



Inspectorate
Ministry of Justice and Security

Multi-annual programme for 2018-2020

Supervision that makes a difference



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Foreword

The Inspectorate of Justice and Security has been around for five years now. During this time the Inspectorate's supervisory field has expanded to include the complete domain of justice and security. As a result the Inspectorate now supervises a broad and diverse field in which more than 120,000 people are employed.

Besides the Inspectorate as an organisation, the supervisory field itself is also undergoing major change. Incidents with major societal impact are fuelling the public debate on the significance and role of supervision. Moreover the department-wide programme 'The Ministry of Justice and Security is changing' (JenV Verandert), the government standpoints expressed in the 'Instructions concerning State Inspectorates' (Aanwijzingen inzake Rijksinspecties) and the government response to the report 'Supervising Public Interests' (Toezien op publieke belangen) by the Netherlands Scientific Council for Government Policy (WRR) all demand clarity regarding the position of supervision.

Are we making the right choices with regard to supervision? Are our indications and warnings being received properly in the field of work? Can we continue to respond to societal and technological developments in an environment that is constantly changing? Is our supervision providing support for care providers and prison warders, for security regions and organisations in the migration chain as they work to contribute as well as possible to a safe and just society? Our fifth anniversary is a good moment to look both back and ahead and to consider the course for the coming years. In dialogue with our stakeholders, we have now determined this policy course for the coming years.

In concrete terms the policy course for 2018-2020 is expressed in four key elements: supervision aimed at societal tasks in chains and networks, regular reports on the state of the supervisory field, a clear role in incidents and a focus on the learning ability of organisations and chains. With this multi-annual programme we aim to contribute to an approach to the societal tasks within the domain of justice and security, generated in part by the recent coalition agreement.

I am proud of what we have already achieved, but I am also aware that we are still at the start of a new phase in the development of the Inspectorate. Independently and in contact with the outside world, we will continue to develop supervisory activities in the coming years. With this Multi-annual Programme for 2018-2020 we are taking the next step.

J.G. Bos
Head of the Inspectorate of Justice and Security



1

Reasons for the police course

1.1 Positioning of the Inspectorate

Five years of supervision within the domain of justice and security is a good moment to look back, but an even better moment to look ahead. The Inspectorate, known as the Inspectorate of Justice and Security (Inspection Justitie en Veiligheid) since the inauguration of the third Rutte government, was created in 2012 by a merger of the Inspectorate of Public Order and Security and the Inspectorate for the Implementation of Sanctions. In the years since then the supervisory domain of the Inspectorate has been expanded.

The Inspectorate of Justice and Security carries out its supervisory task in an independent and autonomous manner. The Inspectorate is a state inspectorate and comes under ministerial responsibility of the Minister of Justice and Security. In accordance with the 'Instructions concerning State Inspectorates', the Inspectorate itself determines which tasks it carries out, how it does this, and it arrives independently at its verdicts. Moreover, it is transparent about the results of the supervisory activities. The Inspectorate's assignment is described in Appendix I, Statutory Tasks. As set out in the organisation regulations of Justice and Security, the supervisory activities of the Inspectorate cover the complete domain belonging to the ministry.¹

The expansion of the Inspectorate's supervisory domain has also led to the growth of the Inspectorate as an organisation. This requires a re-examination of working methods and organisation structure. The new course is in line with the developmental phase of the Inspectorate, in which working methods and structure will be further streamlined.

1.2 Developments within the Ministry of Justice and Security

The justice and security domain is broad, involves extensive implementation and is politically vulnerable. A good system of checks and balances must serve to strengthen the learning ability and thus generate a higher basic quality of implementation and a reduced vulnerability at the outset. Due in part to this, the

¹ This with respect for the independence of the Public Prosecution Service (OM) and the judiciary.



ministry has begun the programme 'The Ministry of Justice and Security is changing'. This includes issues such as task-oriented working, a focus on networks and chains, internal contacts and contacts with the outside world. This programme will lead to the Inspectorate of Justice and Security bringing policy, implementation and supervision into better mutual balance.

Supervision makes clear what happens during implementation, indicates whether efforts are having the intended effect and also shows where this is not the case and why. The Inspectorate highlights successes, but also problems and risks. In this way it ensures that politicians and administrators can steer developments and if necessary also make adjustments. Thus the organisations that are responsible for policy, implementation and supervision act together to realise the societal tasks of the Ministry of Justice and Security and to respond to the strategic challenges. Each acts on the basis of its own role and responsibility, but also in connection with each other.

1.3 Developments in supervisory activities

In recent years the importance of proper supervision has increasingly been recognised. Two developments have proved particularly important for state inspectorates in recent years:

- In 2013 the Scientific Council for Government Policy² recommended all supervisory bodies to issue an annual 'sector status' report. Supervisory bodies are in the unique position of being able to indicate risks and threats to public interests at an early stage, and also to identify opportunities. This is the reflective function of supervision. In response to this, government has stated its intention to support this reflective function of supervision and to strengthen the role of supervisory bodies for the purpose of agenda-setting, preparation and evaluation of policy. The public interest remains a key issue for the supervisory bodies.
- In 2015 the 'Instructions from the Prime Minister for the State Inspectorates' (Aanwijzingen van de minister-president voor de rijksinspecties) were published. Here the Prime Minister reconfirmed the importance of the role of supervision for good policymaking and policy implementation, the importance of transparency and disclosure and he issued rules for guaranteeing the individual and independent area of freedom for State Inspectorates.

In the recent past the Inspectorate has already taken steps to bring its supervisory activities into line with these developments. In the following chapters, the Inspectorate indicates what the policy course involves, which initial steps the Inspectorate will be taking in the period 2018-2020 (multi-annual programme) and what this means for the modus operandi and organisation of the Inspectorate.

² Toezien op publieke belangen. Naar een verruimd perspectief op rijkssupervisie, 2013.



2

The police course

A professional supervisory body is aware of its environment. The Inspectorate has determined its course in a constructive and interactive dialogue with the organisations in the field and the responsible policy boards.

2.1 Essence of the course

The course mapped out by the Inspectorate of Justice and Security has four key elements:

- The Inspectorate promotes the learning ability of the organisations which it supervises.
- The Inspectorate focuses its supervision more on the functioning of chains and networks, taking the societal tasks of Justice and Security as its point of departure.
- The Inspectorate has a natural role in investigating incidents within the field of justice and security.
- The Inspectorate issues regular reviews of how the implementation is being carried out.

With these four key elements the Inspectorate aims to contribute to the success and results of the societal tasks for which the Ministry of Justice and Security is responsible.

2.2 The Inspectorate of Justice and Security promotes learning ability

With regard to the first key element the Inspectorate of Justice and Security aims to make an active contribution to (increasing) the learning ability of organisations. In the future the Inspectorate will also focus primarily on the quality of the task implementation. This means that the Inspectorate will increasingly seek the underlying reasons for shortcomings or risks, encourage good-quality internal investigations by the organisation itself, assess whether recommendations have been followed up and gear the level of supervision to the degree to which organisations are themselves demonstrably 'up to par'. The Inspectorate will



however intervene in cases involving sticking points or risks that require urgent attention.

Underlying reasons

In its investigations the Inspectorate gives priority to the 'why' question. If inspectors identify shortcomings or risks, they then seek the underlying reasons. Why has this happened? Here the Inspectorate also considers framework conditions such as equipment, operational management and governance. This enables the Inspectorate to make targeted recommendations and provides the requisite insight for policy and implementation.

Following up recommendations

In order to gain a good picture of the learning ability of organisations, the Inspectorate will investigate whether recommendations from previous studies have been followed up. If they have not, the inspectors will find out why that is the case. Do inhibiting factors exist? This way, the Inspectorate can also assess whether it can issue recommendations that can actually be taken up in terms of policy and implementation.

Demonstrably in control

The Inspectorate has confidence in the intrinsic motivation of professionals to carry out their tasks as well as possible. In order to realise this in practice, too, the Inspectorate expects organisations to arrange their own governance well, to have a good-quality policy and to set up a quality-control system that enables them to recognise where steering and adjustment is necessary. If the supervised body shows that it is operating in this manner and itself is of good quality, then the Inspectorate will adjust the intensity of its supervision accordingly. Positive experiences have now been gained with this modus operandi as applied to the supervision of police training.

2.3 The Inspectorate of Justice and Security focuses more on chains and networks

The Inspectorate is focusing more explicitly on the chains and networks that are active in the domain of justice and security. Indeed, the societal tasks in this context are often not the responsibility of just one organisation. More often this involves an approach in which many different organisations collaborate. They do this in chains (such as the migration or criminal justice chains) or in networks (such as Community Safety Partnerships). This also means that the Inspectorate is increasingly including task implementation by chain partners of Justice and Security in its supervision. By putting the focus on chains and networks it is possible to ensure cohesion in the supervision and it becomes clearer to the outside world that the supervision covers relevant aspects within various, often interrelated, topics. This can prevent repeated demands for supervision of separate topics or aspects.

Collaboration

The Inspectorate is often not the only party to conduct supervision within chains and networks. Moreover, some implementation organisations which have a broader field of work or other legal frameworks are often subject to supervision not only by the Inspectorate of Justice and Security but by other bodies as well. The focus of chains and networks, and the societal tasks for which they are responsible, means that the Inspectorate is continuing and intensifying its collaboration with other supervisory



bodies. One example of this is the Supervision of the Social Domain, in which several state inspectorates work together.

Focus on organisations

The Inspectorate will of course continue to devote attention to individual organisations. Chains and networks join forces to tackle societal problems, but in practice they are often only as strong as the weakest link. In order to maintain a good overview of this aspect, good information sharing on the part of these organisations is required. Moreover, (regular) inspectorate visits contribute to a good picture of how organisations are performing.

2.4 A natural role in investigating incidents

Incidents regularly occur in the field of justice and security. Sometimes these have limited consequences, but sometimes unfortunately they are on a large scale and lead to major social anxiety or unrest. This requires constant attention for the evaluation of incidents. In order to understand where possible risks in implementation lie within the domain of justice and security, the Inspectorate aims to gain insight into both the nature of incidents and how they are dealt with. Here, the investigative work of the Inspectorate is not focused on the question of blame.

Comprehensive system of incident reporting

Within the domain of justice and security the Inspectorate strives to gain a comprehensive picture of implementation-related incidents. Within the Custodial Institutions Agency (Dienst Justitiële Inrichtingen, DJI) and in the young offenders and care domain it is already customary and in some areas even mandatory to report incidents. The Inspectorate will now introduce this approach in the other domains as well. The Inspectorate here expects the active cooperation of the implementation organisations in question.

Clear role in investigating incidents

In the case of incidents the Inspectorate relies as far as possible on investigation and analysis by the involved organisations themselves. This is most useful for self-driven learning and for encouraging quality consciousness in the organisations. Here the Inspectorate can provide input on the key questions in an investigation initiated by institutions themselves. In line with this, the Inspectorate wishes to be informed about the results of investigations about which the parties have been in contact. Thus, by being involved right from the start through these reports, the Inspectorate is able to improve the quality of these investigation questions. Afterwards it examines whether the questions have been answered satisfactorily and whether the organisations have arrived at comprehensible conclusions and points for improvement.

In specific cases the Inspectorate itself will initiate an investigation. This may be in cases involving social unrest, structural problems of national concern or for instance at the request of a minister.



2.5 The Inspectorate of Justice and Security publishes regular reviews

In the coming years the Inspectorate of Justice and Security will increasingly be publishing regular reviews. These will address both the performance of implementation bodies and effects created by the system as a whole.

In the regular reviews the Inspectorate looks back (the reflective function of supervision), but above all it also looks ahead. It relates the outcomes of various supervisory activities to opportunities and risks for future operations. In this manner the Inspectorate will place policymakers and implementation organisations in a better position to, if necessary, manage and adjust in good time. A compilation of reviews can create a 'sector status' report, as is already done with the Disaster Management Status and the Police Training Report.

Three basic approaches

The regular reviews comprise three components:

- Monitoring forms the basis for supervision. Quantitative and qualitative information on the areas of supervision give the Inspectorate insight into performance, developments and trends. In addition this forms the basis for risk-based supervision, and for the choice of topic-related investigations based on these risks.
- On the basis of the monitoring, but also prompted by current socially relevant developments, the Inspectorate conducts more in-depth topic-related investigations (risk-based supervision).
- Incident investigations relating to a specific case offer valuable insights into the actual functioning of organisations.

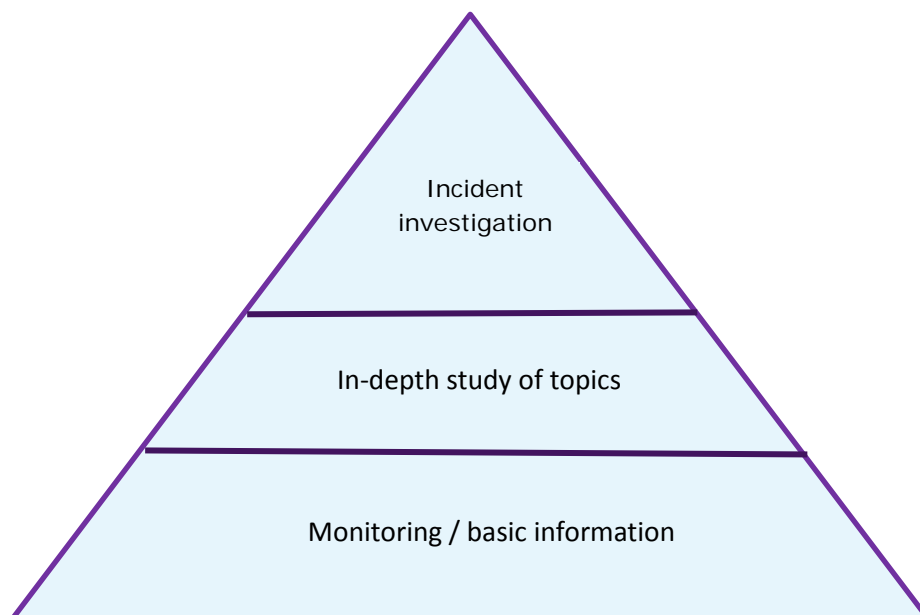


Figure 1: Regular reviews consist of the three components shown above



3

Multi-annual programme for 2018-2020

This chapter describes how the Inspectorate will implement the policy course through its investigations up to and including 2020. The speed with which and degree to which the course can be implemented will however vary per supervision area. The implementation of the course is expected to continue until after 2020 and will be regularly examined to check that it remains in line with developments.

For practical reasons the Inspectorate has divided its supervisory field into a number of supervision areas: Police, Migration, Implementation of Sanctions, Young Offenders and National Security (safety and security). Investigations will frequently come under more than one supervision area, especially when it comes to supervision focusing on chains and networks, such as the follow-up investigation into information transfer in the asylum chain in 2018. The Inspectorate operates in an alert and flexible manner. Changes in tasks can lead to revision of existing supervision areas or creation of new ones.

3.1 Monitoring

As indicated in Section 2.5, monitoring forms the basis of the supervision conducted by the Inspectorate. In the coming years, in close collaboration with organisations working in the domain of justice and security, the Inspectorate will be developing a basic monitor for the various supervision areas. Here it collects data on the quality of the task implementation regarding crucial topics such as information quality, incidents, governance and equipment.

This is done on the basis of various sources:

- supplied quantitative information from organisations. The principle here is that the Inspectorate harmonises this as far as possible with existing information flows;
- reporting of incidents on the basis of criteria determined in consultation with involved organisations;
- qualitative information compiled from internal and external investigations;
- information gained from regular visits to institutions coming under the supervision of the Inspectorate (location visits).



In this way the Inspectorate gains insight into performance, developments and trends and it is possible to identify risks. An important point of attention here is that the monitor is not only significant to the Inspectorate, but also to the organisations under supervision or with which it is connected. Organisations are themselves responsible for good quality assurance and a good governance structure. In the coming period the Inspectorate will make agreements with the organisations in its supervisory field about which information from data and information systems will be shared with it. This involves information and data that are relevant to the Inspectorate and are thus supplied as standard.

If the Inspectorate establishes that organisations are performing with the requisite degree of quality, they are tracked through the basic monitor and are less frequently subject to in-depth investigation. In this manner the Inspectorate deploys its capacity in a risk-oriented manner and the supervision load is limited.

Phased development

Development of the basic monitors is being phased: the speed of introduction varies per supervision area. In some supervision areas work on setting up a basic monitor has already begun. The other supervision areas will be starting this in 2018 and later. Moreover, in some supervision areas the Inspectorate is already carrying out location visits. In the coming years the Inspectorate aims to conduct on-site inspection visits in all supervision areas. Besides this, in a few supervision areas there are already agreements in place about the provision of information and the reporting of incidents. For instance, there are already agreements with the Police Academy and the Custodial Institutions Agency about structural provision of quantitative and qualitative information. Discussions on this issue are being conducted with other organisations. Within the supervision areas of Implementation of Sanctions, Young Offenders and Migration agreements have already been with the supervisory field regarding incident reporting. As previously mentioned (see Section 2.4), the Inspectorate will also be making similar agreements with the police and the security regions, including the fire service.

3.2 Incidents

Experience shows that every year incidents occur and current topics arise that require investigation by the Inspectorate. There will always be a degree of tension between the choice of instituting an incident investigation or not and carrying out the regular programme of work. Should the need for investigation of incidents and current topics be greater than planned, then the Inspectorate will reassess the priority of the planned studies, and where necessary delay or postpone one or more planned studies. The Inspectorate will render itself accountable for this in an annual report. The basic principle here is to always deliver regular reviews on time, but possibly with less depth or, conversely, with extra focus prompted by the incident investigations.

3.3 Focus in the supervision areas

In the following sections we indicate in general terms for each supervision area what the focus of supervision will be for the coming three years and which investigations the Inspectorate aims to carry out in the framework of its regular review. The investigations for 2018 are formulated in the most concrete terms. In due course the Inspectorate will report in a published work programme about the further



content of the programme for 2019 and 2020. The work programme will also be submitted to the House of Representatives. On its website, www.inspectoratevenj.nl, the Inspectorate communicates in a transparent manner about the precise focus and realisation of the investigations/studies it is carrying out. These reports also discuss current investigations.

3.3.1 Migration

In the coming years the Inspectorate aims to reveal how sections of the migration chain are performing. The investigations of the Inspectorate will be in line with the chain goals defined within the migration chain. Here the Inspectorate will devote special attention to the degree to which the chain is able to maintain the quality of work, also when faced with oscillations in the number of applications to be processed. The Inspectorate has previously³ established that large oscillations bring risks for the quality of the task implementation. The migration chain has recognised these risks and has designated the flexibilisation of asylum-seeker reception centres and asylum procedure as an important chain goal.

In the studies the Inspectorate will be carrying out in the coming years, the Inspectorate will chart the relationships and dependencies of the various actors in the chain and examine aspects such as equipment, management, (chain) collaboration and quality of information. Earlier studies by the Inspectorate⁴ have shown that these aspects in particular aspects bring risks that have a major influence on the quality of the task implementation. The Inspectorate estimates that on the basis of its current capacity it will be able to carry out roughly three studies per year. In 2018 the Inspectorate updated the risk analysis drawn up in 2015. On the basis of the updated risk analysis the Inspectorate determines which specific topics it will investigate in the following period. Furthermore, in 2018 the Inspectorate will be conducting follow-up research into information transfer in the asylum chain.⁵ In 2019 the Inspectorate will definitely be conducting a study of the assessment of applications for residence permits that involve family reunifications. In structural terms the Inspectorate monitors high-risk repatriation flights of aliens whose asylum claim has been rejected.

Table a. Multi-annual programme for investigations in the supervision area of Migration

| 2018 | 2019 | 2020 |
|--|--|--|
| <ul style="list-style-type: none"> Updating of risk analysis Study of realisation of policy goals for the migration chain (selection on basis of updated risk analysis), to be further determined. | <ul style="list-style-type: none"> Topic study / follow-up study, to be further determined. Study of the assessment of applications for residence permits that involve family reunifications | <ul style="list-style-type: none"> Topic study / follow-up study, to be further determined. If possible: overview of the processing of admission applications Supervision of repatriation of aliens |

³ In the studies 'De tijdelijke (opvang)voorzieningen voor asielzoekers onder de loep' (2015) and 'De identificatie van asielzoekers in Nederland' (2016).

⁴ See for instance the reports: Monitor Vreemdelingenketen (2014), Monitor Vreemdelingenketen II (2015), Begeleide gedwongen terugkeer van vreemdelingen in 2014 (2015), Jaarbericht terugkeer 2015 (2016).

⁵ This is a follow-up to the report by the Inspectorate of Security and Justice and the Inspectorate of Healthcare 'Nader study of de zorgverlening aan Renata A.' (2017) and the report 'Het overlijden van Alexander Dolmatov' (2013).



| | | |
|---|--|--------------------------------------|
| <ul style="list-style-type: none"> • Follow-up study of information transfer in the asylum chain • Supervision of repatriation of aliens whose asylum claim has been rejected | <ul style="list-style-type: none"> • Supervision of repatriation of aliens whose asylum claim has been rejected | whose asylum claim has been rejected |
|---|--|--------------------------------------|

3.3.2 Police

The Inspectorate focuses its supervision on the three main processes of the police: in 2018 the Inspectorate will be focusing on the investigative process, followed by the public order and community care processes in 2019 and the care & support and chain partner collaboration processes in 2020. This will be in line with the concept of territory-based policing. The supervision involves the following aspects, among others: firstly whether the organisation and structure of the police is in line with the current problems and topics, secondly the management processes and finally the quality of the information. The aim is to involve all units in the studies. In 2018 the Inspectorate will, within the main investigation process, study the process of assignment of investigation cases, the management and the quality of intelligence. Here the Inspectorate will also involve the Public Prosecution Service on the basis of its institutional authority.

Furthermore in 2018 the Inspectorate will commence the structural supervision of the hacking competencies of the police in the framework of the Computer Crime Act III, which is expected to come into force that year.

At the same time the Inspectorate will assess the quality of police training. Shortcomings in the quality of police training can result in shortcomings in the quality of task implementation. This is why the Inspectorate, parallel to its investigations of task implementation, also studies the accompanying training programmes: can the police also realise its goals in practice with staff who are equipped for their tasks? In addition the Inspectorate examines the requirements of the police at the Police Academy, both quantitative (number of training programmes) and qualitative (level of the training). In particular the major issue of staff replacement and the need for specific expertise and specialisms will require considerable effort in the coming years. The Inspectorate will be reporting on this annually in an annual review, leading up to the Police Training Report in 2020.

In 2021 the compilation of overviews will result in a 'State of the Police' report.

Tabel b. Multi-annual programme for investigations in the supervision area of Police

| 2018 | 2019 | 2020 |
|---|---|---|
| <p><i>Focus: main process Investigation</i></p> <ul style="list-style-type: none"> • Study of process of assignment of cases • Study of management • Study of intelligence | <p><i>Focus: main processes Public Order and Community Care</i></p> <ul style="list-style-type: none"> • Regular review of investigation processes • Topic studies still to | <p><i>Focus: main processes Care & Support and Collaboration Chain Partners</i></p> <ul style="list-style-type: none"> • Regular review of public order and community care |



| | | |
|---|--|--|
| <ul style="list-style-type: none"> • Annual review of police training • Structural supervision of the police hacking competency | <ul style="list-style-type: none"> • be determined • Annual review of police training • Structural supervision of the police hacking competency | <ul style="list-style-type: none"> • Topic studies still to be determined • Report on police training • Structural supervision of the police hacking competency |
|---|--|--|

3.3.3 Young offenders

The Inspectorate aims to publish a first 'Young Offenders Chain status report' in 2021. To this end the Inspectorate is focusing its supervision on the quality of the implementation of the core tasks of the institutions in the young offenders chain. On the one hand the Inspectorate is examining the support for and supervision of the young persons: is energy being devoted to re-integration and to preventing recidivism, and is the safety of the young persons and of their surroundings ensured? To this end the Inspectorate is studying the changing target group in young offenders institutions, community service imposed by the Child Care and Protection Board, the HALT settlement and young offenders probation by the certified institutions. On the other hand the Inspectorate is examining the advisory task that the Child Care and Protection Board has in the young offenders chain.

Supplementing the supervision of the individual institutions in the young offenders chain, the Inspectorate is also looking at how the chain as a whole performs. First of all it will do this by examining two important guarantees for the functioning of the young offenders chain: sharing of information between chain partners and the assessment task of the Child Care and Protection Board. Furthermore the Inspectorate will study the relationship between the young offenders chain and the care and support chain. To this end, in 2018 the Inspectorate will be developing an assessment framework so that this topic can be included as standard in future disaster investigations.

Tabel c. Multi-annual programme for investigations in the supervision area of Young Offenders

| 2018 | 2019 | 2020 |
|---|--|---|
| <ul style="list-style-type: none"> • Changing target group of young offenders institutions • Streamlining of tasks of Child Care and Protection Board • The assessment task of the Child Care and Protection Board • Develop assessment framework for the relationship between the justice chain and the young offenders care chain | <ul style="list-style-type: none"> • Young offenders probation by certified institutions • HALT settlement | <ul style="list-style-type: none"> • Information sharing in the chain (incl. the advisory task of the Child Care and Protection Board) |



3.3.4 Implementation of sanctions

In 2020 the Inspectorate will publish an 'Implementation of Sanctions status report' on the prison system, forensic care and probation. The status report comprises the various sector reviews.

In order to create this status report the Inspectorate will study the way in which the partners within the sanctions chain focus on an optimum task implementation, including the activities that are aimed at a safe and successful reintegration of adult offenders into society. In its investigations the Inspectorate includes, among other things, the aspects of collaboration and information, safety and security and (political) developments, such as the Course and Opportunities (Koers en kansen) project.⁶

In 2018 the Inspectorate will conclude its study of the quality of task implementation in the prison system. This will lead to a national Prison System Review in 2018. In mid-2018 the Inspectorate will complete its study of the regime in terrorism departments in the prison system.

Furthermore, in the same year the Inspectorate will be investigating the safety, staff and quality of task implementation in Forensic Psychiatric Centres and Forensic Psychiatric Clinics. This will lead to a national review of Forensic Care in 2018. Finally, in 2018 the Inspectorate will publish a national review of the quality of probation supervision.

In 2019 the Inspectorate will carry out a topic-specific study of community service. Moreover the Inspectorate will carry out a study of the performance of the Penitentiary Psychiatric Centres.

The Inspectorate will designate the specific topics for investigation in 2020 on the basis of the findings from earlier research and identified risks.

Tabel d. Multi-annual programme for investigations in the supervision area of Sanctions

| 2018 | 2019 | 2020 |
|---|--|--|
| <ul style="list-style-type: none"> • Study of the quality of task implementation in the prison system -> national review. • Study of the regime in terrorism departments in the prison system • Study of the safety, staff and quality of task implementation in Forensic Psychiatric Centres | <ul style="list-style-type: none"> • Study of the Penitentiary Psychiatric Centres • Study of the quality of the implementation of community service | <ul style="list-style-type: none"> • Topic study / follow-up study in the prison system, forensic care and probation service, still to be determined • Implementation of Sanctions Status report |

⁶ In this project, involved parties from the domain of security explore together with local government and the care sector how they can collaborate in a future-proof manner to make an optimum contribution to a safe and liveable society. For more information go to www.sanctieuitvoering.nl.



| | | |
|--|--|--|
| and Clinics -> national review. | | |
| <ul style="list-style-type: none"> • Study of the quality of supervision by the probation service -> national review | | |

3.3.5 National safety and security

Safety

Supervision in the safety domain focuses on task implementation by the security regions for disaster and crisis management and fire services. The realisation of fire services and of disaster and crisis management in the Caribbean Netherlands (Bonaire, Sint Eustatius and Saba) and insight into incidents in civil aviation are also included in this domain. In the supervision of the safety domain the focus in coming years will shift more to the quality of the task implementation. Since the legislation in this area offers too little guidance for this, the Inspectorate will collaborate with the working field to further develop qualitative standards. In addition to this quality-oriented approach, a broader examination will also take place by including the role of the national crisis organisation in the study.

In 2019 the Inspectorate will be publishing its fourth regular review on crisis and disaster management, the 'Disaster Management Status' report. This status report gives a picture of the implementation of multidisciplinary crisis management as well as crisis management at the national level. The Inspectorate will more closely examine the topics of expertise and quality assurance (evaluating, learning and adjusting). In 2018 the focus will chiefly be on the development qualitative standards and assessment points. Working on the basis of the new assessment framework the Inspectorate will commence three studies, concentrating on expertise, (task) implementation and quality assurance. Here, interregional cooperation will be a leading point of attention.

In preparation for the second 'Fire Service status report' in 2020, in 2018 the Inspectorate will collaborate with the national fire service to develop an assessment framework for fire services. In 2019 the Inspectorate will then conduct two topic-related studies of the fire service on the basis of the new assessment framework.

Should a major incident occur in the field of safety or civil aviation, the Inspectorate will, if necessary, conduct an independent investigation of this.

Tabel e. Multi-annual programme for investigations in the area of National Safety

| <ul style="list-style-type: none"> • Further development of assessment framework for disaster and crisis management • Study of expertise • Study of implementation • Study of quality | <ul style="list-style-type: none"> • Disaster and Crisis Management Status report • Two other topic-related fire service studies, to be determined | <ul style="list-style-type: none"> • Fire Service Status report |
|---|--|--|



| | | |
|--|--|--|
| assurance | | |
| <ul style="list-style-type: none"> Development of assessment framework for fire service | | |

Security domain

Supervision of the security domain concentrates on the question of how well-prepared actors in the field of justice and security are for issues such as cybersecurity and terrorism. This supervisory field is new for the Inspectorate and is still undergoing strong development. This requires the Inspectorate to develop its knowledge and to develop specific expertise. As such, supervision of the security domain is taking shape step by step. Agreements have been made with the Dutch Safety Board (OVV) and the Review Committee for the Intelligence and Security Services (CTIVD) about a joint approach, should a terrorism-related investigation become necessary.

Cybersecurity

Cybersecurity is a precondition for a safe and prosperous society. It has recently become increasingly clear what the consequences of cyber threats can be. This has prompted the Inspectorate of Justice and Security to focus its supervision on cybersecurity as well. The Inspectorate realises here that the security domain in cyberspace – differently to the classical security domain – is to a great extent a privately managed domain. The Inspectorate aims its supervisory activities explicitly at the cohesion and effectiveness of chains and here involves the close connection with the public and private security chains. The Inspectorate will conduct supervision of the organisations that, as links in the chain, have a role in cybersecurity. These include the police and the Public Prosecution Service (with their approach to cybercrime and digitalised crime), the National Coordinator for Security and Counterterrorism (with monitoring, detection and response and its coordinating role), the Netherlands Forensic Institute (with forensic digital investigations) and the security regions (with crisis management in relation to cyber incidents).

Resilience

Furthermore, recent studies and threat levels indicate that the resilience of organisations and individuals is lagging behind in comparison to the growth of the threat. This creates risks for the continuity of organisations and processes. Consequently the Inspectorate of Justice and Security will be conducting randomly determined assessments of the resilience of organisations within the domain of Justice and Security with regard to this topic. In the coming period the Inspectorate will further develop the focus of this supervision.

Besides the supervision of task implementation, the Inspectorate will conduct supervision of the resilience of the departments to espionage and cyber threats. In 2019 the Inspectorate will conduct a follow-up study of the effects and implementation of the measures taken by the departments to ensure resilience to espionage.

**Table f.** *Multi-annual programme for investigations in the area of Safety and Security*

| 2018 | 2019 | 2020 |
|--|---|------|
| <ul style="list-style-type: none">• Development of supervision regarding cybersecurity | <ul style="list-style-type: none">• Development of supervision regarding cybersecurity• Follow-up study on espionage vulnerability analysis (classified) | |



4

A professional Inspectorate

The main elements of the course do not just have consequences for what the Inspectorate will do in concrete terms, but also for the way in which it works. The Inspectorate conducts effective supervision by being in contact with the world around it, with a professional and innovative organisation that operates in an alert and flexible manner.

4.1 The Inspectorate is in contact

With society

The government holds powers that enable it to intervene deeply into society. This certainly applies to the domain of justice and security. Relevant examples here are the monopoly on use of force held by the police and the implementation of prison sentences and detention under a hospital order. Such profound interventions require a robust system of checks and balances. The Inspectorate of Justice and Security in its role as a supervisory body makes an important contribution to this.

The Inspectorate does work that is societally current and relevant, and aims to make a significant contribution with its supervisory activities. It actively seeks signals and indications from society relating to task implementation within the domain of justice and security. This is achieved in various ways: citizens and professionals can contact the Inspectorate through its website and the Inspectorate invests in contacts with organisations and interest groups such as the National Ombudsman, the Netherlands Institute for Human Rights, Amnesty International, the National Rapporteur on Trafficking in Human Beings and Defence for Children. It also actively seeks contacts with parties such as victims and their surviving relatives.

With policy and implementation organisations

Realising the societal tasks for which Justice and Security is responsible is a shared task. This is why the Inspectorate actively informs parties about ongoing investigations and identified risks. The Inspectorate also discusses the conclusions of an investigation/study with those who are responsible for the topic.

The judicial system and the Public Prosecution Service may be involved in investigations and studies by the Inspectorate. Due to the separation of powers it will be clear that the Inspectorate does not investigate the judicial tasks of these organisations. If criminal justice aspects are involved in an Inspectorate



investigation, the Inspectorate will carefully coordinate this with the judges or with the Public Prosecution Service and with the attorney-general of the Supreme Court, who has the task of supervising the Public Prosecution Service.

An interactive interplay between policy, implementation and supervision is essential for realisation of the tasks for which Justice and Security is responsible. If the Inspectorate is informed of important policy developments and developments in the implementation, it can at an early stage determine what the consequences will be for its supervisory activities. And if policy proposals and draft legislation are submitted to the Inspectorate at an early stage⁷, then the Inspectorate can, in line with the instructions of the Prime Minister, evaluate their viability and enforceability, together with any consequences for its work programme.

With other supervisory bodies

As indicated in Section 2.3, the Inspectorate collaborates with other supervisory bodies such as the Inspectorate for Healthcare and Youth (in formation) and the Radiocommunications Agency Netherlands. In some fields it is working in permanent alliances, such as the Supervision of the Social Domain. This enables the inspectorates to create a more comprehensive picture, also avoiding duplication of work and unnecessary investigative pressure. In the coming years the Inspectorate will make efforts to arrive at effective partnership agreements where this proves necessary.

At the same time the Inspectorate coordinates its work with other research institutions such as the Dutch Safety Board (OVV) and the National Ombudsman. Since the Inspectorate aims to be a learning organisation, it actively shares experience with other supervisory bodies.

4.2 Organisation

Effective supervision requires a well-equipped organisation that is both robust and flexible. The policy course can best be realised with an appropriate modus operandi and structure. A project-based modus operandi and structure creates a greater focus on and more space for professionals. Where possible, responsibility is assigned at lower levels of the organisation. Inspectors work together in projects, in which they participate on the basis of their expertise, competencies and development potential. This promotes cross-domain work, provides mobility possibilities and has a positive effect on the lead times of investigations and studies.

In recent years the Inspectorate has been assigned various new tasks. Should the Inspectorate receive further new tasks in the coming years, it will indicate beforehand whether this task can be carried out with its existing capacities. If this is not the case, the Inspectorate will state what the consequences of this will be.

4.3 Professionalisation

The Inspectorate's most important capital is its staff. In the coming years the Inspectorate will invest further in their knowledge, and above all in their competences, for instance through training. This will take place both at the

⁷ This is also a key part of the 'Justice and Security is changing' programme.



individual level and the level of the organisation, supported among other ways by the Knowledge and Quality Centre, which has been strengthened for this purpose.

At the organisational level the existing strategic staff plan will be revised and where necessary adjusted. This will enable the Inspectorate to recruit in a more targeted manner for lacking but required competencies and knowledge. As part of this process the training programme will be renewed as well and the Inspectorate will be investing intensively in its staff.

4.4 Investing in innovation

As set out in the coalition agreement, a resilient constitutional state must be able to respond to developments in society and technology. In terms of technology, big data and data analysis offer unprecedented possibilities. In the coming period, much more data will become available in the domain of justice and security, too. Hence the Inspectorate is actively seeking contacts with the scientific community, following trends in and where possible making use of initiatives in the field of big data and data analysis. This enables trends and risks to be recognised and topic- and incident-related investigations to be given a broader context. Moreover, it allows the Inspectorate's investigation and research methods to be kept up-to-date and better insight to be gained into the effectiveness of its activities.

Besides this, new supervisory fields require acquisition of knowledge and development of specific expertise. When designing forms of supervision, external parties such as research institutes and education institutions will be involved.

4.5 Communication

The Inspectorate will actively publicise the sketched modus operandi and the planned programme both within the department and in the involved societal sectors. The supervisory task is, alongside policy and implementation, essential to the Ministry of Justice and Security for proper fulfilment of its societal task. All those involved will thus be actively informed.



Appendix

Statutory tasks

Organisation Decree

In accordance with the Organisation Decree of the Ministry of Justice and Security, the main tasks of the Inspectorate are:

- supervising implementation of and compliance with the legislation in the Ministry's field of work (and of legislation in other policy fields designated under or pursuant to the law;
- providing solicited and unsolicited intelligence and recommendations to the Minister of Justice and Security and the Minister for Migration on topics that are included in their tasks;
- fulfilling other supervision tasks assigned to the Inspectorate by the Minister.

The legislation and rules regarding supervisory activities by the Inspectorate are currently undergoing harmonisation. See below for the current overview.

Legal foundations for supervision

Migration

The Alien Repatriation Monitoring Regulation (Regeling supervision terugkeer vreemdelingen) regulates the supervision by the Inspectorate of Justice and Security of the repatriation process for aliens. In response to the results of the study by the former Inspectorate of Justice and Security and the Inspectorate of Healthcare following the death of Alexander Dolmatov in 2013, the supervision was extended to the entire migration chain by the then State Secretary for Justice and Security (Parliamentary Papers 2013/14, 19637, no. 1822).

Young offenders

According to Section 9.2 of the Youth Act and according to the Supervisory Officials Youth Act and Social Support Act Designation Decree 2015 (Aanwijzingsbesluit toezichthoudende ambtenaren Jeugdwet en Wmo 2015) the Inspectorate of Healthcare and Youth (in formation) and the Inspectorate of Justice and Security have the task of supervising compliance with the norms in the Youth Act. In addition, pursuant to Section 9.1, the Inspectorate of Justice and Security investigates in general terms the quality of juvenile detention centres, and of persons subject to supervision in general insofar as this involves the implementation of criminal judgements.



Implementation of sanctions

The foundation for supervision in the field of implementation of sanctions is provided, among other principles, by Section 8 of the Care For Those Detained Under Hospital Order Act (Beginselenwet verpleging ter beschikking gestelden) and Section 7a of the Juvenile Detention Centres Act (Beginselenwet justitiële jeugdinrichtingen). The Inspectorate of Justice and Security, as legal successor in the Inspection for Sanctions Implementation Regulation (Regeling Inspectie voor de Sanctietoepassing / RIST), is designated as supervisory body in the field of implementation of sanctions. The Inspectorate of Justice and Security has the task of supervising all the institutions and national services belonging to the Custodial Institutions Agency, all locations of probation services and all other locations where sanctions are imposed. According to Section 3 of the Inspection for Sanctions Implementation Regulation (RIST) the Inspectorate of Justice and Security supervises the effectiveness and quality of the implementation of sanctions and the related policy, as well as compliance with legislation and regulations.

National security

The foundation for supervision by the Inspectorate of Justice and Security in the field of national security is provided by Section 57, paragraph 1, of the Security Regions Act (Wet veiligheidsregio's). The Inspectorate of Justice and Security, as legal successor to the Inspectorate of Public Order and Security, has the task of assessing the manner in which a body of a security region, theinspectoratea municipality or any other public body implements tasks relating to fire safety or to disaster and crisis management; regular examination of the preparations for disaster and crisis management by the aforementioned administrative bodies, and carrying out investigations in response to a fire, disaster or crisis.

Police and police training

Section 65 of the Police Act 2012 (Politiewet 2012) sets out the foundation for supervision of the police. The Inspectorate of Justice and Security supervises task implementation by the police, quality assurance by the police and investigates major events. In addition the Inspectorate of Justice and Security supervises the quality of the police training and the process of examination.

Islands of the Caribbean Netherlands

Pursuant to Section 71, paragraph 1, of the Caribbean Netherlands Security Act (Veiligheidswet BES) the Inspectorate has the task of examining the manner in which the fire service, an administrative body of Bonaire, Sint Eustatius or Saba or a collaborative body implements the tasks relating to fire safety, disaster and crisis management; examining preparations for disaster and crisis management by the aforementioned administrative bodies, and carrying out investigations in response to a fire, disaster or crisis. The Inspectorate of Justice and Security also has the task of supervising the effectiveness, the quality of the task implementation and the management of the police and the training of the police (Section 71, paragraph 2, Caribbean Netherlands Security Act) and the Inspectorate of Justice and Security provides solicited and unsolicited advice to the Minister of Justice and Security insofar as this involves the task implementation by the police in order to enforce the law or the tasks of the judiciary (Section 71, paragraph 3, Caribbean Netherlands Security Act).



Appendix

Abbreviations

Abbreviation

BES
CTIVD
IFV
OVV
RISt

WMO
WRR

Meaning

Bonaire, Sint Eustatius en Saba
Committee for the Intelligence and Security Services
Institute for Safety
Dutch Safety Board
Inspection for Sanctions Implementation Regulation
(Regeling Inspectie voor de Sanctietoepassing)
Wet maatschappelijke ondersteuning
Netherlands Scientific Council for Government Policy



Mission of the Inspectorate Justice and Security

The Inspectorate of Justice and Security monitors the domain of justice and security in the interest of society, the parties subject to monitoring and persons politically and administratively responsible, in order to provide insight into the quality of the performance of tasks and the compliance with rules and standards, to detect risks and to stimulate organisations to perform better, thereby contributing to a just and safe society.

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