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INTRA-EU MIGRATION AND CRIME: A JIGSAW TO BE RECKONED WITH

Authors: Anika Ludwig^{1,2} & Derek Johnson²

¹ Gwilym Gibbon Unit for Public Policy, Nuffield College, Oxford University, 1 New Road, Oxford, OX1 1NF

² Northumbria University, Faculty of Engineering & Environment, Department of Geography, Ellison Building, Newcastle upon Tyne, NE1 8ST.

ABSTRACT:

The expansion of the EU has generated vast interest and debate about an alleged crime–migration nexus. The gradual disappearance of borders within the EU has created opportunities for easier people movement, and potentially for offenders to commit criminal offences in other countries. The authors have found that little work has been undertaken to understand the general nature of criminal activity by intra-EU migrant populations. Data on localised offending by foreign nationals can be used to inform intelligence by national and international police agencies, to generate effective cross-border information exchange, aid investigatory techniques and significantly inform crime reduction activity and policies. However, where such information is not collected and available for analysis within member states, informed knowledge within and between member states is difficult to achieve. In order to begin to address these discrepancies, the authors suggest a multi-disciplinary and mixed methods approach that seeks understanding at the EU level.

INTRODUCTION

The study of migration is a complex and diverse field of interdisciplinary enquiry and exploration, readily spanning global, regional, international, national or local scales of examination and impact. With academic, political, legal and public interests abundant across this diversity and linked with the inherent 'place' nature of migration, geography is left playing important roles within the migration environment.

Rystad (1992), exploring the history of migration, recognised that it must be considered as a permanent phenomenon rather than temporary in nature. He introduced 'intraregional' migration as migration within a limited geographical area (from less developed to better developed countries and regions), indicating a shift from more dominant transcontinental migration. At the time of his writing, significant instability existed within the USSR (as it was then known) and many eastern European countries, and predictions of future intraregional migration from eastern to western Europe were apparent, contrasting with the trend of intercontinental migratory patterns (Rystad, 1992).

It was during this time that the European Union (EU) (with 12 member states) and the Schengen agreement seeking border free movement for member populations had been developed but not enacted. Intraregional migration within Europe was nothing new, the need for developing labour markets after the Second World War had hit all countries hard and targeted immigration with relaxation of immigration rules was a tactic employed by many Western European countries. EU expansion and constantly improving technology impacting travel and communication stretched the parameters beyond any model and scale previously considered. By the mid-1990s inter-country travel was fast, cheap and reliable whilst the spatiality of communication was similarly expanding by booming technological advances.

The EU may be considered as presenting new political, legal and social issues to examine, upon which migratory impacts are equally complex. It was during the late 1980s/early 1990s that cross-border crime became an issue of EU focus. In 1995, Solomon identified a significant growing problem of organised crime within the EU, which he suggested would lead to "*the demise of the Union in economic and global markets*" (Solomom, 1995) unless a unified force was developed to tackle it; an issue receiving attention at that time through the development of Europol, the European Union's law enforcement agency.

To date the majority of work seeking understanding of the international nature of criminal activity has strongly focused on organised crime yet that term itself is contested and lacks a single agreed definition (Hall, 2010; Zoutendijk, 2010; Fijnaut and Paoli, 2014). Expansion of the geography of inter EU migration and crime in England by Johnson (2014) is provided by scaling up to a geographical level of enquiry encompassing four EU states so promoting wider geographical debate on the issue beyond the confines of singular country examination. As Hall (2010) discusses, crime that crosses national borders remains an area of geographical enquiry that, as yet, is far from substantive or a central theme. Few would doubt that migration is, and should be, a strong and diverse geography theme and here we attempt to further the link between two often diverse and somewhat singular themes with geographical perspectives that can enhance knowledge and understanding.

The research reported is part of a larger E.C. funded project within the 'Prevention of and Fight against Crime' programme, concerning the safe and timely exchange of information (DNA, fingerprints and vehicle registration data) between all EU member states (under the regulation of the Prüm legislation). Under this legislation, any EU member state is able to seek information from another member state on the basis that there has been some form of cross-border activity in relation to the criminal matter being investigated. This creates the investigatory tactic of bio-informatics seized from a crime scene/during an investigation being automatically searched within national databases of other member states and so identifying possible cross-border criminal activity and/or the identity of offenders in another country. With no statutory limitation on the nature of the crime under investigation it provides a 'transnational' aspect to offences which are often likely to be wholly localised in nature with no known international aspect (Johnson, 2014).

In this paper, specific reference will be made to France, Germany, Belgium and the Netherlands to illustrate specific discussion points demonstrating the potentially impactful issues at the macro national level. These four countries have been selected as initial foci points due to their direct influence in the larger E.C. research project from which this work is derived. This paper aims to move away from the exploration of organised crime and illegal migration but focuses on 'legal' intra-EU migration and crime, encouraging geographers input to knowledge generation on these linked themes.

INTRA-EU MIGRATION

The study and understanding of migration is challenging for geographers due to the range of geographic scales involved, inconsistent definitions and terminology applied, political agendas affected, and the incomparable and diverse sources of data encountered. Analysis of intra-EU migration is compounded by the free movement of member state nationals across the geography of the Union and within an area of shifting societal, political, policy and academic interest.

The increase in global travel and legitimate trading (of services, commodities and products) has affected the opportunities for illegal activities on a macro geographic scale and created opportunities for the movement of people for legitimate and illegitimate purposes. Within Europe, the free and unrestricted movement within and between EU member states has enhanced legitimate and illegitimate opportunities (Krings *et al.*, 2013). Freedom of movement by EU nationals has been extensively reported and discussed in detail over many years (Carrera, 2005; Ciupijus, 2011; Favell, 2011; Krings *et al.*, 2013; Ochel, 2010).

History provides context in terms of intra-EU migration. That history maps potential migration waves within the EU timeline, most predominantly from 2004 onwards, given that each accession provided nationalities with access to the core EU freedom of movement pillar. Table 1 provides that timeline, mapping EU expansion, geographical development and labelling of accession countries.

To note from this timeline is that the freedom of movement pillar became somewhat devolved from 2004 with restrictions implemented on Central and Eastern European (CEE) countries, the opening of the labour markets were postponed and access to welfare benefits was limited for a maximum of seven years. Accession rules to the EU have been fully examined by a number of authors over the years (Brücker, 2007; Brücker *et al.*, 2009; European Communities, 2003, 2005; Fihel *et al.*, 2006; Kancs and Kielyte, 2010), with the impact of migration flows appearing to be dependent, at least to some degree, upon restrictions pertaining to receiving member states (Boeri and Brücker, 2005; Desiderio, 2012; Geis *et al.*, 2008).

| Original member states: (1958) Belgium, France, Germany, Italy, Luxembourg, Netherlands | | | | | | | |
|--|--------|-------------------|------------------------------|---|-----------------|------------------------|---------|
| EU Enlargements | | | | | | | |
| 1973 | 1981 | 1986 | 1995 | 2004 | 2004 | 2007 | 2008 |
| Denmark Ireland U.K. | Greece | Portugal Spain | Austria Finland Sweden | Czech Republic Estonia Hungary Latvia Lithuania Poland Slovakia Slovenia | Cyprus Malta | Bulgaria Romania | Croatia |
| Label: EU15 | | | | Label: A8 ¹ | | Label: A2 ² | |
| Label: (Collectively) A10 | | | | | | | |

¹ All but the U.K., Ireland & Sweden imposed various interim restrictions on A8 nationals protecting internal labour and economic markets.

² Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Poland, Slovenia and Slovakia allowed the A2 unrestricted access. Majority imposed interim labour market/welfare restrictions. Spain initially allowed unrestricted access. In July 2011 it introduced restrictions for Romanian workers until the end of 2012, Italy lifted restrictions in January 2012.

Table 1: Timeline of the enlargement of the European Union

Traditional patterns of migration within the EU were generally South to North, with the Mediterranean countries such as Italy, Greece, Spain and Portugal being countries of emigration (Salt, 2001) and migrants moving to the North and West. More recently migration trends have changed (Kaczmarczyk *et al.*, 2012) and since 2004, the shape of intra-EU migration patterns has generally been from East to West (Favell, 2008). The countries receiving the largest numbers of intra- EU immigrants have been Germany, Spain, Italy and the UK (Eurostat, 2013).

Drivers for migration are well established in the literature and are commonly characterised in terms of push and pull, consisting of factors which attract immigration and factors that stimulate emigration (Lee, 1966). Pull factors determine the choice of destination country, whilst the decision to migrate is often linked to push factors. Migration theory provides evidence that a major pull factor for migration is employment and higher income. The GDP per capita (perceived as a good measure of economic development) is much lower in CEE countries (Kancs and Kielyte, 2010). Fihel *et al.* (2006), estimated that the GDP per capita in

Poland, Slovakia and other Baltic States was half the EU27 average creating serious earnings differentials and huge migration potential.

These difference in income have been a cause of concern for some EU15 governments, potentially leading to an excessive influx of workers and potentially depressing wages, causing unemployment, exploiting social security systems, and generating social tensions. In general, the economic impact of immigration on receiving labour markets depends on the scale of immigration flows, composition of the migrating population, and the functioning of the receiving economy (Zaiceva and Zimmermann, 2008). The need for skilled workers and the creative potential immigrants may possess has often outweighed arguments against migration. Studies of the economic impact of immigration in general conclude that it has a positive impact on the public finances (Dustmann *et al.*, 2008).

Western European countries are considered to have reaped economic benefits of immigration by gaining hard-working, relatively cheap labour, to fill jobs deemed unacceptable by many of the host country's population (Hardy, 2010). While powerful Western European countries have gained a workforce, including many who are highly educated or skilled, the countries they have left behind have been considered by some to have suffered 'brain drain', losing a large proportion of their most educated young people (Hardy, 2010; Wächter, 2006). The employment of these qualified migrants is usually in jobs at a lower level than their skills and education, often referred to as dirty, dangerous or dull jobs 'refused' by the natives (Recchi, 2009).

McCollum *et al.* (2013) stipulate that labour migration channels shape not only how workers migrate but also where they migrate to. The spatial selectivity of these mechanisms means that the propensity of workers to enter a migration channel varies across space. Geography plays an important role in determining the processes of selectivity that result in migrants from particular source regions doing particular jobs in specific destination regions (McCollum *et al.* 2013).

Despite the economic depression which has affected most of Europe over recent years, Eurostat – the statistical office of the European Union based in Luxembourg – provides data indicating that in 2011 approximately 3 million people migrated to one of the 27 EU member states (Eurostat, 2013), of which approximately 1.3 million immigrated within EU member states (Wong, 2013). There were also an estimated 20.7 million non-EU nationals residing in the EU

(4.1% of the EU28 population) (Triandafyllidou and Gropas, 2014). It is fully acknowledged that the expansion of the EU since 2004 has led to significant people movement in migratory terms but the integrity of migration data is questionable, an issue reflected upon by many (Collyer *et al.*, 2012; Johnson, 2014) and considered further within this paper.

MIGRATION AND CRIME

A comprehensive literature search has revealed less than 15 academically published studies with a tentative EU migration and crime emphasis. However the foci of these studies shows a great deal of variation, for example some compared rates of immigration and crime rates (Bell and Machin, 2011; Bianchi *et al.*, 2008; Chapin, 1997), others looked at crime rates by native and non-native offenders (Entorf and Larsen, 2004; Jaitman and Machin, 2013; Tournier, 1997) or investigated foreigners as a percentage of prison populations (Banks, 2011; Lynch and Simon, 1999; Solivetti, 2012). For countries hosting large numbers of immigrants, crime has been blamed on foreigners (in general, not just EU migrants) for many years (Solivetti, 2012).

This next section will explore some of the research on migration crime specific to each country that has been carried out. It will address policy and social implications of migration in France and Germany, global and cross-border issues in Europe and irregular and itinerant migrants in Belgium.

Policy and social considerations

After World War II, with a large population loss and a low birth-rate, France welcomed migrants to help rebuild the country. During this time, France saw a great influx of immigrants from Italy, Hungary, Spain and Portugal (fleeing communist regimes and military dictatorship), as well Latin America and Africa (taking advantage of successful independence movements) (Nationale de l'histoire de l'immigration, 2013). The foreign population doubled between 1946 and 1975, to 3.4 million (Wong, 2013). Increasing concern that irregular migration and employment were harmful for the French economy meant that regularisation of foreign nationals was suspended in 1982. The French government linked seasonal foreign workers as a potential contributor to illegal migration and work and changes were implemented in 1984.

The issue of immigration became highly politicised in France, since the rise of the far-right National Front, which portrayed “*immigrants as a threat to French national identity, living off state hand-outs, fuelling crime and creating a climate of insecurity and even subversion*” (Marthaler, 2008). Political disposition has continued to control attitudes towards immigration in recent years. With each presidency and differing economic conditions, immigration policies have become more restrictive, despite the aging population and demand in certain industries (construction, public work, hospitality) (Wong, 2013).

During his political career Nicolas Sarkozy passed three immigration laws. The first, in 2003 (Loi 2003-119: The Control of Immigration, the Residence of Aliens in France and Nationality’) sought to restrict illegal immigration by increasing deportation targets. The second (Loi 2006-911) concerned ‘Immigration and Integration’ and was passed in the wake of rioting in 2005 originating in a suburb of Paris and said to concern the integration (or lack) of Arab, North African, and black French second-generation immigrants (Marthaler, 2008). Emphasis in the statute was placed on selective rather than imposed immigration to reflect France’s economic requirements of the time and resulted in the introduction of a three-year residence permit called the “*skills and talents permit*” (Marthaler, 2008).

Ironically the third piece of legislation, the Immigration, Integration and Nationality Act 2011, specified that non-EU nationals ‘*staying illegally in France, if intercepted, are subject to removal within 30 days of notification*’ resulted in international condemnation when it became evident that France was willing to deport even EU nationals from France. After a major presidential campaign speech by Sarkozy linking Roma migrants to crime in 2010, French officials were given the authority via a ‘*circulaire of the ministry of the interior*’ to dismantle over 300 makeshift Roma communities and camps and deport their residents to native Bulgaria and Romania (Huda, 2012). By September 2010, it is estimated that more than 8,000 Roma had been deported for the official reason of having “*overstayed their three month entry permits*” (Schain, 2011). Legal discussion has questioned the truth of this assertion.

France today has one of the highest proportions of immigrant descendants in Europe – a large proportion of which are Muslims of Maghreb and sub-Sahara African origin. However, there is no ethnically-based statistical data on these trends, as French politics and policy approaches strongly subscribe to the principle of egalitarian treatment and the government does not record the ethnicities or national origins of citizens (Collett and Petrovic, 2014).

Germany has always had a rich history of migration. Before the early 1990s immigrants from Turkey and the former Yugoslavia made up the majority of European migrants. Immigrants from developing countries in Africa and Asia have “*constituted substantial proportions*” of immigrants, and since the breakdown of the Iron Curtain migrants from CEE have added to the “*ethnic and cultural diversity of immigration populations in Germany*” (Albrecht, 1997).

Germany has been an important destination country for many migrants. In the 1960s and 1970s, Germany heavily recruited guest-workers (Gastarbeiter) from South and Southeast Europe in response to the labour shortage. The other type of migrants hailed from central and eastern European countries (Poland, Romania, the former Soviet Union) in the form of ‘aussiedler’ (German nationals and people of German origin who emigrated from central and eastern Europe to Germany) or ‘übersiedler’ (East Germans who emigrated from the former GDR to West Germany) (Hönekopp, 1997). It is estimated that approximately 90% of ‘aussiedler’ are recognised as German citizens and have unrestricted access to the German labour market and social welfare (Hönekopp, 1997).

Germany has also experienced a distinctive immigration phenomenon concerning ‘ethnic’ Germans, whose ancestors emigrated to Poland, Russia or Romania. These individuals are entitled to re-naturalise (if German heritage can be proven) and it is estimated that over two million re-naturalisations occurred since 1968 (Statistisches Bundesamt, 1992). By 2005, it was estimated that Germany’s population had increased by 5% due to the 3 million ethnic Germans who immigrated back to the country (Piopiunik and Ruhose, 2014).

Historically, migrants have come from Poland, Romania and the former Soviet Union and have been offered special employment opportunities which permitted them to find temporary employment in Germany on one of five specialised packages: project tied work (work for duration of contract), seasonal work (work between three and nine months a year), border commuters (for Polish or Czech residents living within 50km of Germany border, commute daily), guest workers (allows young people to learn new skills or enhance their knowledge through work stays), and foreign nurses (Hönekopp, 1997).

[CONCLUDING PARAGRAPH NEEDED]

Irregulars and Itinerants

Since the late 1990s, Belgian law enforcement agencies have noticed an increasing number of offenders who are engaging in property crimes, but with higher levels of mobility (Dupuis 2004). These groups have been labelled 'itinerant crime groups'. After half a decade of fine-tuning, the phenomenon was defined and recorded in Belgian criminal policy. These groups were assigned key features such as systematic offending in groups involving individuals from Eastern European origin and operating from the main Belgian cities or abroad (Daele, 2008; Daele *et al.*, 2008).

Investigating itinerant crime groups, Daele and Beken (2010a) chose to identify Eastern European offenders as a separate group (the others being: 'Belgian' nationality and 'other' nationalities). They included nationals from what used to be the Eastern Bloc, including the former Soviet republics and the Soviet satellite states, but also including the countries that were covered by the Federal Republic of Yugoslavia and Albania (Daele and Beken, 2010a, b).

Overall Daele and Beken (2010a) found that offences committed by Belgian offenders followed the classical distance decay curve where more than 60% of offences were committed less than 10km from home. However, Eastern European offenders produced a very different distance decay curve. Only 32.3% committed their offences close to home, while 14.7% and 9% committed offences in the second and third distance categories. The distance travelled on crime trips among these Eastern European offenders was nearly double that of other offenders.

It is estimated that these groups are responsible for about 25% of all property crimes in Belgium (Ponsaers, 2004). Organised property crime by these groups is raising concern not only in Belgium, but also in some of its neighbouring countries, under a variety of names. In The Netherlands, France and Germany they are labelled, respectively, 'mobile banditism' (Huisman and Laan, 2005), 'itinerant crime' and 'Eastern European criminal groups' (Dortans, 2007). In each of these countries a defining element of these groups is that they systematically commit property offences.

Global and cross-border factors

Considering migration as a global phenomenon, this research is interested in the link between migration and crime at a macro geographic level. There has been increasing political and media interest in the relationship between immigration and crime (Alonso-Borrego and Vazquez,

2012). The question of whether migrants commit more crimes than residents has been explored to some degree in literature, but scholarly reflection on this issue has not kept pace with developments on the ground (Favell and Hansen, 2002). Much of the previous academic focus has been on ‘organised crime’ and illegal migration (Daele, 2008; Edwards and Gill, 2002; Lampe, 2008; Smit, 2011; Solomom, 1995).

Allum and Sands (2004) state that as well as being home to traditional organised crime (e.g. the Italian Mafia), the EU “*has now also become the centre of activity*” for new criminal activity and that recent developments (the single European market, the opening of borders and the single currency), have facilitated the growth and spread of organised crime. In 1995, Solomon stated that “*organized crime is growing at an exponential rate throughout the European Union*” (pg. 623) and that traditional crimes (e.g. drug trafficking, money laundering) had expanded to include human trafficking amongst other things.

There are a number of circumstances which favour the development of large-scale organised criminal activities in eastern Europe (e.g. the privatisation of state-owned property, the reduced size of the army, the new economic and political system and the new trade routes created after the restriction on travel) (Aromaa, 1998). As a consequence, the number and volume of criminal organisations has rapidly grown, and their activity has become increasingly transnational (Adamoli, 2000).

In the international framework of organised crime, central and eastern European criminal organisations present an increasingly serious threat because of their rapid expansion and the large amount of illicit proceeds they produce (e.g. trafficking in drugs, artefacts, stolen cars, arms and trafficking in women and children for the purpose of exploiting them for prostitution) (Adamoli, 2000). In addition to these, other forms of organised crime linked to the transition to a market economy have rapidly developed: tax evasion, illicit activities in the privatisation process, infiltration of the legal economy by criminal elements, bribery, counterfeiting, extortion and, lastly, money laundering (Savona and Adamoli, 1996).

A number of other studies have looked at the link between legal migration within the EU and the potential with crime has been carried out with varying degrees of success. Solivetti (2012) reports on various European studies which have found that although the immigrants share in crime figures varies by country, on average immigrant crime rates are two to four times higher

than the rest of society. Bianchi *et al.* (2012) examined the relationship between crime and immigration in Italy and estimated that a 1% increase in migrants could be associated with a 0.1% increase in total crime. This effect was found to occur most strongly for property crimes, especially robberies and thefts. Bianchi *et al.* (2012) examined reported crime across Italian provinces and concluded that “*neither the overall crime rate nor the numbers of most types of criminal offences are significantly related to the size of the immigrant population*” (pg. 1342). They raised questions concerning the perception of the crime-migration concept in current society.

Alonso-Borrego and Vazquez (2012) studied the nexus between global migrant groups and crime in Spain, noting the political and public concerns but also that there was a distinct correlation between the two over the preceding decade. In the UK, Bell and Machin carried out a number of studies examining the relationship between migration and crime (Bell *et al.*, 2013; Bell and Machin, 2011). Using two different immigration groups – asylum seekers from the late 1990s and early 2000s, and migrants from the 2004 EU accession countries (the A8) – they examined the impact of migration on violent and property crimes (Bell *et al.*, 2013). They found no significant effects between either of these migrant groups and violent crime rates, however a “*modestly positive*” correlation between asylum seekers and property crimes and a “*significantly negative*” correlation between A8 and property crimes (Bell *et al.*, 2013).

Current migration data has identified that migrants use informal networks to determine and facilitate destinations for migrations (Benton and Petrovic, 2013; McCollum *et al.*, 2013). Knowledge of and communication with individuals already in destination countries has been shown to be a driver for migrants to leave their country of origin (Bleahu 2004; Pinkster 2007; Engbersen *et al.*, 2013). The “*presence of established ethnic enclaves*” provides important safety barriers and networks, buffering the stress of migration (Stansfield, 2015). Consequently, intra-EU migration is influenced by the existing network of migrants across the EU. Subsequently, it is not difficult to consider that this network may provide a mechanism to develop affiliations across a number of different member states which could potentially be exploited for unlawful trade or more serious activities (e.g. organised criminal activity).

DISCUSSION

Understanding migration is a constant challenge for geographers, comprising as it does of a range of geographic scales (from the micro to the macro), diverse interest areas of both policy and academic impact and a complex array of (usually poor) data collection methodologies and availability. Application of enquiry to intra-EU migration issues compounds the data collection concern given the free movement of member state nationals across the geography of the Union but is also an area of shifting societal, political, policy and academic interest and impact.

Generally it is understood and widely accepted that migration is not a new phenomenon and poses a number of diverse interest areas and research questions to be answered. The connection between immigration and crime has been posited by many media and social commentators in the past decade. However, this key economic and societal question has only been sparsely covered by academic literature. Previous work has focused on the 'illegal' or 'organised' aspect of the problem. Work carried out on an intra-EU level, where the migration is legal, is very limited. Consequently, work on migration and crime across the EU has been contained in scale to country level or smaller.

Investigating ethnic German immigrants, Piopiunik and Ruhose (2014) explored the "*exogenous allocation of ethnic German immigrants across regions*" of Germany and found a correlation between immigration and the overall crime rate – the inflow of one ethnic German immigrant per 1,000 inhabitants increased the total crime by 0.88%. These effects were dependent on a number of the socio-economic conditions of the receiving region (the impact was stronger in regions with a high pre-existing crime rate), and varied by crime type – immigration had a strong impact on burglary and property damage, but no effect on street crime (Piopiunik and Ruhose, 2014). These effects were also dependent on the socio-economic conditions of the receiving region and the impact of ethnic German immigration crime was stronger in regions with a high pre-existing crime rate (Piopiunik and Ruhose 2014).

Aoki and Todo (2009) used cross-departmental data in France and found conflicting results. A high share of immigrants in the population did appear to correlate with high crime rates, however, when controlled for economic factors this correlation became insignificant and they concluded that "*immigrants are not 'inherently' more likely to commit crimes than the rest of the population*" (Aoki and Todo 2009, pg. 7). [Unemployed immigrants are more likely to commit crimes than unemployed natives, Aiko and Todo \(2009\) stipulate due to the differences](#)

in immigrants' circumstances. Therefore, policies that improve the economic circumstances of immigrants may go a long way to lowering crime rates.

Even with just these examples, it quickly becomes evident that the study of migration and crime is not only difficult to undertake, but also difficult to analyse and make sense of. Studies have mainly looked at small samples of an ethnic group in a single country and have included some analysis regarding the country of origin of the immigrants in those countries. There is no real understanding of migration and crime in relation to the current situation within the EU. In this respect geography has much to offer given the established links with inter-EU migration and ethnicity, gender, labour, economics and ultimately place to name but a few.

Good data on both migration and crime are hard to find, many countries do not publish detailed information relating to foreign offending beyond a national level (Ludwig and Marshall, 2015). Statistics published on migration are usually "*deprived of information on their spatial (regional) origin or destination*" and researchers try to estimate patterns using other demographic data (Kupiszewska *et al.*, 2010). Data relating to foreign nationals and crime are even harder to obtain, especially if the initial movement is not recorded. This is because administrative databases have not been designed primarily for statistical purposes and academic research, and are consequently imperfect sources of information (Kupiszewska *et al.*, 2010).

The classification and counting of nationals and foreign nationals is commonplace across Europe (Geis *et al.*, 2011). Nationality is often regarded as the most appropriate means of measuring migration and international mobility. However, within EU member states, further distinction is made between the 'EU citizen' (an intermediary term), the 'national' and the 'genuine foreigner' (Jacobs and Rea, 2012). Such distinction remains somewhat complex to consider given that a citizen from an EU member state has a specific category of being an 'EU citizen' and therefore access to free movement and public services of the member state visited or domiciled in whilst all persons, regardless of citizenship/nationality or other factor, have fundamental human rights provided by the European Convention of Human Rights.

The categorisation of ethnic status using either nationality or country of birth requires consideration when carrying out cross-national comparisons, as one individual may have one nationality (e.g. Belgian) but their country of birth may be a different country (e.g. Poland). Countries across the EU differ in their naturalization policies and in how naturalized citizens

are classified. Countries such as Sweden, France and the Netherlands have readily allowed naturalisation of foreigners so comparisons between ‘citizens’ and ‘non-citizens’ is difficult to complete, however countries like Germany have “*been less open to naturalization, and the citizen/foreigner distinction is sharper*” (Tonry, 1997). This distinction is particularly blurred for nationals of other EU member states as such distinctions are no longer important and the free movement of labour, access to social benefits, and general equality within other EU member states is freely available to these nationals.

As stated by Bondt (2014) “*academic initiatives tasked to compile as much comparable crime statistics as possible are limited by the available data*”. There is a no real understanding of the knowledge gap in criminal justice in relation to the fourth pillar of the EU. The inherent complexities and the lack of (high integrity) publicly available data are well documented (Bell *et al.*, 2013; Kupiszewska and Nowok, 2008). In order to begin to address these discrepancies, the authors suggest a multi-disciplinary approach is required that seeks understanding at the macro geographic level of the EU rather than simply focusing on developing a national understanding. Unveiling geographic patterns of migration, crime and cross-border activity in Europe informs strategic policy decision-making at the EU level, outside the global focus on organized crime (van Renterghem, 2014).

The entanglement of the nature of ‘place’ in human activity is integral to geography and clearly place is inherent to understanding migration given that it involves human movement. As Herbert concludes in his early 1989 introduction to *The Geography of Crime* the focused geographers interest in space and place has much to enhance the study of crime whilst LeBeau, some 20 years later outlines the upward trajectory of this sub-topic of geography due to many reasons and states: “*...but among the most important the geographical and spatial analysis of crime and the criminal justice system does matter.*” Currently the importance of place from the geographer’s perspective in the study of migration and crime at the cross-EU macro level is lacking.

CONCLUSION

Most Western countries face challenging policy issues related to racial and ethnic disparities in offending and justice system processing and are wrestling with other issues relating to immigration and foreign minorities (Tournier, 1997). Data enabling cross-national

comparisons with respect to this issue are particularly hard to locate. Indeed, many nations simply do not, on a regular basis, break down their aggregate crime statistics by immigration status or ethnicity. Thus, the data we do have typically produces many more questions than it answers (Wortley, 2009).

The gradual disappearance of border controls within the EU has created opportunities for easier people movement, and potentially for offenders to commit criminal offences in other countries. The 'transnational' nature of offending is bound to increase as more and more countries join the EU, and the 'borderless' regions increase. Data on localised offending by foreign nationals can be used to inform intelligence by national and international police agencies, to generate effective cross-border information exchange. However, where such information is not collected and available for analysis within member states, informed knowledge between member states is difficult to achieve. Data is needed upon which requirements for inter-state communication can be built for positive investigatory, community safety and crime prevention benefits (Johnson, 2014).

Limited academic input to the understanding of inter EU immigration related crime has taken place. Studies have tended to follow one of only two avenues of exploration; evaluation of migratory impact on national crime or individual studies of topics within the sometimes contested and ambiguous label of 'organised crime' (Johnson, 2014). The authors have intended to highlight the lack of understanding regarding intra-EU migration and crime by demonstrating the limited publicly available data and the inherent complexities relating to this field of study. Further research across as opposed to within EU member states using multi-disciplinary and mixed methods approaches are suggested in order to begin to develop an understanding at a wider level (e.g. across the European Union) rather than continued restrictive attention on developing a national understanding.

There is a clear need, in the modern technological, transnational society, for better data availability in this field. International policies "*could be informed by a better understanding of the geography of immigration at the national, regional, and local levels, which is itself reliant on a better understanding of the data sets available and discrepancies between them*" (Harris et al. 2015).

Although the primary subject of the project from which this paper is sourced was the expansion of biological data sharing across the EU, aspects of place and space are important at a number

of different levels. That data sharing was driven by legislation across the E.U. (with participation open to non-EU states within the single market ~~bar a handful of non-signatory Member States~~) and so sought policy and operational development within a diverse range of Member States' Criminal Justice Systems. Macro (EU wide) legislation leads to meso (country) and micro (local) level needs for policy development but the geography of the impact and nature of criminal activity undertaken by inter EU migrants needs much further research to gain synthesised understanding at all levels. Wilson (2009) presented the original hypothesis that intra-EU migrant crime may show spatial clustering correlated with logistical factors of national and inter-EU frameworks such as primary travel routes and economically attractive locations. This work has been built on by Johnson (2014), Ludwig (2014), Jeuniaux (2014) and Bernasco *et al.* (2014). The production of networks of criminal activity by Jeuniaux has helped build a picture of intra-EU cross-state criminal contact using the newly developed national DNA database in Belgium. Whilst Bernasco *et al.* (2014) developed a cartography of DNA hits between the Netherlands and the EU, establishing transnational spatial patterns of offending predominantly indicating high rates of activities in border regions. Johnson (2014) has displayed spatial clustering at a meso level, potentially linking with employment opportunity in England; and Ludwig (2014) identified the highly significant data uncertainty when trying to paint a macro cross-member state picture of the intra-EU migration and crime issue, providing limited knowledge generation opportunities without multi-disciplinary cooperation on an international level. The importance of understanding the general nature of criminal activity by intra-EU migrant populations is beginning to be realised but is yet to mature to full appreciation. EU wide spatial uncertainty of migrant criminal activity is apparent through the poor integrity of available data. Uncertainty is magnified as we go down the scales of enquiry but when synthesised the current knowledge base reveals indicators of inter-EU criminal activity affecting all three levels but demanding different approaches of enquiry. EU wide data collection can paint a macro picture, although data collection consistency is a significant issue as outlined in this paper. Member States collect country wide data so again can paint a picture but data aggregation loses detail. Micro level geographical perspectives of place and space become visible, particularly in border regions, but the macro level analysis limits micro level knowledge generation.

- Good governance fundamentally demands good data and within the governance of the multi-Member State EU system good data must also be comparable across Member State boundaries in order to properly inform decisions, policies, planning, resources and priorities with cross-Member State impacts. However secondary data cannot fully

inform this position and a mixed methods approach encapsulating and synthesising information collection and analysis from the local to macro is now needed. An EU wide situation needs synthesised understanding of the place and space nature of inter EU migrant criminal behavioural activity.

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