

Summary

Since the end of 2017 it has been possible, on the basis of the Asylum seekers and other alien categories provisions scheme [*Regeling verstrekkingen asielzoekers - Rva 2005*], to place asylum seekers who are causing a nuisance in a so-called reception centre with additional guidance and supervision [*extra begeleiding en toezichtlocatie - hereinafter 'ebtl'*]. The ebtl can be viewed as an addition to the already existing COA Sanctions Policy [*Central Agency for the Reception of Asylum Seekers - hereinafter 'COA'*] on the basis of the 'Sanctions Policy including Withholding Benefits in Kind Scheme [*Reglement Onthouding Verstrekkingen - hereinafter 'ROV'*].

The ebtl measure has been structured as a two-year pilot. The two ebtl locations in Amsterdam and Hoogeveen, which have started with the ebtl activities at the end of 2017, can accommodate maximum 50 people each. In the ebtl there is a stricter and more sober regime in force than in regular reception centres for asylum seekers. For instance, these asylum seekers will not receive a living allowance and a measure restricting a person's liberty will be imposed on the basis of Section 56 Aliens Act [*Vreemdelingenwet - hereinafter 'Vw'*] which obliges them to be in a restricted area around the ebtl.

On 15 November 2018, the then State Secretary Harbers promised the House of Representatives that the ebtl measure would be evaluated. This has resulted in the current research report where the focus is on a plan, process and effect evaluation. The research period ran up to and including May 2019, which means that the latest developments in the ebtl Hoogeveen (stricter regime) have not been included in the evaluation.

Several research methods have been used in the research. First of all, a document study was carried out for the plan evaluation. For the process and effect evaluation, an online survey was held amongst COA employees and an analy-

sis of the COA-incident registration was carried out in the Integral Occupants Information System [*Integraal Bewoners Informatie Systeem - hereinafter 'IBIS'*] In addition, on the basis of police registrations in the National Law Enforcement Database [*Basisvoorziening Handhaving - hereinafter 'BVH'*], information was received from the National Police at aggregate level about suspected asylum seekers. Furthermore, for the plan, process and the effect evaluation there have been (group) interviews with 74 respondents. These interviews were held with employees of the two ebtl locations, of six other COA reception centres, some occupants from regular reception facilities and ebtl and the services involved in the performance of the ebtl measure (COA, IND [*Immigration and Naturalisation Service*] and DT&V [*Repatriation and Departure Service*], National Police, AVIM [*Aliens Police*] and GZA [*Asylum Seeker's Healthcare*]). Discussions were also held with representatives of the Justice & Security Inspectorate, Dutch Council for Refugees and the legal profession.

Principle findings of the plan evaluation

In a plan evaluation it is assessed whether the originally formulated objectives, the predetermined target group and the active constituent parts are adequate for the intended intervention. The plan evaluation shows that much thought and elaboration has been put in the ebtl measure, but that this appears to be insufficient to be able to say that it is a well-thought out intervention for nuisance-causing asylum seekers. Different objectives have been named by various parties. In total it relates to five (ancillary) objectives: taking action against unacceptable behaviour, influencing behaviour aimed at behavioural change, guaranteeing safety at the regular reception centres, preventive deterrent of future perpetrators and accelerated working towards return to country of origin. However, these objectives have been formulated in different ways and at different times. In addition, there is no general consensus about these objectives.

The elaboration of the objectives is also a point for attention. For instance, realising behavioural change is listed as an important objective, but this element is not further defined or operationalised. In addition, the ebtl measure is torn between two ideas or working methods: both assisting and restricting. The literature shows that these working methods differ substantially from each other and may not automatically be compatible with the set objectives. Preferably this could have been worked out (better) in the work instruction.

The target group also appears to have been sparsely described. Hard criteria have been listed for this demarcation (inclusion and exclusion criteria), but there are also soft criteria (assessment frameworks). The status of the last criteria is

not totally clear however. In addition, it appears that various elements of the ebtI measure were in advance not sufficiently specifically aimed at the target group of nuisance-causing asylum seekers. For instance, the behavioural training ‘Choose change’ is an intervention used within the prison system and is not specifically tailored to the ebtI target group, whilst the behavioural training ‘In Control’ has been tailored by three Probation Organisations (‘3RO’) for the ebtI target group. In the Chain-wide Work Instruction it is however not substantiated how exactly the two selected behavioural training courses offer the best support to the varied composition of the ebtI occupants.

Principle findings of the process evaluation

As regards the target group, at the start of the ebtI’s different criteria have been used from those indicated in the Chain-wide Work Instruction. For instance, asylum seekers from track-2 (refugees from safe counties) do in principle not qualify for an ebtI measure, but eleven of these asylum seekers nevertheless had an ebtI measure imposed on them, eight in the appeal phase and three in the asylum application phase.

The IBIS and BVH analyses show that people in ebtI’s (hereinafter ‘ebtI’ers’) appear to cause incidents significantly more frequently than asylum seekers at the other reception centres. In addition, ebtI’ers are more often suspected by the police to have committed acts of violence, vandalism and public order offences than regular asylum seekers. The IBIS registration also shows that ebtI’ers are more often than regular asylum seekers registered as being the cause of violent incidents. By contrast, the police more often suspect regular asylum seekers of property crimes. Finally, according to the IBIS registration, ebtI’ers have more suicide threats and self-harming acts than regular asylum seekers. Within this registration, an in-depth analysis has also been carried out into *dual harmers*, people who are violent both towards themselves and towards others (self-destructive acts and physical violence). The analysis of the ebtI’ers shows that dual harmers (18.3 percent of all ebtI’ers) cause incidents substantially more often, namely eleven or more, than the other ebtI’ers; in general, the dual harmers among the ebtI’ers cause on average nearly three times as many incidents. These findings were roughly of the same order if physical violence and self-destructive acts were omitted from the analyses and dual harmers and other ebtI’ers were compared on all other incidents. It appears in any event that, relatively speaking, there are considerably more dual harmers among ebtI’ers than among regular asylum seekers (18.3 percent to 1.7 percent) and the dual harmers among the ebtI’ers cause on average at least twice as many incidents than dual harmers among regular asylum seekers.

The two ebtl's, each with a capacity of fifty occupants, have been continuously understaffed. Within the regular COA reception centres there is still a culture of 'solving problems yourself', which means that nuisance-causing asylum seekers will not quickly be given an ebtl measure. Imposing an ebtl measure also results in an extra administrative burden as careful file management is legally required to impose the measure, supplemented with the liberty-restricting measure. This turned out to be something many COA employees of the regular reception centres had to get used to.

Most ebtl employees indicate that there is sufficient qualified personnel and that the offered programme is adequate. At the request of personnel both in Hooegeveen and in Amsterdam, there has been additional assertiveness and aggression training. Yet it is also indicated that ebtl employees miss information about physical assertiveness, behavioural science, intercultural communication and addiction problems.

In practice it appears that during the research, Amsterdam was still busy with the further development of specific assistance requests and themes of the ebtl target group. In this area, ebtl personnel sees three points for improvement: a) extending the ebtl period from three to six months to increase the chances of influencing behaviour, b) creating more room for tailored work in training and assistance and c) in the education of and training given to ebtl personnel, paying more attention to behavioural science, addiction problems and intercultural communication.

The interviewed ebtl employees in Amsterdam and Hooegeveen feel safe. The survey endorses this finding. Everyone is aware that they themselves are also partly responsible for their own safety and that one should never act on something alone. In the survey, many ebtl employees also state that they are reasonably/well-equipped to carry out their work safely.

As regards the context of the ebtl, three issues are worth mentioning: transport, cooperation and area context. The transport of the asylum seeker from the regular COA location to the ebtl does not always proceed smoothly due to long waiting times and the fact that the DV&O is not available at the weekends.

The tactical cooperation works well both in Amsterdam and in Hooegeveen. Several types of consultation have been started up with the aim to share information about ebtl occupants. The operation of the liberty-restricting measure

remains a point for attention as the ebtI target group cannot compulsorily be kept indoors. However, steps have been taken within the cooperation between the immigration law framework and criminal law, which has led to an improvement in the enforcement of the liberty-restricting measure.

The context of the ebtI's in Amsterdam and Hooqveven is very different. This applies in respect of the environment for example and the recognisability of the ebtI occupants in the environment. It is important to keep this context in mind; in Amsterdam the ebtI'ers can disappear into the anonymity of the large city but in Hooqveven they are concentrated in the neighbourhood and, up until 13 May 2019, the shopping centre. In Amsterdam, residents do not experience much nuisance from the ebtI occupants, whilst in Hooqveven they are more critical; they say that they are experiencing real nuisance from the ebtI occupants.

Principle findings from the effect evaluation

In principle, it can be stated that the first objective, namely taking action against unacceptable behaviour, is being achieved. By taking those causing a nuisance away from the regular centres, the ancillary objective is also realised; safety at the COA locations increases, both among COA personnel and among the occupants. According to the respondents, the second objective, namely influencing behaviour directed at behavioural change, appears to aim too high. The respondents think that the period of the ebtI measure is too short to structurally influence the behaviour of the ebtI occupants. On the basis of the IBIS registration there are however first indications that after the ebtI measure has been imposed, behaviour improves. As regards the ancillary objectives, it is not clear whether the ebtI measure has a preventative effect on future nuisance-causing asylum seekers. Work could be speeded up within the ebtI on the return to the country of origin however, as the IND and DT&V consistently give priority to the assessment of asylum applications of ebtI occupants over those of regular asylum seekers. As a result, this ancillary objective seems to have been achieved.

The guidance of the ebtI occupants towards influencing behaviour is difficult to accomplish due to the different individual problems of nuisance-causing asylum seekers. In addition, behavioural training alone is not sufficient to change the behaviour of ebtI occupants; rather the training can be used as a tool to enter the same mental world as the ebtI occupant. An issue here is that the ebtI measure is possibly too short-term to realise actual behavioural change. The compulsory character of the behavioural training can also not be sustained as in practice ebtI occupants can refuse to take part. The same applies to the day programme:

this offers ebtI occupants structure but does not have the desired compulsory character.

The introduction of the ebtI measure has ensured however that there is a better exchange of information between the COA and the chain partners. Steps have also been made in the cooperation between the immigration law chain and the criminal law chain. Information sharing with the local residents' committee is however still sketchy, so state the committees from Amsterdam and Hoozeveen. They are missing transparency from the COA and state that this will have a negative effect on support amongst the residents.

Improvement suggestions

The research results in the following improvement suggestions as regards the plan behind the ebtI measure:

1. Formulate exactly what the objectives of the ebtI measure are. For many respondents it is unclear what the initial objective was of the introduction of an ebtI and how the desired effect had to be realised. Define also what must be understood by behavioural change or behavioural influence and how and within what time frame this must be realised.
2. Carry out more research into the degree of effectiveness of the chosen behavioural training within the ebtI environment as the ebtI measure is intended for a specific target group. Adjust the behavioural training to the ebtI group and possibly make it evidence-based and make them definitive. In the case of the 'In Control' training, which has already been developed for the ebtI group, it is important that it is clearly set out how the operational elements in such training contribute to the guidance of the ebtI occupants.
3. For the regular reception centres clarify the situations when the ebtI measure can be imposed. Position the ebtI measure more clearly within the COA measures policy as in the event of nuisance the ebtI measure is not always selected but a temporary refusal of the reception is selected instead.
4. Review the inclusion and exclusion criteria and also include the nature of the incidents, in particular in respect of violence and the psychiatric problems of some asylum seekers. This includes the sub-group dual har-

mers, who show a significantly higher degree of both self-destruction and violence towards others.

As regards improvement suggestions for the process behind the ebtI measure:

5. Consider whether and how the ebtI measure can be imposed within the regular reception centres with fewer administrative burdens. Within the ebtI it must also be clear more quickly whether someone is prepared to change or not, so that a more specific guidance or restriction route can be used.
6. Optimise the process of recognition and transferring / placing back asylum seekers with psychiatric problems. On the one hand this means that it must be clear whether it would be better if an occupant with psychiatric problems was not placed in an ebtI. On the other hand, the introduction of an intake assessor after the placement in an ebtI can as yet determine the right destination (IBO/Veldzicht/EbtI). Using a checklist, in respect of which asylum seeker centre Weert and ebtI Amsterdam have already made a first attempt, may clarify and speed up the process.
7. For any future ebtI's, make use of the positive experiences of ebtI's Amsterdam and Hoogeveen. This applies in respect of the cooperation between the criminal law chain and the enforcement chain for example. Have former ebtI employees and managers act as ambassadors when setting up any new ebtI's.
8. Put greater emphasis on transparency of the external communication (towards local residents and media). This to counter speculation on nuisance-causing asylum seekers.
9. Consider introducing a Client Tracking System for nuisance-causing asylum seekers. This could lead to better file management and transfer and more insight into asylum seekers who had already caused a nuisance in previous procedures.