



Inspectorate of Justice and Security
Ministry of Justice and Security

Annual report:

*Inspectorate of Justice and
Security*

2021

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Foreword

We are a small Inspectorate. With our workforce of around 100 people, we cover (part of) a domain in which more than 100 000 people work on a daily basis. This means we need to carefully select our priorities and ensure continuous innovation to remain effective.

The drafting of this annual report coincided with the publication of a report¹ by the Netherlands Court of Audit on the effects of three other reports from 2016, 2017 and 2018. According to the Court, those reports were unlikely to have made a more than modest contribution to improving implementing practice.² For example, the Inspectorate did not focus sufficiently on the directing role of the Ministry with regard to its implementing organisations. Our review of the effects of implementation on citizens was likewise insufficient. The Court of Audit pointed out that the implementing organisations and the Ministry of Justice and Security should do more with our reports. One might conclude that this was a tough message for the Inspectorate – but in fact it was not; far from it. Why is that?

It goes without saying that the report of the Court of Audit offers insights that will help us improve our supervision, and we greatly value those insights. However, what the report shows first and foremost is that supervision cannot be viewed separately from implementation and policy. Supervision can help to establish the extent to which ideas developed on paper actually work in practice. As a supervisory authority we can send signals, but we cannot *enforce* improvements. It is up to the implementing authorities and policymakers to pick up those signals. For this reason I welcome the Ministry's intention to enhance its management focus on the implementation of our recommendations, in its role as commissioning authority. Of course we will also monitor things ourselves, as part of our duty to perform our signalling task as effectively as possible. This leads me

¹ 'View of the Inspectorate's reports', report of the Netherlands Court of Audit published on 26 January 2022

to a second point: the report of the Court of Audit also shows the progress we have made since 2018, and that the course we have been pursuing since 2021 is the right one. Our Multi-Annual Perspective 2021-2024³ clearly illustrates our increased attention for the effects of implementation on citizens. We are also broadening the scope of our supervision. We have introduced regular supervision to further enhance our connection with the field. Frequent contacts and more intensive use of data are improving our view of issues and concerns. This enables us to detect trends at an early stage and alert those responsible for implementation accordingly, so that adjustments can be made if required. It also helps us to make better choices when we do believe there is a case for follow-up investigation.

In this way we enhance the effect of the signals we send, which are not only intended for implementing organisations, but also for commissioning authorities and policymakers. After all, they are the ones that have to provide the resources required. We also need to ensure – and politicians play an important role here – that the implementing organisations are able to carry out the tasks assigned to them. The basics must be in place before implementing organisations are saddled with new assignments.

In our 2021 Annual Report we shed further light on the main signals we send as a supervisory authority. In addition, we highlight developments within our own organisation that merit attention. New forms of supervision have brought us closer to implementing practice. New areas of supervision, such as the debt collection sector and the cannabis experiment, have broadened our field of supervision within the Justice and Security domain. By calling owners and commissioning authorities to account, as well as implementing organisations, we contribute to the efforts to address obstacles. In this way we have further strengthened our role within the implementation, policy and supervision triangle.

Increasingly, we are shifting from a position *opposite* the implementing

² Incidentally, the Court of Audit also pointed out that their findings do not suggest that the Inspectorate as such is ineffective.

³ See the [Multi-Annual Perspective 2021-2024](#), 11 February 2021

organisations to a position *alongside* those organisations. After all, opposition is what they feel, sometimes, when we share our firm conclusions with the outside world. Let there be no doubt: we can see that police officers, youth protection staff, migration staff, prison staff, security region assistance providers etc. are all doing their very best. Our objective, therefore, is not to reprimand but to offer guidance to help them perform even better and contribute to a just and safe society. This annual report will tell you how we tried to achieve that in 2021.

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



Introduction

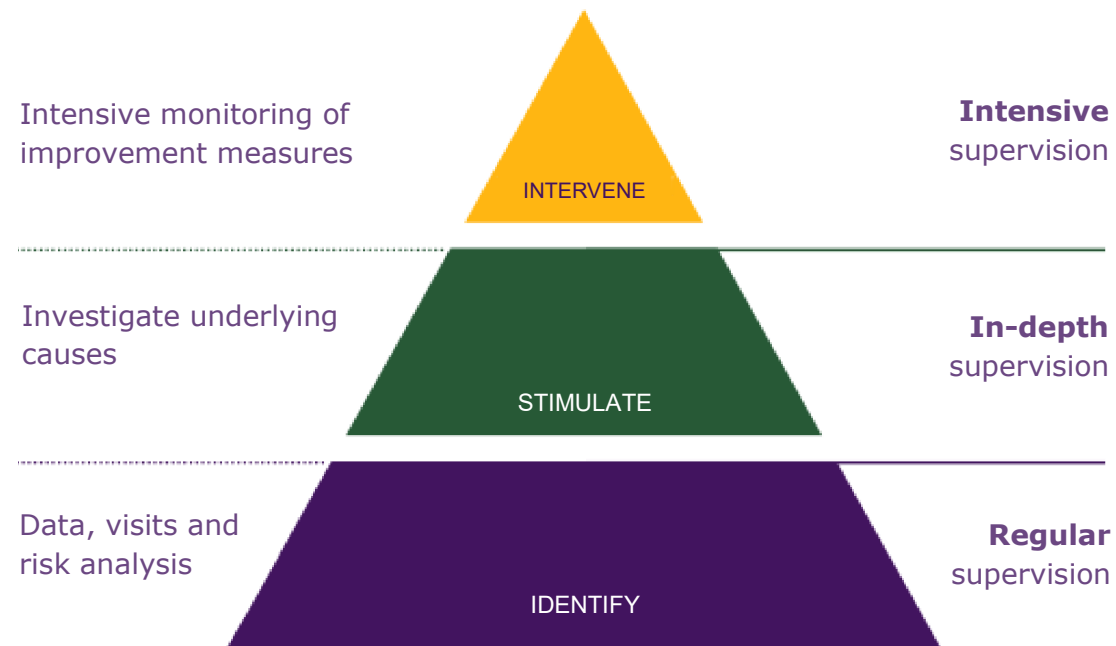
Every day, countless people work to promote justice and security in the Netherlands. These include police officers who intervene in emergencies, and staff in prisons, forensic hospitals and young offenders institutions preparing clients for their return in society as safely and effectively as possible. Or the colleagues devoting themselves to the reception of asylum seekers, and security region staff working to ensure optimal preparedness of emergency assistance personnel, night and day. These people and the organisations they work for have important and complex tasks that affect citizens.

Our supervision helps to identify risks, strengths and weaknesses in their work. This also explains our motto: 'Supervision, because justice and security cannot be taken for granted'. We have set our course for the next few years in the Multi-Annual Programme for 2021-2024. By centring more specifically on the societal mandate of the supervised organisations, our aim is to improve our focus on what their work delivers for citizens. A better picture of implementation will allow us to detect risks at an early stage and intervene if necessary. We are committed to promoting effective collaboration in chains and networks within the Justice and Security domain. In addition, we want to enhance the resilience and learning capacity of organisations and chains.

Our findings, conclusions and recommendations serve as incentives for implementing organisations, the Ministry, Parliament and the general public. Through our supervisory activities we aim to detect, stimulate and – if necessary – intervene. Until quite recently, our reports were our 'trump cards', so to speak, and the best channel for us to communicate our signals and incentives. In 2021 we published many reports, but we also explored other types of supervision. For example, we are working hard to develop 'regular supervision'. By visiting institutions or asking them for data we are able to identify obstacles and best practices at an early stage on a continuous basis. This helps us gain a better picture of the field.

Together with partners in the field, we reflect on our findings and help implementing organisations make any adjustments required. This aids us in making more specific choices for our targeted inspections (in-depth supervision). In turn, this enables us to strengthen our support for implementing organisations in their often complex tasks, and draw attention to their needs. The objective of intensive supervision is to encourage parties to make changes that are absolutely essential.

In this annual report we once again highlight several main themes that we have encountered over the past year. We also report (in outline) on developments within our own organisation. Chapter 1 focuses on the conclusions of our supervision. In chapter 2 we focus on organisational developments within the Inspectorate and provide details on our human and financial resources.



Chapter 1: Main findings from supervision

In 2021 we broadened and intensified our contact with implementing organisations, published dozens of reports and letters, conducted several exploratory studies, monitored the follow-up of our recommendations, drew up assessment frameworks and implemented several improvement plans. Where possible we collaborated with other supervisors or institutions. Through our findings, conclusions and recommendations we highlighted vulnerabilities in how the various organisations perform their tasks. In this context we not only address the implementing organisations and the chains in which they operate but also, increasingly, the client and owner responsible for the tasks of an implementing organisation and the resources available to it.⁴

As in 2020, the pressure on implementing organisations and the chains in which they work continues to increase. Owing to the lack of key resources such as qualified staff and funding, and the accumulation of assignments (some of which are impracticable), organisations are having increasing difficulty fulfilling their tasks in a responsible manner. This may compromise their ability to achieve their social mission, such as providing effective assistance to young people, or processing requests for asylum in a careful and timely manner. In addition, problems in collaboration and management guidance and the inadequate focus on the citizens' perspective are causing further issues in implementation, separately or in combination.

Implementation issues

In 2021 we found, once again, that young people in difficulty are not receiving the help they need when they need it⁵. This applies to young

⁴ In the Justice and Security steering model, the (d)SG performs the owner role. This official is responsible for the continuity of the organisation. The director generals are the clients of the implementing organisations. They are responsible for the effective implementation of policy by the implementing organisations and set the financial frameworks within which the contractors will have to carry out their tasks. The owner, client and contractor constitute the 'triangle'. In some cases, organisations are funded by municipalities or by multiple departments (as in the

people in youth protection and in the juvenile criminal law system. In the course of the year, together with the Health and Youth Care Inspectorate, the Education Inspectorate and the Dutch Labour Inspectorate we expressed concern about the staff shortages and waiting lists at young offenders institutions. Those staff shortages compromise the safety of employees and young people and add to the pressure of work for the available staff. We therefore closely monitored all developments and maintained regular contacts with the field. We talked to administrators, supervisory committees and works councils. We requested data on waiting lists, staffing levels, staff capacity and daily programmes.

We noted that staff and management at the young offenders institutions were doing their level best to find solutions. The Custodial Institutions Agency, the body responsible for the young offenders institutions, took improvement measures such as setting up a new location and attracting new staff. All the same, the situation kept deteriorating and we sounded the alarm when at least one institution no longer met the statutory requirements for young people's activity programmes. The problems are too big for implementing organisations to tackle on their own. For that reason we urgently asked the minister to find a solution to ensure that young offenders institutions can carry out their important task.

In youth protection services, too, the situation remains problematic. Despite the improvements in many places compared with 2019⁶, the strenuous work and tight labour market result in high levels of absenteeism and turnover among youth protection staff. Particularly children in need of specialist support are not getting that support, due in part to the lack of supraregional collaboration. Local authority procedures, such as the various youth support purchasing strategies and registration procedures, are obstructing the rapid provision of appropriate assistance.

case of youth care). There are also cases where services are sourced from market parties (as in forensic care). These arrangements are subject to a different governance model that involves coordination with other supervisory authorities. For more details, also see: [introduction dossier JenV](#).

⁵ Pressure on youth protection services was also a main theme in the [2020 Annual Report](#).

⁶ [Vulnerable children receive insufficient protection, report published on 18 November 2019](#)

In conjunction with the young offenders institutions we called the government and all regional parties to account over their responsibilities to ensure appropriate and rapid support. Regions that were struggling with their tasks were also confronted with tightened supervision by the inspectorates, involving close monitoring of the situation over a period of six months.⁷ We also highlighted our concerns and points for attention through a vision on the Future Scenario regarding Child and Family Protection (on a different way of organising youth protection).⁸

A sufficient (and sufficiently qualified) workforce remains one of the key conditions that govern the ability to perform a task. In late 2021, the Central Works Council of the Custodial Institutions Agency sounded the alarm.⁹ They had grave concerns about staff shortages and the associated lack of safety in prisons and clinics. We shared those concerns. When the Ministry conducted an exploratory study into high-security transport for the Vught Penitentiary Institution, we shared our concern through an opinion report (*zienswijze*). In it, we pointed out that in our opinion, structural funds for expanding and maintaining staffing levels are essential for the Transport and Support Unit to be able to carry out its current and future tasks.¹⁰

Likewise, the Taskforce of the Immigration and Naturalisation Service (IND), which was instituted to eliminate the backlog in asylum procedures, was a reason for us¹¹ to keep our finger on the pulse for some time. Signs of concern among staff and the new, simplified working method at the IND may affect the accuracy of decision-making procedures. This is why we

decided to closely monitor the decision-making procedure for asylum applications within the Taskforce domain. And with good reason¹²: in early 2022 we concluded that speed and accuracy did not have top priority in efforts to eliminate the backlog in processing asylum applications and that, as a result, asylum applications might have been granted or rejected unlawfully. We also identified a lack of uniform reporting on implementation obstacles.

Supervision in times of COVID-19

Flows of asylum seekers and deportations of aliens came to a halt for a time. In addition, day-time programmes had to be cancelled resulting in delays in the reintegration of detainees. Enforcement tasks placed a heavy burden on police capacity.

Right from the start of the pandemic, organisations were making every effort to cope as effectively as possible. We kept abreast of all the measures that organisations were taking to safeguard their continuity, such as COVID-19 measures in prisons and in the migration chain. By setting up crisis management structures and protocols, they did what they could to continue operations and minimise the effect of the restrictions.

These were serious shortcomings that could not possibly be attributed solely to the IND. The asylum dossier is extremely sensitive and is under intense pressure from politics and the media. A taskforce was launched without a solid plan or preparations, and without a preliminary check to make sure it could actually carry out its tasks with the human and financial resources available. The Inspectorate is of the opinion that a taskforce is not the right instrument to resolve problems in the asylum process in the long term. This requires far-reaching measures that the IND is unable to introduce on its own. Incidentally, this is not a new insight; previous studies by third parties came up with the same conclusion.

So we now urge the Minister for Migration to take serious action. People in trouble must be assisted and guided.

Staff at the implementing organisations need to have the skills and resources that enable them to provide such assistance and guidance. For example, working with problematic target groups makes heavy demands on people – and on the implementing organisations they work for. Our investigation of the approach to asylum seekers causing nuisance (many of whom have mental problems, addiction issues or a criminal record) has shown that a special reception centre in Hoogeveen is perfectly capable of dealing with this group. Staff at this centre have more possibilities to

⁷ [Vulnerable children receive insufficient protection, report published on 5 July 2021](#)

⁸ [Response to Future Scenario regarding Child and Family Protection, letter dated 14 June 2021](#)

⁹ See [Serious concerns about staff shortage and lack of safety in all Dutch prisons - NH Nieuws](#)

¹⁰ ['Exploratory study into transport movements and hearing space, PI Vught', Ministry of Justice](#)

[and Security, 22 November 2021](#)

¹¹ ['Taskforce IND', action plan, 21 May 2021](#)

¹² ['Taskforce IND', letter dated 7 January 2021](#)

impose sanctions and are assisted by special enforcement officers. The problem however is that the centre in Hoogeveen is often unable to receive problematic asylum seekers in the short term. As a result, these people remain in the regular reception centres of the Central Agency for the Reception of Asylum Seekers (COA). Staff at the regular centres lack the specialist training, resources and powers to resolve nuisance issues quickly and decisively and to offer care and guidance for the asylum seekers concerned. The result is more nuisance and unsafe situations for other asylum seekers and local residents, and sickness absence among staff.

One of the things we asked the parties involved is to make agreements about initiating the departure process for minor persons causing nuisance who have not applied for asylum but do stay in a COA reception facility. In 2020 we already observed that the police resources for emergency assistance come at the expense of other important tasks, such as preventive policing in local neighbourhoods.¹³ In 'Emergency assistance'¹⁴, a study published in 2021, we observed that while police assistance is specifically relied upon during emergencies, staff capacity in the regional police control rooms is even tighter than in the base police teams. Work pressure is high and so is the risk of absenteeism. In addition, individuals with mental health issues take up a lot of the time available to staff. With considerable effort, the police are able to find enough staff for their base teams, but this comes at the expense of other police tasks such as local community work.

We should point out that police officers have become more knowledgeable about their powers in recent years. They know how to act in an emergency. We have asked the police chief to make sure that police officers are able to refresh their knowledge of first aid and emergency assistance on a permanent basis also after 2021.¹⁵

Inadequate coordination and collaboration

¹³ ['Enforcement', Regular Review published on 1 September 2020](#)

¹⁴ ['Emergency Assistance', report published on 9 September 2021](#)

¹⁵ ['Ready knowledge of emergency assistance', report published on 11 March 2021](#)

Several studies have shown that inadequacies in management and collaboration result in vulnerabilities in the performance of tasks. We received signals from staff members about abuse of power, undesirable conduct, inappropriate leadership styles and conflicts, which made us decide to conduct three studies at different sections of the National Unit.

There was considerable overlap between the conclusions of those three studies. Collaboration between various interdependent units is problematic. We also observed a lack of proper direction by the management and limited attention for staff members.

For example, staff at the Counterterrorism, Extremism and Radicalisation information hub (CTER)¹⁶ work without a joint interpretation of their duties. Roles, tasks and responsibilities are not clearly described or assigned. Due to the lack of clear priorities in objectives and tasks, moreover, there is no unambiguous management focus. This 'silo mentality' has caused colleagues to compete rather than collaborate. While CTER is able to fight concrete and known threats quite effectively, it fails to fully perform its more proactive tasks, such as gathering intelligence on terrorist networks.

The National Unit's National Centre for International Legal Assistance (LIRC)¹⁷ is responsible for processing requests for international legal assistance and for the exchange of information at the international level. Despite the fact that the LIRC had received complaints about its deliverables and was also struggling with backlogs, it was assigned additional tasks. The Centre was thus expected both to 'get the basics right' *and* deal with additional tasks – an almost impossible challenge further complicated by the lack of central direction by the management. This situation resulted in harm to LIRC staff and in external operational risks. One of our recommendations to the police chief was to formulate concrete and feasible ambitions and clearly identify the resources needed

¹⁶ ['National Unit Study, partial investigation 2: the Counterterrorism, Extremism and Radicalisation \(CTER\) cluster', report published on 2 December 2021](#)

¹⁷ ['National Unit Study, partial investigation 1: DLIO', report published on 28 January 2021](#)

to achieve them. Additionally, we advised him to place the well-being of staff high on the list of priorities.

Part of the National Unit triptych, but only recently completed in 2022: the investigation¹⁸ into working methods and culture at the Undercover Operations (AO) department. This department, which is engaged in undercover information collection operations, lacks a joint objective, as a result of which the various teams each pursue their own course. Again, we observed an almost complete lack of central direction by the management, despite the high-risk type of police work involved, which calls for direct management. Poor collaboration internally as well as with the regional police units can cause problems in the management of secret operations to fight serious crime, for example. We advised the police chief to improve both internal and external collaboration and strengthen the management of the department's teams. In addition, we called for attention to the well-being of staff and measures to address the culture of nepotism and internal competition.

Control rooms also suffer from inadequate management. They play a crucial role during a crisis. In an emergency, citizens should be able to rely on the accessibility of control rooms to reach emergency services. However, the continuity of control rooms has been a concern for years.¹⁹ In 2021, rather than carrying out a comprehensive thematic investigation, we sat down with the Radiocommunications Agency Netherlands to consider the



extent to which recommendations from earlier studies had been followed up. Unfortunately, our conclusion²⁰ was that there had been very little follow-up, if any. The control rooms have remained as vulnerable as ever. Their ICT is inadequate, responsibilities are fragmented and decisions are taken on the basis of incomplete information. These findings prompted us to ask the board²¹ to carefully review the governance structure of the control rooms.

Likewise, in a study of information security at control rooms²² we asked the board²³ to take up its role. The study revealed that the ICT departments of control rooms take security measures to fend off digital attacks, but fail to do so on the basis of the most comprehensive and up-to-date insights into digital risks available. This is why control room management boards should seriously start to coordinate measures to ensure the security of control room systems. We have also asked the Ministry and the control rooms to jointly review the responsibilities for control room systems so as to enhance the practical feasibility of security measures.

Police officers need appropriate training to be able to perform their tasks. In addition to basic police officer training, every year around 28,000 people engage in further education (e.g. driving or forensic investigation). The police force and the Police Academy are jointly responsible for the quality of police education and for

ensuring a range of courses tailored to practical needs. In 2017, the Inspectorate called on the police force and the Police Academy to take

¹⁸ [‘National Unit Study, partial investigation 3: Specialist Operations Unit, Undercover Operations department’, report published on 25 January 2022](#)

¹⁹ See studies from [2015](#) and [2019](#).

²⁰ [Letter plus appendices on the follow-up of recommendations, 23 September 2021](#)

²¹ In this context we also addressed the Administrative Control Room Council (BMB), a body established by the Minister of Justice and Security to ensure effective nationwide coordination of

control room policy and management.

²² [‘Security measures for control room systems’, report published on 3 February 2022](#)

²³ In this context we addressed the BMB but also, and especially, the Strategic Control Room Council (SMB). The SMB plays a central role in the strategic coordination of control room policy and management at the national level.

steps to ensure a responsible balance between the supply of and demand for training. It is up to the police force to formulate its training needs, both in qualitative and quantitative terms. In practice, this turned out to be easier said than done. This is why the Inspectorate decided, in 2019, to intensify its supervision of the police force, to ensure it formulates its needs for specialist training and education in concrete and realistic terms. The status in late 2021 revealed that substantial steps forward had been made, as reflected in major changes in the operational management of all units and the management team. In view of this positive result, we have decided to finalise our multi-year programme of intensive supervision of this particular aspect.²⁴ We will however continue to highlight the crucial significance of this issue, at the level of the police chief. In addition, we will ask the Ministry to give further shape and substance to the required coordination for the police force. After all, the responsibility for supervision of the actual implementation of police force management (people and resources) has been expressly assigned to the Ministry.

In our investigation²⁵ into the attack in a tram in Utrecht, we concluded that the collaboration between the various authorities involved was problematic. The police, the Public Prosecution Service and the Custodial Institutions Agency had all failed to recognise the multiple issues associated with the attacker. They did not discuss and address those issues with each other sufficiently in the period before the attack. A more comprehensive profile of the attacker could have resulted in a more effective strategy to address his problems. The crisis response organisations also failed to collaborate effectively after the attack. For example, they were late in sharing investigation details. Had they shared those details earlier, the municipality could have advised residents earlier and more clearly what to do. We recommend that the police and the Public Prosecution Service make agreements with the National Coordinator for Counterterrorism and Security on the sharing of relevant investigation

details when considering to declare the highest threat level.

Poor collaboration is also an issue in border control operations by the Royal Netherlands Marechaussee (KMar). The responsibilities of KMar include the fight against human trafficking, in which context it joins forces with parties including the LIRC of the police. However, we found that it does not do so with sufficient intensity, which has resulted in the absence of a coherent approach. Neither has KMar formulated any concrete objectives, and as it tends to focus on incidents it has no clear picture of the smuggling rings at play. The high turnover of staff at KMar further complicates matters; people tend to move quite rapidly from one position to another. This is a direct consequence of the staff policy imposed by the Ministry of Defence, to which KMar reports. As a result, accumulated knowledge tends to evaporate fast. One of our recommendations, therefore, was that the relevant ministers from the Ministry of Defence and the Ministry of Justice and Security should meet to discuss staff mobility policy.²⁶

Our investigation²⁷ into the collaboration between the government and the security regions in the strategy to address COVID-19 showed how crucial it is for parties to be aware of each other's roles. The decision to scale down the national crisis management structure, in the summer of 2020, also meant that the involvement of the security regions was to be phased out. In consequence, the government and the regions increasingly worked independently of each other and the latter were not involved in major decisions, for example regarding the establishment of test sites. As the regions were no longer in a position to contribute to ensure the practicability of government measures, problems arose in the enforcement of COVID-19 rules. We advise, therefore, that the security regions be accorded a formal role within the national crisis management structure. In such an arrangement, the government could discuss national crisis response measures directly with the regions concerned.

²⁴ [4th Letter to National Police Management Team, 24 February 2022](#)

²⁵ ['Attack in a tram in Utrecht, 18 March 2019', report published on 26 May 2021](#)

²⁶ ['Border control and investigation', report published on 31 August 2021](#)

²⁷ ['Evaluation of measures to address COVID-19', report published on 14 December 2021](#) During the investigation we shared our findings with the Dutch Safety Board – not only in connection with their own investigation, but to minimise the supervision burden for the organisations involved.

Focus on citizens /target group

Citizens must be able to rely on organisations within the Justice and Security domain to do their job effectively. After all, their work affects people, such as victims reporting a crime or young people who need help to be able to participate in society. In this context, it is important for organisations to always consider the effect of their actions on the citizens concerned. Several investigations conducted in 2021 have shown that there is room for improvement in this respect.

In conjunction with the relevant Social Domain Supervision (TSD) inspections²⁸, we found that a range of organisations – from rehabilitation services and housing corporations to social counselling and debt assistance services – have no complete picture of the vulnerable people with mental health issues that they are supposed to help. Municipalities tend to phase out care and assistance arrangements too fast and all too easily assume that these vulnerable people can fend for themselves. Social Domain Supervision calls for measures at the local, regional and national level. We talk with parties including the VNG Association of Netherlands Municipalities, the Dutch Mental Healthcare Association and the Ministry of Health, Welfare and Sport and call on them to fulfil their respective roles. For example, by coordinating assistance from multiple parties more effectively and by engaging experts with practical experience. This will help to create an up-to-date picture of this vulnerable group and ensure appropriate support.²⁹

Victims are entitled to protection after reporting a crime. When taking the report, it is up to the police to assess whether the victim is a vulnerable person and whether any protective measures (such as a restraining order imposed on the accused) should be taken. We have found³⁰ that there is room for improvement in this regard. There are huge differences in the way the police assess the vulnerability of victims and in terms of the protection offered. For example, it depends on the police officer who the

victim happens to be speaking with, but also on where the report is taken: in the street (where there is not much time, usually) or at the police station. Police officers also interpret the term 'vulnerable' in different ways. In addition, they are not very well informed about the opportunities that exist to protect victims, partly because they do not receive sufficient training in this regard (although in theory they should). The police do not sufficiently benefit from the knowledge available at other organisations close to victims, such as Victim Support Netherlands. The police do not perform internal checks for compliance with prescribed working methods. Neither do the police have an adequate picture of how officers assess whether victims are particularly vulnerable and how this assessment might be improved. Among other things, we have asked the police chief to decide with the Minister of Justice and Security on what is needed to implement such improvements.

²⁸ Social Domain Supervision is a partnership of the Health and Youth Care Inspectorate, the Education Inspectorate, the Dutch Labour Inspectorate and the Inspectorate of Justice and Security.

²⁹ [Social Support Domain investigation, 'It's there, but you can't see it', factsheet published on 16 September 2021](#)

³⁰ ['A vulnerable right', report published on 27 September 2021](#)

Chapter 2: Organisational development

Through our supervision, we aim to contribute to the quality of the work of organisations within the Justice and Security domain. We strive to be an authority that is able to make a difference on the strength of its position, its products and its people. This calls for thorough knowledge of the field and an eye for innovative opportunities – and also, in particular, for continuous improvement and subsequent reflection. After all, we are a learning organisation ourselves. As an inspectorate we aim to operate in an expert, connective and independent manner. In this chapter we will address the most important organisational developments and report on our staff and financial records for the past year.

Core values



³¹ 'Upon Closer Inspection - Resilience and Resistance', action plan 20 July 2021

³² For more information about the Closed Coffee Shop Chain Experiment, see www.inspectie-jenv.nl

Expansion of the scope of inspections and exploratory studies

In 2021 we devoted considerable effort to the development of 'regular supervision'. As explained in chapter 1, we use regular supervision as a means to provide an up-to-date picture of issues in the field, detect risks at an early stage, maximise reflection on the underlying causes with the organisations involved, and encourage measures to address them. We will intervene where necessary. Site visits, interviews and data retrieval help us stay in touch with the field. We also integrate the information we receive into dashboards to keep abreast of issues such as staffing and capacity levels.

If we wish to contribute to insights on the state of justice and security in the Netherlands, we will also, occasionally, need to take an integral, bird's eye view of our work. This is why we launched 'Upon Closer Inspection' last year; a periodic report that addresses our reflective capacity. In this connection, we published an action plan³¹ with a focus on 'resilience and resistance', exploring the extent to which chains in the Justice and Security domain possess these two qualities. That overview will also shed light on trends and developments that are important for the various types of supervision that we carry out.

Over the past year we also took steps in the further development of two new tasks: supervision of the Closed Coffee Shop Chain Experiment (EGC) and of the debt collection sector. These supervisory tasks have come with the requisite enforcement powers. Our supervision of the EGC³² focuses, among other things, on the extent to which growers adhere to the rules and requirements concerning registration, storage and transport of cannabis and cannabis products. Together with the municipalities we verify that coffee shops only sell registered products so that the cycle remains closed. With all the parties involved we have drawn up an enforcement arrangement³³ that governs supervision of the EGC. In addition, we have

³³ [Supervision and Enforcement Arrangements for the Closed Coffee Shop Experiment, 1 November 2021](#)

published an enforcement and fining policy in the Government Gazette.³⁴ This means that our Inspectorate has been assigned formal enforcement powers in this field.

In our preparations for supervision of the debt collection sector, we aim to benefit as much as possible from the experience (in terms of content and process) that we have gained in our supervision of the EGC. One of our aims is to ensure that consumers with debts are not confronted with unfair debt collection practices.

In the past year we made progress in the development of our supervision of the Administration and Information Centre for the Enforcement Chain (AICE), a department of the Central Judicial Collection Agency.³⁵ Since 1 January 2021, the AICE has been responsible for information about and administration of the enforcement of punishments and measures. We have worked on an assessment framework and test output against the standards in that framework. This has presented us with initial insights into the AICE's performance. The assessment framework is scheduled to be completed this year and will serve as the basis for our supervision going forward.

Algorithms³⁶ play an increasingly prominent role in the work of

organisations within the Justice and Security domain. In response to calls from society for supervision of the use of such algorithms, in 2021 we carried out an exploratory study and gained more insight into the tools and expertise required for effective supervision of the use of algorithms. In this context, our primary focus is on how algorithms contribute to the quality of the work of the organisations that use them.



Last year we drew up an Integrated Picture of inspections of the cybersecurity of vital processes³⁷, in conjunction with five other supervisory authorities.³⁸ This is a first step in the further development and expansion of our supervision within the cybersecurity dossier. We ran a pilot at the IND to examine its resilience to ransomware attacks, thus gaining experience with this type of supervision.

Collaboration

Promoting collaboration within and among organisations is one of the Inspectorate's key priorities. We stimulate collaboration not only among the organisations that fall under our supervision, but also by proactively engaging in collaboration ourselves (see the figure on the left). If organisations are able to benefit from

each other's expertise, they will increase their effectiveness. In 2021 we formalised collaboration in the field of forensic care with the Netherlands Healthcare Authority (NZa). We entered into agreements with the NZa on sharing information and on launching joint initiatives where possible to

³⁴ See the Government Gazette for information about the [enforcement policy](#) and [fining policy](#).

³⁵ Effective 1 January 2020, responsibility for the enforcement of punishments and measures was transferred from the Public Prosecution Service to the Minister for Legal Protection. The Administration and Information Centre for the Enforcement Chain (AICE), a department of the Central Judicial Collection Agency, coordinates the enforcement efforts on behalf of the Minister for Legal Protection.

³⁶ Algorithms are automated steps in calculations that make it possible to retrieve information

from raw data.

³⁷ ['Integrated Picture of inspections of the cybersecurity of vital processes, 2020-2021', report published on 29 June 2021](#)

³⁸ The Authority for Nuclear Safety and Radiation Protection (IANVS), Radiocommunications Agency Netherlands (AT), the Dutch Central Bank (DNB), the Health and Youth Care Inspectorate (IGJ) and the Human Environment and Transport Inspectorate (ILT). Our Inspectorate serves as the coordinator of this project.

promote the continuity and quality of care in the context of security. We recently agreed on a similar objective, this time in the field of youth protection, with the Netherlands Youth Services Authority.³⁹

Supervision in figures

The Inspectorate receives a wide variety of incident reports every year. Reports registered in 2021 include the following:

Youth sector/CMJ ⁴⁰	49
Prison system and detention of aliens	116
Forensic care	32
Probation Service	119
Migration chain	41

A number of incident reports generated additional questions from the Inspectorate for the authorities concerned, or resulted in the reporting of an internal investigation assessed by the Inspectorate or an inspection visit.

2021 saw the publication of the 2020 Annual Statement on the return of foreign nationals⁴¹, which presents findings regarding the compulsory return of foreign nationals. Due to COVID-19, the number of return cases inspected was smaller than in prior years. Note that the Inspectorate does not investigate all return cases.

Total inspected deportations involving	18
Transport process and land-side process	4
Transport process, land-side process and flight process	1
Land-side process	13

³⁹ See [Collaboration Protocol of the Inspectorate of Justice and Security and the NZa, 18 March 2021](#) and [Collaboration Protocol of the Inspectorate of Justice and Security and the Netherlands Youth Services Authority, 11 January 2022](#).

⁴⁰Committee on the Reporting of Incidents involving Young Offenders, managed by the Health

Land-side process and flight process	0
No. of joint return operations monitored from Europe (Frontex)	8

Regular headcount and finances

At the end of 2021, the workforce of the Inspectorate was nearly 7 FTE lower than the regular headcount.



Regular headcount at year-end 2021	106.3
Workforce at year-end 2021	99.49

Financial figures of the Inspectorate for 2021:

Budget 2021	11,242,000
Actual 2021	10,494,042



We spent less than budgeted because we employed fewer people than the regular headcount, due to the COVID-19 pandemic. The hiring of new staff was postponed for as long as possible. The lower expenditure is also attributable to windfalls in the area of secondment and ICT licences not purchased.

Strengthening our position

As a supervisory authority, we are required to pass judgement on the functioning of organisations within the Justice and Security domain. Crucially, this task requires an independent approach, attention for quality,

and Youth Care Inspectorate. Other

⁴¹ [2020 Annual Statement on the return of foreign nationals, 20 May 2021](#)

and accountability. The mere semblance of undue influence will undermine public confidence in supervisors. This is why we always take care to observe maximum transparency when asking the organisations inspected to respond and incorporating their responses into our reports. In our response tables we always clearly explain which text proposals and other suggestions were submitted in this process and why the Inspectorate decided to accept or reject them.

In March 2021, the National Audit Service (ADR)⁴² presented us with recommendations to strengthen the inspection process and our independence. As a learning organisation, we regard this as an opportunity to further increase the quality of our work. In the autumn of 2021, public administration expert Paul 't Hart⁴³ examined the extent to which we had implemented the ADR's recommendations and what effects could be observed. In this context he also examined the general level of quality development within the Inspectorate. Mr 't Hart found that our frameworks and guidelines are sufficiently effective, that our organisational mindset and culture are robust and that, consequently, there is no cause for concern regarding the way we safeguard our independence.

We further strengthened our position by drawing up the Relationship Charter (*Relatiestatuu*t), in November 2021. This document lays down the roles, tasks and work agreements between the deputy Secretary General (the owner), the Inspectorate (the supervisor), the implementing organisations and the policy directorates within the Ministry of Justice and Security. By referring to the 'Instructions from the Prime Minister, 2016', the Charter confirms the independence of the Inspectorate in terms of its functioning, programming, investigations and judgement. The Relationship Charter also refers to the Inspectorate's Standard Operating Protocol. In this way, it is clear to everyone what our working method entails and what due care requirements we observe. This set of agreements additionally

supports our efforts to obtain information, in a structured manner, for regular supervision, and helps us prepare for new supervisory tasks and secure the legal basis for our supervision.⁴⁴

Just before the end of 2021, when the new government announced plans to improve measures to safeguard the independence of the national inspectorates, a long-held wish appeared to have come true. The request for a legal basis of our position, as repeatedly voiced by the Inspection Council (of collaborating inspectorates), now seems to become a reality. The government has also committed additional funds to enable us and other inspectorates to work more effectively.⁴⁵

⁴²ADR Report '[A study into the realisation of reports by the Inspectorate of Justice and Security, report published on 24 March 2021](#)'

⁴³ Paul 't Hart is professor of Public Administration at Utrecht University and joint dean of the Netherlands School of Public Administration (NSOB) in The Hague.

⁴⁴ Most of the work for drawing up the [Relationship Charter](#) and updating the [Protocol](#) took place in 2021. Both documents were published at the beginning of 2022.

⁴⁵ [Coalition agreement dated 15 December 2021](#).

Appendix: Publications in 2021

Reports

- [Evaluation of measures to address COVID-19, report published on 14 December 2021](#)
- [Investigation into the performance of duties at the National Police Unit, 2 December 2021](#)
- [‘A vulnerable right’, report published on 27 September 2021](#)
- [Outcome of Social Support Domain investigation: ‘It’s there, but you can’t see it’, factsheet published on 16 September 2021](#)
- [Emergency assistance, report published on 9 September 2021](#)
- [Aliens in the criminal justice system, report published on 6 September 2021](#)
- [Border control and investigation, report published on 31 August 2021](#)
- [Addendum to Inspection report on Border control and investigation, 31 August 2021](#)
- [Vulnerable children receive insufficient protection, report published on 5 July 2021](#)
- [Vulnerable children receive insufficient protection, Brabant regional report, follow-up supervision, 5 July 2021](#)
- [Vulnerable children receive insufficient protection, Rijnmond regional report, follow-up supervision, 5 July 2021](#)
- [Vulnerable children receive insufficient protection, Overijssel regional report, follow-up supervision, 5 July 2021](#)
- [Vulnerable children receive insufficient protection, Groningen-Drenthe regional report, follow-up supervision, 5 July 2021](#)
- [Vulnerable children receive insufficient protection, Gelderland regional report, follow-up supervision, 5 July 2021](#)
- [Vulnerable children receive insufficient protection, Limburg regional report, follow-up supervision, 5 June 2021](#)
- [Vulnerable children receive insufficient protection, Utrecht Flevoland regional report, , follow-up supervision, 5 June 2021](#)
- [Vulnerable children receive insufficient protection, Friesland regional report, follow-up supervision, 5 June 2021](#)
- [Vulnerable children receive insufficient protection, Zeeland regional](#)

[report, follow-up supervision, 5 June 2021](#)

- [Vulnerable children receive insufficient protection, Noord-Holland and Amsterdam regional report, follow-up supervision, 5 June 2021](#)
- [Vulnerable children receive insufficient protection, Zuid regional report, follow-up supervision, 5 June 2021](#)
- [2020 Report on supervision concerning the statutory power of the police to carry out hacking operations, report published on 29 June 2021](#)
- [Integrated picture of inspections of the cybersecurity of vital processes, 2020-2021, report published on 29 June 2021](#)
- [Risk management on the BES islands, report published on 16 June 2021](#)
- [Follow-up investigation into measures for dealing with problematic asylum seekers, 15 June 2021](#)
- [Attack in a tram in Utrecht, 18 March 2019, report published on 26 May 2021](#)
- [Focus on unaccompanied minor aliens and the learning and improvement process of COA, report published on 28 April 2021](#)
- [Ready knowledge of emergency assistance, report published on 11 March 2021](#)
- [National Unit study, partial investigation DLIO, report published on 28 January 2021](#)

Letters

- [Opinion of inspectorates regarding the death of a young person, letter dated 13 December 2021](#)
- [Follow-up investigation regarding incident investigation at FPC De Kijvelanden, letter dated 26 November 2021](#)
- [Progress report regarding intensive supervision of <https://www.inspectie-jenv.nl/Publicaties/brieven/2021/09/23/brief-opvolging-aanbevelingen-onderzoek-continuïteit-meldkamersyoung> offenders institutions and schools, letter dated 28 October 2021](#)
- [Follow-up of recommendations from the investigation of control room continuity incl. three appendices, letter dated 23 September 2021](#)
- [Validation with respect to incident in Den Dolder, letter dated 16 September 2021](#)
- [Response of the Inspectorate of Justice and Security to the Future](#)

[Scenario regarding Child and Family Protection, letter dated 14 July 2021](#)

- [Inspectorates' letter to the Custodial Institutions Agency \(DJI\), request for periodic report on measures to alleviate acute pressure on young offenders institutions, 7 July 2021](#)
- [Inspectorates' opinion regarding plan of action Jb west phase 2, letter dated 25 June 2021](#)
- [Shooting incident in Utrecht on 18 March 2019, validation of evaluation part A, letter dated 26 May 2021](#)
- [Validation with respect to shooting incident in Utrecht on 18 March 2019, letter dated 26 May 2021](#)
- [2020 Annual Statement on the return of foreign nationals, letter dated 20 May 2021](#)
- [Letter to KC NP regarding questions on the investigation into the TCI of the National Police Information Unit \(DLIO\), dated 26 April 2021](#)
- [Inspectorates' opinion regarding plan of action for youth protection West, letter dated 16 April 2021](#)
- [Reaction to progress letter in response to Various Perspectives, inspection report, 17 March 2021](#)
- [Findings of the Staff resources and changed target group monitor for young offenders institutions and schools, letter dated 4 March 2021](#)
- [Inspectorates' opinion regarding draft plan of action for Zeeland, letter dated 17 February](#)
- [Letter to the NFI regarding exploration of a follow-up investigation into the inspection investigation on Vulnerabilities in the blood and alcohol investigation process at the NFI, dated 15 February 2021](#)

Action plans

- [Follow-up investigation into terrorist wards in the Netherlands, action plan dated 30 September 2021](#)
- [Joining Forces to Make a New Start, action plan dated 23 July 2021](#)
- [Upon Closer Inspection, action plan dated 20 July 2021](#)
- [Taskforce IND, action plan dated 21 May 2021](#)
- [Police supervision of private security firms and detective agencies, action plan dated 13 April 2021](#)
- [Area-based response times for fire departments, action plan dated 31](#)

[March 2021](#)

- [Focus on Security, action plan dated 25 March 2021](#)
- <https://www.inspectie-jenv.nl/Publicaties/plannen-van-aanpak/2021/02/18/plan-van-aanpak-doorlichting-penitentiair-psychiatrische-centra>[Review of penitentiary psychiatric centres, action plan dated 18 February 2021](#)

Other

(Multi-)annual reports and plans

- [Work programme for 2022, 'Focused supervision', 20 September 2021](#)
- [2020 Annual Report, 18 May 2021](#)
- [Multi-Annual Perspective 2021-2024, 11 February 2021](#)
- [Multi-Annual Perspective 2021-2024, 11 February 2021](#)

Protocols, frameworks and working method

- [Decision to appoint Ms P. Schuyt to the Advisory Council, 1 December 2021](#)
- [Designation decision regarding complaints committee, 18 November](#)
- [Supervision and Enforcement Arrangements for the Closed Coffee Shop Experiment, 1 November 2021](#)
- [Incident investigation by the Inspectorate of Justice and Security, action plan dated 20 October 2021](#)
- [Responsible departure of aliens from the Netherlands, action plan dated 14 October 2021](#)
- [Review Framework for Return and Departure 2021, 6 October 2021](#)
- [Standard Operating Protocol, 1 April 2021](#)
- [Protocol for Inspectorate of Justice and Security and NZa, Government Gazette, 18 March 2021](#)
- [Review Framework for PPCs, 18 February 2021](#)

About the Inspectorate

- [Looking for quality at the Inspectorate of Justice and Security \(Paul 't Hart\) | House of Representatives of the States General, 23 November 2021](#)
- [Animation: We are the Inspectorate of Justice and Security, 4 November 2021](#)
- [Research ADR: No undue influence found in the Inspectorate's reports, 24 March 2021](#)

- [Factsheet on recent developments at the Inspectorate of Justice and Security, 24 March 2021](#)

NB: Response tables and other appendices have not been included in the list.

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*Supervision, because justice
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