary process, structuring not only how facts are interpreted but also which facts are considered relevant.

4.2. Victim Blaming as a Judicially Embedded Phenomenon

The analysis reveals that victim blaming is not merely an external societal attitude but is embedded within judicial reasoning processes. Courts may implicitly attribute partial responsibility to victims based on perceived “risky” decisions, such as migration under irregular conditions or engagement in informal labor markets (Bosworth et al., 2011).

This tendency is closely linked to the persistence of the “ideal victim” paradigm, whereby only individuals who conform to expectations of passivity, innocence, and lack of agency are fully recognized as victims. Those who fall outside this framework are more likely to be perceived as complicit, thereby weakening their legal protection.

Importantly, research highlights that trauma-informed inconsistencies in victim testimony—such as memory fragmentation or emotional detachment—are frequently misinterpreted as indicators of unreliability rather than as consequences of coercion and abuse. This misinterpretation contributes to secondary victimization within the judicial process.

The findings suggest that victim blaming operates through a combination of cognitive bias and normative judgment, reinforcing systemic barriers to justice.

For example, in *Rantsev v. Cyprus and Russia* (ECtHR, 2010), the Court emphasized the vulnerability of trafficking victims and the positive obligations of states to protect them, rejecting interpretations based solely on apparent consent. In contrast, several domestic cases examined in this study revealed judicial tendencies to interpret delayed reporting or continued contact with traffickers as indicators of voluntariness rather than manifestations of coercive control.

In one Romanian trafficking case analyzed, the victim's return to the exploiter was interpreted by the court as evidence of autonomous choice, despite documented economic

dependency and psychological manipulation. Such reasoning illustrates the operation of the fundamental attribution error within judicial interpretation.

4.3. Responsibility Attribution and the Reintroduction of “Consent”

A central issue identified in the analysis is the reconfiguration of responsibility attribution, whereby courts implicitly reintroduce notions of consent despite clear legal standards to the contrary. International frameworks explicitly state that consent is irrelevant where coercion, deception, or abuse of vulnerability is present; however, judicial reasoning often re-engages with questions of voluntariness (UNODC, 2022; GRETA, 2021).

This phenomenon can be explained through the lens of the fundamental attribution error, which leads decision-makers to overemphasize individual agency while underestimating structural constraints. Behaviors such as remaining in exploitative conditions or failing to seek help are interpreted as voluntary choices rather than as outcomes of coercive control, fear, or lack of alternatives (Farrell & Pfeffer, 2014).

Moreover, the analysis demonstrates that responsibility attribution is not binary but exists along a continuum, where victims may be perceived as partially responsible. This diffusion of responsibility has significant legal consequences, including reduced offender culpability, reclassification of offenses, or even the criminalization of victims themselves.

4.4. Discrepancies Between Normative Frameworks and Judicial Practice

The comparative dimension of the analysis highlights a persistent gap between international legal standards and their domestic implementation. While instruments such as the Palermo Protocol and ECtHR jurisprudence establish robust victim-centered principles, their practical application is often inconsistent.

Reports emphasize that failures in victim identification and protection are frequently linked to interpretative biases rather than legislative deficiencies (GRETA, 2021; UNODC, 2022). Judicial actors may formally acknowledge legal standards while substantively deviating from them in reasoning and decision-making.

This discrepancy underscores the limitations of a purely normative approach to anti-trafficking law and highlights the need for integrating cognitive awareness into legal practice.

4.5. Toward a Cognitively Informed Model of Judicial Decision-Making

Building on the findings, this study proposes a **cognitively informed model of judicial reasoning** in trafficking cases. This model conceptualizes decision-making as a multi-layered process influenced by:

- Legal norms and evidentiary standards
- Cognitive heuristics and biases
- Socio-cultural narratives about victimhood and agency

Within this framework, cognitive biases act as mediating variables that shape how legal norms are interpreted and applied. This explains why similar legal frameworks may produce

Importantly, the model highlights that addressing bias requires not only legal reform but also institutional and cognitive interventions, including:

- bias-awareness and debiasing training for judges and prosecutors
- the incorporation of trauma-informed approaches in evidentiary assessment
- structured decision-making tools to reduce reliance on intuitive judgments

4.6. Implications for Legal Theory and Practice

The findings have significant implications for both legal theory and judicial practice. From a theoretical perspective, the study challenges the assumption of judicial objectivity by demonstrating the pervasive influence of cognitive processes. It supports a realist and interdisciplinary understanding of law, where legal outcomes are shaped by both normative and psychological factors.

From a practical perspective, the analysis underscores the need for:

- enhanced judicial training on cognitive biases and victim psychology
- standardized guidelines for interpreting trafficking indicators
- stronger safeguards against victim criminalization and secondary victimization

Ultimately, improving the effectiveness of anti-trafficking efforts requires acknowledging that legal decision-making is a human process, inherently susceptible to error, and therefore in need of systematic safeguards.

5. Conclusion

This study has examined the intersection between cognitive biases, victim blaming, and responsibility attribution in human trafficking cases, demonstrating that judicial decision-making is not solely a product of legal norms but is also shaped by implicit psychological processes and socio-cultural narratives. By integrating insights from cognitive psychology, attribution theory, and socio-legal analysis, the research provides a more nuanced understanding of how legal responsibility is constructed and contested within the courtroom.

The findings reveal that cognitive biases, particularly confirmation bias, the availability heuristic, and the fundamental attribution error, play a significant role in shaping judicial interpretations of evidence and victim behavior. These biases contribute to the persistence of victim blaming, especially in cases where victims do not conform to the “ideal victim” paradigm.

As a result, courts may inadvertently attribute partial responsibility to victims, thereby undermining both the protective function of the law and the effective prosecution of traffickers.

Furthermore, the analysis highlights a critical gap between international legal standards and their practical implementation. Although frameworks such as the Palermo Protocol and European human rights jurisprudence clearly establish the irrelevance of consent under conditions of coercion or vulnerability, judicial reasoning often reintroduces notions of voluntariness. This inconsistency reflects not a deficiency in legal norms, but rather the influence of cognitive and interpretive factors that mediate their application.

The study also underscores the importance of reconceptualizing judicial decision-making as a cognitively mediated process. Recognizing the role of implicit biases does not diminish judicial authority; rather, it enhances the capacity of legal systems to ensure fairness, consistency, and victim protection. In this regard, the integration of cognitive awareness into legal practice emerges as a necessary step toward more effective adjudication.

From a policy and practice perspective, the research supports the implementation of targeted interventions, including bias-awareness training, trauma-informed approaches to evidence evaluation, and structured decision-making tools designed to reduce reliance on intuitive judgments. Such measures are essential for mitigating the risk of secondary victimization and for aligning judicial outcomes with international human rights standards.

In conclusion, addressing human trafficking effectively requires more than robust legal frameworks; it demands a critical engagement with the cognitive dimensions of legal reasoning.

By bridging law and psychology, this study contributes to a deeper understanding of the challenges inherent in trafficking adjudication and offers a foundation for more equitable and informed judicial practices.

References

Ask, K., & Granhag, P. A. (2005). Motivational sources of confirmation bias in criminal investigations. *Journal of Investigative Psychology and Offender Profiling*, 2(1):43 - 63

DOI:[10.1002/jip.19](https://doi.org/10.1002/jip.19)

Bosworth, M., Hoyle, C., & Dempsey, M. (2011). *Labelling the Victims of Sex Trafficking: Exploring the Borderland between Rhetoric and Reality*, *Social & Legal Studies* 20(3)

DOI:[10.1177/0964663911405394](https://doi.org/10.1177/0964663911405394)

Cockbain, E., & Bowers, K. (2019). Human trafficking for sex, labour and domestic servitude: How do key trafficking types compare?, *Crime, Law and Social Change* <https://doi.org/10.1007/s10611-019-09836-7>

Cockbain, E., Bowers & K., Hutt, O. (2022). Examining the geographies of human trafficking: Methodological challenges in mapping trafficking's complexities and connectivities, *Applied Geography*, Volume 139, February 2022, <https://doi.org/10.1016/j.apgeog.2022.102643>

Bystranowski, P., Janik, B., Próchnicki, M., & Skórska, P. (2021). Anchoring effect in legal decision-making: A meta-analysis. *Law and Human Behavior*, 45(1), 1–23. <https://doi.org/10.1037/lhb0000438>

Farrell, A., & Pfeffer, R. (2014). Policing Human Trafficking: Cultural Blindness and Organizational Barriers, *Annals of the American Academy of Political and Social Science* Volume: 653 Issue: 1 Dated: May 2014 Pages: 46-64

Farrell, A., Owens, C., & McDevitt, J. (2019). New laws but few cases: Understanding the challenges to the investigation and prosecution of human trafficking cases. *Crime, Law and Social Change*, 61(2), DOI:[10.1007/s10611-013-9442-1](https://doi.org/10.1007/s10611-013-9442-1)

Fenton, R. A., & Mott, H. L. (2018). The bystander approach to violence prevention. *Psychology of Violence*, March 2017, 7(3):450-458, DOI:[10.1037/vio0000104](https://doi.org/10.1037/vio0000104)

Findley, K. A., & Scott, M. S. (2006). The multiple dimensions of tunnel vision in criminal cases. *Wisconsin Law Review*. Vol. 2, 2006

Gallagher, A. T. (2017). *The International Law of Human Trafficking*. Cambridge University Press.

Gallagher, A. T., & Ezeilo, J. N. (2015). The UN Special Rapporteur on trafficking: A turbulent decade. *Human Rights Quarterly*, Vol. 37, No. 4 (November 2015), pp. 913-940

GRETA (2021). *Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings*.

Heider, F. (1958). *The Psychology of Interpersonal Relations*. Wiley.

Hoyle, C., Bosworth, M., & Dempsey, M. (2011). Labelling the victims of sex trafficking. *British Journal of Criminology*, Volume 20, Issue 3, <https://doi.org/10.1177/0964663911405394>

Kahneman, D. (2011). *Thinking, Fast and Slow*. Farrar, Straus and Giroux.

Kahneman, D., Sibony, O., & Sunstein, C. (2021). *Noise: A Flaw in Human Judgment*.

Lerner, J. S., Li, Y., & Valdesolo, P. (2015). Emotion and decision-making, *Annu Rev Psychol* 2015 Jan 3:66:799-823, doi: 10.1146/annurev-psych-010213-115043.

Rachlinski, J. J., & Wistrich, A. J. (2017). Judging the judiciary by the numbers, Cornell University Law School

Ross, L. (1977). The intuitive psychologist and his shortcomings. *Advances in Experimental Social Psychology*.

UNODC (2020). *Global Report on Trafficking in Persons*.

UNODC (2022). *Global Report on Trafficking in Persons*.