



Inspectie Veiligheid en Justitie
Ministerie van Veiligheid en Justitie

Annual Report 2014

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Introduction

As an independent supervisory authority, the Inspectorate of Security and Justice investigates the quality of the execution of tasks in an expert, impartial and integrated manner in order to contribute to a continuous increase in the quality of the execution of tasks and the performance delivered by organisations in the area of security and justice. The Inspectorate does so by stating learning points in its reports and, if necessary, by formulating recommendations and by intervening. The Inspectorate also wants to timely detect relevant developments and risks and put them on the agenda. The Inspectorate monitors in order to give society, parties subject to monitoring and politically and administratively responsible persons insight into the quality of the execution of tasks, thereby contributing to a safe and just society.

In this annual report, the Inspectorate reports on the investigations and activities which it carried out in the past year. In previous years, the Inspectorate mostly used the annual report to look back on its investigations. In line with the report titled ‘Supervising Public Interests’ [*Toezien op publieke belangen*] by the Dutch Scientific Council for Government Policy and the government’s response to this report, it is the Inspectorate’s ambition to formulate in its annual report more reflective recommendations on the field of monitoring. In the 2014 annual report, the Inspectorate took the first step by looking beyond the findings from its own reports by also focussing on developments in the monitoring domains. On the basis of its monitoring in 2014 and previous years, the Inspectorate identified a number of recurring themes in several monitoring domains. This annual report therefore focuses on these themes. These themes are also the main features of monitoring for the 2015-2017 period, as referred to in the 2015 work programme.

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Monitoring activities

2.1 National security

In the monitoring domain of National Security, the Inspectorate mainly investigated incidents and monitored disaster response exercises in 2014. Moreover, preparations were made for the State of Disaster Response 2016 [Staat van de rampenbestrijding 2016].

2.2 Police

In 2014, the main focus of monitoring the police was on the formation of the national police. The investigations were aimed at the state of affairs with respect to a number of important operational targets of the police, the first experience and views of the competent authority of the police and the identification of the most important risks in the process of putting the basic teams and the regional crime squad into operation on 1 January 2015.

2.3 Implementation of sanctions and Youth

Over the past few years, the Inspectorate has screened all penal institutions and forensic psychiatric centres. In 2014, the Inspectorate identified and listed the risks of the Master Plan of the Custodial Institutions Agency; the Inspectorate will investigate these risks in practice in 2015. Moreover, the screenings of young offenders institutions and rehabilitation organisations were continued. Furthermore, the State Secretary for Security and Justice asked the Inspectorate in 2014, following reports in the media, to investigate the measures to prevent the presence of prohibited items in forensic psychiatric centre 'De Rooyse Wissel'. In response to this request, the Inspectorate started conducting thematic research into prohibited items in all forensic psychiatric centres in 2014.

IN THE SPOTLIGHT*Prohibited items in FPC 'De Rooyse Wissel'*

Investigation into: measures used by the institution to prevent the presence of prohibited items following reports in the media.

-  • the institution took preventive measures in 2013 and early 2014;
-  • the institution could have taken more preventive measures, a number of security measures (and the implementation thereof);
-  • plan of action with external Process Supervisor;
- increasing control of postal items and access to the clinic, among other things.

2.4 Asylum and migration

On 1 January 2014, the duties of the Supervisory Commission on Repatriation were transferred to the Inspectorate. In 2014, the activities carried out by the Inspectorate mainly focused on monitoring the return and implementing structural monitoring of other organisations cooperating in the immigration process which were not monitored before 1 January 2014. The Inspectorate also monitored improvement measures within organisations cooperating in the immigration process.

3

Monitoring themes

3.1 Budget cuts and reorganisations

Three major reorganisations are taking place within the area of security and justice: the formation of the national police, the Master Plan of the Custodial Institutions Agency and the decentralization and reform of youth care, youth protection and youth rehabilitation to municipal authorities with effect from 1 January 2015. During the period from 2013 to 2017, the Inspectorate investigates the formation of the national police once every six months. The Inspectorate's third investigation into the formation of the national police identified risks in the process of putting basic teams and the regional crime squad into operation on 1 January 2015, with possible consequences for the quality of the execution of tasks. Partly as a result of the Inspectorate's report, the Minister promised the House of Representatives to carry out an integrated review including a phasing of the further formation of the Police Service Centre before July 2015¹. When monitoring the domain of disaster response and crisis control, the Inspectorate concludes that there is less room for practice, partly due to the reorganisation.

Other organisations also detect risks to the quality of the execution of tasks during reorganisations. In its recommendation on the Master Plan of the Custodial Institutions Agency in 2013, the Council for the Administration of Criminal Justice and Protection of Juveniles stated that 'a race to the bottom' with related loss of sufficient trained staff should be avoided². In the police domain, 'the budget cuts in police training courses seriously undermine the quality of education and police work', according to the General Christian Police Union³.

¹ Parliamentary Papers, House of Representatives, 29628, no. 474.

² <https://www.rsj.nl/advies/adviezen/2013/>.

³ http://www.acp.nl/uploads/media/20140925Brief_aan_Tweede_Kamer_bezuinigingen_politieonderwijs.pdf.

During its investigations, the Inspectorate notices that staff are (highly) motivated to offer quality. A reorganisation demands that efforts be made by staff and management. In spite of the major consequences for the organisations involved, the usual work continues. The Inspectorate understands the necessity of setting priorities, but fewer investments in the quality of staff could be a threat to this motivation and therefore a risk to the quality of the execution of tasks. Society is entitled to expect high quality when it comes to the execution of tasks, even during reorganisations. In the 2015 work programme, the Inspectorate used the risks identified in order to focus on, for example, the theme of budget cuts and reorganisations during the 2015-2017 period in order to assess whether this will not be at the expense of a responsible level of quality of the execution of tasks. One of the aspects of this assessment is professional autonomy for staff members. One of the preconditions for professional autonomy is that staff are sufficiently facilitated, through training courses, among other things.

IN THE SPOTLIGHT

Third investigation into formation of national police

Investigation into: putting basic teams and regional crime squad into operation.

-  • intended goals are feasible;
-  • risks resulting from planning in the area of provision of information, operations, staff reorganisation and control;
-  • measures in the area of strengthening integral control and increased focus on securing sufficient strained staff.

3.2 Cooperation

The area of security and justice is characterised by frequent cooperation in chains and networks. In 2014 and in previous years, the Inspectorate assessed this cooperation in the criminal justice system, the immigration system and disaster response. For the criminal justice system, the Inspectorate mentioned chain cooperation as a point of attention in various investigations of rehabilitation organisations in 2013 and 2014. Partly due to the Inspectorate's observations, the Public Prosecution Service expressed its intention to deal with these points in cooperation with the rehabilitation organisations. The immigration system monitor [monitor vreemdelingenketen] monitors whether the recommendations from the incident investigation into the death of Alexander Dolmatov are followed. This shows that cooperation has improved, but that the transfer of medical and other information continues to be a point of attention. The State Secretary for Security and Justice indicated that he recognised the risks identified in the report and confirmed the current course.

IN THE SPOTLIGHT

Immigration system monitor

Investigation into: implementation of promised measures within the immigration system.

- 
 - organisations and officials have expeditiously and actively started implementing the measures;
 - cooperation has intensified: cooperating organisations contact each other increasingly often and at various levels;
- 
 - the system of transferring medical and other information is not yet sound;
-  Risks identified:
 - connection between procedures no longer clear;
 - achieving results in the short term will be at the expense of the focus on implementing fundamental improvements.

The Netherlands Court of Audit also mentioned improved cooperation, knowledge sharing and information exchange between security regions as a recommendation in the report titled ‘Insight of government authorities into protection of citizens and companies’ [Zicht overheden op beschermen burgers en bedrijven]⁴.

The Inspectorate not only identifies risks within organisations, but mainly also among organisations. One of the themes with respect to the monitoring by the Inspectorate for the period 2015-2017 therefore is cooperation, which focuses on the functioning of and risks to the various chains and networks.

The Inspectorate not only calls for attention to be paid to (chain) cooperation in the monitoring domain of security and justice, but also cooperates with other supervisory authorities itself. The design of this cooperation varies. With respect to the Inspection Council, for example, the state inspectorates cooperate in the development of the subject of monitoring. Within the various monitoring domains, the Inspectorate cooperates with other state inspectorates for specific investigations or in collaborations such as the Joint Inspectorate for Youth.

3.3 Information

The execution of tasks by individual organisations as well as cooperation in chains and networks benefit from proper availability of information. The third report on the formation of the national police mentioned the provision of information as one of the risks to the quality of the execution of tasks within the context of putting the basic teams into operation. Not only the Inspectorate has identified bottlenecks in the provision of information in organisations in the area of security and justice. The feasibility study by the Research and Documentation Centre into the usefulness of registrations of ISD procedures (Inrichting voor Stelselmatige Daders or Institution for Repeat Offenders) shows that penal institutions and the probation service have many and various registrations with incomplete information which are difficult to link to each other⁵.

A point of attention remains that arrangements for the exchange of information should not only be made on paper, but plans and procedures should mainly also have to work in practice. The Inspectorate already mentioned this in the annual report of 2013, but this is again shown in the investigation into the status of recurring bottlenecks in victim registration. For instance, the Inspectorate of Security and Justice and the Healthcare Inspectorate concluded in the area of disaster response and crisis control that bottlenecks on the exchange of information have (partly) been dealt with and included in plans and agreements, but that practice will have to show whether this actually offers a solution. Following the report, the Minister of Security and Justice stated to the House of Representatives, that it has been agreed with the Safety Consultative Body to give priority to strengthening population care.

⁴ Parliamentary Papers, House of Representatives, 26 956, no. 200.

⁵ <http://www.wodc.nl/onderzoeksdatabase/2314c-haalbaarheidsstudie-isd-trajecten.aspx>.

3.4 Professional autonomy

Professional autonomy is important in various areas. The Inspectorate concludes that emergency response services in the islands of Bonaire, Sint Eustatius and Saba strongly depend on self-reliance.

IN THE SPOTLIGHT

Baseline measurement BES disaster response

Investigation into: preparations by the BES Islands in respect of disaster response and crisis control

-  • full focus on disaster response, but not yet fully prepared;
- foundations for proper disaster response have been laid;
- strongly developed self-reliance;

-  • not all plans and agreements are ready, therefore a lack of cohesion;

-  Risks identified:
 - limited capacity of emergency services, therefore a strong dependency on external assistance, which takes more time;

-  • follow-up investigation in due course in order to monitor the improvements achieved and the follow-up to the recommendations.

In the second investigation into the formation of the national police, the Inspectorate also demands attention for professional autonomy with sufficient checks and balances without these undermining professional autonomy. In the monitoring domain of implementation of sanctions, professional autonomy manifests itself in the balance between treatment and security. For instance, the Inspectorate concluded in its investigation into prohibited items in De Rooyse Wissel that the institution could have done more to prevent prohibited items from entering the institution. In doing so, the Inspectorate asks that more attention be paid to security in the institution's policy. Based on the Inspectorate's report, a detailed plan of action was drawn up and various measures were implemented. Besides the Inspectorate, other organisations also demand attention for professional autonomy. The Dutch Safety Board also demands attention for professional autonomy in its report titled 'Safety of foreign nationals' [Veiligheid van vreemdelingen]. The Inspectorate recognises the Board's point of attention and will include this in the organisation of monitoring the asylum and migration domain. This is aimed at functioning in practice, not at adopting further regulations or protocols. According to the Dutch Scientific Council for Government Policy, incidents in the political-administrative arena give rise to over-reactions in laws and regulations (incident reflex or risk regulation reflex). The Inspectorate of Security and Justice also plays a role here: monitoring creates a balanced picture of the execution of tasks, which possibly limits or even prevents over-reactions based on incidents. However, not all risks can be prevented by setting more rules. The Inspectorate considers professional autonomy with sufficient checks and balances to be a tool for reducing risks.

3.5 Stimulating and risk-based monitoring

The Inspectorate wants its monitoring to be effective. For this purpose, a shift was made in 2014 as regards the monitoring by the Inspectorate from checking organisational preconditions to performance and risk-based monitoring in the area of the prison system. For instance, the Inspectorate did not conduct any screenings for the prison system in 2014, but identified the risks within the Master Plan based on the completed screening cycle of all institutions within the prison system. These risks will be investigated within a number of institutions in 2015. Moreover, a number of new or revised assessment frameworks were laid down, with increased focus on performance instead of on organisational preconditions. This also fits in with the use of quality systems throughout the field. The Inspectorate supports the use of quality systems throughout the field. When the Inspectorate has sufficient trust in the quality level with pertaining checks and balances in quality systems, the Inspectorate can organise its monitoring differently.

In order to create the best possible effect on the execution of tasks, the Inspectorate uses its own ladder of intervention, the primary tools being ‘communication’ and ‘publicity’. For instance, the Inspectorate can conduct a full follow-up investigation or carry out interim monitoring of the implementation of the recommendations. In 2014, the Inspectorate carried out interim monitoring of the rehabilitation organisations in the Limburg region. In the area of implementation of sanctions, interim monitoring rarely results in a follow-up investigation, because the recommendations have been followed or the Inspectorate has, based on the progress, sufficient confidence that the remaining bottlenecks will be solved. Moreover, meetings are held with the persons who are directly and administratively responsible for increasing the support base and the effect of the reports. If any urgent risks are identified, the Inspectorate will not wait for the report but will inform the relevant administrator directly. For instance, after each monitored forced return of foreign nationals to a country of destination, the Inspectorate provides feedback to the relevant implementing organisations in the immigration system. This direct feedback enables the implementing organisations to quickly discuss any bottlenecks identified with the relevant staff members, so that improvement measures can be taken more quickly and in a more targeted manner, thereby achieving actual improvements more quickly. The Inspectorate looks for the most effective way to provide the responsible parties with the results of the monitoring. This does not always have to be in the form of a report, but could also be a meeting, achieving better and quicker results.

The Inspectorate also stimulates the exchange of information within the field. For instance, when conducting monitoring in general and conducting incident monitoring in particular, the Inspectorate looks at good practices beyond the organisations inspected. For instance, the Inspectorate made recommendations to all municipalities following the incident investigation into the fire at premises at Kelders in Leeuwarden. Moreover, the Inspectorate organises an annual Disaster Response and Crisis Control contact day. The purpose of these meetings is to bring the various security regions into contact with each other and to share risks and good practices.

IN THE SPOTLIGHT

Fire at Kelders in Leeuwarden

Investigation into: learning points from the incident in cooperation with the Fire Service Academy

-  • performance by fire brigade and emergency services was adequate;
-  • poor fire prevention measures in the premises;
-  • municipal awareness of fire safety in existing buildings was raised;
 - recommendations to municipalities to improve this fire safety.

4 Organisation

In 2014, the Inspectorate spent around 7.5 million euros to perform its duties as supervisory authority in the area of security and justice. The staffing level was around 70 FTEs at the end of 2014. The Inspectorate also employs a temporary workforce (seconded persons and temporary employees).

4.1 Investigations

The Inspectorate has executed most of the 2014 work programme as planned. In 2014, the Inspectorate completed 29 investigations. Moreover, 36 investigations are continued in 2015. In 2014, the Inspectorate also carried out a total of 73 inspections of the specific implementation with respect to the process of assisted forced return of foreign nationals to a country of destination. It should be noted here, however, that the scope of the investigations varies greatly. The investigation reports can be found at www.ivenj.nl.

4.2 Activities

Part of the capacity available was used for activities within the context of professionalization of the Inspectorate's own organisation and for fulfilling an advisory role for the professionalization of the organisations subject to monitoring. For instance, the Inspectorate has drawn up assessment frameworks for various monitoring domains including HALT (preventing and combating juvenile crime) and for actual departure in case of a forced return of foreign nationals. Part of the activities will continue in 2015, such as drawing up an assessment framework for youth. The Inspectorate also developed and harmonised the quality standards for investigation.

4.3 Changes compared to the work programme

In 2014, the Inspectorate also conducted unscheduled investigations, apart from the investigations and activities contained in the work programme. In 2014, two incident investigations were completed which started in 2013. The Inspectorate also conducted an investigation following signs of the presence of prohibited items in De Rooyse Wissel. An incident investigation was also conducted following a diving accident. This report will be completed in 2015.

As new priorities were set, the investigations into the execution of tasks by the Regional Information and Expertise Centres (RIECs) and the National Information and Expertise Centre (LIEC) in relation to management needs and the screenings of the rehabilitation organisations in the province of North Holland were passed on to 2015. Based on the orientation, the investigations into the quality of teachers within the context of the state of police training courses 2015 and monitoring the Netherlands Institute for Safety/quality of fire service training were cancelled. Finally, the Inspectorate has decided for now not to conduct the screenings of the Schiphol Criminal Justice Complex and the Zeist Detention Centre, as announced earlier. These locations have, however, been visited within the context of the Immigration System Monitor.

Mission of the Inspectorate of Security and Justice

*The Inspectorate of Security and Justice monitors the domain of security and justice
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 safe and just society.*

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