

Evaluatie Eenduidige Landelijke Af- spraken (English Summary)

Naleving van de ELA door politie en Openbaar Ministerie

Sander Flight

RAPPORT



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Met medewerking van:

Justin de Kleuver, Agnes van den Andel, Oberon Nauta

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Contact

Sander Flight

Partner

sflight@dsp-groep.nl

M 06 - 4131 5432

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English summary

Introduction

In the Netherlands, the reduction of aggression and violence against public officials (police, firemen, teachers, nurses, etcetera) has received considerable attention since 2006. In 2010, this approach has been reinforced with the introduction of a set of uniform mutual agreements between the national government, the police, the public prosecutors office and the organisations where public officials work. The agreements are targeted at providing victims with an unequivocal, effective and rapid completion of cases of aggression and violence.

The agreements consist of four different parts. Six starting-points determine the basic principles of the approach. These entail, for instance, high priority for prosecution, high quality standards for reports and investigations, redress of financial loss and the provision of adequate information to victims and their employers. Finally, an active external communications policy to share information on convictions is part of the agreement. These six basic principles have been translated into 19 agreements for the police (investigations), 13 agreements for the public prosecutors office (prosecution) and 4 agreements for the collaborative efforts of police and public prosecutor ('ketenafspraken').

This evaluation after two years answers the question to what extent these agreements have been incorporated into the procedures and processes of the police and the public prosecutor. The evaluation started with a self-assessment by police and public prosecutor and has been completed by in-depth interviews with police, public prosecutors and fifty representatives of the organisations where public officials work. The research has been conducted from June through October 2012 and has been monitored by an independent committee consisting of representatives from all organisations involved.

Conclusions

Two of the six basic principles have been implemented by the police and the public prosecutors office. The quality of investigations, written reports and prosecution is high. Also, the principles of a rapid judicial response to incidents are being followed. But the other four basic principles need to be implemented further. First of all, the priority that is attached to these cases should be increased. It is still not the standard procedure for the police to accept the reported crimes. Victims who want to press charges are not always encouraged to do so, even when the agreement was to always accept this. Secondly, the uniform registration of these cases is problematic. The number of cases in the databases of the different police-regions differs more than can be predicted by the difference in the number of inhabitants in each region. Another telling finding is that the number of registered cases concerning violence against police-officers is considerably larger than the amount of cases of violence against other officials.

Two other basic principles concern the central position of the victim. The interests of the victims and their employers has to be put at the centre of the procedure and they need to be actively informed about the progress of the (criminal) case. Compliance to these agreements by the police and the public prosecutor has to improve further, even though many police-forces and local branches of the public prosecutors office claim to comply to these agreements. The results are more positive in

those police forces that have appointed case managers who act as liaison towards the organisations with public officials.

The final basic principle is to actively communicate with the press on successful convictions. Of all agreements, this one has been implemented the least. Most local branches of the public prosecutors office only issue press-releases on severe cases and fail to incorporate information on the basis principles of the approach. This, however, is crucial to keep all those involved motivated to press charges in similar cases. In addition, the possible preventive deterrent effect on other potential offenders will be minimal without this external communication.

Improvements since 2010

Earlier research in 2010, concluded that the agreements were incorporated at the strategic level, but not at the operational level. A telling remark in the earlier report was that 'sending an email to all police-officers is completely insufficient'. This conclusion no longer holds true: in every police-force and local public prosecutors office where interviews have been held, all relevant officials were aware of the agreements and supported the basic principles. Police and public prosecutor have invested heavily in this over the past two years through the provision of trainings and workshops on all levels. In addition, several police-officers and public prosecutors have actively taken up their role in the implementation of the agreements at the operational level. However, all agreements combine to build the framework of the approach and there are still aspects of the agreements where compliance has to improve. This is necessary to ensure that the approach will be effective in the long run.

Recommendations

At the national level, the recommendation to the police and the public prosecutor is to invest more in the uniform registration of cases of violence against public officials. Based on this information, structural information analyses have to be conducted. The fact that this is not yet common practice may not be problematic for completion of individual cases (although it can be extremely disappointing and frustrating to the victims and their employers if their case disappears because it is not recognised as such by the police or the public prosecution). More importantly, the lack of uniform registration and analyses obscures the number of cases this approach actually entails. The number of cases that should be registered is unknown to all involved. This means that nobody knows whether police and prosecution are 'on track', whether all different groups of employees receive adequate attention and whether the number of cases is developing towards the desired goals. Sizeable parts of the organisations that employ public officials can remain invisible without any alarms sounding. The executives within police and prosecution should guide and maintain more in this regard: plot the course, maintain it and make themselves accountable (both internally and externally).

Besides this general recommendation, three recommendations are given to the three subjects of this evaluation:

- The police should apply the approach that has been developed for police-officers to other public officials. This should not be limited to the small group of early adopters (public transport, ambulances and fire-fighters), but should be widened to encompass sectors such as health-care, education and public administration. This will require adjustments in the approach that has worked in other sectors, but the basis principle is that the agreements apply to all employees with a civil or 'public' task.

- The public prosecutor should put victims first in everything they do. Good examples of this have been found and these have been described in the report. Generally speaking, though, the challenge for the public prosecutor is to try to understand even better what the needs and expectations of the victims and their employers are. Each decision made by a public prosecutor resonates strongly in the organisations where public officials work. One successful conviction is worth more than ten flyers, trainings or instructional videos. The public officials want to see concrete results and expect to be informed actively. In addition, the possible deterrent effect of convictions is limited at present: issuing press-releases should become part of the standard procedure in these cases.
- Finally, the recommendation to organisations where public officials work is to invest more in collaboration with police and public prosecutor. Public transport and ambulances have already done this, but most of the other organisations are lagging behind. There are two reasons for this: they deny the importance of the problem of violence and aggression of they fear damage to their image as employer. Examples from the organisations that have actively taken up the challenge show that these fears are unfounded. First of all, most organisations do have a considerable problem with violence towards their employees. And secondly, trying to tackle the problems can also have a positive impact on the image of the organisation. Employers can choose from a wide array of possible measures they can take themselves. Appointing a case manager who can develop a personal relationship with the police and the public prosecutor is an important first step. Second, competence-building by exchanging employees with the police is a promising approach that should be implemented throughout the public service.

DSP-groep BV
Van Diemenstraat 374
1013 CR Amsterdam

T +31 (0)20 625 75 37
dsp@dsp-groep.nl
www.dsp-groep.nl

KvK A'dam 33176766

DSP-groep, opgericht in 1984, is een onafhankelijk landelijk bureau voor onderzoek, advies en management, met zestig medewerkers. We werken in opdracht van de overheid (ministeries, provincies en gemeenten), maar ook van maatschappelijke organisaties op landelijk, regionaal en lokaal niveau.

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Meer weten?

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