

Summary

Nuisances, local policy and labour migrants from Central and Eastern Europe

Results of a qualitative study

On 1 May 2007, the labour market has been opened for people from Central and Eastern Europe. These are the countries that have become members of the European Union as of 1 January 2004: Poland, the Czech Republic, Slovakia, Latvia, Estonia and Lithuania. The number of migrants from Central and Eastern Europe has sharply increased as a result of this opening. Figures from the Central Statistical Office show that at the beginning of 2007, at least 139,090 Central and Eastern Europeans were registered as an inhabitant (Municipal Basic Administration) or an employee (employee insurance agency UWV); at the beginning of 2012, this number had grown to 236,620. Furthermore, the figures show that the majority of migrants from Central and Eastern Europe have found employment in the Netherlands, and that most of them originate from Poland.

In general, Dutch employers have a positive view on the arrival of this new group of employees, since it now enables them to fill hard to fill vacancies. In this way, new labour migrants contribute to the growth of the Dutch economy. Beside these positive aspects, however, there are also negative aspects to the recent labour migration. Various municipalities have indicated that they face problems caused by the migrants' arrival. They point to the exploitation of labour migrants, both by malafide temporary employment agencies and by rack-renters. They also notice a frequent occurrence of nuisances and disturbances of the peace.

The Minister of Security and Justice has indicated that more attention must be paid to the nuisances and breaches of the peace within municipalities that can be linked to Central and Eastern European labour migrants. Although the responsibility for tackling this issue lies with the municipalities, the Minister of Security and Justice's policy agenda for 2012 states that 'the State, in collaboration with municipalities, will deal with nuisances caused by labour migrants in a goal-oriented manner, wherever needed with an increased use of the existing set of instruments' (TK 2011-2012, 33 000 VI, no. 2). To be able to do this effectively, the WODC has been commissioned to inventory the nature of the nuisances at the local level, as well as the policy pursued locally and the needs of municipalities.

Aim, research question and method

The aim of this study is to find out to what extent local governmental actors can handle existing competences and means to tackle nuisance issues related to labour migrants from Central and Eastern Europe. The question about the competences and instruments available to the municipalities to deal with this trouble is divided into three subquestions:

- What is the nature of the nuisance issues occurring in Dutch municipalities that are related to labour migrants from Central and Eastern Europe?
- How do local governmental actors deal with these issues? Which competences and means do they use to combat these problems?
- Do municipalities think there are gaps in the tackling of nuisance, and if they do so, what constitutes those gaps? Which competences or means do they miss / which issues cannot be dealt with adequately at this moment?

This study is primarily concerned with the experiences of local governmental actors and the operational strategies applied in local practice. We will not answer the ques-

tion about the scale of the nuisance problem in this study, nor will we discuss the question about the extent to which labour migrants from Central and Eastern Europe cause nuisances. So far, no hard figures are available on nuisance related to labour migrants from Central and Eastern Europe. The collection of such data requires a very different research set-up and falls outside the scope of this study.

We have selected ten municipalities for this study: the five big cities (G5), two medium-sized municipalities (30,000-60,000 inhabitants) and three small municipalities (<30,000 inhabitants). In this way, we have tried to map the variety in issues as thoroughly as possible.

The findings in this report are based on semi-structured interviews conducted with key informants (municipality officials, police, assistance) and on a content analysis of policy documents. Appendix 2 of this report provides an overview of the 92 key informants interviewed for this study. In addition to the interviews, we have conducted observations in ten municipalities in neighbourhoods and at locations where nuisances were supposed to occur. In most municipalities, these observations consisted of accompanying a police officer on the beat while having brief 'fieldwork conversations'. In one big city, we have also accompanied an Community Health Services (GGD) field worker. We have coded and analysed all interview records by means of the software programme MaxQDA, a programme developed for the processing and analysis of text files and qualitative research materials.

We have executed the greater part of this research before the National Police was installed in 2013. For this reason, we still use concepts from *before* this installation in this report.

Almost all of the police and municipality officials we have spoken to emphasized during their interview that the majority of the labour migrants from Central and Eastern Europe are doing fine and are not causing any nuisance issues. According to the interviewees, the nuisances discussed in this report pertain to only a small part of the labour migrants. The research question of this study, however, solely focuses on situations, circumstances and behaviours causing such trouble. It is important to emphasize here that these nuisance issues and circumstances are not representative of the entire group of Central and Eastern European labour migrants.

In this summary, we will deal with the research questions in two parts. In the first part, we will discuss nuisance issues and local policy related to residential areas (Chapters 2 and 3); in the second part (Chapter 4) we will focus on nuisance issues and local policy related to the homelessness of labour migrants from Central and Eastern Europe. We use this division because our research shows that the nuisances are roughly related to two types of circumstances. The first of these pertains to nuisance located in and around premises housing labour migrants from Central and Eastern Europe. The second type pertains to nuisance linked to homeless (labour) migrants from Central and Eastern Europe. Thus, two types of nuisances are involved that differ in nature and in the anti-nuisance policy coupled to it. For our division into chapters, we have therefore taken the difference between *residential nuisance* on the one hand and nuisance caused by *homelessness* on the other as our lead.

Residential areas, nuisance and local policy

The nature of the residential nuisance

Key informants invariably linked residential nuisance to the cramped housing of labour migrants from Central and Eastern Europe and to the letting per room of old,

thin-walled houses. These are premises and apartments housing too many people (overcrowdedness), and also cottages at recreation parks and old, badly maintained hotels where migrants reside. Sounds that cause a nuisance are mostly the 'noises of living'; sounds generated by a particular living rhythm and lifestyle and by an overcrowded house. Another form of residential nuisance mentioned by key informants in the majority of municipalities is the incorrect disposal of garbage. They primarily related residential nuisance to migrants who reside here temporarily and return home after a brief period of hard work. They feel little connection with the neighbourhood and often live in a room. In general, key informants did not connect permanently housed labour migrants to residential nuisance.

In addition, many interviewed key informants stated that troublesome behaviour is strongly related to excessive alcohol consumption of – especially – Polish labour migrants. Other problems mentioned by key informants in this context are drunk driving and unsafe driving behaviour. Another issue mentioned by interviewees in all small and some large municipalities is quarrels and acts of violence that now and then occur between labour migrants from Central and Eastern Europe at or around a house or recreation park. Although these are primarily quarrels and violent acts between labour migrants, and police officials stated that no other nationalities are involved, this may cause local residents or holiday-makers to feel unsafe.

Cramped housing and a lack of privacy were mentioned as factors that may cause labour migrants to take to the street in their spare time. When they meet in public space, they usually consume a lot of alcohol, interviewees stated. Nuisance caused by (loud) noises at squares, in playgrounds and parks near supermarkets may be the result, as well as pollution caused by dumped garbage.

In large cities, labour migrants from Central and Eastern Europe are often housed in neighbourhoods plagued by other social problems as well, such as unemployment, degradation of the residential environment and crime. In those urban neighbourhoods, nuisances are not a new phenomenon. The issues related to the arrival of a new group of (temporary) labour migrants can, however, put extra pressure on an already vulnerable neighbourhood and intensify existing livability problems.

In conclusion, in the context of residential nuisances, many of the interviewed key informants spoke about the abuse labour migrants suffer at the hands of landlords. They stated that, due to their vulnerable and dependent position, labour migrants run an increased risk of ending up in illegal and dangerous situations such as a fire trap.

Residential nuisance and the practice of local policy

In principle, the local approach to tackling residential nuisances caused by labour migrants from Central and Eastern Europe does not differ from the fight against nuisances caused by other groups. The specific characteristics of the housed EU migrants and their living conditions may be of influence, however, on the chosen approach or the consequences of the policy used.

House calls by the police (on the beat)

In practice, the police apply different operational strategies after a residential nuisance has been reported, depending on the situation encountered at the house and the practices developed by the police officer and within the police force. These may vary from talking, entering into an agreement or issuing a warning, to seizing the stereo, calling the employer or ordering visitors to leave the premises. Regular police powers – based on Article 3 of the Public Order Act – allow the police to make a noncommittal house call, obtain information about the nature of the nuisance and address people. According to the interviewees, part of the nuisances is put to an end by such a house call at that very moment. With regard to nuisances related to labour migrants from Central and Eastern Europe, two aspects interfere with address-

ing people at home: the possible intoxicated state of people present in the house where the nuisance is caused and the lack of a common spoken language.

Language

In several municipalities, actions have been undertaken to bridge the language barrier between police officers and labour migrants. As yet, local initiatives focus on the Polish language, since Polish labour migrants make up the large majority of the entire group of labour migrants from Central and Eastern Europe. Polish people have been trained as special criminal investigators, the police make use of Polish volunteers, information leaflets have been translated into Polish and information desks have been set up, complete with office hours. According to the interviewees, to gain a good grasp of the local rules and habits, it is essential to use the language of labour migrants, especially when migrants are involved who stay here temporary.

An alcohol ban and police action in the surrounding residential area

In all the municipalities under study, the town council has designated areas in which the consumption of alcohol has been banned through the general by-law (in Dutch: APV). In many municipalities, such areas already existed. In the context of residential nuisance, areas have recently also been designated in relation to trouble caused by the alcohol abuse of labour migrants from Central and Eastern Europe. This involves small playgrounds, parks and squares surrounding supermarkets. This ban on alcohol is enforced to varying degrees and used in different ways to combat the nuisance. Police officials from both cities and villages stated that, in general, no one is booked as long as no troublesome behaviour occurs. When people do display troublesome behaviour in public space because of their alcohol consumption, they are sometimes booked. We gathered from the interviews that booking is more usual in big cities, while it is a less obvious method in smaller municipalities. Regularly, there is not enough time to enforce the ban on alcohol, as the experience of police officials from various medium-sized and small municipalities showed. In such cases, officials point at other priorities. According to the interviewees, this may happen more frequently in the evenings and at night because then the police often have to come from another (larger) municipality, which usually results in long response times. In addition, the report of a nuisance often does not get priority in connection with other incidents occurring at the same time. When the local police are present in their 'own' municipality during an evening or night shift, they usually do respond to reports of a nuisance. In the following section, we will discuss the enforcement of the general by-law bans in the big cities in the context of the issue of homelessness.

House checks and intervention teams

In big cities, enforcement teams have been set up that track down residential violations and abuses such as residential nuisances, illegal room letting and fire risks. Complaints and reports about nuisances constitute the cause for an enforcement team to check a house. In smaller municipalities, these house checks are the responsibility of the department of enforcement and supervision. In all the municipalities, thematic checks have been carried out in addition to the checking of addresses about which reports had come in. Specific problems, neighbourhoods or target groups constitute the starting point for the selection of addresses.

Tolerance and legalization in smaller municipalities

When the police establish during a house check that rooms are inhabited illegally or that inhabitation is taking place in violation of the zoning plan (at recreation parks, industrial estates, in the village centres), municipalities often do not take action against it. At least, such is the case in the municipalities we have studied, as it emerged from interviews and policy documents. Because of the shortage in legal housing, the inhabitation of business premises is usually tolerated, as is the inhabi-

tation of rooms in single-family dwellings and of recreation parks. So far, the nuisance observed at recreation parks has not given the studied municipalities cause to tackle the inhabitation and enforce the zoning plan. Yet, a number of municipalities is in the process of developing new policy, which will enable them to deal with permanent inhabitation at recreation parks. Thematic house checks in smaller municipalities focus in particular on fire risks and other safety risks. These violations result in the use of municipal instruments for enforcement, such as an order for penalty payment or closing a premise (see further on). In addition, a number of smaller municipalities use thematic checks to obtain information for a trajectory aimed at legalizing (room) inhabitation in the future.

Tackling (illegal) room letting in the big cities

In the big cities, to end or curtail (illegal) room letting is a frequently used means to combat overcrowdedness and the residential nuisance ensuing from it. In practice, the three big cities contending with residential nuisance related to labour migrants from Central and Eastern Europe use the room letting licence ('extraction licence') as an instrument. Firstly, this is done preventively, by designating particular neighbourhoods that will be 'locked' with regard to room letting. In three large cities, the town council has designated neighbourhoods where a quota applies to the number of room letting licences issued. In practice, this means that no new licences are issued in those neighbourhoods for room letting to three or more people because the maximum has already been reached. Generally, this involves neighbourhoods with an old, cheap supply of houses and an accumulation of social problems, where the town council considers the livability to be under serious pressure.

Secondly, governmental enforcement instruments are used when, during house checks, more room inhabitants are found than the law allows. Such instruments are governmental restorative sanctions such as the (preventive) penalty and the administrative order. These primarily target the letters involved, not so much the renting labour migrants. Furthermore, municipalities also take punitive action against illegal room letters by imposing administrative fines. In three large cities, the administrative fine is used in 'more serious cases' of unlicensed room letting. When exactly a situation is considered 'more serious' differs per city.

Gap: no hold on the property owner when tackling illegal room letting

During the application of these municipal enforcement instruments a problem occurs, which municipal officials in all cities mentioned, that is, clarity about who the 'offender' is. In this context, the administrative fine and the penalty pertain to a violation of the Housing Act, which centres on establishing who the offender is. The property owner is not by definition the offender. When the property owner does not rent out the premises himself but puts out the building's management to somebody else, it may be difficult to gather information about the offender. As the experience of municipal officials from the three cities shows, many owners of a property where illegal room letting has been established are not inclined to cooperate in this gathering of information. Covering up (illegal) activities may be a reason for this. Enforcement teams in several large cities are of the opinion that the property owner should carry responsibility for illegal room letting, even if the premises' management has been put out. They argue that the property owner should be included in the Housing Act, obliging him to keep an eye on the way in which letters, tenants or managers use the house. This would also take away an opportunity for owners to screen themselves off from governmental action. At this moment, the property owner cannot be fined or given a penalty if he himself is not the letter. Nor can he be forced to put an end to the room letting. A stronger focus on the role of the property owner would make it simpler to deal with illegal letting activities being relocated when the same owner is involved.

Gap: no legal means to combat residential nuisance in case of legal room letting

When a residential nuisance is repeatedly reported while the room letting is licenced for the premises involved, municipalities are unable to retract this licence on the grounds of residential nuisance. The prevention of nuisance is not included in the licence as a condition. This gives rise to the question whether it is possible and advisable to include residential nuisance – its harmful effect on the neighbourhood's livability – as a precondition for issuing a licence for room letting. That would provide municipalities with an extra stick in case of residential nuisance caused by the inhabitants of a property where room letting has been licenced. Keeping in mind the large sums of money usually earned with renting out rooms, the threat of withdrawing the licence may be a means to make letters and property owners take more responsibility for the residential environment. In this way, the risk of losing a room letting licence may contribute to the duty to maintain the residential environment of a property.

Closing a property where residential nuisance occurs because of a fire risk

In most of the municipalities under study, one or a number of premises have been closed in recent years because of a fire risk, detected during the house check of a property where many labour migrants turned out to be living and about which local residents had complained. At these premises, serious residential nuisances occurred due to overcrowdedness, while a life-threatening situation was also found. With regard to extremely problematic premises, interviewees in small and large municipalities told us to prefer enforcing fire safety to enforcing for residential nuisance or enforcing the zoning plan. For closing a property, in principle, they can use the Victoria Act (Art 174a Municipalities Act). Yet, to use this Act, they need to prove that 'the public peace is seriously disturbed by behaviours displayed at the property'. A nuisance solely consisting of nuisance by noise is not enough cause to apply the Act; the disturbance needs to consist of a nuisance so serious that the safety and healthiness of the residential environment is under threat. In practice, municipalities usually choose to enforce fire safety when they want to close a property where people cause trouble, because they consider it simpler with respect to the onus of proof and legal procedure.

In (at least) one city, the detection of a life-threatening situation at a house results in principle not only in the closure of the property but also in the imposition of a criminal fine. The information collected about the property is then passed on to the Public Prosecution Service, where the possibility of criminal prosecution of the property owner is further investigated.

Gap: no administrative fine imposed on the property owner

Municipal officials from the large cities advocated the possibility of also imposing an additional administrative fine on property owners in such situations. At this moment, that is impossible since the administrative fine is only used when the Housing Allocation Act is violated, not when the Housing Act is breached. Yet, constructional failings and fire risks are dealt with by means of the Housing Act.

'Soft methods'

If a residential nuisance occurs involving labour migrants while the legal conditions have been met and no violations are established, the municipality has few means at its disposal to do something about the nuisance, as various police and municipal officials have stated. Such residential nuisance is not serious enough for other legal measures. Municipal officials told us they make use of 'soft methods' in such cases, their non-judicial means, to put a stop to the nuisance. They mentioned the use of police on the beat, talking to occupants, property owners and temporary employment agencies, and drawing up rules of conduct.

House rules of temporary employment agencies and recreation parks

Interviews with key informants revealed that temporary employment agencies – which also take care of their foreign employees' housing – use house rules for their tenants. Part of these rules pertains to the obligation to take care of the residential environment and to refrain from causing a nuisance to other people. Staff from the temporary employment agencies we interviewed employ a manager for each housing property or block who speaks the labour migrants' language; in the cases we studied this was Polish. These managers keep in close touch with the tenants and maintain order in and around the premises. Some temporary employment agencies work with a fining system. A violation of house rules may result in a fine that is immediately deducted from someone's salary. It is questionable, however, whether this is legal. In addition, to all of the temporary employment agencies applies that people who repeatedly breached the rules can lose their home and, as a consequence, their job as well. At the recreation parks we have studied, a similar regimen was in place. This is how the multiple dependency of labour migrants on the employer manifests itself: a loss of accommodation has direct consequences for one's position on the labour market and one's income.

Homelessness, nuisances and local policy

The nature of nuisances related to homelessness

For the time being, homelessness of labour migrants is chiefly concentrated in the big cities. For this reason, we have gathered our information about this subject in the five big cities selected for this study. Homeless people from Central and Eastern European countries end up out on the street for various reasons. There are labour migrants who have come to the Netherlands to work, which they have done. The work has ended unexpectedly or has become much less; because of the loss of income, it has become impossible to pay the rent and people have subsequently lost their home. Some labour migrants end up on the street and become homeless.

There are also migrants who already suffered from personal problems before they came to the Netherlands; most of them are addicted or have criminal antecedents. Almost all interviewees stated that a large part of the homeless people from Central and Eastern European countries has held a job in the Netherlands prior to becoming homeless. A risk observed in the policy field is that labour migrants who have just become homeless slip down further very rapidly into a hopeless life out in the streets, suffering from serious addiction issues.

Labour migrants who have come to the Netherlands from Europe do not have any 'regional ties', which excludes them in principle from the right to use existing day and night shelters for the homeless. At night many homeless migrants have to turn to the streets or some marginal place, such as a derelict building or a caravan. They do not have any sanitary facilities at their disposal, which results in the phenomenon of these people urinating and pooping in public.

During the day, many homeless people from Central and Eastern Europe hang out in or near the town centre; at squares, in parks and public gardens, in shopping areas and near outdoor cafés. Most of them use excessive amounts of alcohol, as almost all officials we interviewed about this topic have stated. The trouble they cause stems in large part from this excessive alcohol abuse in public space. It consists of public drunkenness, often combined with petty theft and with other irregularities such as aggressive or intimidating behaviour, begging, sleeping in doorways, personal filthiness, the consumption of alcohol where it is banned, and urinating in public. The theft mostly involves beer, wine and small food items being stolen from a supermarket.

General by-law bans and police action in urban public spaces

In the big cities, most of the troublesome behaviours have been included in the general by-law of municipalities. Beside an alcohol ban, general by-law bans in the big cities pertain to other behaviours in public space that are considered a nuisance, such as hanging about in doorways, sleeping in the public road, begging, urinating in public, et cetera. In principle, the police can thus take action against the nuisance caused by homeless migrants by booking them and by taking people to the police station for arraignment, questioning and determination of their identity.

Police officials from different municipalities stated that in the big cities, the police generally use booking in response to troublesome behaviour of homeless migrants in the streets. Since homeless people usually do not pay their fines, the police fall back on the possibilities of accumulating unpaid fines. This accumulation eventually allows them to arrest the people involved, for an unpaid fine can be converted into one or more days in prison. In addition, some cities are working with an EU 'top' of serious nuisance offenders and a person-oriented approach. In those cities, nuisance mutations and fines contribute to a trajectory in which the Immigration and Naturalization Service ultimately sends European migrants back to their countries of origin against their will. The non-specialized police in those municipalities is encouraged to book the offenders or make a note in case of a serious nuisance caused by homeless EU migrants. See further on, under 'Legally coerced return'.

Exclusion order

Furthermore, when tackling nuisances caused by homeless migrants, municipalities make use of the possibility of imposing an exclusion order on individual persons. Exclusion orders are imposed on homeless people who have been repeatedly fined for violation of the general by-law. Once people have an exclusion order but set foot in the off-limits area again anyway, they breach Article 184 of the Penal Code (failure to comply with an administrative order). This is a criminal offence, punishable by at most three months imprisonment, which provides more opportunities regarding legal action and custody. In practice, exclusion orders are thus used in two ways to combat nuisances caused by homeless EU migrants: preventively, by keeping people out of a particular area and repressively, by making use of the possibility of keeping people in custody a little longer.

Taking offenders to the police station

The decision to arrest homeless EU-migrants causing a nuisance and to take them to the police station depends on a number of factors. The first of these is whether someone's identity can be established. When homeless persons cannot show their identity card, they are usually taken to the police station. Secondly, people are arrested when they are causing a serious nuisance in combination with drunkenness, as the interviews with police officials from different cities revealed. If the offenders are expected to return to that same location to continue the nuisance throughout that day or evening, the police usually arrest them. Thirdly, many police officials do think it unwise to leave people behind in the street in a vulnerable, 'sloshed state'. As they stated, this is as bad for citizens' feeling of safety as it is for the health of the EU migrant. When they have been arrested, people can sober up at the police station, where they are given coffee and something to eat. The police are also responsible for keeping an eye on people's physical condition once they are inside the station. In this context, a frequently mentioned dilemma is that these arrests take so much time and capacity. In general, we have observed that the police also take on a care assignment when they respond to homeless EU migrants causing a nuisance. In these cases, the brief stay at the police station after the arrest can be seen as an alternative form of sheltering for homeless migrants.

Gap: no possibilities of a brief admission to a health care facility

More in general, the possibilities for the police and municipalities to do something against the nuisance caused by homeless migrants from Central and Eastern Europe are much more limited than those for troublesome Dutch homeless people. This last group can be admitted to an addiction clinic, has a right to stay in a night shelter and can use the broad range of sheltering facilities, such as social boarding-houses and projects for assisted living. Homeless people originating from the Netherlands are also in principle entitled to provisions provided by the local social services such as social security payment, coaching towards daytime activities and other reintegration projects. EU migrants who have been staying here for less than five years, who do not have a job or health insurance, do not have such rights. Because of this, it is also impossible to organize a 'time-out' in an addiction clinic for this group; a period during which people can reflect on what matters to them and can make choices about their future possibilities in a sober state. In several big cities, the police and the municipality experienced this as a lack. Police and municipal officials from the big cities advocated the possibility of a brief admission to an addiction clinic, which would improve their opportunities to address people and make them susceptible to a voluntary return to their country of origin, where a longer stay in a clinic is possible.

In practice, the lack of health care provisions leads to an extra deployment of the police and police means, as described in the paragraph above. This gives rise to the question whether the police are equipped for the care assignment they are now forced to take upon themselves. In the meantime, municipalities and the government have developed two trajectories to lead serious nuisance offenders from the EU back to their countries of origin. One trajectory focuses on a voluntary return, the other on a legally coerced return.

Voluntary return

In some cities, assistance and supervision during the voluntary return of (illegal) refugees and EU nationals to their countries of origin has already for some time been provided by the Community Health Services (GGD).

To improve the connection with the language and perceptions of homeless people from Poland and other Central and Eastern European countries, several cities have hired the Polish Barka foundation. This foundation makes contact with homeless people in the streets and offers them support in deciding to return to the country of origin where a homeless person is entitled to make use of care facilities. In Poland, Barka has addiction clinics and *communities* where addicted homeless people can live and work if they return to Poland. The foundation also keeps in contact with sister organizations in other Central and Eastern European countries, enabling them to lead non-Poles to assistance organizations and clinics as well.

The municipal and police officials in the three big cities we spoke to about the work done by Barka, were positive about the method used and its effect on the nuisance occurring in the street. Approaching people in their own language and through their own culture and offering them new perspectives, motivates people to leave their homelessness behind, as experience shows. From the spring of 2012 on, Barka staff has been active in three of the Dutch cities we studied. During 2012, they have led 192 people from these three cities back to their country of origin.

Legally coerced return

Simultaneously with the voluntary trajectory through Barka, a pilot has been started in the four big cities with the coerced deportation of serious nuisance offenders from EU countries. EU migrants' right to stay can be ended when people are unable to provide for themselves after three months. The pilot is based on this condition. This does not apply to people who have been working in the Netherlands for more than

a year. The trajectory is carried out by the Immigration and Naturalization Service and the aliens police. Municipalities and the police cooperate by exchanging information.

In practice, the aliens police carries out the investigation into persons causing a nuisance, based on information passed on by the police. In various cities, the police have made lists of people who qualify for deportation through this pilot. In four big cities, within one year (March 2012 - February 2013), the right of residence of 72 migrants from the EU who were causing a nuisance has been ended, of whom 60 people originated from Central and Eastern Europe (41 of them Poles) and 12 from Western Europe.

Municipal and police officials from the big cities emphasized that the combination of measures – support during a return that is either voluntary or legally coerced – can bring homeless people to seek refuge somewhere else. When it is made clear to people that they must meet basic requirements to be allowed to stay in the Netherlands, they are assumed to become more susceptible to assistance in realizing their voluntary return.

In conclusion

For the approach of residential nuisance caused by labour migrants from Central and Eastern Europe, municipal officials can generally manage well with the existing instruments at their disposal, as this study shows. Municipalities and the police seem to have effective instruments at their disposal to combat rack-renters and the nuisance associated with this practice. What is lacking are instruments to deal with the property owners in a goal-oriented manner. In addition, in the experience of police officials working in medium-sized and small municipalities, there sometimes is not enough time and manpower to undertake action against nuisance being caused in the streets of the nearby residential area. Furthermore, a part of the police officials were sceptical about the way in which residential nuisance is dealt with. They thought they could undertake very little against nuisance by noise caused in and around premises if legal conditions were met and no offences were observed.

With regard to nuisance caused by homeless labour migrants from Central and Eastern Europe, two points of particular interest are: the relatively large police capacity required to tackle nuisance problems in the big cities and the lack of possibilities to provide sufficient care. In practice, the lack of care facilities results in extra police deployment and an extra use of police means. In this respect, police and municipal officials from the big cities pointed out the importance of early intervention, to prevent migrants from Central and Eastern Europe from slipping into the serious issues of homelessness and addiction. According to interviewed key informants, structural instruments used recently by the municipalities and the government have resulted in the short in a decrease of the homelessness issue. In the meantime, a part of the homeless migrants from Central and Eastern Europe who were causing trouble have returned to their countries of origin, by means of social support and/or by means of legal coercion.

More in general, all kinds of initiatives have been started up at the local and national level to facilitate good housing and to combat exploitation and mala fide practices of employers. In the long run, this may limit the occasional structures that lead to residential nuisance or homelessness. The nuisance caused by labour migrants from Central and Eastern Europe is not static, however, but has a dynamic character. This means that the nuisance may become less or may resurface at another location because of policy, but it may also increase again, for instance when new people and new groups of labour migrants present themselves. When the borders will be opened up further for citizens from EU member states in 2014, it remains to be seen

which consequences this will have for the nature of the nuisance and for the combat against it. One might think of, for instance, the important role played by language in approaching people and the potentially obstructive effect of a language barrier, also in combating the nuisance.