

Summary

Research occasion and research question

According to Steenhuis (2011) cases of (small-scale) financial-economic fraud reported by Private Investigation Agencies (PIAs) seldom get followed up by the police or the justice department. The research of Steenhuis (2011) led to a pilot, initiated by the Ministry of Justice and the Dutch Security Association (NV). The so-called 'Co-operation PIAs, police and public prosecutors' pilot should supply insight into the PIAs role in detecting criminal matters. Nine PIAs participated in the pilot, all of them are members of the Dutch Security Association and possess certification of the NV.

The pilot took place between May 1st 2012 and April 30th 2013. Four regions and eight categories of offenses were selected. Each region was assigned at least one offense category:

- Kennemerland: Internal theft, business burglaries and the trade of stolen goods
- Amsterdam: Phishing
- Brabant Southeast: Transport crime and cargo theft
- Groningen: Internal fraud and swindling

The WODC commissioned APE for an evaluation of this pilot. The central question is as follows: 'what contribution can PIAs make regarding the detection and prosecution of cases in pilot regions?'

Approach

Because the research question covers both the period prior to the pilot (2011) and the period during the pilot (May 1st 2012 until April 30th 2013), the evaluation consists of two components. First, a baseline study was conducted, consisting of a survey amongst the PIAs, interviews with the PIAs, police and public prosecutors in the selected regions and data analysis. Second, a pilot study was conducted for 2012/2013, consisting of the same research methods used in the baseline study, supplemented with dossier analyses of the cases involved in the pilot. In this summary we will separate quantitative and qualitative aspects of the evaluation.

Before the pilot

Quantitative

In 2011, the PIAs involved in the pilot investigated 272 cases in the selected offense categories in the Netherlands. A random sample of 106 out of 272 cases shows that the majority of these cases involved internal theft (60 out of 106). Nearly a quarter (26) of the 106 cases have been reported to the police. According to the PIAs, 11 out of these 26 PIA cases were followed-up by the police in 2011. This share of 42% is remarkably high compared to Steenhuis' results (10%). The reason why not every PIA case is followed-up by the police, is that (1) these type of cases have a low priority, (2) the PIA-dossiers did not reach quality standards, and (3) risk of derogation.

Qualitative

Prior to the pilot, the involved actors in the police and public prosecution were quite satisfied about the PIA-dossiers. Nevertheless, improvement is still possible. According to the police and public prosecutors, cases handed over by the PIAs usually require additional work to complete them. For

example, in order to complete the PIA-dossier, the police has to redo certain hearings. As the police uses different techniques, the results will be more in-depth.

Preparation for the pilot

The decision to narrow down the pilot to four regions was made in consultation with regional police commissioners, the chief prosecutor and the ministry of Justice. Contacts were assigned in each region at the start of the pilot, and appointments were made with the PIAs, the police and public prosecutors. The pilot does not intend to change any legislation and regulations, thus competences of the actors involved will remain the same. Besides, the pilot will be carried out in a budget neutral way, which distinguishes the pilot from the pilot proposition of Steenhuis (2011).

During the pilot

Quantitative

During the pilot, the PIAs investigated 48 cases (each fulfilling the conditions regarding the selected regions and offense categories). Only 15 of them met the condition of the right region in combination with the right offense category (for example a case about phishing in Amsterdam). 11 out of 15 cases were reported to the police, and 7 of them were involved in the pilot. Consequently, the goal of 20 pilot cases was not achieved. The main reasons for this are (1) the unwillingness of the PIAs clients to report the crime to the police, (2) the strict conditions concerning the combination of region, offense category and PIA with certification of the NV, and (3) too little offense categories.

Qualitative

Co-operation between the PIAs and the police is considered to be good, according to both parties. Although in practice, the PIAs and the police do not really co-operate, rather they coordinate their investigations. The police is not allowed to manage the PIAs investigations. In cases where the police does do so, the investigation will become its responsibility, which will increase the risk of evidence being denied in court. Therefore, the 'co-operation' between PIAs and the police comes down to turning over the PIA-dossiers to the police. Our dossier analysis showed that the research methods used and results presented in the PIA-dossiers are verifiable. The dossiers include a justification of procedures and many other relevant information, which makes the dossiers of great value to the police. However, potential improvements of the dossiers (for example the addition of a synthesis) are possible according to the police.

Conclusions

The research question of this evaluation is as follows: 'what contribution can PIAs make regarding the detection and prosecution of cases in pilot regions?'

Quantitative

The pilot has resulted in a modest quantitative contribution of the PIAs (in terms of the number of cases). This result is smaller than expected based on the Steenhuis report (2011). One of the reasons was the suboptimal region/offense category-combination. However, the clearance rate of pilot cases did increase during the pilot period and is greater than the number in the Steenhuis report (2011).

Qualitative

According to the police, the PIAs cases do have additional value for the detection and prosecution of cases. Nevertheless, this additional value could increase by further institutionalization of co-

operation. This can be done by pursuing more consistent work arrangements, unambiguous objectives and a fixed contacts for all pilot matters.