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02 Dutch penal law and policy Notes on criminological research from the Research and Documentation Centre Ministry of Justice The Hague The Netherlands

Key figures on the Dutch criminal justice system by A.C. Berghuis and P. van Hooff

To understand why the Dutch prison system experiences a lot of pressure to build new facilities fast, one needs to take a look at the trends in the whole criminal justice system. Victimization seems to be on a constant level for a number of years. The volume of crime encountered by the police is also rather stable, but a trend towards more serious crime is discernable. The introduction of the possibility for the prosecutor to transact had a major effect on the way cases

are handled: a sharp decline in the rate of case dismissals, and a more modest decrease of the fine rates. The detention rate was not touched by this phenomenon - this rate as well as the number of detentions remained constant over a long period of years. But there has been a major shift towards longer detentions. Especially the volume of very long detentions has gone up. This reflects the general trend towards a growing proportion of very serious and international crimes.

Although the number of juvenile suspects has been declining for many years, there are two trends that cause the need to keep the juvenile detention system at the same level. The first is that among juveniles the trend in very serious crimes did not come down, the second is that a new influx of immigrant children has to be met.

In these research notes a comprehensive overview of the Dutch criminal justice system is presented: from data on victimization to data on detentions. In addition some data are given on the level of expenditure on that system.

The basic material has been transformed by SIBa, the Statistical Information and Policy-analysis bureau within the Ministry of Justice, in such a way that basic material on, as well as a graphic account of, developments is shown.

Victimization

Table 1, figures 1a and 1b

The level of (multiple) victimization of natural persons (of 15 years and older) has increased in the years until 1984, then a decrease set in. Especially the trend in victimization of theft is one of a marked downward trend after a rather steep increase. Only the rate of burglary seems to continue to increase.

A recent study shows, that in 1988 42% of the business corporations in the Netherlands reported victimization of theft, burglary, criminal damage or threat with violence.

In about 2 out of 3 victimization experiences the police has not been notified, partly because the incident 'was not important/serious enough'. In general the degree in which victims are prepared to contact the police seems to have been rather stable during the last years.

Police statistics

Appendix (p. 14), table 2, figures 2a and 2b

The number of crimes registered by the police rose from 800,000 in 1981 to 1,136,000 in 1989. The spectacular growth in numbers (which started in 1970) turned into a more modest one in 1984. In contrast to most types of crime, alle types of 'regulation crime' went down in numbers, with the exception of absconding after causing an accident. Only in the last year the number of hard drug offences (+ 3%) and drunken driving (+ 12%) increased again. The most spectacular and continuing growth can be seen in the sphere of very serious property crimes (robbery (+ 17% in 1989), extortion (+ 22%)), and with serious violent crimes (especially threat with violence (+ 27%), sexual assault (+ 25%) and crimes against public order (+ 26%).

The clearance rate came down from 28% in 1981 to 22% in 1989. This is partly caused by the diminishing number of crimes with a clearance rate of 100% by definition (for instance drunken driving, drug offences). But even if that is taken into account, there has been a general decline of the clearance rate. The figures on 1989 show a continuing decline in most categories, especially concerning the serious violent sector (down 4%).

Table 3, figures 3a and 3b

The number of suspects heard by the police was 222,000 in 1981, and 241,000 in 1989. The last year shows a rise of 1% compared to 1988. Relatively, the number of suspects of very serious crimes rose sharply, with 33% in nine years (compared to 7-8% in the (less) serious categories). The volume of suspects of very serious property crimes rose 14% in 1989, in the category of serious 'regulatory crime' a 10%-rise is found (caused by a 13%-rise of drunken drivers).

The number of juvenile suspects decreased from 49,000 in 1982 to 38,000 in 1989. This tendency of diminishing numbers is not a systematic and continuing trend to be seen in different categories (also due to relatively small numbers), which makes it difficult to formulate strong statements about this phenomenon. The volume of juvenile suspects seems to have come down especially in the sphere of (less) serious property crimes and less serious regulation crimes. In the other categories of crimes strong fluctuations can be perceived, not a systematic upward or downward trend. Net result, however, is a greater proportion of suspects of serious crimes.

Judicial statistics

Appendix (p. 14), table 4, figures 4a and 4b

The volume of cases dealt with by prosecutor and judge went up from 189,000 in 1981 to 227,000 in 1989. Although the available data make it less possible to differentiate adequately between less and more serious crimes, there seems to be a relatively strong increase in very serious cases (especially in the property sphere: robbery), and a decline in the less serious regulation cases.

The number of cases dealt with by prosecutor and judge does not equal the volume of separate decisions made, because cases can be joined with other cases against the same defendant. This can be 'ad informandum', when the defendant is not tried for the crimes in the cases that are to be joined, but the file is given to the judge 'for information' - this can influence the height of punishment in the sentence. Or the joining can be 'for trial', when the defendant is tried for the crimes together with the crimes in the other case.

The level of joining of cases has gone up from 30,000 in 1981 to 40-45,000 in the years from 1984 (i.e. from 16% to 18.5-20%). In the last year this rate has come down a bit.

This leaves an amount of separate decisions of prosecutors and judges of 184,000 in 1988 (coming up from 159,000 in 1981).

Table 5, figures 5a and 5b

In about one out of six cases the prosecutor dismisses the case on judicial-technical grounds (especially when not enough evidence is at hand). In general, the rate of those 'technical dismissals' did not rise significantly. Looking more specifically, there seems to be a persistent trend towards more of those dismissals with some (very) serious cases: aggravated theft (from 12% in 1981 to 18% in 1988), sexual crimes (22-30%) and hard drug crimes (13-19%).

The rate of cases in which the judge finds the defendant 'not guilty', proves to be very stable on 2%. This stability can be seen in all categories of crime, with one exception: where in 1981 in only 1.5% of the sexual crime cases the defendant was found not guilty, this has risen to 4% in 1988.

Table 6, figures 6a and 6b

In cases where the prosecutor does not prosecute on technical grounds, or in cases where the defendant is not found guilty, no sanction can be applied. In order to follow the trend in sanction policy, those cases have to be set aside and attention has to be focussed on the cases in which sanctions can be applied. The total volume of those 'sanctionable cases' has been relatively constant in the past years at a level between 130,000 and 140,000. Significant trends exist with the very serious property cases (50% more than in 1981), less serious property cases (+ 35%) and less serious regulation cases (-27%).

The prosecutor can dismiss cases out of 'policy reasons' (the 'opportunity principle'). The rate of those dismissals came down spectacularly from 40% in 1981/82 to 26% in 1988. This downward tendency occurred on a broad level, only in case of very serious property and regulation offences the decline was not very marked and persistent.

Table 7, figures 7a and 7b

One obvious reason for the decline of the 'policy dismissal' was the introduction in 1983 of the possibility for the prosecutor to transigate. The rate of transaction has been such, that now one out of five cases come to a close that way. The transaction became especially popular in less serious cases (for instance simple theft 32% in 1988 and absconding after involvement in an accident 50%), but also in some serious cases (drunken driving 32%).

The transaction has diminished the level of policy dismissals, but seems also to have had an effect on the fining by the judge. The rate of unconditional fine has come down from 42% in 1981/82 to 33-31% in the years from 1984. A spectacular downfall can be seen in the regulation sphere: the percentage of fines dropped with 29 points (less serious cases) and 17 points (serious cases). A closer look at the rates suggests that the introduction of the transaction especially had an effect on fines in the early years (and on the regulation cases). The effect on the rate of policy dismissals is more confined to (less) serious violent and property cases.

Table 8, figures 8a and 8b

In general, the rate of sentencing to unconditional detention (prison sentence, arrest, juvenile detention) is constant at around 12%. Also the absolute number is constant at a level of 16-17,000. There seems to be a certain upward trend in the detention rate with very serious cases - a closer look reveals that this is caused by the trend in hard drug cases (from 25% in 1981 to 35% in 1988). Also an increase is noticed in sexual cases (20-27%). On the other hand a decline in detention rates exists with a number of regulation cases: drunken driving (14-6%), refusing to cooperate in blood test (27-18%), accountability for death or serious harm (15-8%).

The rate (from 4 to 9%) as well as the absolute number (5,000 to 13,000) of 'other sanctions' more than doubled from 1981 to

1988 - an increase that can be found among all types of cases. Those sanctions can be one of different punishments other than (partly) unconditional fines or detention. They mainly consist of wholly conditional sentences, possibly in combination with conditions as community service order or the withdrawal of the drivers license. The increase of 8,000 cases can, for the greatest part at least, be explained by the introduction of the community service order.

Table 9, figures 9a and 9b

The volume of cases in which sanctions against juveniles are possible, dropped from 22-23,000 in 1981/83 to 19,000 in 1987/88. This trend is caused by the development in (less) serious cases, not by a downward trend in the very serious ones (being very serious violent and property crime). The rate of 'policy dismissals' in cases with juveniles dropped 20 points, from 70 to 50%. This is a general trend, perceived to exist in all types of cases, but relatively weak (decrease of 6-9 percent points) in robbery cases, sexual cases and hard drug cases. These are exactly the cases in which the transaction has assumed no significant role.

Table 10 and figures 10a and 10b

Nowadays, the transaction by the prosecutor occurs in one out of five juvenile cases. The transaction rate became especially high in the (less) serious regulation cases (in cases of drunken driving 64%!).

The degree in which juveniles are sentenced to unconditional detention (prison sentence, juvenile detention) has not changed significantly - it stayed at about 6-6.5%. Also the absolute number of detentions is stable: 12-13,000. This phenomenon of global stability is recognizable in all types of cases.

Additional statistics on detention

Tables 11a and 11b, figures 11a and 11b

Although the quantity of prison sentences did not change substantially, there have been quite some qualitative modifications. The number in the lower duration categories decreased, those in the higher duration categories doubled and even tripled. So there has been a trend towards longer prison sentences. This has been partly brought about by a) an increase in the number of very severe cases, not so much in the detention rate in those cases, and b) a decrease in the volume of (less) serious regulation cases (see before).

Additional material has shown however, that in a select group of crimes the average prison sentence has gone up substantially, all belonging to the very severe category: hard drug crimes, arson, murder/homicide, robbery, serious sexual offences. But also the variation in prison sentences went up spectacularly in these instances, indicating that not so much a general increase in the length of the sentence occurred, but that in a small proportion of cases very long sentences have been meted out. Indeed, the number of prison sentences of 3 years or more went up from less than 200 in 1981 to more than 500 in 1988.

The developments in the juvenile detention system (in which the sentence to 'tuchtschool' (reformatory school) and 'arrest' are combined) mirror to some extent those in the prison

system. The absolute number of detentions is fairly stable, but there is also a trend towards longer sentences. It can be assumed that this trend is caused by the not decreasing number of juvenile suspects of very serious crimes.

Tables 12a and 12b, figures 12a and 12b

There are some other qualitative changes concerning the population of persons sentenced to prison. The most spectacular is the rising proportion of convicted persons that do not have the Dutch nationality; less spectacular but noteworthy is the slow decline of the proportion of younger persons and the gradual increase of the proportion of women. It could be, that at the root of the mentioned spectacular phenomena lies a qualitative change in input of the criminal justice system: more cases connected to international and/or organized crime (drugs, armed robbery, killings in the 'underworld'), and the growing attention to serious sexual criminal behaviour (incest). As a consequence there has been a growing pressure on the prison system, in which a major building program has been initiated.

Also among those sentenced to juvenile detention, the number of convicted persons that do not have the Dutch nationality rose spectacularly. A contrary movement is, that the proportion of younger juveniles convicted did somewhat rise. Together with the data in former sections of this report these trends reflect a) that the downward trend of juvenile suspects that broadly follows the trend in population size did

have an effect on the (less) serious categories of crime but not on the very serious crimes, and b) that a new qualitative problem arose concerning younger but especially immigrant children.

Expenditure on the police and justice system

Tables 13a and 13b, figures 13a and 13b

The expenditure on the police and the justice system rose from 4.500 million guilders to 5.500 in eight years (+ 21%). Corrected for inflation the rise was 5%. The expenditure (in real guilders) on the police remained stable, that on the court and legal aid system¹ increased with 16%, and the cost of the institutions for the adults rose with 28%, caused by the ambitious building program that started after 1985. The costs of the juvenile system declined, due to the transfer of several of the institutions to the welfare sector.

The number of people working in the different sectors can only be given for those sectors where all people are employed by the state, not for those where (semi-)private institutions receive subsidies (for instance probation, juvenile institutions). The number of policemen (excluding those in training institutes) increased with 14% till 1984, then it stayed at a constant level. The number of people in the court system stabilized in 1986, on a 30% higher level than in 1981. Spectacular is the growth in the volume of people working in the prison system.

Table 1: Victimization rates of persons of 15 years and older and rates of reporting to the police after victimization

	Victimization rates								Rates of reporting to the police					
	1980	1981	1982	1983	1984	1986	1988	1980	1982	1983	1984	1986	1988	
Total	32.8	34.0	35.5	35.2	36.2	34.3	33.6	33	30	33	35	38	35	
Theft of bicycle	4.9	5.1	5.5	6.4	5.7	6.3	5.7	59	61	60	61	57	57	
Theft of motorbike	0.4	0.4	0.4	0.3	0.3	0.5	0.3	80	93	72	83	96	95	
Theft of car	0.3	0.3	0.3	0.2	0.3	0.4	0.3	92	90	87	83	88	90	
Theft off car	4.9	5.4	5.1	4.8	5.1	3.8	3.8	15	15	17	22	21	18	
Theft from car	1.9	2.2	2.2	3.3	3.3	3.5	3.3	65	62	61	79	74	75	
Damage to car	9.0	9.1	9.8	9.2	9.3	8.7	8.1	20	19	21	21	26	22	
Other criminal damage	6.7	7.0	6.2	6.5	6.0	6.0	5.6	21	22	21	25	24	17	
Theft of purse	2.4	2.5	2.4	2.1	2.8	2.1	2.3	54	49	44	53	56	53	
Burglary	1.6	1.8	2.2	2.5	2.4	2.7	3.0	89	84	81	86	87	86	
Other theft	5.5	5.5	6.4	6.0	5.7	5.3	4.7	30	19	25	24	24	19	
Sexual harassment in the street	1.0	0.9	0.8	0.8	1.1	0.7	0.6	18	4	13	24	11	10	
Sexual harassment at home	0.9	1.1	1.5	1.1	1.9	1.7	1.3	2	4	5	7	8	4	
Threat with violence in the street	3.4	3.2	3.1	3.0	3.6	2.3	3.3	25	21	20	31	31	28	
Threat with violence at home	1.6	1.9	2.7	2.4	2.6	2.2	2.1	33	21	30	23	32	26	
Indecency	1.3	1.6	1.7	1.9	1.8	1.7	1.3	23	12	14	15	20	12	
Absconding after accident	1.4	2.0	2.4	1.8	2.4	1.9	2.1	26	24	38	29	34	35	

1 These costs do not only pertain to criminal cases, but also to civil cases.

Figure 1a: Victimization rates

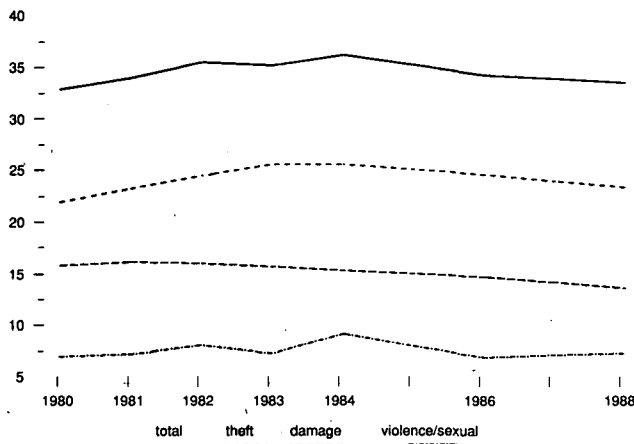


Figure 1b: Reporting rates

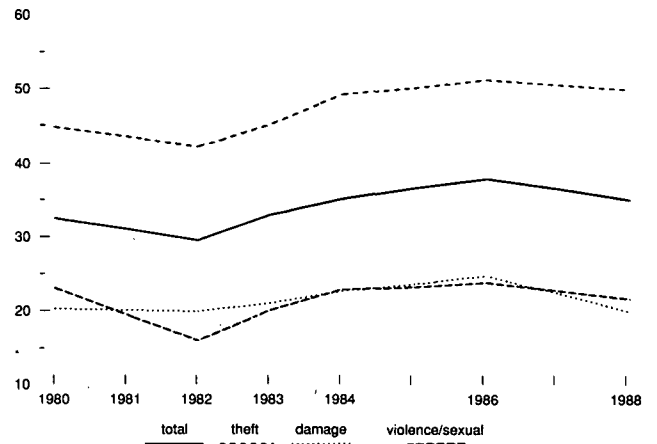


Table 2: Number of registered crimes and clearance rate*

	Number of registered crimes (x1000)										Clearance rate								
	1981	1982	1983	1984	1985	1986	1987	1988	1989		1981	1982	1983	1984	1985	1986	1987	1988	1989
Total	800	910	973	1069	1080	1082	1096	1114	1136	28	26	26	25	24	23	23	23	22	
Less serious crimes	476	533	567	598	598	543	545	559	583	23	21	21	22	21	22	22	22	21	
Serious crimes	300	351	382	444	456	509	522	523	518	34	31	30	26	25	23	22	22	22	
Very serious crimes	19	21	20	22	22	25	25	26	29	64	60	56	56	54	50	50	49	47	
Violence - less serious	99	113	109	122	126	129	137	143	154	30	28	28	27	27	26	25	25	24	
Violence - serious	8	9	9	10	11	11	12	13	16	72	71	71	72	69	75	73	69	65	
Violence - very serious	7	8	7	8	8	9	9	10	11	56	54	54	53	53	53	53	53	51	
Property - less serious	337	380	417	435	430	376	369	375	386	18	17	17	18	18	19	20	19	18	
Property - serious	249	298	328	391	404	459	475	475	463	21	20	19	17	16	15	15	15	14	
Property - very serious	6	7	8	9	9	11	12	12	14	33	33	32	32	32	28	30	28	29	
Regulation - less serious	40	39	40	41	42	39	40	41	42	48	46	44	41	38	38	36	34	32	
Regulation - serious	43	44	45	43	41	39	35	36	39	100	100	100	100	100	100	100	100	99	
Regulation - very serious	7	6	5	5	4	4	4	4	4	99	100	100	99	97	103	100	106	103	

* see page 14 for a categorization of the different types of crime

Figure 2a: Number of registred crimes (index 1981= 100)

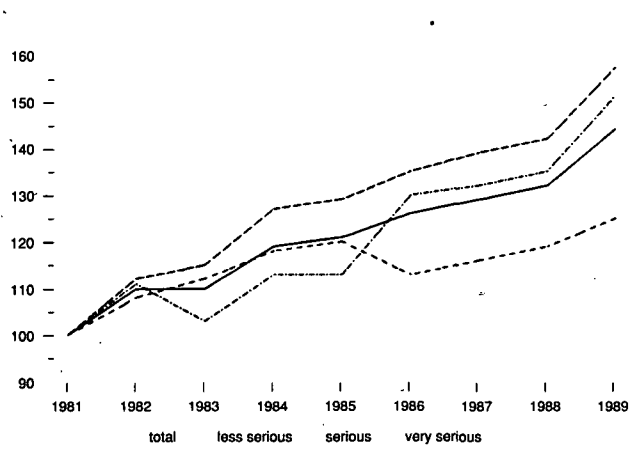


Figure 2b: Clearance rate

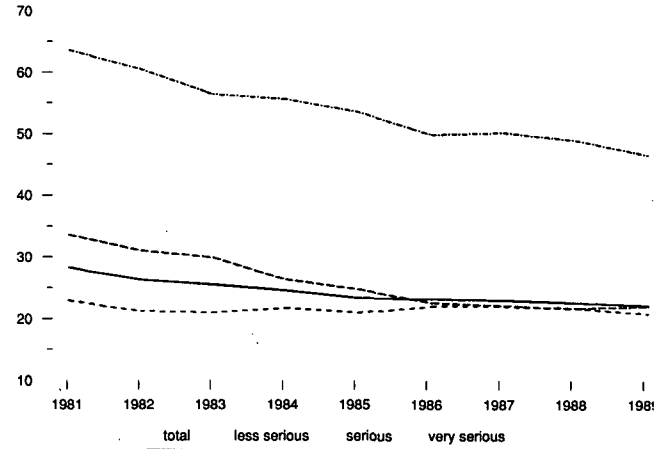


Table 3: Number of known suspects and known juvenile (< 18 years) suspects

	Number of known suspects (x1000)										Number of known juvenile suspects (x1000)								
	1981	1982	1983	1984	1985	1986	1987	1988	1989		1981	1982	1983	1984	1985	1986	1987	1988	1989
Total	222	238	245	260	257	250	241	239	241		45	49	45	47	46	46	42	40	38
Less serious crimes	105	111	114	124	125	118	115	114	113		25	27	25	27	27	26	23	23	21
Serious crimes	99	109	113	116	112	111	105	104	106		18	20	19	19	18	18	17	15	15
Very serious crimes		14	14	14	15	16	16	17	18		2	2	1	1	2	2	2	2	2
Violence - less serious	33	35	33	36	37	36	36	36	36		8	9	7	8	8	9	8	8	8
Violence - serious	10	11	10	12	12	12	13	13	14		2	3	2	3	3	3	3	3	3
Violence - very serious	4	5	5	5	5	5	5	5	5		1	1	1	1	1	1	1	1	1
Property - less serious	52	57	63	71	72	66	64	64	63		16	17	17	18	18	16	15	14	13
Property - serious	47	54	58	62	60	60	58	56	54		15	17	16	15	15	14	13	12	12
Property - very serious	3	3	3	4	4	4	4	4	5		1	1	1	1	1	1	1	1	1
Regulation - less serious	20	19	18	18	16	15	15	14	13		1	1	1	1	1	1	1	1	0
Regulation - serious	42	44	44	43	41	39	34	35	38		0	0	0	0	0	0	0	0	0
Regulation - very serious	7	7	6	7	7	6	7	7	8		0	0	0	0	0	0	0	0	0

Figure 3a: Number of known suspects (index 1981= 100)

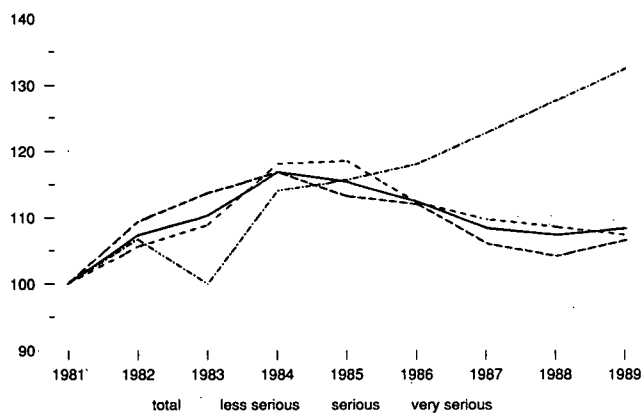


Figure 3b: Number of juvenile suspects (index 1981= 100)

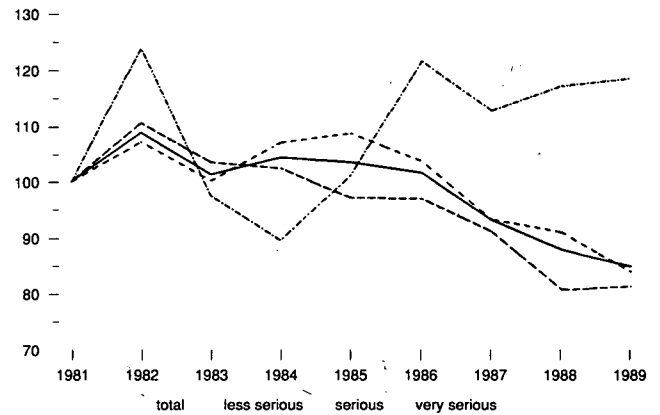


Table 4: Number of cases handled by prosecutors and judges and rate of joining cases for prosecution

	Handled by prosecutors and judges (x1000)									Rate of joining cases for prosecution								
	1981	1982	1983	1984	1985	1986	1987	1988		1981	1982	1983	1984	1985	1986	1987	1988	
Total	189	201	217	217	221	219	224	227		16	17	18	19	19	20	19	18	
Less serious crimes	88	90	94	94	96	95	98	101		15	16	17	19	19	21	19	19	
Serious crimes	86	94	102	107	106	106	106	106		17	18	19	20	19	21	19	19	
Very serious crimes	15	16	16	16	18	17	19	19		15	14	14	14	13	14	13	13	
Violence - less serious	33	33	33	32	33	33	35	36		12	13	14	14	13	15	15	14	
Violence - serious	3	2	3	2	3	3	3	3		9	9	10	9	10	9	11	9	
Violence - very serious	7	7	8	8	8	8	9	9		10	11	13	12	12	13	12	13	
Property - less serious	31	34	37	40	42	43	43	46		22	22	25	29	28	30	28	27	
Property - serious	44	49	53	61	62	61	63	63		23	25	25	27	26	27	26	25	
Property - very serious	2	2	2	3	3	3	3	3		16	16	17	20	18	18	17	16	
Regulation - less serious	24	24	24	22	21	19	19	18		8	10	9	9	9	9	8	8	
Regulation - serious	39	42	46	43	42	42	41	40		11	11	12	11	11	11	10	10	
Regulation - very serious	6	6	6	6	7	6	7	7		20	16	14	14	14	12	13	12	

Figure 4a: Number of cases handled (index 1981= 100)

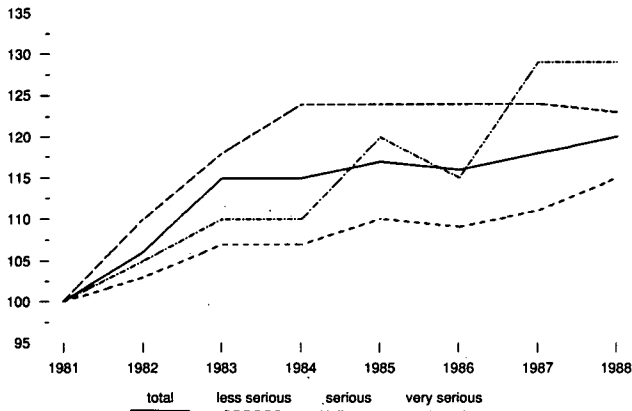


Figure 4b: Rate of joining cases for prosecution

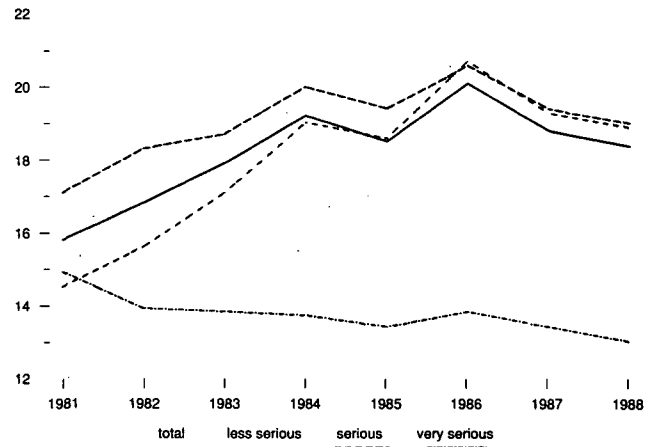


Table 5: Rate of dismissal by the prosecutor for technical reasons and rate of cases in which the suspect is found not guilty by the judge

	'Technical dismissal' by the prosecutor								Suspect found not guilty by the judge							
	1981	1982	1983	1984	1985	1986	1987	1988	1981	1982	1983	1984	1985	1986	1987	1988
Total	15	15	15	14	15	15	16	17	2	2	2	2	2	2	2	2
Less serious crimes	19	19	18	18	18	18	19	19	2	2	2	2	2	2	2	2
Serious crimes	10	10	10	10	11	11	12	14	2	1	1	1	1	2	2	2
Very serious crimes	21	21	21	20	20	22	22	23	3	2	3	3	3	3	3	3
Violence - less serious	19	19	18	17	18	18	19	19	3	2	2	2	2	3	3	3
Violence - serious	22	22	23	22	26	24	29	30	1	2	2	2	2	3	3	4
Violence - very serious	27	26	26	25	25	25	25	26	4	3	3	4	4	4	4	4
Property - less serious	16	17	17	15	15	15	16	15	1	2	2	2	2	2	2	2
Property - serious	15	15	15	15	15	16	18	20	2	1	2	1	2	2	2	2
Property - very serious	20	20	22	21	19	22	22	22	3	2	3	2	2	3	2	3
Regulation - less serious	23	23	21	22	22	23	23	25	3	3	3	3	3	3	3	3
Regulation - serious	5	5	4	4	4	4	4	5	2	1	1	1	1	1	1	1
Regulation - very serious	13	14	13	15	15	17	19	19	1	1	2	2	1	2	1	2

Figure 5a: Rate of 'technical dismissals'

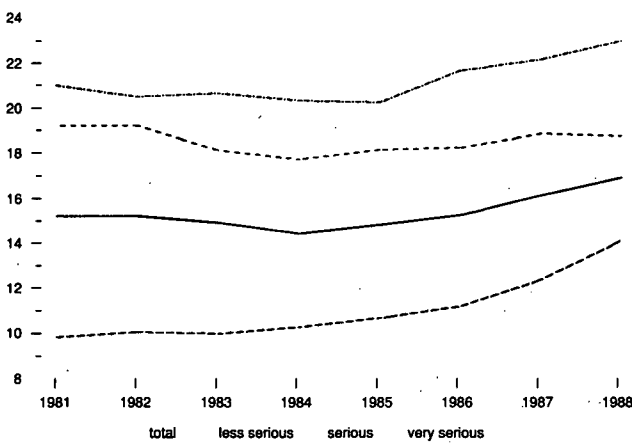


Figure 5b: Rate of cases 'not guilty'

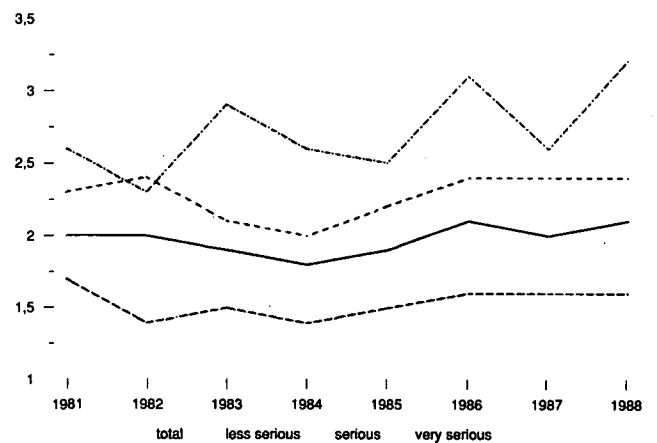


Table 6: Number of cases in which sanction is possible and rate of dismissal by the prosecutor on policy grounds

	Sanction is possible (x1000)								'Policy dismissal' by the prosecutor							
	1981	1982	1983	1984	1985	1986	1987	1988	1981	1982	1983	1984	1985	1986	1987	1988
Total	127	133	145	140	142	134	135	139	40	39	38	35	34	31	28	26
Less serious crimes	57	58	61	58	60	56	57	60	49	49	46	43	41	38	33	30
Serious crimes	61	65	71	71	71	68	66	67	30	28	28	26	25	23	20	20
Very serious crimes	9	10	10	10	11	10	11	11	53	52	51	49	51	46	45	39
Violence - less serious	22	22	23	22	22	21	22	23	55	54	52	48	46	44	38	36
Violence - serious	2	2	2	2	2	2	2	2	65	65	61	59	56	53	45	45
Violence - very serious	4	4	5	5	5	4	5	5	52	51	52	49	46	43	40	36
Property - less serious	19	21	22	22	24	23	23	26	61	59	55	50	47	40	35	30
Property - serious	27	30	32	35	36	34	33	34	51	50	49	44	42	39	34	33
Property - very serious	1	1	1	1	2	2	2	2	19	25	28	23	20	19	18	16
Regulation - less serious	16	15	16	14	14	12	12	12	27	27	24	24	22	22	19	21
Regulation - serious	32	34	37	35	33	33	32	31	10	7	9	6	6	5	5	5
Regulation - very serious	4	4	4	4	5	4	5	4	64	60	58	58	66	60	61	52

Figure 6a: Number of sanctionable cases (index 1981= 100)



Figure 6b: Rate of 'policy dismissals'

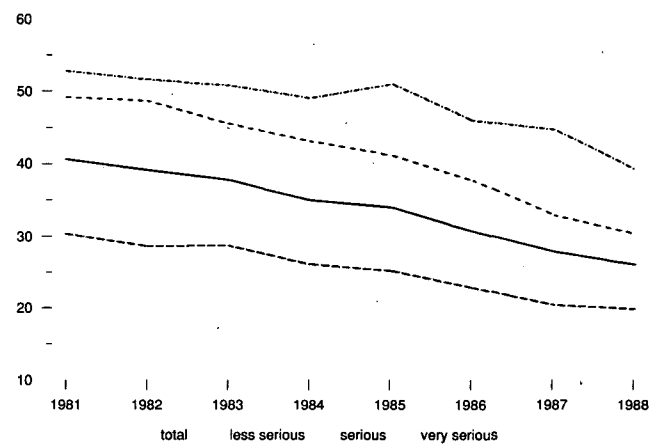


Table 7: Rate of transaction by the prosecutor and rate of sentencing to unconditional fine

	Transaction by the prosecutor								Sentencing to unconditional fine							
	1981	1982	1983	1984	1985	1986	1987	1988	1981	1982	1983	1984	1985	1986	1987	1988
Total	0	0	8	14	15	18	20	21	42	42	36	33	32	32	32	31
Less serious crimes	0	0	8	15	17	20	23	26	40	39	34	30	30	29	30	29
Serious crimes	0	0	9	15	16	18	19	20	48	50	42	39	38	37	37	36
Very serious crimes	0	0	1	2	2	2	3	4	14	14	12	12	10	12	12	12
Violence - less serious	0	0	4	8	9	11	15	16	34	34	32	30	31	30	32	31
Violence - serious	0	0	1	2	3	3	4	4	9	7	7	7	9	7	9	8
Violence - very serious	0	0	2	3	5	5	5	7	19	19	16	16	16	18	19	19
Property - less serious	0	0	8	16	17	22	25	30	28	28	25	22	23	24	25	25
Property - serious	0	0	2	6	8	11	11	13	21	21	20	20	20	20	20	18
Property - very serious	0	0	1	1	2	1	3	2	12	7	9	7	7	7	8	7
Regulation - less serious	0	0	14	25	27	31	35	37	63	61	51	42	41	38	37	34
Regulation - serious	0	0	16	24	24	27	28	29	74	76	63	59	58	57	57	57
Regulation - very serious	0	0	0	0	0	0	0	1	9	10	9	8	5	7	6	7

Figure 7a: Rate of transactions by the prosecutor

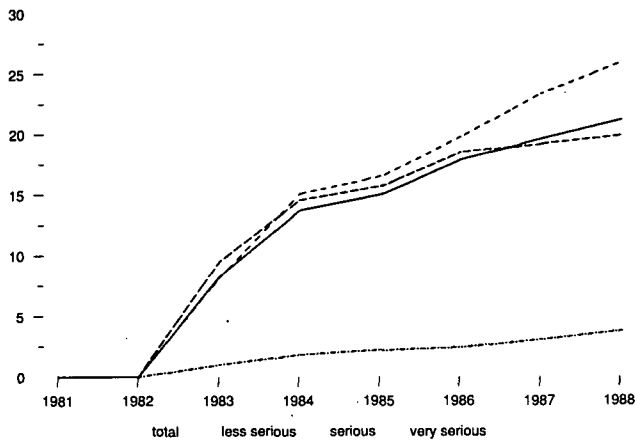


Figure 7b: Rate of unconditional fines

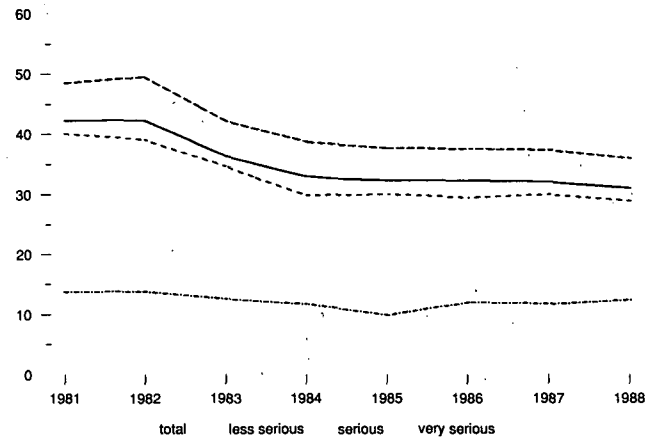


Table 8: Rate of sentencing to unconditional detention and to other sanctions

	Sentencing to unconditional detention									Sentencing to other sanctions								
	1981	1982	1983	1984	1985	1986	1987	1988	1981	1982	1983	1984	1985	1986	1987	1988		
Total	13	14	12	12	12	12	12	13	4	5	6	6	7	7	8	9		
Less serious crimes	7	7	6	6	6	6	6	6	4	5	5	6	6	7	7	8		
Serious crimes	18	17	14	14	15	14	14	15	4	5	6	6	7	7	9	10		
Very serious crimes	28	30	29	31	30	31	31	33	5	5	7	6	7	8	10	11		
Violence - less serious	6	6	6	6	5	5	5	5	5	6	7	8	8	10	11	12		
Violence - serious	19	21	22	22	22	23	27	27	6	7	9	10	10	14	15	16		
Violence - very serious	23	24	22	24	24	23	23	22	6	6	8	9	10	11	14	15		
Property - less serious	7	8	7	7	7	7	9	9	4	5	4	5	5	6	6	7		
Property - serious	19	19	18	19	19	18	20	20	8	9	10	11	11	13	15	16		
Property - very serious	59	60	53	60	60	60	57	59	10	8	10	9	11	13	15	16		
Regulation - less serious	7	7	6	5	5	5	4	4	4	5	5	5	5	4	5	5		
Regulation - serious	16	15	10	9	9	9	8	8	0	1	2	2	2	2	2	2		
Regulation - very serious	25	27	29	30	26	28	29	35	2	2	4	3	3	4	4	5		

Figure 8a: Rate of unconditional detention

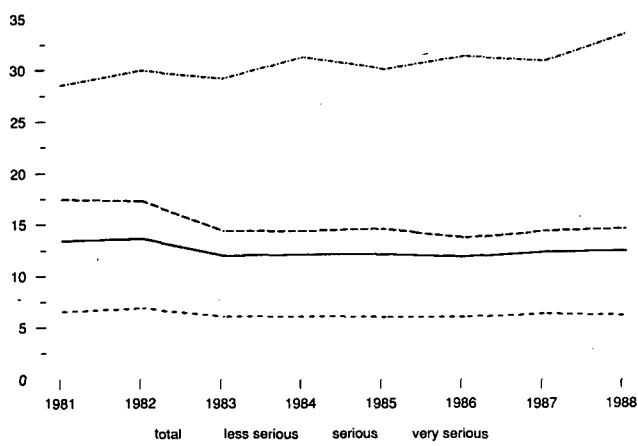


Figure 8b: Rate of other sanctions

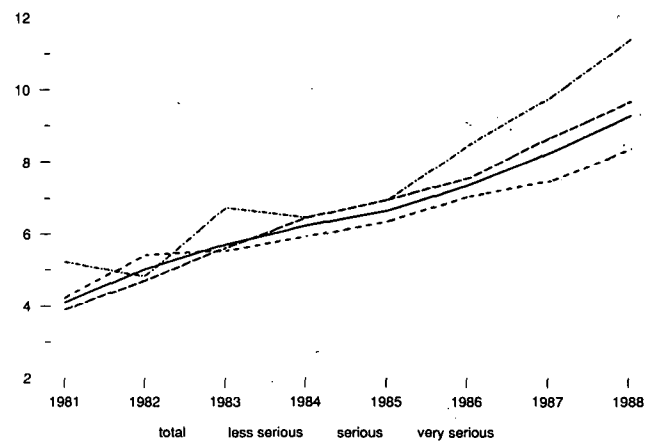


Table 9: Number of cases in which sanction is possible and rate of dismissal by the prosecutor on policy grounds: juveniles

	Cases in which sanction is possible (x1000)									Dismissal juveniles by the prosecutor								
	1981	1982	1983	1984	1985	1986	1987	1988		1981	1982	1983	1984	1985	1986	1987	1988	
Total	22	22	23	21	21	19	19	19		70	69	70	67	62	58	52	50	
Less serious crimes	10	10	10	9	9	9	9	9		76	76	76	73	67	63	55	52	
Serious crimes	11	11	11	11	11	10	9	9		64	64	69	63	59	55	50	49	
Very serious crimes	1	1	1	1	1	1	1	1		50	53	54	55	45	40	40	36	
Violence - less serious	5	5	5	4	4	4	5	5		71	71	71	68	63	62	53	50	
Violence - serious	0	0	0	0	0	0	0	0		69	70	63	64	63	55	52	61	
Violence - very serious	1	1	1	1	1	1	1	1		62	62	62	64	54	51	52	42	
Property - less serious	4	4	4	4	4	4	3	4		83	83	85	81	73	67	60	57	
Property - serious	10	10	10	10	10	9	9	8		65	65	71	64	59	56	51	49	
Property - very serious	0	0	0	0	0	0	0	0		25	33	36	32	26	22	18	19	
Regulation - less serious	1	1	1	1	1	1	1	1		74	70	64	59	56	50	44	43	
Regulation - serious	1	1	0	0	0	0	0	0		41	41	40	37	38	28	26	22	
Regulation - very serious	0	0	0	0	0	0	0	0		87	76	78	89	78	62	81	78	

Figure 9a: Number of cases with possible sanctions (index 1981= 100): juveniles

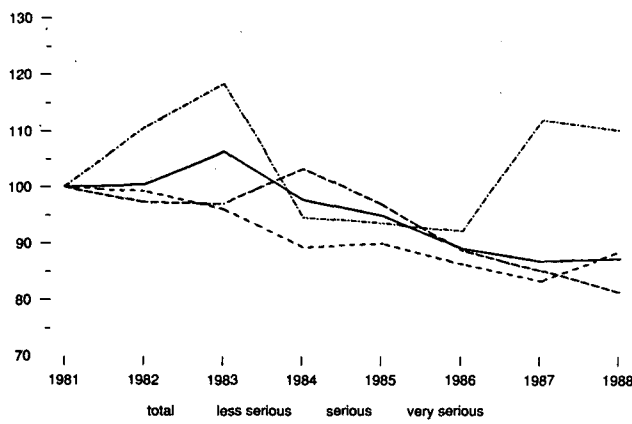


Figure 9b: Rate of 'policy dismissals': juveniles

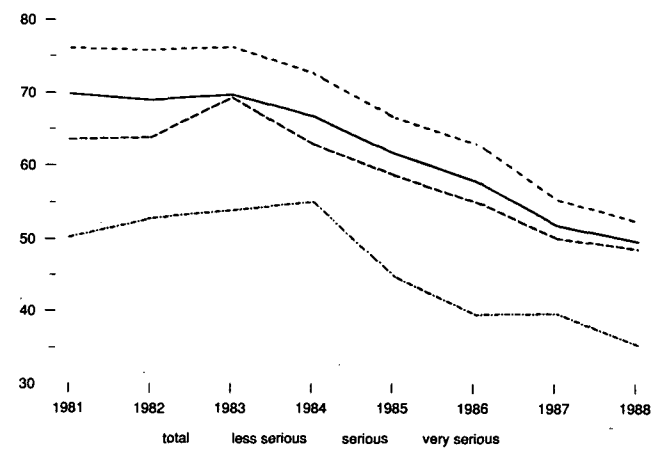


Table 10: Rate of transaction by the prosecutor and rate of sentencing to unconditional detention: juveniles

	Transaction by the prosecutor									Sentencing to unconditional detention								
	1981	1982	1983	1984	1985	1986	1987	1988		1981	1982	1983	1984	1985	1986	1987	1988	
Total	0	0	1	5	10	14	17	19		6	7	6	7	6	7	7	6	
Less serious crimes	0	0	2	6	11	15	19	22		3	3	2	2	2	2	3	3	
Serious crimes	0	0	1	4	9	13	16	18		7	9	8	8	8	8	8	8	
Very serious crimes	0	0	0	2	6	6	6	9		20	23	20	21	23	26	21	22	
Violence - less serious	0	0	1	5	9	13	19	21		4	4	2	3	3	2	2	2	
Violence - serious	0	0	0	0	1	1	1	1		14	13	19	17	13	12	17	13	
Violence - very serious	0	0	0	3	8	9	7	12		13	15	14	13	14	14	11	13	
Property - less serious	0	0	1	5	11	15	17	21		1	2	2	2	2	2	3	4	
Property - serious	0	0	1	4	9	12	15	17		8	9	8	8	8	9	8	8	
Property - very serious	0	0	0	0	3	3	5	3		36	41	31	40	40	45	38	39	
Regulation - less serious	0	0	6	18	20	26	29	33		0	0	1	0	0	0	1	0	
Regulation - serious	0	0	11	30	37	47	50	51		1	0	0	0	0	1	0	1	
Regulation - very serious	0	0	1	0	2	0	0	0		1	3	8	0	7	3	5	2	

Figure 10a: Rate of transaction by the prosecutor: juveniles

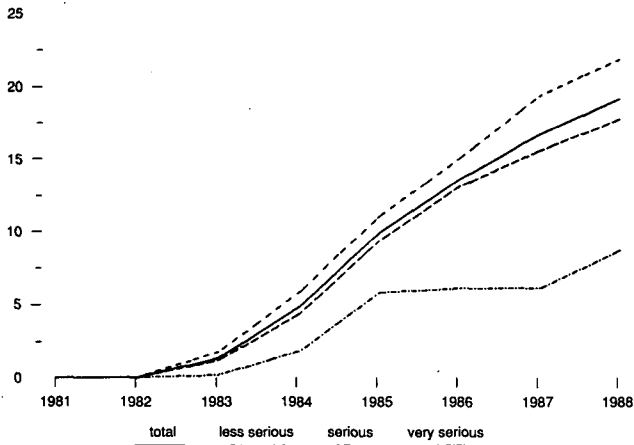


Figure 10b: Rate of unconditional detention: juveniles

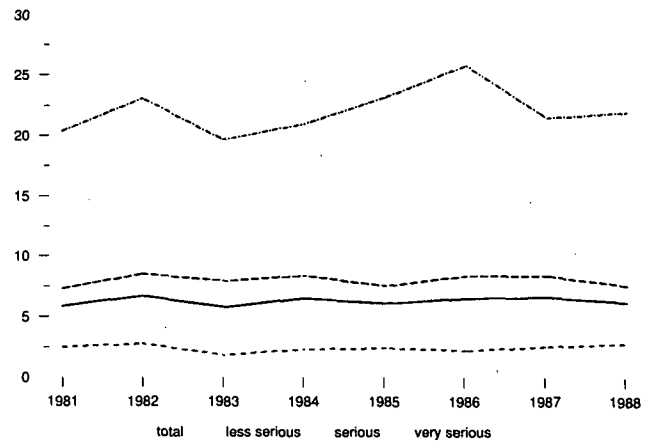


Table 11a: Length of unconditional prison sentences

	1981	1982	1983	1984	1985	1986	1987	1988
< 3 months	11704	12420	11178	10397	10282	9193	9304	9499
3 - 6 months	2171	2247	2406	2595	2680	2434	2577	2785
6 months - 1 year	1319	1316	1444	1549	1821	1754	1934	2216
1 - 3 years	813	875	1016	1199	1281	1210	1409	1419
3 - 6 years	163	178	214	183	216	250	322	402
6 years or more	35	36	50	62	64	59	103	105
Total	16205	17072	16308	15985	16344	14900	15649	16426

Table 11b: Length of juvenile detention

	1981	1982	1983	1984	1985	1986	1987	1988
< 3 months	754	970	794	844	732	745	664	640
3 - 6 months	213	223	252	254	293	341	367	313
Total	967	1193	1046	1098	1025	1086	1031	953

Figure 11a: Length of unconditional prison sentences (Index 1981= 100)

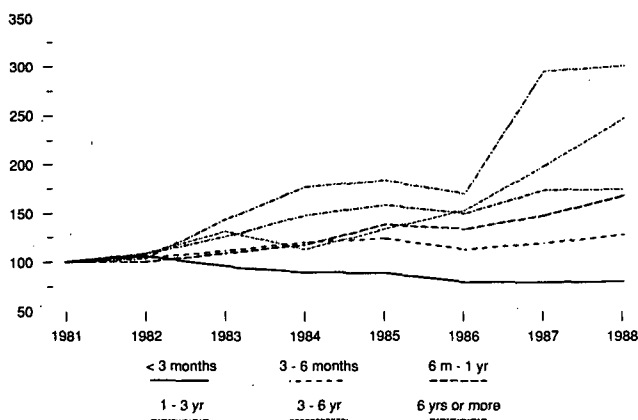
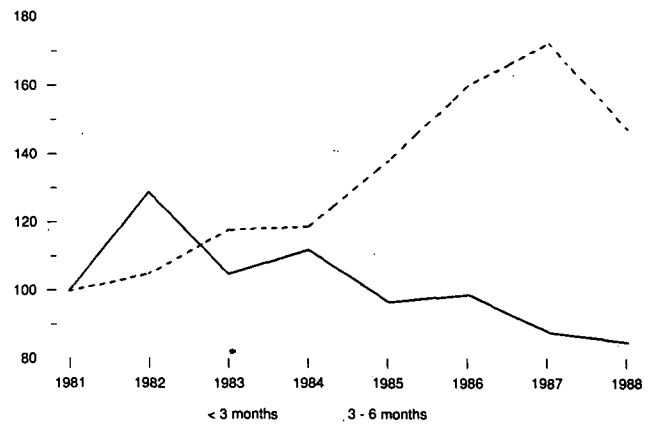


Figure 11b: Length of juvenile detention (Index 1981= 100)



Tabel 12a: Prison sentence: gender, age and nationality

	1981	1982	1983	1984	1985	1986	1987	1988
Gender								
men	96.7	96.7	96.2	95.7	95.6	95.3	94.9	94.7
women	3.3	3.3	3.8	4.3	4.4	4.7	5.1	5.3
Age								
< 24 years	34.2	35.1	35.1	35.3	34.5	32.5	32.9	31.7
24 - 30 years	26.1	26.3	27.4	28.2	27.8	27.8	28.2	28.4
30 - 50 years	36.1	35.3	34.3	33.8	34.7	36.3	35.8	36.7
50 years or older	3.5	3.4	3.1	2.7	3.0	3.4	3.1	3.2
Nationality								
Dutch	87.5	88.1	86.9	87.4	85.2	80.0	75.7	72.1
not Dutch	12.5	11.9	13.1	12.6	14.8	20.0	24.3	27.9

Table 12b: Juvenile detention: gender, age and nationality

	1981	1982	1983	1984	1985	1986	1987	1988
Gender								
boys	95.8	98.2	95.8	97.6	95.9	96.1	97.0	94.9
girls	4.2	1.8	4.2	2.4	4.1	3.9	3.0	5.1
Age								
12 - 16 years	37.3	31.8	32.1	35.6	33.8	33.6	40.3	41.9
16 years or older	62.7	68.2	67.9	64.4	66.2	66.4	59.7	58.1
Nationality								
Dutch	89.0	87.8	84.1	83.5	75.3	64.6	61.5	58.2
not Dutch	11.0	12.2	15.9	16.0	24.3	34.4	37.6	41.8

Figure 12a: Share in prison sentences

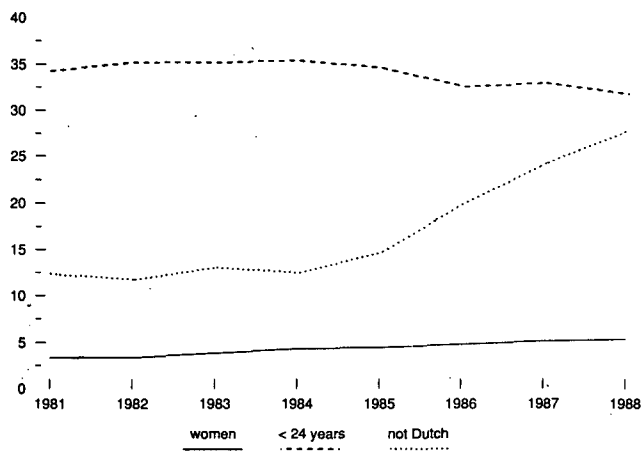


Figure 12b: Share in juvenile detention sentences

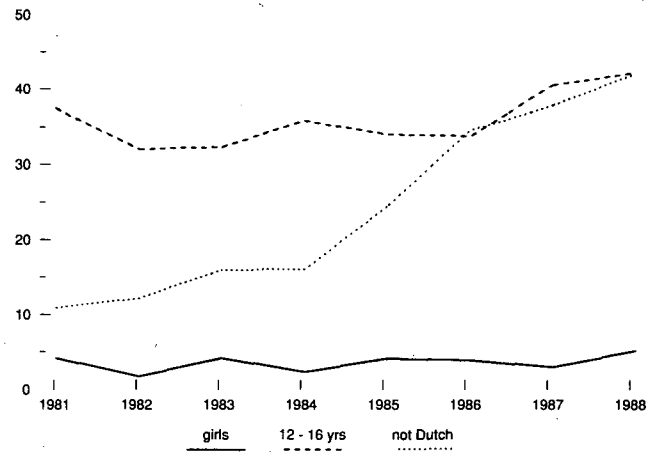


Table 13a: State expenditure on police and justice (x1 mln.)

	1981	1982	1983	1984	1985	1986	1987	1988
Total	4523	4867	5028	5071	5148	5286	5292	5477
Police	2766	2988	3102	3128	3218	3219	3289	3214
Courts/legal aid	581	636	662	666	685	720	781	777
% on courts	66	66	66	68	68	67	66	
% on legal aid	34	34	34	32	32	33	34	
Adults: institutions/prob.	492	521	547	565	566	611	655	724
% on prison system	63	65	66	66	68	68	71	
% on forensic institutions	18	17	17	18	17	17	15	
% on probation	19	18	17	16	15	15	14	
Juvenile care	564	587	580	575	523	529	336	340
% on institutional care	54	53	50	53	55	28	25	
% on non-institutional care	46	47	50	47	45	72	75	
Other	120	135	137	137	156	207	231	235
Inflation-index	100	106	108	112	114	115	115	115

Table 13b: Number of people employed (in budget)

	1981	1982	1983	1984	1985	1986	1987	1988	1989
Police	34437	35475	36488	36824	38538	38950	38790	38242	38266
Courts (incl. prosecution)	5033	5203	5219	5555	6056	6498	6558	6542	6565
Prison system	4491	4715	4784	4771	5083	5687	5862	6638	7389

Figure 13a: State expenditure on police and justice (index 1980= 100; corrected for inflation)

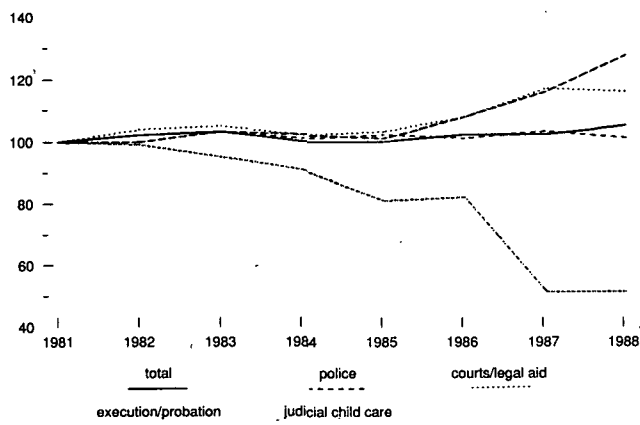
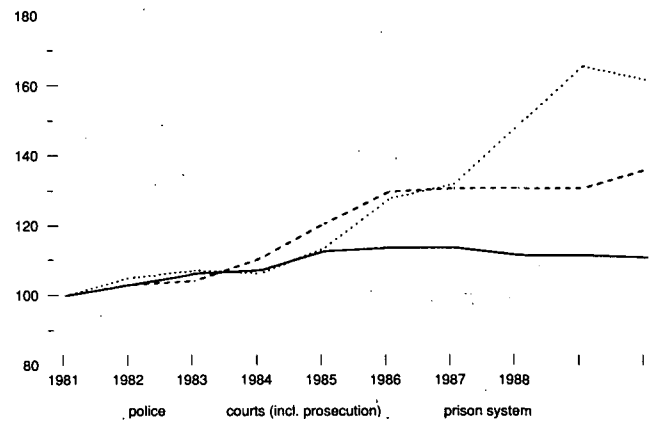


Figure 13b: Number of people employed (Index 1980= 100)



Appendix

Primary data sources

- Victimization statistics: victim survey results, published in Maand- en Kwartaalstatistieken Rechtsbescherming en veiligheid, Centraal Bureau voor de Statistiek (CBS)
- Police statistics: Maand- en Kwartaalstatistieken Rechtsbescherming en veiligheid, CBS (NB The unit of counting consists of separate offences in 'registered crime' and 'cleared crime'; persons in 'known suspects' (who can have committed more than one offence, or more than one person can have committed one offence).)
- Judicial statistics and statistics on detention and fines: Criminaliteit en Strafrechtspleging, CBS (NB The unit of counting consists of cases, in which one person can have committed more than one offence.)

Police statistics:

Less serious violent crimes:

- crimes against public authority
- indecency
- criminal libel
- (simple) assault
- accountability for death or serious harm
- criminal damage

Serious violent crimes:

- crimes against public order
- sexual assault
- threat with violence

Very serious violent crimes:

- arson
- rape
- other serious sexual crimes (incl. incest)
- crimes against life (incl. murder, homicide)

Less serious property crimes:

- simple theft
- embezzlement
- receiving

Serious property crimes:

- burglary
- other aggravated theft
- forgery
- fraud

Very serious property crimes:

- robbery
- extortion

Less serious regulation-crimes:

- Road Traffic Law (RTL): absconding after involvement in accident
- RTL: accountability for death or serious harm
- RTL: joy-riding
- crimes against Law of Economic crimes
- crimes against Firearms Act
- crimes against 'other' regulations

Serious regulation-crimes:

- RTL: drunken driving
- RTL: refusing to cooperate in blood-testing
- RTL: driving after cancellation of drivers-license
- Drug Act: crimes concerning soft drugs

Very serious regulation-crimes:

- Drug Act: crimes concerning hard drugs

- Statistics on expenditure: Government budgets, internal data of the Ministry of Justice

Categorization

The categorization of crimes into groups of 'less serious', 'serious' and 'very serious' offences, is based upon analyses of the average judicial reaction to several types of criminal behaviour in the last 30 years. The relative position of crime types in regard to the rate of prosecution, the rate of detention and the length of the detention proved to be rather stable. The placing of crime types of the police statistics and those of the judicial statistics - however different - has been done empirically.

Judicial statistics:

Less serious violent crimes:

- crimes against public authority and order

- simple assault

- criminal damage

Serious violent crimes:

- sexual crimes

Very serious violent crimes:

- other violent crimes against property (than damage)

- other violent crimes against persons (than simple assault)

Less serious property crimes:

- simple theft

- receiving

Serious property crimes:

- aggravated theft
- other property crime

Very serious property crimes:

- robbery

Less serious regulation-crimes:

- Road Traffic Law (RTL): absconding after involvement in accident
- RTL: accountability for death or serious harm
- RTL: joy-riding
- crimes against Law of Economic crimes
- crimes against Firearms Act
- crimes against 'other' regulations

Serious regulation-crimes:

- RTL: drunken driving
- RTL: refusing to cooperate in blood-testing
- RTL: driving after cancellation of drivers-license
- Drug Act: crimes concerning soft drugs

Very serious regulation-crimes:

- Drug Act: crimes concerning hard drugs

In trying to make a general overview, choices had to be made.
Much of which might also be of interest had to be left out.
Readers who might have additional questions can contact
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