

The management burden of foreigners in the  
detention centre Rotterdam:  
Description and interpretation of the period 2015-2019

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## Summary

In the Netherlands, foreigners<sup>1</sup> can be placed into custody, as an ultimate resource, when they refuse to leave the country on their own. This constitutes an administrative law measure to detain foreigners until departure or eviction is possible and takes place. According to the Aliens Act 2000, this measure can be imposed upon foreigners who have been refused at the border (article 6) or have been arrested due to their illegal residence in the Netherlands (article 59).

The majority of foreigners in the Netherlands who resides in immigration detention are detained on the base of article 59. Furthermore, the vast majority of foreigners in detention is male: they are detained in the Detention Centre Rotterdam (DCR). The other three institutions tasked with immigration detention in the Netherlands are detention centre Zeist, detention centre Schiphol and the Centre of Transcultural Psychiatry Veldzicht. These institutions are focused on families, women, minors, and foreigners who are detained on the base of article 6, and foreigners with a psychiatric illness and/or behavioural problems.

At the start of this study there were clear indications that the management burden of foreigners in DCR had increased between 2015 and 2019: the staff had had to increasingly exert themselves to manage unacceptable behaviours of foreigners to uphold the order and safety within the institution. Given this context, the current study focused on the following two research questions:

1. Has the management burden of foreigners in the detention centre Rotterdam increased during the period 2015-2019 (the research period)?
2. If yes (to question 1): What are potential explanations for this increase?  
If no (to question 1): How to explain the indications of the increase of the management burden?

We focused exclusively on the management burden of male foreigners in the DCR who were detained based on article 59 (the vast majority of foreigners in the DCR). Insight into the potential increase of the management burden and its explanations are essential for the DCR and the division Prison System/ Immigration detention of the Ministry of Justice and Security, because it may offer potentially new perspectives on how to adjust and/or reduce the management burden in the institution.

### Operationalisation of management burden

To be able to answer the above research questions, we focused first on defining and determining the measurement method of the concept management burden of foreigners in detention. We did this based on a systematic literature study and interviews with four guards and two board members of the DCR. We defined management burden as consisting of five dimensions of which we could examine three in the current project: (a) the number of observations of unacceptable behaviours, (b) the amount of order- and punishment-measures imposed on foreigners as well as transfers to a stricter department within the institution, and (c) self-reports of (preventive and active) management burden behaviours of guards.

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<sup>1</sup> A foreigner is defined as “[any]one who does not possess the Dutch Nationality and can not be treated as a Dutch national based on a legal provision” (article 1, Foreigner law 2000, see m; <https://wetten.overheid.nl/BWBR0011823/2021-07-01>).

### **Answering research question 1: Increase in the management burden in the DCR between 2015-2019**

Focusing on the three dimensions we could study, we examined the management burden in the DCR within the research period with interviews, the daily logs of each department in the institution and an analysis of the files used to store the order and punishment measures imposed. This enables us to answer the first research question: whether the management burden of foreigners in the DCR had increased. The answer to this question is a clear yes: we observed an increase of the management burden during the research period on each of the three dimensions examined.

In the daily logs of the DCR, we observed a clear increase on the dimension unacceptable behaviours of foreigners, particularly regarding general disturbances (e.g., shouting, refusing a room or roommate) and property violations (e.g., theft, damaging of properties). We also found that the amount of order and punishment measures imposed per 100 foreigners held in DCR increased between 2015 and 2019. The same was true for the number of transfers of foreigners to the stricter department within the institution during the research period. Finally, our analyses indicated that guards reported increases in the management burden as well: interviewed employees of the DCR mentioned the increased efforts they needed to undertake in response to (initial) unacceptable behaviours, such as writing reports, and imposing and executing order and punishment measures. This increased management burden was also found in the daily logs: prevention focused controlling behaviours, such as de-escalation behaviours, solving initial unacceptable behaviours and preventing problems associated with upcoming evictions had increased most during the research period. Furthermore, reactive forms of controlling behaviours also increased in the logs: exerting physical control behaviours during incidents (e.g., fixating, isolating and/or separating foreigners), imposing punishments and drafting reports increased as well during the research period.

What stood out from these results is the fact that multiple findings on several dimensions, which came about through different research methods, showed converging patterns. Such comparable patterns that originate from different sources strengthen the reliability and robustness of the findings and the confirmatory answer to the question whether the management burden has increased.

### **Answering research question 2: Potential explanations regarding the increased management burden**

In contrast to answering the first research question, It proved difficult to determine what exactly the explanations were for this increased management burden to answer the second research question. To find explanations, we searched the literature, examined the perspectives of four guards and two board members via interviews, the characteristics of the foreigners that were registered that were detained in the DCR, the characteristics of the guards who worked at the DCR (including the interpretation of the developments among guards via an interview with an employee of DCR) and the DCR's policy changes and actions undertaken during the period 2015-2019 (via the same interview with the employee).

Together these sources offered a rich but not conclusive overview of the explanations of the increased management burden. There were several reasons for this. First we could not examine all explanatory factors mentioned in the literature in the current study and context. In addition, whereas it was possible to conduct statistical analyses to test whether the characteristics of the foreigners detained in the DCR

could explain the increased management burden, this could not be done for the other sources of data. For these other sources we therefore needed to interpret each development in the characteristics of guards and policies separately, in light of the increased management burden. As a consequence, a number of potential explanations can be distilled from these sources, but the actual causes of the increased managed burden in the DCR between 2015 and 2019 cannot be determined. In the following, we elaborate on these potential explanations.

#### Potential explanations based on the scientific literature

The systematic search of the scientific literature showed that a multitude of factors can correlate with the increase of the management burden, such as aspects of the staff (e.g., perceived task unclarity), the foreigners (e.g., younger age) and the interactions between the groups (differences in beliefs between management and staff, dysfunctional relationships between foreigners and staff, low mutual trust among the staff). In addition, the search also indicated the importance of establishing a good balance between control and harmony to counter unacceptable behaviour during detention. On the one hand it seems that a formal structure with clearly defined rules, routines and roles leads to reduced unacceptable behaviours. On the other it is also important to show respect and empathy and adopt a motivational treatment to work against unacceptable behaviours of foreigners. As these approaches can sometimes be at odds with each other it is often complex to find a good balance between control and harmony. Detention facilities should offer however structure as well as support.

#### Changed characteristics of foreigners as potential explanations

We examined changes in the characteristics of foreigners who were detained in the DCR during the research period as well as how these characteristics correlated with the chance of receiving an order or punishment measure. These analyses indicated a number of changes, but all (changes in) characteristics together did not offer a (full) explanation of the increased number of order and punishment measures that had been imposed in the DCR between 2015 and 2019. We will go into this below.

In terms of the changes in characteristics, we observed that the average age of detained foreigners decreased, that they were less often detained in immigration detention or criminal detention in the past, and that they increasingly originated from Albania, Algeria and Morocco between 2015 and 2019. We also found a slight increase in foreigners who originated from countries designated as safe. These findings partly align with the explanations given in the interviews with the guards and board members. They mentioned the increased influx of foreigners from North-Africa and foreigners of a younger age. These foreigners were often more aggressive upon arrival at the institution according to the interviewees. This latter finding is partly in line with the (significant) association that was found between age and foreigners originating from Algeria, Morocco and Tunisia and the chance of receiving a punishment measure. However, this was not the case regarding the chance of receiving an order measure: age did not (significantly) correlate with the chance of receiving an order measure, and foreigners who originated from almost every North-African country (except for Tunisia) had no (significant) greater chance of receiving an order measure.

Furthermore, the analyses showed that all available characteristics of foreigners together did not constitute a (full) explanation for the significant increase of the order and punishment measures that were imposed in the DCR between 2015 and 2019. In other words, when we take into account the shifts in age, previous immigration detention and criminal detention, duration of stay in the DCR and the country of origin of the foreigners in different years, the significant differences in the order and punishment measures imposed between the years remained largely the same. This means that there must be other explanations regarding the increase of the number of order and punishment measures imposed during the research period.

#### Changes in the characteristics of guards as potential explanations

Inspection of the developments of the characteristics of guards as possible explanations regarding the increased management burden indicated that, due to the aging of guards and the growth of the number of foreigners in the institution, many new guards were hired during the research period in the DCR. As a consequence, the average age of guards decreased between 2015 and 2019. Moreover, guards on average had less years of work experience within the Custodial Institutions Agency and in the DCR. In addition, these new employees were more often male. Next to this, an interview with an employee of the DCR made clear as well that the mentality of the staff during the research period had shifted to a less on harmony and more on control focused treatment of foreigners.

These developments among guards could form a (partial) explanation for the increased management burden during the research period. In one of the interviews, it was also mentioned that the increase of new, less experienced guards could be a reason for the increased management burden. The employees who have been working for a longer time in the DCR know each other well which leads to trust in how they together will act during an incident. Some of the new guards do not yet know very well how to react during incidents - the foreigners also notice this, as was indicated in the interview. This seems to converge with what is mentioned in the literature about the crucial role of interactions between groups inside the institution: dysfunctional relations between staff members and foreigners and a lack of mutual trust between staff members are factors that increase the chance of unacceptable behaviours.

#### Policy changes and actions in the DCR as potential explanations

We researched the policy changes and actions as well in the DCR that took place during the research period. There has been an increased emphasis on de-escalation during work (the use of an enforcement matrix, verbal judo) as well as on acting more repressively (establishment of a stricter (control) department and setting up mood reports at departments in the institution) between 2015 and 2019. It is important to note that these policy actions took place *after* the composition of the foreigner group changed and the onset of severe incidents and group aggression towards the staff during the research period. Our interpretation is therefore that these policy actions are mostly a reaction to the changed situation in the DCR (in terms of foreigners, but also in terms of the staff) and not necessarily a cause of the increased management burden. It is of course possible that (part of) the policy actions have further strengthened the growing management burden or, in contrast, attenuated it to some degree; we cannot determine this in the current study.

## Conclusion research question 2

Taken together the above findings, a realistic possibility is that an important part of the explanation for the increased management burden lies in the dynamic interaction between the changed characteristics of the foreigners on the one hand, and the above mentioned shifts regarding the guards that took place on the other. The average age of foreigners decreased during the research period and they originated more often from Albania, Algeria and Morocco. At the same time, the average age of the guards also decreased, they had less work experience and their mentality changed to a less on harmony and more on control focused treatment of foreigners. Both these types of developments may have led to different dynamics at the departments in the institution during the research period, which increased the management burden. In this context it is remarkable that during the period 2015-2019 an increasing share of the punishment measures were imposed upon foreigners who in total received three or more punishment measures during their detention period in one year.

We were not able to examine this potential explanation in this project, however. The role of the dynamics between the staff and foreigners as a factor that explains unacceptable behaviours of foreigners in detention is underlined by the literature, including a study about misconduct within the context of Dutch detention (Bosma and colleagues, 2019). An important suggestion regarding future research is therefore to collect information at the level of departments in the DCR, to be able to map and monitor these dynamics. This could be done through observational research, but also by questioning foreigners via surveys about these dynamics (see also Bosma and colleagues, 2019).

### **Reflection: strengths and weaknesses in this research**

The findings and conclusions above are based on a substantiated operationalisation of management burden that made it possible to study this concept within the research period in a systematic and extensive manner. We studied many different sources (literature, interviews, logs and registration files) and have used several research methods. This also offered the possibility to check whether the findings were found in more than one source (triangulation), which happened to be the case. This increases the reliability of the above findings. Together these aspects constitute strengths of the current study.

A weakness of this research is that we could not take into account the perspective of the foreigners that were detained during the research period in the DCR. It appeared not possible when we started this project to map the perspective of the foreigners retrospectively for the research period. Not only self-reports of unacceptable behaviours by foreigners, but also their experiences of immigration detention in the research period is what we would have preferred to take into account. Studying this perspective of foreigners is therefore an important recommendation for future research. It is possible that other explanations can be found when the perspective of foreigners is considered more, compared to when a vast majority of the findings is based on register data as in the current study. The dynamics between foreigners and guards might perhaps be mapped well via the perspective of foreigners. Another weakness is, as indicated, that for many potential explanations that we have studied, we could not test whether these explanations empirically correlated with the increased management burden. Risks therefore exist that something seems to be a correlation in terms of interpretation, while this in reality is not the case.

## **Concluding remarks**

This research clearly shows that the efforts that the staff in the DCR had to undertake to control the unacceptable incidents of foreigners have increased between 2015 and 2019. This was shown for all the dimensions of management burden examined: foreigners displayed more unacceptable behaviours, an increasing number of order and punishment measures were imposed as well as more preventive and reactive control-behaviours were undertaken by guards. In contrast to this clear and straightforward picture of the increased management burden, it proved difficult to point out the causes for this increase. This research offers a number of potential explanations. A realistic possibility is that an important part of the explanation lies in the dynamic interaction between the changes in characteristics of foreigners in the research period and the shifts that took place among guards in the DCR. Both these types of developments could have made it possible that different dynamics have developed at the departments during the research period which caused the management burden to increase. In the future, these (and other) possible explanations should be studied further.