



Inspectorate
Ministry of Justice and Security

Multi-Annual Perspective

2021-2024

*Monitoring to achieve
a safe and just society.*



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Foreword

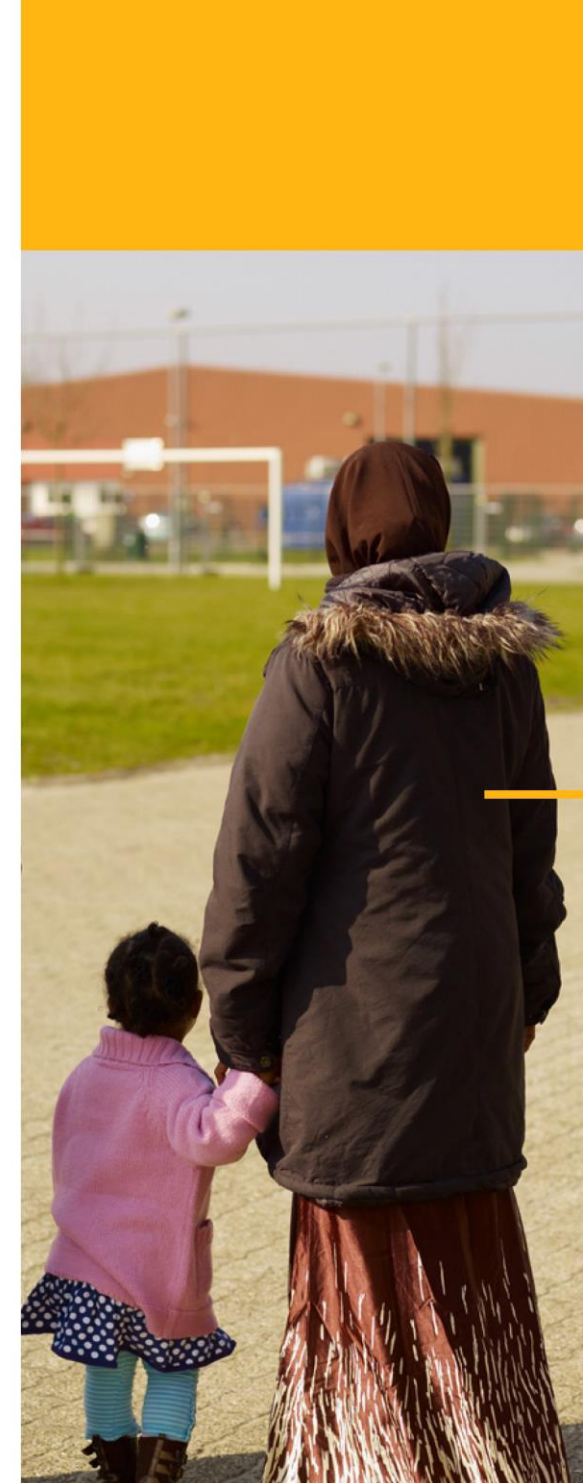
A safe and just society. In a constantly changing society, this task of organisations operating within the Justice and Security domain is a considerable one, and one on which the organisations in question, such as the police, the prison system and organisations within the migration chain, work hard every day. It is a task that the coronavirus pandemic and its economic impact, as in so many areas of society, will not make any easier in the coming years. Monitoring can reveal where the risks lie, where things are going well and where they can be improved. “Monitoring to achieve a safe and just society” is therefore the motto of the Inspectorate of Justice and Security (hereinafter referred to as the Inspectorate).

But what is our role? And how do we ensure that our monitoring has an impact on citizens who depend on all these organisations? The report entitled *Ongekend Onrecht* (Unprecedented Injustice) by the Parliamentary Committee of Inquiry into Childcare Benefit (2020) demonstrates how important it is to have a clear picture of the impact on the general public. The Inspectorate had already laid the foundation for a new Multi-Annual Perspective in its 2021 Work Programme. We held talks with people from our immediate environment and with people further away from us. With organisations we monitor and other organisations involved. We spoke to employees and/or managers of bodies such as the police, the Repatriation and Departure Service, the Custodial Institutions Agency, security regions, policy departments of the Ministry of Justice and Security, but also with the Association of Netherlands Municipalities, the National Ombudsman, the Netherlands Court of Audit and fellow inspectorates. Valuable conversations, in an exceptional year, under exceptional circumstances.

Important points emerged from these discussions. For example, our discussion partners believe that we need to focus our attention more, because the Justice and Security domain we monitor is very broad: “Concentrate on areas where you can add value, because you can't do everything.” Another point is the balance between a dialogue with the field and, at the same time, maintaining our independence. But also a greater focus on ‘internal monitoring’ by organisations themselves and the use of opportunities for intervention. Important signals for which I would like to thank all our discussion partners. These signals help to further strengthen our monitoring activities and thus help to improve the quality of implementation within the Justice and Security domain.

This Multi-Annual Perspective 2021-2024 describes what you can expect from us in the coming years.

H.C.D. Korvinus
Inspector General of the Inspectorate of Justice and Security



1 Who are we?

The core task of the Inspectorate is to ensure that organisations working in the Justice and Security domain contribute individually and collectively to a safe and just society. Through its monitoring activities, the Inspectorate investigates where the risks lie, where things are going well and where they can be improved. By informing, reporting and, where necessary, intervening, the Inspectorate aims to help improve the quality of implementation and public trust in the organisations active in the Justice and Security domain.

Under the motto:

'Inspectorate of Justice and Security. Monitoring to achieve a safe and just society'

our focus in the years to come will lie on the following core values:

Expertise

Expertise is a prerequisite for carrying out monitoring with authority. This is why the Inspectorate is constantly investing in knowledge of and experience in practical implementation, information gathering and digitalisation, and encourages its staff to develop their supervisory skills. It does this through working visits, training courses, contact with other inspectorates and with academics.

Communication

Where the tasks of inspectorates and other agencies overlap, citizens and organisations are entitled to expect cooperation and coordination where necessary. The Inspectorate also communicates with the chain of organisations it monitors, policymakers and, where necessary, other supervisory authorities. The Inspectorate actively and transparently informs those around it about its working methods, plans and monitoring outcomes.

Independence

An independent perspective is vital if an Inspectorate wants to contribute towards public trust in the Justice and Security domain. The Inspectorate makes its own decisions as part of its investigations. Inspectors must be able to investigate and reach decisions from an independent perspective.

Core values



Expertise



Communication



Independence

Justice and Security Inspectorate

Monitoring to achieve a safe and just society





The Inspectorate performs its tasks on the basis of various laws and regulations and falls under the political responsibility of the Minister of Justice and Security. The Inspectorate is independent in its choice of investigative activities, working methods, findings and decisions. This independence was laid down in 2015 in the Instructions concerning State Inspectorates. In recent years, these instructions have functioned as an initial safeguard for the independence of state inspectorates.¹ In order to strengthen public confidence in the independence of the Inspectorate, the Inspectorate, together with the Inspection Council², considers a statutory regulation governing state inspectorates or a statutory regulation governing the Inspectorate of Justice and Security to be essential.

¹ Order adopting the Instructions concerning State Inspectorates, Order of the Prime Minister, Minister of General Affairs, of 30 September 2015, no. 3151041.

² See the second letter Evaluation of Instructions concerning State Inspectorates from the Inspection Council to the State Secretary for the Interior and Kingdom Relations, 10 December 2020, www.rijksinspecties.nl

From foundation to multi-annual perspective

This Multi-Annual Perspective 2021-2024 continues to pursue a number of priorities from the period 2018-2020, while adding some new goals for the coming years. The foundation for this Multi-Annual Perspective is described in the 2021 Work Programme³. This foundation has been discussed extensively in recent months with employees and/or managers of as many parties as possible in the Justice and Security domain. The Inspectorate has used the input from these discussions to hone and flesh out its approach. The discussions revealed the following priorities:

- The Justice and Security domain that the Inspectorate monitors is extremely broad: it is helpful for the Inspectorate to focus its monitoring activities so that people know what to expect from the Inspectorate.
- Devote more attention in monitoring activities to the citizens who depend on the functioning of the organisations in the Justice and Security domain. This priority fits in well with the citizens' perspective, but is sometimes complicated, because different groups of citizens can have different perspectives.
- Promote the learning capacity of organisations and chains. This priority was also highlighted in the Multi-Annual Programme 2018-2020 and remains an important issue for the discussion partners.
- Focus on maintaining a dialogue with organisations in the Justice and Security domain. This interaction with the field plays a particularly important role in the regular monitoring process (see also Section 4).

³ See: <https://www.inspectie-jenv.nl/Publicaties/jaarplannen/2020/09/10/werkprogramma-2021>.



History of the Justice and Security Inspectorate

The Inspectorate was established in 2012 following a merger of the Inspectorate of Public Order and Safety and the Inspectorate for Implementation of Sanctions. After 2012, the supervisory domain was further expanded. The Inspectorate monitors the quality of implementation and compliance with laws and regulations by implementing organisations in the Justice and Security domain. In recent years, extensive knowledge has been gained about the functioning and cooperation of these implementing organisations. They include the police, the fire brigade, crisis management by the security regions, the prison system, forensic care and probation, custodial organisations in the youth domain and parts of the migration chain. More recently, work has begun on the monitoring of victims' rights and cybersecurity at Justice and Security organisations. The year 2020 saw the addition of the proposed monitoring of debt collection agencies and the closed coffee shop chain experiment. Depending on the risks and/or the social task, the Inspectorate will add themes in the coming years where necessary or upon request.

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What do we want to achieve?

One of the features of a safe and just society is that citizens are able to live together in freedom, regardless of lifestyle, background and views. Many people work hard every day to create a safe and just society. Examples include the tackling of public order issues by the police or prisons, forensic clinics and youth custodial institutions that ensure detainees receive the best possible preparation for a safe return to society. Also security regions that ensure that organisations work together in the event of disasters and crises, or reception facilities for asylum seekers where staff ensure the safe, just and humane treatment of refugees. These and other organisations in the Justice and Security domain do complex and important work, often in relation to each other.

Within the Justice and Security domain, risks occur that have a major impact on an individual citizen or on society as a whole, and incidents can never be completely ruled out. However, the implementing organisations must endeavour to keep the risks to society acceptable. To do so, these organisations must keep track of the social objective they want to achieve, how and whether they achieve it, are transparent about their efforts, reflect on their performance and ensure that they learn from the outcomes. As an Inspectorate, we contribute towards these endeavours by investigating the quality of implementation and identifying risks, problems and opportunities for improvement, so that organisations can learn from them and continue to develop. The Inspectorate aims to identify, stimulate and, where necessary, intervene.



The Inspectorate has identified two key strategic objectives in its monitoring activities for the coming years:

A focus on the social task

What do the efforts of the Justice and Security organisations mean for the citizen in society? By focusing on its social task⁴, the Inspectorate wants to explicitly incorporate the citizens' perspective in its monitoring. The Inspectorate's investigations will therefore often relate to different organisations that fulfil a social role by working together in chains and/or networks.

This means that the Inspectorate keeps an eye on the quality of cooperation between the organisations it monitors: is there an awareness of how important certain information is for the next organisation in the chain, is there direction and is it effective? Focusing on the social task means that the Inspectorate looks beyond mere compliance with laws and regulations when reaching decisions. From the perspective of citizens who are directly affected, the Inspectorate also monitors the results of the efforts of organisations in the chain. What the public can and should expect from the Inspectorate in this respect is also relevant.

Insight into implementation

The Inspectorate aims to monitor the development of implementation by organisations within the Justice and Security domain and be able to identify problems and risks at an early stage. Implementation may change for reasons such as changes in strategy, political decision-making, cutbacks or reorganisations. To keep up to date, we strengthen our connection with organisations through regular contact, inspection visits or investigations. However, we also collect and analyse quantitative and qualitative data on aspects including key indicators such as incident reports, quality assurance systems and internal monitoring. The Inspectorate analyses and assesses this information and feeds back signals and trends to the field. The Inspectorate systematically examines the core tasks and main processes of implementation. It determines, based on identified risks, whether it requires specific insight into areas of implementation. In doing so, the Inspectorate takes into account the stage that organisations have reached in their development and looks in advance at where monitoring is most effective. Incident reports are an important source of information.

The basic principle is that organisations must have an insight into their incidents and the context in which they were able to occur, and share this information with the Inspectorate. This is not yet a given for all organisations in the Justice and Security domain. The Inspectorate assumes that organisations themselves are or should be capable of investigating incidents, learning from them, taking measures and providing the Inspectorate with insight into them. The Inspectorate only investigates incidents where this would provide clear added value. This may be the case, for example, if the seriousness and social impact of an incident are significant, if the organisation is insufficiently reflective in its own investigation, or if there is potentially a serious problem with the functioning of the system of which the organisation is a part.

⁴ What does focusing on the social task mean for Justice and Security? See 'De opgave aan tafel' ('The task at the table'), Prof. Martijn van der Steen et al., Netherlands School of Public Administration (NSOB), 2020

Goals for 2021-2024

Over the coming years, the Inspectorate therefore aims to prioritise the social task and keep track of implementation. However, this broad supervisory domain also requires focus. What does the Inspectorate want to achieve with its monitoring activities? Such a focus makes it clear to the organisations and chains what they can expect from the Inspectorate and helps the Inspectorate to make choices when fleshing out its actual work programmes each year.

The Inspectorate has therefore identified four goals for the organisations it monitors:



Stimulating the resilience and robustness of organisations

Migration flows remain to some extent unpredictable. The domains of youth and forensic care are changing rapidly. There is also growing unrest in society, with a radical undercurrent⁵ and dependence on digital systems is increasing. The continuously changing environment requires resilience and resistance on the part of implementing organisations.

The Inspectorate aims to stimulate resilience by investigating the level of preparation for unexpected events, such as a crisis or disaster or a major change in a chain. This includes the extent to which organisations have learned from the coronavirus pandemic and are prepared for new crises. In addition, digital security is a vital part of an organisation. The Inspectorate therefore also focuses its monitoring activities on promoting resilience in this area.

⁵ Strategic Situation Assessment, Ministry of Justice and Security 2020 and National Terrorism Threat Assessment for the Netherlands 53, National Coordinator for Security and Counterterrorism (NCTV), 2020





Promoting the learning capacity of organisations

How do you as an organisation keep track of whether your goals are being achieved? Are complaints systematically recorded, processes evaluated and points for improvement addressed? Organisations must be capable of self evaluation and learning from their performance, including in relation to work processes and incidents. They must also be capable of making timely adjustments, correcting errors and keeping track of the social goals to which the organisation contributes. Every organisation that has an effective governance⁶ structure in place has some form of internal quality assurance.

In the coming years, the Inspectorate will focus on promoting the learning capacity of organisations. It does so not only by liaising closely with those parts of organisations that work in this area, but also by monitoring what organisations learn from incidents and complaints in a broad sense. The Inspectorate also looks at the organisation of quality assurance as part of its investigations.

⁶ The Inspectorate understands 'governance' to mean: the efficient and effective achievement of the organisation's goals by safeguarding the mutual interaction between four steps: management, control, internal monitoring and accountability.



Promoting effective chains and networks

Society is becoming increasingly complex⁷. Implementation takes place within complex chains and networks. Multifaceted problems require multi-pronged approaches. The Inspectorate aims to organise its monitoring activities in such a way that it contributes to effective cooperation in chains and networks in the Justice and Security domain. A positive dialogue with the organisations in the Justice and Security domain and a clear understanding of the social results of a chain or network play a vital role in achieving this goal. For example, do all those involved have the same understanding of the social task? The Inspectorate therefore focuses its monitoring activities on the task and the way in which the organisations jointly contribute towards addressing the task.

⁷ See also the study conducted by the Research and Documentation Centre (WODC) at the Inspectorate's request this year: *Toezicht door de Inspectie JenV bij toenemende complexiteit* (Supervision by the Inspectorate of Justice and Security in the face of increasing complexity), Bertruke Wein et al., 2020.



Keeping organisations focused on the citizens' perspective

Providing security, legal certainty and protection of fundamental rights to citizens are core tasks of Justice and Security organisations. The general public must be able to rely on this, be it a citizen reporting a crime or a prisoner returning to society with help and support. Are the organisations achieving what they need to achieve for these citizens? And are they doing so in a transparent and reliable manner? In the years to come, the Inspectorate will focus its monitoring of the quality of processes in the Justice and Security domain more on the impact on these citizens.

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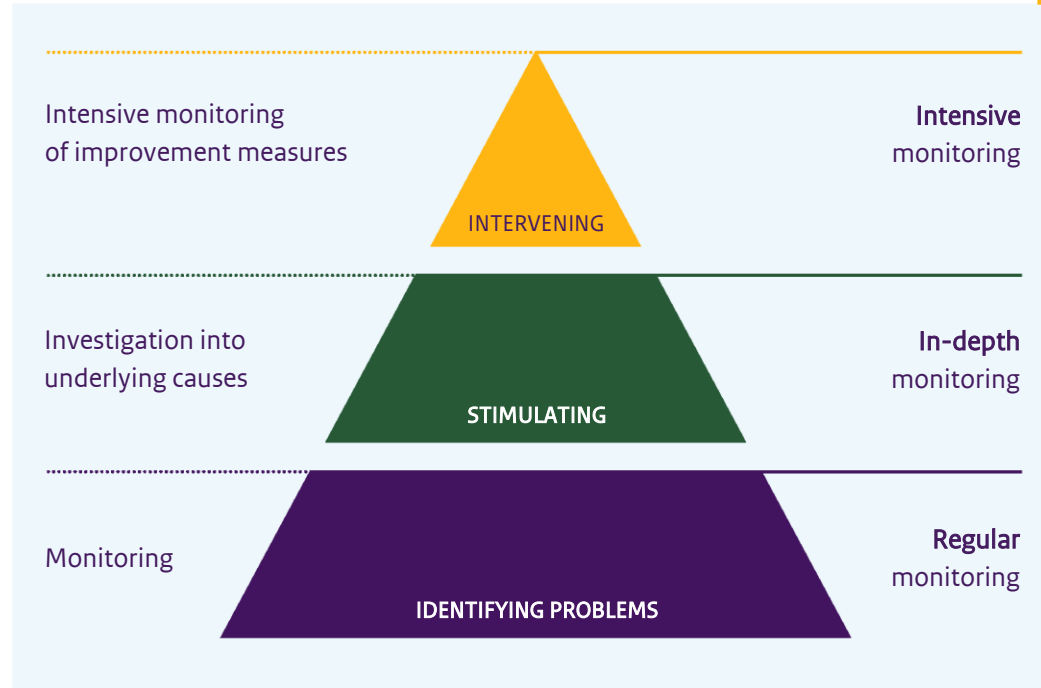
How do we do it?

The pursuit of these goals also has an impact on the Inspectorate itself. The Inspectorate not only stimulates the learning capacity of others, but also its own learning capacity as an organisation. Based on the desire to place a greater focus on the citizens' perspective in monitoring, there follows a desire for the greater involvement of the public or lay experts in investigations. The Inspectorate will also explore the possibilities for reflecting on its monitoring activities with a focus group of citizens. In addition, the way in which the organisation cooperates with other inspectorates and investigative bodies requires ongoing attention. The Inspectorate also continues to invest in data, quality and professionalism with the previously mentioned core values (expertise, communication and independence) as a guiding principle.

Based on its investigations in the period 2021-2024, the Inspectorate aims to make a significant contribution towards insight into the status of justice and security. The Inspectorate uses the pyramid shown in Figure 1 to organise its monitoring activities. This pyramid consists of a base of regular monitoring and a top of in-depth and intensive monitoring.

The application of in-depth and intensive monitoring requires a customised approach. Regular monitoring is aimed at exchanging information across the board with the field and keeping abreast of the situation. In-depth monitoring is aimed at exploring an area in greater depth when recurring problems arise. The aim of intensive monitoring is to motivate parties to make essential improvements in an area.

FIGURE 1 - Monitoring by the Inspectorate of Justice and Security



Regular monitoring

The core element of the regular monitoring process is continuous liaison between the Inspectorate and the field with the aim of obtaining a broad picture of the state of affairs at the implementing organisations. This form of monitoring is based on the learning capacity and the internal monitoring and quality assurance of the implementing organisations themselves. The Inspectorate wants to intensify its contact with implementing organisations in order to exchange more information on a regular basis. Examples of such contact include exploratory talks and periodic site visits. This approach gives the implementing organisations the opportunity to explain the context in which they work, to present their perspective on matters and, if necessary, to discuss problem areas. The Inspectorate takes into consideration developments and trends, where relevant also in an international context, achievements, challenges and the follow-up of recommendations from previous Inspectorate investigations. Regular monitoring also involves the collection and analysis of quantitative data on a number of key indicators, incident reports, quality assurance systems and internal evaluations. The monitoring of compliance, including monitoring the power of the police to carry out hacking operations, prison inspections and monitoring of the forced departure of foreign nationals from the Netherlands, also form part of the regular monitoring process.

The Inspectorate's aim with regular monitoring is to identify risks and problem areas by systematically examining organisations' main processes or core tasks. From the information that the Inspectorate gathers during interviews and site visits, it identifies warning signs in relation to issues that require extra attention for various reasons. Based on an assessment framework and any in-depth interviews, the Inspectorate can commence monitoring activities in those areas where it considers action necessary. This can include the rapid and direct verbal feedback of relevant insights to the organisation, reflection on internal evaluations or feedback of key themes from the Inspectorate's monitoring activities as a whole. If such a low-threshold activity does not have sufficient effect or if problems are of a more structural nature, the Inspectorate can introduce more in-depth or intensive monitoring. The Inspectorate will always announce and explain this decision to the organisations involved.

In its monitoring, the Inspectorate explicitly seeks to cooperate with other supervisory authorities and knowledge institutions. Such cooperation is essential because multiple supervisory bodies are active in some domains. In a number of areas, the Inspectorate acts as a coordinator in this process. The Inspectorate also continues to actively contribute towards joint monitoring in the Social Domain⁸ and to cooperation within the Inspection Council.

In-depth monitoring

If regular monitoring reveals that the problems are complex and transcend the level of a single organisation, or if there is a risk that public interests will be compromised, the Inspectorate can introduce more in-depth monitoring. Incidents with a major social impact can also lead to the introduction of this form of monitoring. Grounds for in-depth monitoring include an inability by the organisation to carry out an adequate investigation itself or suspected problems with the functioning of the system. In-depth monitoring is aimed at exploring problems in greater depth and/or exposing problems, and will usually consist of an investigation. The goals for monitoring in the coming years mentioned in section three can guide the specific details of the investigations.

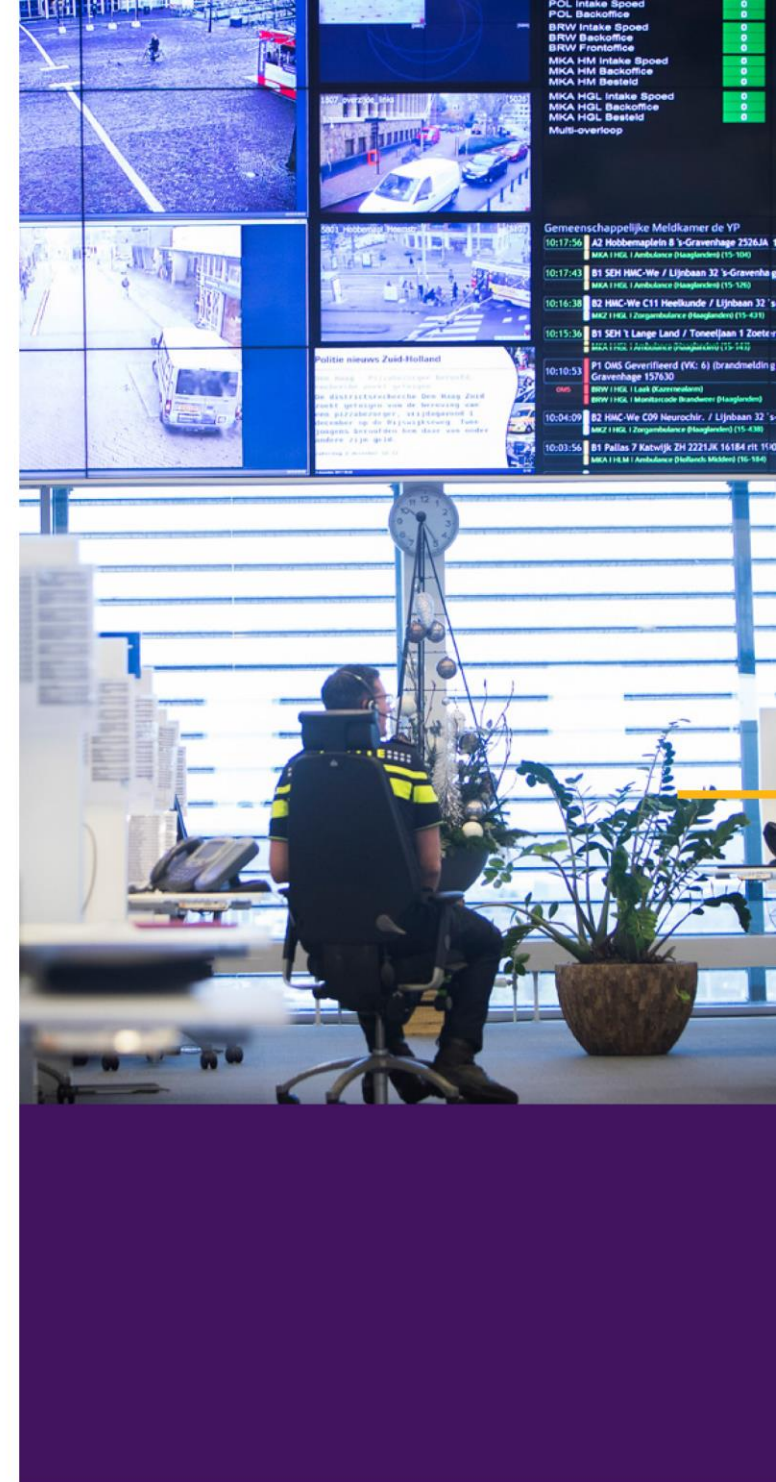
Investigations are an important tool for providing insight into the underlying, often complex, causes of developments and failure to meet obligations. An investigation by the Inspectorate usually results in an investigation report featuring an analysis of the problem, conclusions and recommendations. In order to provide customised solutions and thus be more decisive and effective, the Inspectorate can also provide interim feedback on results to the implementing organisations concerned. During in-depth monitoring, communication between the Inspectorate and the implementing organisations is once again of paramount importance. Through this communication, the Inspectorate aims to reflect the daily reality of implementation. The aim of this type of investigation is to inspire and encourage improvement.

⁸ The Supervision of the Social Domain is a partnership of four state inspectorates. See also the Multi-Annual Programme of the Supervision of the Social Domain Partnership 2021-2024, 2020, www.toezichtsociaaldomein.nl.

Occasionally, an in-depth investigation by the Inspectorate can lead to asking the organisations involved to produce a concrete improvement plan. In this case, in-depth monitoring turns into intensive monitoring.

Intensive monitoring

In the case of intensive monitoring the Inspectorate's aim is to encourage the parties involved to make the desired improvements. Intensive monitoring can be introduced on the basis of regular monitoring, for example if chain partners have reached an impasse in their cooperation and an intervention is required to break the deadlock, or if dependent citizens are potentially at considerable risk because the system is not functioning properly. However, the Inspectorate can also switch from in-depth monitoring to intensive monitoring, for instance if previous recommendations have had insufficient effect. In this form of monitoring, the Inspectorate's focus shifts from stimulating to intervening. For example, the Inspectorate closely monitors the follow-up and effects of improvement measures taken by the parties involved. The organisation or organisations involved are usually asked to issue periodic reports on the progress of measures and the Inspectorate investigates progress on site, where necessary unannounced. Intensive monitoring can also include an intervention meeting between a Chief Inspector/Director or the Inspector General of the Inspectorate with the responsible director/manager of the organisation the Inspectorate is monitoring. The Inspectorate reports and publishes its findings on the improvement measures and, where necessary, escalates to the responsible minister or, where applicable, a Supervisory Board. In the coming years, the Inspectorate is also expected to be granted enforcement powers for a number of new supervisory tasks, such as the imposition of a fine or an order subject to a penalty. These new tasks include the monitoring of debt-collection agencies and monitoring of the closed coffee shop chain experiment. The Inspectorate is developing a specific intervention framework for these new supervisory tasks. Once the desired effect has been achieved, the Inspectorate will phase out the intensive monitoring.



4 *In conclusion*

In this Multi-Annual Perspective, the Inspectorate sets out what it wants to achieve through its monitoring activities up to and including 2024. It aims to contribute towards insight into the status of justice and security and to public trust in the Justice and Security domain. The Inspectorate uses the Multi-Annual Perspective to make choices in its annual work programmes. The Inspectorate accounts for its decisions in its annual report.

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