



University of Oxford's Centre on Migration, Policy and Society (COMPAS)

REQUEST FOR EXPRESSIONS OF INTEREST

External research consultant(s) on “safe reporting of crime” for migrants with irregular status

Posting Date:	23 October 2018
Deadline for Applications:	15 November 2018
Duration:	December 2018 – March 2019
Type of contract:	External consultancy
Remuneration:	2,500 GBP (Great Britain Pound)

Overview:

The University of Oxford's Centre on Migration, Policy and Society (COMPAS) is looking for four (4) external consultants to contribute to a research project on “safe reporting of crime for victims and witnesses with irregular immigration status in Europe”. Each consultant will be commissioned to research and write a short, national report on the state of the art of policies and legislation impacting on the possibility for migrants with irregular status to safely report crime to law enforcement authorities without incurring the risk of deportation proceedings. The national reports will also inform on relevant practices of local law enforcement authorities, and on the legal and policy opportunities and obstacles to implementing local practices facilitating access to crime reporting. Each report will focus on a different European country to be selected (4 in total) amongst the following countries: Belgium, France, Germany, Ireland, Italy, the Netherlands, Poland, Spain and the United Kingdom (‘countries of focus’).

The reports are to be drafted in the period between December 2018 and March 2019.

These consultancies relate to a project of the Global Exchange on Migration and Diversity, the learning-exchange arm of COMPAS (<https://www.compas.ox.ac.uk/engagement/global-exchange/>). COMPAS is a multi-disciplinary centre, based in the School of Anthropology and





Museum Ethnography (www.anthro.ox.ac.uk), part of the Social Sciences Division (<http://www.socsci.ox.ac.uk>) of the University of Oxford. Established in 2003, COMPAS conducts high quality research, develops theory and facilitates knowledge exchange in the field of migration (www.compas.ox.ac.uk).

About the project:

The consultancies relate to a one-year project researching “safe reporting” of crime for victims and witnesses with irregular status in the USA and in Europe; assessing the legal and political “transferability” of “firewall” practices across different countries, including the replicability in Europe of any aspects of US “sanctuary” policies; and facilitating knowledge-exchange between stakeholders in Europe and the US, including policy makers, law enforcement and local authorities, migrant and victims organisations.

To do so, COMPAS will produce a report on the legal and political framework that enabled the development of “firewalling” measures for crime reporting in the USA. In parallel, the four external consultants will produce four reports on the legal and political framework on crime reporting and irregular migrants in four European countries (see below “about the commissioned reports” for details). Building on the findings in the USA and in Europe, COMPAS will then produce a study assessing the legal and political “replicability” of any US national and local practices and policies (including “sanctuary city” ordinances) in European contexts. The reports and the final study will be discussed at a final working conference with European and US policymakers and stakeholders in July 2019.

Background information:

Migrants with irregular status are generally fearful of interacting with law enforcement authorities and reporting the crime they suffer or witness, as they fear being identified for immigration deportation purposes. As a consequence, irregular migrants can become the easy prey of criminals, they cannot access protection and justice, and crime perpetrators are not known to the police or prosecuted. This translates into the risk of an increase in crime and in the lack of crucial intelligence for law enforcement authorities from parts of the diaspora community. In order to encourage reporting of crime by irregular migrants, ‘firewall’ practices have been designed at national and local level in the US and Europe to ensure that witnesses and victims of crime with irregular status do not display their immigration condition when reporting a crime, or are otherwise protected from deportation on grounds of their immigration status as a consequence of reporting crime to the police.

In the USA, both national lawmakers and local authorities have developed longstanding and extensive ‘firewall’ policies and practices to promote crime reporting. These include the adoption of federal legislation allowing the issuance of visas for victims of crime and



informants (the S, T and U visas), and the municipal ordinances of US ‘Sanctuary cities’, generally preventing local police bodies from inquiring (“don’t ask”) or transferring (“don’t tell”) the information on the immigration status of victims and/or witnesses of crime to immigration enforcement authorities. Other local initiatives include the issuance of local identification cards allowing identification with local police without displaying the card-holder’s immigration status. In the European Union (EU), ‘firewalls’ for irregular migrants wishing to report a crime are less developed, yet there is increasing interest in the development of such measures for crime victims. The legislations of the EU and its Member States have been introducing special visas for victims of specific types of crime (such as domestic violence or trafficking), although subject to conditions restricting their use. At EU level, the Victims Directive (Directive 2012/29/EU) required Member States to provide rights and protective measures for victims of crime irrespective of their migration status. Within the Council of Europe, General Policy Recommendation 16 of the European Commission against Racism and Intolerance (ECRI) explicitly recommended Member States to adopt firewalls ensuring access to services and protection for migrants with irregular status. Examples of local practices encouraging “safe reporting” in Europe are far less common and known than in the USA, yet not absent, as in the case of the “free in, free out” policy in the Netherlands.

This project explores law, policy and practices at the national and local level on crime reporting in the USA and in Europe; whether lessons, for European stakeholders can be learnt from federal, state and local experiences in the USA; and assesses the legal and political “replicability” of any relevant experiences from the USA in European contexts.

Responsibilities of the consultants

Under the overall coordination of the Senior Researcher responsible for the project, the deliverables of each consultant will be:

- Researching and authoring a short report (about 10,000 words) on the legal and policy framework on “safe reporting of crime” for irregular migrants in their country of focus. It is expected that the preparation of the report will be based mainly on desk research, but also on a limited number of interviews with stakeholders (for more information see below “about the commissioned reports”).
- Agreeing research priorities, methodology, and deadlines with the Senior Researcher responsible for the project.
- Reporting on initial findings to the Senior Researcher responsible for the project.
- Integrating suggestions for revisions and make the required clarifications prior to the receipt of final payment.
- Identification of relevant national and local stakeholders (policy makers, local authorities, police bodies and civil society) who could learn from the study, and provide their contact details for the final working conference of the project.

About the commissioned reports:

Each consultant will provide a short report (about 10,000 words) on the legal and political framework on “safe reporting of crime” for migrants with irregular status in a different European country (to be selected amongst Belgium, France, Germany, Ireland, Italy, the Netherlands, Poland, Spain and the United Kingdom).

The reports are expected to:

- Report on existing legislation, policy and practices, at national and local level, relevant to “safe reporting of crime” by irregular migrants; and broadly assess the effectiveness of any measures intended to facilitate it, whether in general or in relation to particular kinds of offence.
- Report on the implementation of the EU Victims Directive in their country of focus in relation to the rights of victims with irregular migration status.
- Assess the potential of policy reform in the area of crime reporting for irregular migrants.
- Following coordination with the Senior Researcher responsible for the project, identify the key legal and political aspects that would permit or prevent the adoption of local practices expanding the opportunities for “safe reporting” of crime.

Selection criteria

The consultants will be selected on the basis of a) their professional profile; and b) a two-page research proposal outlining their methodology, explaining why their country of focus should be prioritised, and demonstrating their knowledge of the topic,

A) PROFESSIONAL PROFILE:

The professional profile of the consultants will be evaluated based on: their professional experience (criterion I); expertise on the law and policy of the subject area in Europe and in their country of focus (criterion II); and track record (criterion III).

In particular, we are looking for consultants with the following profile:

- Expertise/Education in law, criminology, political sciences, sociology, migration studies or other relevant discipline.
- Experience in researching irregular immigration, and or/or criminology in Europe and in their country of focus.
- Specific thematic expertise on irregular immigration, and/or reporting of crime, access to justice for irregular migrants, criminal justice and the organisation of law

enforcement in Europe and in their country of focus.

- Publication record and familiarity with the existing literature and research on the subject area and in the field of irregular migration and criminology in Europe and in their country of focus.
- Fluency in English and in the language of their country of focus.

B) RESEARCH PROPOSAL:

Research proposals will be evaluated on the basis of, the proposed method and timeline, (criterion IV); on the strength of the reasons given to prioritise their country of focus (criterion V) and on the knowledge it demonstrates of the topic (criterion VI).

To this end, we require interested parties to submit a research proposal (no more than two pages) briefly:

- Outlining the proposed methodology, specifying the amount of time dedicated to desk and empirical research; and a time schedule (no more than one page)
- Explaining the reasons why their country of focus should be prioritised. The four countries will be selected amongst the following: Belgium, France, Germany, Ireland, Italy, the Netherlands, Poland, Spain and the United Kingdom. The reasons given will be evaluated vis-à-vis their strength in arguing that there is potential for the adoption of reforms or local practices expanding the opportunities for reporting of crime in the specific country of focus.

When making their case on why their country of focus should be prioritised, parties are highly suggested to consider providing information on the questions below. Such information will be used for selecting parties focusing on countries with the highest potential for reforms and local initiatives on crime reporting; as well as for assessing the knowledge of the legal and policy framework of their country of focus in the subject area:

- *What is the state of play on the topic in your country of focus?*
- *Is irregular entry and/or stay a crime in the country?*
- *Is there in the country of focus a regulation or an official policy on the issue of reporting of crime for irregular migrants (e.g. visas for victims of crime or other legal tools)? Are there proposals to regulate the issue?*
- *Are there practices of local law enforcement authorities facilitating access to crime reporting for irregular migrants? Have there been attempts by local authorities to implement “sanctuary” policies for crime reporting (e.g. on the model of US sanctuary cities)?*
- *How is the EU Victims Directive being implemented in your country of focus vis-à-vis*

the rights of victims with irregular immigration status?

- *In your country of focus, is there a separation between ordinary police and immigration authorities? Are there general legal obligations on ordinary police to inquire or transfer the immigration information of the people interacting with them?*
- *Are ordinary police bodies dependent on/coordinated by national or sub-national authorities (e.g. municipalities, states, regions)?*

Remuneration:

Each final report will attract a total payment of 2,500 GBP payable on acceptance of the deliverable by the Senior Researcher.

How to apply

Interested parties should send their:

- CV
- Short cover letter explaining why they are suitable for the work
- research proposal (see above)

To: nicola.delvino@compas.ox.ac.uk. Please, write “EXPRESSION OF INTEREST - Consultancy on safe reporting of crime – YOUR NAME” in the subject line. The deadline for sending the expressions of interest is 15 November 2018. Only those parties selected for further discussion by skype will be contacted. Owing to the level of interest expected we regret that we will not respond directly to unsuccessful expressions of interest.

Timetable

Deadline for expressions of interest	15 November 2018
Skype call for feedback and final decision on the consultants by COMPAS-GEM.	19-30 November 2018
Research, consultation of relevant stakeholders, and drafting of reports	December 2018 - March 2019
Submission of first draft	1st March 2019
Continue work on paper on basis of COMPAS-GEM feedback	March 2019



Submission of final reports	End of March 2019
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