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COMMENT: Is cross-border crime a factor binding the UK to the EU?

Invited to give the closing presentation at a recent international conference, I thanked the organisers, the Belgian National Institute for Criminalistics and Criminology, for bringing together criminal justice professionals with legal scholars, crime scientists, geographers and social scientists to discuss how to strengthen responses to cross-border crime.

By organising a more diverse gathering than is usual at such events, conference discussions had frequently challenged conventional opinions. It is not always recognised that strengthening human rights within the criminal

investigation may also improve the effectiveness of law enforcement cooperation. The recent EU Directive requiring improvements in the information disclosed by national police and judicial authorities to potential suspects, if introduced effectively throughout Europe, should greatly reduce the risk of error – with the wrong person suspected and a search for the real perpetrator being abandoned - in such circumstances.

I also commented about incomplete accounts offered by some UK newspapers and politicians of the measures being taken by forensic scientists to avoid reporting ‘false positives’ (an incorrect match of DNA recovered at the crime scene match with the DNA profile of a known individual, including sometimes from a foreign database) to prosecutors. Regrettably these remarks were prophetic. *The Times* front page about a week later led with an article misleadingly entitled ‘Secret talks to give EU powers over policing’. It gave the impression that nothing was being done to weed-out ‘false positives’ and did not mention EU-wide measures to improve the information that has to be provided to potential suspects.

During the conference Belgian, Dutch, French and British experts, including colleagues from Northumbria, unveiled new crime mapping research. The improvements in international cooperation now being seen in individual cases and the biometric mapping of the spatial and socio-economic dimensions of certain crimes that this can reveal could prove to be the most significant step for improving the capability of the police to respond to many criminal offences - ranging from murder to burglary - since the introduction of forensic DNA analysis some two decades ago.

The research results discussed at the conference were from an early stage of a single research project and are subject to significant caveats about different national forensic DNA laws, capabilities and anti-contamination measures in individual countries, the fact that this technique will apply to a minority of reported crimes (but a significant range of crime- from murder to burglary or theft from cars) and contamination risks at crime scenes. This work, however, may well reveal current trends in both domestic and cross-border crime that could really improve ‘intelligence led policing’.

Also, if such analyses reveal a very clear relationship between comparative prosperity and the location of cross-border crime, this would cast doubt on the wisdom of any attempt to decouple participation in the ‘Single market’ from criminal justice cooperation between the national police and judicial

authorities of EU member states and national adherence to a common Human Rights framework. Certainly we heard at the conference how Swiss criminal justice professionals have been arguing that their country should follow the example of Norway by asking to join the EU arrangements for the exchange of forensic bioinformation.

Perhaps cross-border crime will come to be seen as a factor binding the UK to the EU? We may increasingly come to understand the European Union as a facilitator for national governments to cooperate over initiatives that combine more effective law enforcement with a stronger respect for Human Rights?

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Published Northumbria research on the conference issues includes:
Tim Wilson (2009) '*Forensic Science and the Internationalisation of Policing*' in Fraser, J. G. and Williams, R. (Eds.) '*Handbook of Forensic Science*' (Cullompton: Willan Publishing)

Derek Johnson (2014) '*E.U. Migrant Criminal Activity: Exploring Spatial Diversity and Volume of Criminal Activity Attributed to Inter EU Migrants in England*', '*Applied Geography*' vol. 50 pp. 48-62

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