

Summary

Evaluation of the "Reduction of the procedural duration" project

Main aspects of the project

The Scientific Research and Documentation Centre (WODC) of the Ministry of Justice has commissioned an evaluation of the "Reduction of the procedural duration in the juvenile criminal justice chain" project. The problem defined for this research was: to what extent has the "Reduction of the procedural duration in the juvenile criminal justice chain" project adequately assisted the chain partners in meeting the objectives set? How should we continue to work on the realisation of norm times during the final phase and after the end of the project?

In the spring of 2001, the project was started to increase the speed of the judicial response to offences committed by young people. More specifically, the project is intended to assist the norm times defined by the State Secretary of Justice (the 'Kalsbeek norm') in 2003 being met in 80% of cases.

Three separate categories can be distinguished:

- 1 Young people who are given a Halt settlement: 80% of them must have started the Halt activities within 60 days;
- 2 Young people whose case is settled by the Public Prosecutor: 80% must be concluded within 3 months;
- 3 Young people who must ultimately appear in court: 80% must receive a verdict within 6 months.

The project for the reduction of the procedural duration is guided by a top-level board in which the organisations involved are represented at management level. The implementation is managed by a project leader from the Ministry of Justice and a project agency, consisting of staff (project leaders) from the partners in the chain: Public Prosecutor, police, Child Care and Protection Board, Halt and Judicial Organisation Department.

The main objective of the project is that the partners in the chain meet the Kalsbeek norms. The project plan defines how these objectives should be met:

- 1 The organisational and district method:
 - Improving the streamlining of (work) processes within organisations and between organisations at district level.
 - Improving the co-operation between all partners in the chain involved at district level.
- 2 The information method:
 - Standardising and increasing the reliability of information with respect to the registration, exchange (between organisations) and provision of operational control data;
 - National periodic reports of the procedural duration achieved for each organisation in the chain and for each district.

The central elements in the project were the horizontal and vertical visitations.

During the vertical visitations, the project leaders visited subdivisions of their organisations in the districts. The first round of visits focused on emphasising the importance of reducing the procedural duration, making an inventory of good practices and bottlenecks, and making recommendations for improvements to be implemented. The second and third rounds focused on

monitoring progress and making an inventory of results. Following the vertical visitations, the project agency also made three rounds of visits (horizontal visitations) to the District Juvenile Crime Platforms. A central issue in these platforms is the co-ordination and co-operation between the chain partners. In addition, one of the main activities of the project agency during the entire duration of the project was the periodic reporting of the procedural duration achieved. To date, three so-called fact sheets have been published. Three instruments were used aimed at standardising and streamlining work processes at district level: guidelines for the organisation and composition of the District Juvenile Crime Platform, the Judicial Juvenile Case Board (intended to enable rapid decision making with respect to settlement after the first interrogation) and the National Transfer Form, which is intended to serve as basic information for the Judicial Juvenile Case Board.

Main objective not met, but procedural duration has been reduced

The figures from the project agency clearly show that the main objective has not been met; none of the three Kalsbeek norms has been met:

- In the case of young people who were given a Halt settlement, the percentage starting the Halt activities within 60 days has in fact been on the increase since 2001, but at 60.9% for the first months of 2003, the norm is not yet being met. In the first four months of 2003, the norm for Halt agencies, i.e. 80% of the young people having commenced the activities within 55 days, came close to being met at 77.1%. In this respect, the problem obviously lies with the police who in only 29.4% of the cases succeeded in arranging the Halt referral within 5 days of the first interrogation.
- In the case of young people whose case is settled by the Public Prosecutor, there has been clear progress but the norm is still not being met. For the first four months of 2003, the percentage of cases assessed for settlement by the Public Prosecutor was 62.0%.
- In the case of young people who must appear in court, the Kalsbeek norm is far from being met. In 2002, 39.5% of the cases were processed within 6 months; in the first months of 2003, this increased further to 44.3%.

Given the fact that the reduction of the procedural duration in 2002 and in the first months of 2003 was greater than in previous years, it can be assumed that the project has contributed to achieving a reduction in the procedural duration.

At the front of the chain, police performance is an important obstacle to meeting the norms. The fact that it is difficult for a national project organisation to influence the police (with 25 regions not under centralised control) plays an important role.

A second major bottleneck is the fact that the Child Care and Protection Board is rather far removed from the norm for the implementation of the basic research.

For young people who have to appear in court, a third delaying factor plays a role: the (derived) norm for preparing cases for court has not been met; in this respect, it should be noted that reduction of the procedural duration in this process depends on streamlining administrative procedures, improving the co-ordination between Public Prosecutor and the courts, and the courts making more capacity available for juvenile cases.

Co-operation and control

Co-operation and control are essential to the process of reducing the procedural duration in the districts. The evaluation shows that without co-operation, initiatives taken by the individual chain partners are seldom very effective. A smoothly operating District Juvenile Crime Platform is an important precondition for co-ordination and co-operation between the chain partners.

Experiences in Alkmaar and Den Bosch have shown that the three option model (in which there are only three possibilities for dealing with a case: through Halt, through the Public Prosecutor or through a court appearance) is a good basis for co-operation. Combining this with a Judicial Juvenile Case Board that meets frequently, as is the case in Alkmaar and Dordrecht, and where the case settlements are co-ordinated on the basis of the three options, is an important key to success in reducing the procedural duration, particularly where young people are concerned whose cases are settled outside the courts.

In addition to co-operation, control is also essential. Insight into data on the procedural duration is important in the first place for the individual chain partners to control matters within their own organisations. In the second place, the data can be used by the chain partners to make agreements with each other and to confront each other if the figures show that the agreements are not being met.

In the districts that were analysed, the figures on procedural duration are used as a control instrument in Alkmaar, Den Bosch and Dordrecht by both the individual partners and in co-operation between the partners. This has shown clear benefits.

Project contribution

The project has contributed to reducing the procedural duration:

- The project represents an incentive to pay more attention to the reduction of the procedural duration within the districts.
- Various initiatives that have led to the reduction of the procedural duration at district level were accomplished under the influence of guidelines and recommendations from the project agency.
- Influenced by the project, there has been control from the Board of Procurators-General and the national agency of the Child Care and Protection Board to reduce procedural duration at offices of the public prosecutor and branches of the Board.

The following elements can be marked as success factors in the structure and methods of the project:

- A limited project duration combined with high priority assigned to the reduction of the procedural duration and a solid objective.
- An able project organisation; through the top-level board, the project agency has access to the power centres of most organisations involved. The limited size and the composition (with experts from the field) of the project agency are also success factors.
- Clear reporting to both the top-level board and the chain partners in the field on the progress of the activities of the project agency.
- In general, the project agency used good instruments.

A number of critical notes can be made on the project's methodology. The effectiveness of the project could probably have been greater if more account had been taken in its implementation of the progress of each district in the improvement process; after the first visitation round, more energy could

have been spent on districts where much improvement was needed and less on districts where the improvement process was already well under way.

The project agency's approach could have shown more flexibility for custom solutions, whereby districts that perform well could have played a role in the transfer of knowledge and experience. Furthermore, districts with poorer performance should have been able to benefit from activities aimed at increasing expertise.

Finally, it was noted that activities aimed at standardising and increasing reliability of data on the procedural duration had little result. Rather than focusing on these activities, the project agency should have been focusing on supporting the districts in the development of instruments with which control can be based on district data on the procedural duration.

Recommendations

The essence of the recommendations is that focused attention to the reduction of the procedural duration remains necessary if the procedural duration is to be reduced further.

- Chain partners at a national level must continue to point out the importance of the reduction of the procedural duration and (where possible) control this duration. In this respect, the most important obstructions in the juvenile criminal justice chain must be given extra attention.
- In addition, they must aim for national introduction of standardised work processes, such as the three option model.
- A number of activities should be continued by the Effective Chain programme: the production of fact sheets (for national control) and horizontal visitations to districts whose score is below the national average.

The bottlenecks that occur in the various systems used to monitor the procedural duration make it difficult to accomplish good control and in that sense form an obstruction to the reduction of the procedural duration. It is important that a clear choice be made with respect to the strategy to be followed; i.e. will energy be spent on modifications to the current systems or will the attention focus on defining user requirements for the new systems to be developed?

With respect to the user requirements, standardisation of the basic data important to all chain partners must be a central issue. In addition, unambiguous measurement points for the procedural duration should be used in the systems.