



# Implementation of an improved judicial youth system

Summary

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# Summary

## Implementation of an improved Judicial Youth System

Youngsters and young adults who commit a criminal offence or are suspected of a criminal offence can be placed in a Correctional Institution for Juvenile Offenders (JJI) after the intervention of a judge or examining magistrate. To better align with the changes in the target group within JJIs, the Minister of Justice and Security (JenV) decided, after an extensive exploratory study, in 2019 to make a system change – called Tailored Care and Security (VOM). The changes concerned an increase in the “weight” of the target group and the influx of young adults due to the introduction of adolescent criminal law, combined with the reduced influx into JJIs. In addition, recidivism among ex-JJI pupils remained high. VOM aims to ensure that the stay in detention is more in line with the needs of young people by offering tailored care and security during detention and aftercare. More customization should lead to a reduction in recidivism. Three building blocks are used for this:

- ③ An efficient and effective process of placement and screening and diagnostics (tailored care and security) to draw up an integrated plan of action for the young person.
- ③ Small-scale custodial youth facilities (KVJJs): local and regional places where young people stay as close as possible to their living environment during their time of detention with a low-security level.
- ③ Forensic Care Centres (FCJs): a highly secured setting in which young people with a specific care profile receive specialist care and security.

The VOM program has been set up for the implementation of the system change. The system change should be ready in 2024. In 2019 there was already one KVJJ. The current JJIs will be transformed into FCJs. When that is finished, there will be five KVJJs and five FCJs in the Netherlands. This ensures a better connection and continuity of care.

## Research into a monitor

The Ministry of JenV aims to set up a monitor to gain insight into the efficiency and effectiveness of this system change. Commissioned by the WODC, DSP-groep has conducted research between June 2020 and October 2021 into the way in which the system change can be monitored and what is feasible for performing an initial measurement.

The study consisted of four parts. First, we drew up the policy logic of the system change based on document analysis and a two-round discussion with an expert panel of seven representatives from various chain partners. Secondly, a literature study was conducted into the underpinning of the core elements of the policy logic. Thirdly, based on literature and a discussion with the expert panel, indicators have been drawn up that match the objectives and core elements of the policy logic. Subsequently, we carried out a

feasibility test of these indicators through interviews with managers of the sources and registration systems, an analysis of data extraction from different sources for 2020, a file study of 33 young people in five JJs and two files of young people in one KVJJ. Finally, we carried out desk research and interviewed several people about the implementation status in the autumn of 2021.

## Policy logic as input for a monitor

The first step in this research was to draw up a policy logic behind the system change. The system change aims to ensure that recidivism among young offenders decreases, specifically for those subject to detention. The amended system aims to better match the detention with the needs of young people with care, security and aftercare. Hence the term a tailored approach, including tailored care and security.

In the policy logic (and the indicators for the monitor), we focus on the objectives for young people. Tailored care and security aims to reduce the risk factors that contribute to criminal behaviour, maintain the protective factors, and reduce the risk of detention damage.

The three building blocks mentioned above are used to achieve these goals. Within these building blocks, we distinguish several general core elements: customization, cyclical diagnostics, ongoing care and support, and involvement of young people and the social system. In addition, there are core elements whose efficacy differs between a KVJJ and FCJ: security, an integrated day program and a positive learning and living climate. Finally, we distinguish several process-based core elements that apply to all young people, such as close cooperation in the chain, transparent management and good information exchange. These core elements are preconditions for the effectiveness of the general and specific core elements.

During the reconstruction of the policy logic, we established that the interpretation and description of some core elements are still being worked out in more detail within the VOM program and that not all core elements have yet been unambiguously defined. This concerns ongoing care, daytime activities and education – specifically, transforensic<sup>3</sup> care, cyclical diagnostics and relational security. The elaboration of the VOM is therefore still a work in progress. Consequently, the findings in practice may give rise to an adjustment of the approach, which may have consequences for the description of the (core elements in the) policy logic in this study.

### Underpinning policy logic

The core elements are mainly underpinned by the Risk Needs Responsivity (RNR) model, supplemented by the Good Lives Model. According to the RNR model, the intensity and duration of the intervention must be in line with the seriousness of the problem and the risk of recidivism (risk principle). It must also focus on explanatory factors related to the offence behaviour (need principle) and be in line with the learnability and

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<sup>3</sup> Care before, during and after detention.

motivation of the young person and his system (responsiveness principle). Criminal law interventions that comply with these three principles lead to less recidivism than interventions that only have a punitive character. In addition to the general substantiation of VOM, we consulted the scientific literature on the effectiveness of each core element. It turned out to be difficult to find substantiation in the literature for the core elements that are still being worked out in more detail in the program and have not yet been clearly defined. Finally, there are also some core elements for which no unambiguous substantiation is found in the literature. For example, physical security has a protective effect on society in the short term if it prevents a new crime. In the longer term, detention is associated with negative effects on recidivism.

### **Points of attention for the efficacy of the core elements**

For most young people, the period of detention is short, and the majority leave because of the suspension of preventive detention. The short period of detention and the uncertainty about its duration upon influx have consequences for the core elements' effectiveness and a monitor. In that short period, hardly any influence can be expected from the active mechanisms of the core elements. Goal achievement among the group of young people whose period of detention is short depends largely on the interventions used after the detention. The realization of the goal is a chain responsibility. Another point of attention for the effectiveness and design of the monitor is that approximately one-third of the target group are older than 18 at the start of their detention. The interpretation of the core elements is different for the young adult, and an extra chain partner – the adult probation service – is involved in the risk assessment and for some in the supervision after their detention.

### **Indicators for monitoring and availability of required data**

We have formulated several indicators for each of the core elements and goals. We have also determined some key figures. We then checked whether data on these indicators are available in the registration systems of DJI and the Council for Child Protection (RvdK) and the files of JJs and KVJJs. We have made an overview of availability using a traffic light: available (green), partly available (orange) and not (yet) available (red). We describe the different sources, the available data and the limitations for measuring the indicators. There are currently no data available for many indicators. Therefore, it is currently not possible to monitor the effectiveness of the system change nor determine the extent to which mechanisms have been set in motion to achieve those targets. In addition, we note that an accurate baseline measurement regarding the intermediate goals and the deployment of core elements is not possible because changes in the context of VOM have already been introduced or are still being tested. In addition, some core elements are already present in the current system, but it has not been investigated before to what extent and whether this is in accordance with the principles of VOM. The status of implementation shows that VOM is still a work in progress. DJI has research carried out into the pilots in the JJs for the conversion into FCJs and monitors the implementation of the KVJJs. The results of these studies provide insights for the

implementation and for possibilities to monitor the system change. In our report, we make several suggestions about what is necessary and feasible in the short term to start monitoring the system change in 2024.

## Conclusion

This study aimed to determine how the system change for judicial youth – tailored care and security – can be monitored and the starting position for the system change in 2020 can be measured.

We conclude that an effect evaluation is not possible at the moment because a good baseline measurement cannot be performed. In addition, for most young people, detention is part of a longer (judicial) process. Reduction of recidivism is therefore not only attributable to changes in the design of the detention.

The system change monitor can, therefore, only focus on the implementation of the core elements and the achievement of the goals among young people at the level of the intermediate goals (without making statements about causality), and taking into account the short period of detention of most young people. The monitor thus takes on the character of a process evaluation on implementing the core elements and monitoring the trend in the intended goal achievement.

In the coming years, adjustments to registration systems and standardization, clear definitions and opening up information systems for research would be helpful. It is useful to determine with the partners involved in VOM implementation and data registration (DJI, J&V, WODC and researchers) what is feasible in the short and longer term. The study shows where insufficient data is available for monitoring. There are significant challenges to recording data for monitoring the system change after implementation in 2024.

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DSP-groep is een onafhankelijk bureau voor onderzoek, advies en management, gevestigd aan de IJ-oever in Amsterdam. Sinds de oprichting van het bureau in 1984 werken wij veelvuldig in opdracht van de overheid (ministeries, provincies en gemeenten), maar ook voor maatschappelijke organisaties op landelijk, regionaal of lokaal niveau. Het bureau bestaat uit 40 medewerkers en een groot aantal freelancers.

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