



Justitiële verkenningen

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Preface

This publication contains a summary of research in the field of criminology going on in the Netherlands. Each year the number 7 issue of 'Justitiële Verkenningen' is devoted to the research carried out or financed by the Ministry of Justice. Furthermore it includes projects carried out by University institutes not financed by the Ministry. Every two years the research issue will be translated into English.

This issue is a continuation of our publication 'Law and criminal justice – towards research minded policy-making' (1976), and it is based on the number 7 issue of 1977.

3 The review of the research projects is preceded by two introductory articles that appeared in the 1976 and 1977 issues, respectively written by dr. D.W. Steenhuis and dr. J.J.M. van Dijk.

For ease of reference an index has been included of all subjects dealt with. The projects have been arranged according to sub-field or subject investigated.

Science and communication (1976)*

By dr. D.W. Steenhuis

Head of the Research and Documentation Centre

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In the 1975 September issue of 'Justitiële Verkenningen' the theme 'Research development in the Ministry of Justice' was amplified in a preface to the summary of the research programme in the judicial field. Attention then was devoted to the organization of the scientific research in the Ministry, to the problems that might present themselves in the promotion of research; the purpose and working-methods of the Research and Documentation Centre, the basic issues of the research programme and to the question of the objectivity of a governmental research department. In the elaboration of these subjects – in which concepts such as 'reticulation' and 'proximity' were used, the theme 'communication' kept being present in the background.

Therefore elaboration of this theme seems in order before we turn again to the summary of research in the judicial field.

In doing so two types of channels – a word seemingly becoming quite current in the Ministry – can be distinguished. On the one hand there are the 'inland waterways' which facilitate the contact between the various departments of the Ministry and the agencies (closely) linked to the Ministry. On the other hand there are the 'high seas' that facilitate the contact with the outer world. In the following, it will be indicated how traffic developed during the past year, both in a quantitative and in a qualitative sense.

Internal communication

During the Parliamentary debate on the Ministry of Justice Estimates for 1976, the

* This introduction appeared in the research issue of the 1976 volume of 'Justitiële Verkenningen' which has not been translated.

position of the Research and Documentation Centre has also been touched upon. From the benches the question was put among other things whether this centre, within the Ministry, occupy a too excentric position. An important question indeed, for the significance of scientific work for policy development is strongly allied to the position in which a research department is placed within the whole of the Ministry, as has already been argued in this place last year. The Minister's reply showed clearly that the RDC does not serve as a status symbol for the Ministry; on the contrary, it could contribute sensibly to the formulation of policy in fields open to scientific research.

But the matter did not end with words as can be deduced from a further rise of the research budget during 1977 and the following years. The best intentions however — even when money is provided to their realization — may come to naught for lack of communication. If it is not distinctly clear to the minds of the officials of the departements of the Ministry, the Prosecution Service or the Rehabilitation Service in what way scientific research can contribute to sound policy-making, this research — in spite of all efforts — will not become viable.

Therefore, it is of great importance to convince them as far as necessary, and in case they already hold this view, to help stick to it by turning out good work.

Then what has been done in the past year? In answering this question, we first of all direct our attention to the contacts with the policy-making departments. Here communication has developed favourably both quantitatively and qualitatively. From of old, contacts were principally kept up with departments active in the field of criminal law and law enforcement (Department of constitutional and criminal Law; Prison administration; Psychiatric care and Rehabilitation). Now contacts have been made with almost every department of the Ministry, leading to several plans for research. The RDC, for example, is deeply involved in research concerning the legal position of minors (Department of legislation, civil law)

and the reorganization of legal aid (Department of civil law). Among other things the centre itself carries out research into the possible de-criminalization of simple defamations (Department of legislation, public law) and the functioning of the primary police-training. All these subjects really touch judicial policy! In doing all this, the already existing contacts have been continued and intensified so that there can certainly be spoken of a favourable development where communication within the Ministry is concerned. The contacts with the various ministerial commissions, steering groups and the like are in a direct line with the contacts with the policy departments. In addition to the continuation of the contacts with e.g. the Steering Group on crime prevention and the Alternative Criminal Sanctions Commission, new contacts have also been established.

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Thus it was agreed with the Commission of State on the Review of Judiciary Organization that a literature survey be conducted. The RDC will also be involved in the attempts of a commission formed of members of the Prosecution Service and officials of the Central Bureau of Statistics to arrive at a more sensible categorization of the grounds for not instituting proceedings.

What certainly falls under the heading 'internal communication' are the contacts of RDC with the Meeting of the five Attorneys General, the individual members of the Prosecution Service, of the judiciary and the rehabilitation institutions. Also here there is an expansion of communication to report. For example: during 1976, in aid of the Meeting of Attorneys General an extended survey of the sentencing policy in the Netherlands has been carried out.

Data gathering and editing have been done for the paragraph: 'Proceedings of the Prosecution Service and the Judiciary' of the annual report of the Prosecution Service.

The RDC is also involved in the preparations for the autumn conference of the Prosecution Service. The discussion projects on prosecution policy in the districts of Arnhem and 's-Hertogenbosch were carried on.

Continuation of these projects was appreciated,

as was signified by the participants. At the request of the Attorney General of The Hague a research is being carried out into the sentencing policy in cases of serious crime. From the rehabilitation service a request was received for the carrying out of a substantial research programme. In the mean time work has started on a part of it. To conclude with, mention can be made of the request of the Dr. Henri van der Hoeven clinic – which will celebrate its twenty-fifth anniversary in 1980 – to conduct an evaluative research among ex-patients.

External contacts

That the Second Chamber of Parliament expressed their doubts about the possibility of RDC taking an important place within the Ministry has already been mentioned.

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There are others however who worry from a completely different view about the position of a ministerial research centre. It appears from some newspapers and from discussions with university criminologists that some people question the possibility of maintaining the required independence as a researcher in a like centre. The necessary attention has already been paid to this point*. Then it was put that much attention is to be given to the publicity of the research conducted by the Centre. This informative activity takes shape among other things by the periodical summary of research activities hereinafter. As an extension of this form of publicity the first issue of the 'Onderzoekbulletin' has come out. From time to time this publication will give a summary of research projects for which subsidy has been requested, and of new projects for which financial support is allocated by the Ministry. Also summary reports of completed researches will be presented. With a frequency of two or possibly three a year it will be issued and sent to persons and institutions which are understood to have an interest in this branch of scientific work. Once a year an English

* Dr. W. Buikhuisen: 'Research development in the Ministry of Justice' in 'Law and criminal justice towards research minded policy-making'; RDC, The Hague, 1976.

version will be edited in order to give publicity in a worldwide sense to the scientific work done or supported by the Ministry. To enlarge the possibility of taking cognizance in greater detail of the results of the research conducted by RDC, procedures have been developed by which research reports will automatically be sent to those who are expected to have interest by virtue of their profession. By way of example: university institutes, the permanent parliamentary commissions of Justice, and the press will receive all RDC publications under this scheme.

That there is appreciation for these initiatives appears from the growing number of applications for the regular forwarding of 'Justitiële Verkenningen' and from the large number of requests for being registered as a reader of the 'Onderzoekbulletin'.

An ever-increasing number of people appeal to RDC for information, literature and research.

9 Numberless inquiries for statistical data and literature references have been answered last year. From various quarters requests for research came in. In close consultation with the representatives of the employers' associations in the Hotel-Restaurant-Café sector a research project was started into the criminality to which this industry has become victim. This is on the analogy of the research into crime committed against the retail trade which in the mean time has been concluded with a final report. From the editors of the journal 'Delikt and Delinkwent' the request was received to provide data on sentencing in connection with drunken driving.

The above might easily create the impression that RDC's contacts, both inward and outward, present no problems. For although much has already been achieved, the situation is far from being ideal. It still occurs too often potential customers fail to appeal to the Centre, and that research projects already initiated, are delayed by arguments about desirability and attainability.

As was mentioned before, the distrust of governmental research in the judicial field has not been allayed yet completely. In view of this, it seems of little avail to repeat the Cen-

tre's declaration of intention as it was published in last year's research issue.

We don't object to many people being apt to judge us not by what we say but by what we do, that is to say by our research reports. Of course, there are two sides to openness. Informing others is not the only thing what matters; being accessible to information from others is of equal importance. To keep the critical mind alive and in order not to lose the contact with the scientific forum, discussion meetings are regularly held on the initiative of the General Research Consultant. Speakers from home and abroad are invited to introduce a subject for discussion while in each case one university institute is invited to join in the discussion. To that end researchers of RDC and officials of the policy-making departments of the Ministry paid a visit to the School for Criminology of the Catholic University of Louvain (Belgium) in the spring of 1976. Concerning communication it can be declared that last year relations have been maintained regularly, both at home and abroad. In the coming years RDC shall have to see that the channels of communication will remain open.

Science and policy, once again (1977)

By dr. J.J.M. van Dijk
Head of Research Department I (criminological
research) at the RDC.

In his introduction to the research issue of 'Justitiële Verkenningen' in 1975, dr. W. Buikhuisen set out the organisational criteria that must be met in order to conduct research effectively as a support for policy. In the introduction to last year's research issue, dr. D.W. Steenhuis dealt more particularly with the need for good communication between researchers and the policy-makers for whom the research was being carried out. Dr. F.C.M. Denkers, finally, pointed out in his thesis on 'Criminology and policy' that criminologists who carried on research in support of policy are often inadequately aware that criminal policy is often based on a proliferation of mutually conflicting and partly clandestine objectives.

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Although the above authors each, in their publications, deal with a different aspect of the relationship between criminology and policy, they all in fact advise the criminologist to make closer contact with the so-called policy-makers. By cultivating a close relationship with the 'general staff', these writers seem to argue, criminologists can appreciably enlarge the policy yield of their research. Such an argument seems, in itself, quite correct. However, it is based on a premise whose correctness cannot be automatically assumed. The premise, namely, that something like a general staff exists in the field of e.g. crime control. The basic question whether (and, if so, to what extent) the Government has a planned policy in the field of crime control is largely overlooked in discussion on criminology and policy. That this question is not unimportant is clear from the experience gathered by Denkers in his new function as psychologist with the Amsterdam Municipal Police Force. In a paper that Denkers recently gave at the RDC, he told how the various

police services, with the exception of the traffic department, do far less in the way of policy-making than he had thought on his arrival. This fact, as appeared from the remainder of his paper, had far reaching consequences on his own duties with the Force. The primary task of a criminologist within a police force should, according to Denkers, not be to make the Force more research-minded but more policy-minded.

Criminality and policy

12 A question as to what extent the various departments of the Ministry of Justice (can) make policy has no general answer. Criminologists undertaking research in support of policy in the penitentiary field will in principle find the right audience at the Ministry of Justice, where, after all, responsibility for policy clearly lies with a particular, self-contained department. However, the Ministry of Justice is only one of the policy-making bodies in the field of rehabilitation and child protection and, in particular, of police. In the more general field of crime control, also, the Ministry's policy-making potential appears limited at present. Non-judicial crime control or prevention is for the time being a component of Government policy for which innumerable official bodies are responsible without any of them being singled out as a co-ordinator. Room for policy-making in crime control by criminal law means is of course restricted in the first instance by the institution of the independent judiciary. However, even in the field of prosecution, the Ministry has only limited influence. Insofar as there can be any *question?* talk of a co-ordinated prosecution policy – for example on breach of article 26 of the Road Traffic Act and offences under the Opium Act – the emphasis in policy-making lies with the public prosecutor's office itself (and within that office, generally at local level). The fact that the Ministry of Justice has only a limited policy in the field of crime control in particular is due, as was explained above, to organisational and even, to some extent, constitutional causes. When assessing the possibilities existing for research in this field in support of policy, this fact must duly be

taken into account. The extent to which a unit of Government conducts a policy is also determined, however, by other, more easily influenced factors. For that reason, a departmental research centre must always ask itself whether it may perhaps have a special task in this respect. Schuyt, too, has referred, albeit indirectly, to such a task (Dr. C.J.M. Schuyt, 'Judicial policy and scientific research' in: 'Beleid en maatschappij', the first issue, November 1973).

In order to conduct a policy, an organization must not only know what its objectives are but must also have an insight into developments in that part of reality to which the objectives relate. Where larger organizations with executive services are concerned, the central bodies must, moreover, have an insight into the conduct of such services.

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In order to conduct a policy, the organization must, in brief, be continuously fed with reliable information on what is happening in the field and what the outside services are doing about it. As regards the Ministry of Justice, this means that conducting a policy in the field of crime control requires continuous feed-back of data on (local) criminality and on (local) criminal procedure.

We shall now first pay some attention to the contribution that RDC has made to the procurement of information on development of criminality. After that, we shall discuss several improvements already instituted, or still to be so, in the collection of information on criminal procedure.

Procuring information on criminality

It is a known fact that the police statistics of the Central Bureau of Statistics cannot be used as a measure of the extent of criminality.

By no means all crimes are reported to the police, while the police in turn by no means register all crimes reported. The RDC has for that reason, conducted a series of surveys amongst the population during the past four years, people being asked whether they had or had not been victims of a number of frequently occurring offences

during the past year. On several occasions, the content of the questionnaire was extended and the volume of the sample increased to 10,000 persons for statistical reasons. Co-operation with NIPO* makes it financially justifiable to repeat this survey in future years. Subsequently, the survey might well be taken over by the Central Bureau of Statistics.

The victim survey produces information not only on (local) development of a number of the chief forms of criminality but also on the readiness of the population to report such crimes to the police (and on the motives involved). In the most recent surveys, a further question was asked whether when reporting an offence, an official report was signed. The answers to this question provide an insight into the actual, not officially recorded reporting policy of the various police forces.

14 In addition to the annual victim survey, RDC carried out similar surveys in 1975 and 1976 among a random sample of 8,000 retailers in the one case and 8,000 caterers in the other. RDC is at present looking into whether a periodical victim survey should be carried out among all firms in addition to the annual survey of private persons.

The effect of these surveys is apparently slight in the short term. No well-defined policy recommendations can be made in the light of the results. In the Public Prosecutor's annual report for 1976, however, a table was included for the first time with details of the development of criminality that were not derived from police registrations. At the request of the municipal authorities at The Hague, a report is being drafted on the basis of the surveys on the development of criminality and the willingness of the population of The Hague to report offences. We therefore feel that the assumption that the annual victims data will offer some kind of foothold to both local and national Government in combating criminality and as such be of positive support, is a tenable one.

* Netherlands Institute of Public Opinion research

Procuring information on criminal procedure

The criminal (and judicial) statistics of the Central Bureau of Statistics provide information on the disposal of criminal cases registered with the courts. A first disadvantage with these statistics is the rate at which they are published: criminal statistics are three years out of date. A further factor is that the statistics provide information only on how the various courts deal with breaches of a specific section of law. No further details are provided on the nature of the offences in question (no distinction is drawn, even, between attempted crime and actual crime). Anyone who wishes to obtain an insight into the differences in how the various local courts proceed or how this has developed over the years, is forced to search through the basic material collected by the Central Bureau himself. RDC has transferred some of this basic material for 1972 and 1975 to computer tapes. Part of the material was presented in the statistical section of the Public Prosecutor's annual report for 1976. The Central Bureau of Statistics will arrange the basic material for 1976 and all future years in a way suitable for automatic processing. It has been agreed with the Central Bureau that RDC will have access to a copy of the relevant computer tapes in each case.

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Using these tapes, RDC will consequently be able in future to prepare detailed summaries, without appreciable expense, on the development of criminal procedure with regard to certain offences in all parts of the country*.

* The names or initials of suspects will not appear on the computer tapes. Having regard to the protection of privacy, such automation can therefore be seen as an improvement. The basic material used in the past in fact sometimes contains names. In this respect, there is therefore no reason for adopting other criteria when making (parts of) computer tapes available for scientific purposes than those applying to the grant of access to the earlier Central Statistical Bureau material. On the other hand, the existence of these tapes will allow 'justice to be seen to be done' to a greater extent than ever before. The principle that the tapes must be available for scientific research could be based on the Bill on public access to Government documents. Account should perhaps also be taken in this connection with the principle anchored in the Constitution of the openness of justice.

Although the developments described above have substantially improved the retrieval of information on criminal procedure, the ideal situation has not yet been reached. The Central Bureau basic data is collected by means of a form drafted for all kinds of offences. The result is that the data included on deed and on perpetrator are scanty. In article 26 Road Traffic Act cases, for example, the blood alcohol content is not noted, nor is the amount of the sum stolen in property offences. For these reasons, the RDC has in past years worked in nearly all investigations into criminal procedure on the basis of the complete files in each case (see items 36, 38 and 39). As regards current research into criminal procedure in connection with article 26 Road Traffic Act, case information has been and is in fact derived directly from the courts (item 43). This kind of investigation, however, is time-consuming and expensive. In future, means will therefore have to be found of introducing more sophistication into the registration forms sent to the Central Bureau by the public prosecutors and courts. Most of the investigations referred to above into specific aspects of criminal procedure were aimed at making a contribution to harmonization of certain elements of prosecution policy.

The structural improvements achieved in the procurement of information on criminal procedure will, however, also act as a more general stimulant to a special policy in this field. The persons and organisations concerned will, after all, as a result be more able than in the past to observe the cybernetic maxim 'look at what you do'.

Future developments

We have demonstrated above that some structural improvements have been achieved recently in information retrieval on criminality and criminal procedure which should boost policy-making in this field. RDC, as a centre for research in support of policy, has of course co-operated in realizing these improvements. The setting up of adequate information systems is one of the primary tasks of a centre of this kind. There is, after all, little

point in conducting research which produces specific policy recommendations if the policy-makers concerned are bereft of the basic data necessary for conducting a policy. It is no less clear that RDC will in the future be as yet only indirectly concerned with feedback of statistical basic data to the policy centres. When the internal automation project at the Ministry of Justice – the so-called ‘CAP project’ – has been completed within a few years’ time, there will then be little left for RDC to do in this connection.

The centre will then be able to devote itself entirely to its true function: advising policy departments on the basis of scientific research into fundamental policy problems. The above could wrongly give rise to the impression that the centre has done very little to this end.

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Both the research departments and the study and documentation department have produced a series of reports during the past two years in which more or less specific policy advice is given. By way of example, we would mention the reports on ‘Alternative sanctions’, ‘Car theft’, ‘Pardon and recidivism’, ‘Criminality and technical prevention’, and, more recently, ‘Treatment of heroin addicts’. Further examples of current research into fundamental policy questions are the research into the regimes at the prisons of Breda and Doetinchem and research into the basic training of police.

However, in this survey of the work done by the centre, we have in fact wanted to emphasize one of the tasks of science that is often passed over in the discussions on science and policy – the task of enabling those in control to conduct a policy by keeping them adequately informed.

Research

Summary of research in preparation, current or concluded during the period from 1976 to July 1977

Research conducted with the full or partial financial support of or directly by the Ministry of Justice p 21

I Research in co-operation with institutes or experts in the Netherlands p 22

II Research conducted by the Research and Documentation Centre of the Ministry of Justice (RDC) p 37

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III Research conducted under the auspices of the Co-ordinating Committee for Child Care Research p 58

Other current research projects at the Criminological Institutes and by specialist groups within the Departments of Criminal Law at Universities and Polytechnics in the Netherlands p 65

Enquiries concerning published reports should be directed to the researcher or research organization concerned.

Research conducted
with the full or partial
financial support of or
directly by the Ministry
of Justice

I. RESEARCH IN CO-OPERATION WITH INSTITUTES OR EXPERTS IN THE NETHERLANDS

A. External research completed

1. *Consequences of imprisonment (1972)**

The initiative for this research was taken by *dr. L. M. Moerings* of the Willem Pompe Institute for Criminal Science of the State University of Utrecht. Professor R. Rijksen supervised the work. The findings of the investigation were set down in 1977 in a thesis entitled 'Out of prison, into society'. Some results and conclusions. Not much is achieved with regard to the intention of the law that a prison sentence should also prepare the way for prisoners' return to society:

1) un-employment amongst ex-prisoners is very high and when applying for a job, a criminal past is often a stumbling block. The poor position on the labour market is correlated with the length of the sentence and the degree of recidivism, and is itself criminogenic; and 2) marriages and friendships run aground, while ex-prisoners are looked at askance by their family (and in-laws) and neighbours because of their criminal past, some even moving house while they are still inside. A prison sentence stimulates not only a process of social isolation but even brings about a poor position in society: a prison sentence is therefore a continuation of a negative development. In order to call a halt to this process, more work should be done in crime prevention. A first step in this direction would be to devote more thought to the problems of prisoners' spouses, placement as far as possible in open and not closed institutions, and to persuade Government to relax their objection against employing ex-prisoners.

2. *Social organization of legal aid, phase I (1974)*

Research is being undertaken within the Sociology of Law department at the Catholic

* The year shown in brackets after research titles is that in which the research was commenced.

University of Nijmegen by *Prof. C. J. M. Schuyt* and others, supervised by a tutorial committee under the chairmanship of Mr. B. J. Asscher. The results of phase I were published in the autumn of 1976 under the title 'De weg naar het recht'.

The first part provides a historical summary of forms of free legal aid during the twentieth century (1903-1957), a short account of the revitalised discussion on legal aid and legal representation (1969-1975), a delimitation of terminology and a summary of the chief theories and of research carried out elsewhere into the unequal access to the law.

Part 2 contains the results of this research: actual contact with those who provide legal aid, a listing of people's legal problems and the various ways in which the problems can be solved, an analysis of awareness of the system of free legal aid, the image of the lawyer and other providers of legal aid, and a description of available legal skills.

Part 3 contains a discussion of the main results of the research in the light of the theories set out in part 1, touches on several dilemmas in re-organizing legal aid, and draws several analogies with social developments which underline the importance of good and adequate provision in the field of legal assistance.

Access to legal assistance is an interplay of three dimensions and a few supplementary factors. The three dimensions are: 1) the nature of the legal problem; 2) the circumstances and qualities of those who seek legal aid; and 3) the characteristics of institutions that render such aid. The practical consequence of this three-dimensional approach to legal assistance is the suggestion that solutions to omissions in the system should therefore be sought in three directions and preferably in three simultaneously. The unfulfilled need for legal aid is more widely scattered than had been thought (particularly, too, amongst the middle income groups) but the kind of aid is different from what had originally been assumed. The gap does not consist of a widespread and acute need for assistance in conducting long proceedings. Much of the gap consists chiefly of a need for information on rights and duties and going to law in general; of a need for

advice and some encouragement in solving problems and conflicts; from a need for an easily accessible entity to look into or check off all kinds of matters. As a general conclusion, it may be said that where there is a firm connection between a legal problem and a provider of legal aid (e.g. as a result of statutory provisions), the variation in the skills of the various groups plays a less decisive role. Where no firm connection exists between the legal problem and the provider of legal aid, the difference in skills does play a decisive role in access to legal aid. Where a firm link exists between a social group and the provider of legal aid (the legal profession and the upper ten, the trade union and its members), the variation in the nature of the legal problem is no longer of decisive effect. Where such a link is lacking, the contrary applies. This hypothesis can be confirmed in many ways by further research (e.g. in criminal cases before the local courts, in disputes before the tenancy advisory boards). Many concrete suggestions are made for improving the provision of legal aid. Many suggestions could indeed be immediately put into practice without much expense. Some other suggestions require extensive institutional change.

3. *Fraud and public transport (1975)*

This research concerned a sub-investigation in a project in which an international comparative study is being made into the occurrence, the origins, motivation and development and consequences of certain forms of devious conduct, particularly as regards public transport. The research was carried out by *dr. A. R. Hauber* of the Criminological Institute of the State University of Leyden, which processed the results (together with those of an investigation into aggression in traffic) in his thesis entitled 'Gedrag van mensen in beweging'. The transport situations examined appear to be such as to invite fraudulent conduct. Up to a quarter of those observed yielded to temptation. A great number did so for emotional reasons. They see these misdemeanours as a means of solving conflicts of a different kind in an anonymous

environment. The investigation in public transport demonstrated that the deceivers were part of a sub-culture in which failure to pay for the services of public transport is part of the values and standards pattern. These values and standards are transferred from the old to the new generation of the sub-culture. A teaching-effect applies. Nearly forty per cent of the public transport dodgers gave up their action within the course of five years. Another group would also do so if certain conditions were met. But because many new dodgers appear each year their number increased on balance. In 1974, the transport companies lost some five per cent of their income in this way. It further appeared that the dodgers also broke the rules in a different and more serious way than those who remain strictly honest. People always tend to take a greater risk if they see that they get away with it. The unknown figures of law-breakers are high not in this field only: they are also appreciably so in other fields. This means that nearly everyone oversteps the mark now and again. More than ninety-six per cent of those interviewed admitted as much. This makes anti-social behaviour a relevant point. It in fact depends on whether it is serious or not. And on whether it is done often or less often. Fraud in public transport appeared the heaviest where a system of self-service ticket purchasing exists away from the means of transport. Further, where there are few checks, the tariff is high and the fine is low. The following groups were over-represented amongst dodgers: young persons, men, single persons, the under-paid and non-car owners. A worthwhile step would be to introduce a zero tariff for public transport in the cities in the near future. Its quality should at the same time be increased. The tariffs between cities would have to be improved. Payment and inspections could be almost entirely achieved by computer.

4. The development of criminality in the Flevopolder (1975)

This is a project devised in four sub-investigations on the initiative of Professor Jac. van Weringh and carried out at the

'Bonger' Criminological Institute of the University of Amsterdam. The rapporteur for the first two sub-projects is *E. Leuw*, on 'Deviation and delinquency in the new housing areas of Southern Flevoland; an analysis of daily police reports, 1967 to 1975'. It should be mentioned that as from 1972, there has been an increase in the proportion of crimes and non-criminal offences to the total number of events. There is similarly a slight increase in the number of registered misdemeanours per hundred inhabitants, from 1.1 to 1.5 per cent, during the same period. Noteworthy is a sharp increase in the number of 'social problems' in 1974 and 1975. The geographical distribution of the events on broad lines follows the consecutive building up and occupation of the various areas.

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The central area, in particular, becomes steadily more important in the course of the years an area of registered events. Many events and particularly property offences occur on building estates and public works. The increase in the number of registered events in the course of the years is accompanied with a relevant decrease in 'own detection' by the police. In fulfilling their duties, the police are therefore increasingly reliant on information by the community. This applies particularly to the misdemeanours and destruction categories. A correlation analysis has been carried out in order to obtain some insight into the mutual relationship between five variables, i.e. misdemeanours, traffic offences, other offences, size of population and police strength. Particular emphasis was given to examining the effect of population growth and the growth of police strength on the development of the number of events in the other three categories. It may be inferred from the correlation analysis, that a good seventy per cent of the increase in the number of misdemeanours can be explained by population growth. The growth in police strength has no demonstrable influence on these criminality data. The position is otherwise as regards traffic offences. These in particular are related to police strength. In this context, it is clear that the tracking

down of traffic offences is dependent on police initiative while the development of the number of misdemeanours is determined chiefly by influences that are external to the police.

5. *The legal position of minors (1975)*

The Institute for Applied Sociology (ITS) at Nijmegen has carried out an investigation commissioned by the Ministry of Justice into the attitude of the Dutch population to the legal position of minors. The supervisory committee was chaired by Prof. J. de Ruiter. This national investigation was undertaken at the request of the Second Chamber. Paramount was the question how the various strata of population regard the granting of extended rights to minors. A further question was who should have the right to decide: the parents or minors: either entirely, or with an appeal to the courts. The material for this research was collected by means of three oral surveys. The random sampling was based on (the co-operation of) the municipal population registers. The investigation started in November 1975; the results of the investigation were reported in summary form in 1977 by *W. C. M. Scheffer* and *C. Woldringh* of the Institute, in conjunction with Dr. D. W. Steenhuis of the RDC. The results of the investigation show how our society thinks about these subjects: generally speaking, there would appear to be only little need for statutory provision regarding the legal position of minors. It should however be pointed out that although there does not appear to be any explicit need for general statutory provision, one quarter of the young people and a good twenty per cent of the adults would like measures in a number of more specific areas. Particular reference was made to provisions for those who lived together outside marriage, for living away from the family home, for applying for a passport and the choice of school and vocation. Whether and to what extent these and other findings of the investigation should lead to the introduction of statutory provisions is not thereby entirely established. Many factors in addition to the results of the investigation

play a part in the process of deliberation that will have to provide an answer to the question. For example, Parliament will also have to consider the consequences of a development process in the relationship between parents and children which could be the result of any legislative measures. It must further take account of the financial viability of any new legislation, while political arguments, too, will play a part in the process. The research also provides information on the actual occurrence of problems as between parents and children. The main conclusion on this point may be that it is not all that clear in what direction the facts are pointing. True, the picture as a whole has a relatively peaceful air, but this does not take away from the fact that substantial problems do arise in certain sectors. Attention must also be drawn to the fact that the problems that would appear to arise the most frequently are those which are the least adaptable to a legislative approach; aspects of 'life style' are concerned, such as e.g. the time of returning home in the evening, dress and hair style. The fact should also be pointed out that difficulties that may well be tackled by legislation are for the most part concentrated in the 18 to 20 age category. If, therefore, the plans for reducing the age of majority to 18 years are realised, problems of authority of this kind will, from the legal point of view, lose much of their quantitative importance.

B. Current external research

6. Recidivism (1964)

The stated aim is 'on the basis of sentences imposed on first offenders, what is the relationship between their punishment and any subsequent recidivism?' This research was initiated by the Central Statistical Office and Prof. C. J. Enschede, under whose direction the project was carried out by the Hamel Seminar at the University of Amsterdam. An interim report of the investigation appeared in June 1971 in the 'Tijdschrift voor Criminologie'. The author is *D. M. van Dijk*.

7. *Offenders detained at the Government's pleasure (1972)*

A stated aim is 'what contribution has this measure made towards the resocialization of offenders detained under it during the period 1958-1962?' Is it possible to distinguish particular types of offender on the basis of their personal data, their criminal past and their recidivistic tendencies? The initiative for this research came from the Selection Institute at Utrecht and from the researcher *H. Hamers*. It is supervised by *Prof. Jac. van Weringh*, Professor of criminology at the University of Amsterdam. The research will be concluded with a thesis.

8. *The victims of crime (1973)*

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For the time being, this investigation is intended to provide an insight into the nature and number of the victims of crime among the Dutch population and into such matters as the readiness of the public to lay information and their appreciation of the police, their attitude to crime, and the like. The project was initiated by the Institute of Criminology at the Catholic University of Nijmegen (Prof. C. I. Dessaur). The research is conducted by *J. P. S. Fiselier*. An interim report has been published. The investigation will be completed with a thesis in 1977.

9. *Judicial documentation (1974)*

The problem is 'how is Dutch legislation on judicial documentation juridically composed and how is it applied in practice?' The material has now been collected and it is being processed at the Criminology Institute of the Catholic University of Nijmegen by *Mrs. Singer-Dekker*, supervised by *Prof. W. H. A. Jonkers*. The investigation will be concluded in 1977 with a thesis.

10. *National evaluation of consultancy clinics (1974)*

A project concerning the operation of consultancy clinics of lawyers in districts where these services have been set up. The subject of the investigation is the work of lawyers at the committal stage and legal aid during the initial stage of criminal

proceedings, up to and including the hearing before the examining magistrate. The enquiry is being conducted by the *Clinical Criminology Foundation* at Amsterdam and is at present at the material processing stage.

11. *Victims of grave offences against property and of aggressive offences (1974)*

A representative random sample was taken from reports of information laid with the police at Amsterdam from among victims of serious property offences and violent crime. This was followed by a visit to the victims. A questionnaire was used to prepare an inventory of the injury suffered – physical, material, mental and social. A check was made as to the extent of awareness of existing opportunities for obtaining compensation for such injury and how these opportunities were made use of. The victims were further asked about their experience with such organizations as the police, the courts, the probation service and insurance companies. Finally, they were asked how they felt about the perpetrator, punishment, the solution of conflicts and their own place in criminal procedure. This exploratory research is intended to produce proposals which will lighten the burden on the victim of the consequences of the act. The research is being carried out at the Criminological Institute of the State University, Groningen, by *G. J. A. Smale*, supervised by *Prof. R. W. Jongman*. The investigation will be concluded in 1977 with a thesis.

12. *General prevention II (1975)*

The aim of this project is to ascertain the general prevention effect of the introduction of 'the Act of November 1st'. The project will also deal with the extent to which the attitudes of car drivers amongst the population have changed towards driving while 'under the influence' as a result of the new Act. The attitudes concerned are those relating to the definition of driving while under the influence, the chances of being caught, the penalty expected, etc. *Dr. D. W. Steenhuis* was responsible for the field work for the project, which was carried out in summer 1975.

13. *The social organization of legal aid, phase II (1976)*

Phase I of this project was directed at persons who seek legal aid; phase II deals with the persons who provide it, and their organizations. This second phase is intended to document the various 'models' of legal assistance and to examine the consequences of the co-existence of these 'models' on access to legal aid. Phase II again is in the hands of the initiator, *Prof. C. J. M. Schuyt* and his staff at the Sociology of Law Department of the Catholic University at Nijmegen, while once again overall guidance is in the hands of the supervisory committee chaired by B. J. Asscher. A report on phase II will be issued during 1977.

14. *Early symptoms of potential delinquency (1976)*

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This project is being undertaken at the Criminological Institute at the State University of Leiden by *H. H. Bloembergen-van der Most, P. Louman* and *H. M. Willemse*. The research has been devised at the initiative of Prof. W. H. Nagel and is aimed at obtaining an insight by longitudinal study (including observation over a prolonged period) into the causes of deviant behaviour and of criminal behaviour in particular. Use is made of a so called cohort study in which all persons in a specified age group are monitored over a large number of years. The cohort in this case consists of all the pupils of the first and sixth forms at all primary schools in the Boskoop school medical service district, who were examined in 1965-1966 by the then school doctor. This first snap survey covered not only medical but also social and psychological data. The second snap survey was made in 1974/75, when not only criminality and personal data of pupils were recorded but also the medical-social data of members of the family. Further snap surveys are projected. A statistical analysis of the research data will be used to see whether and to what extent the material collected displays a specific relationship with later (criminal) behaviour. It might, for example, be of great practical value should it appear that the future conduct

of six-year-olds can be as accurately forecast as that of twelve-year-olds.

15. *An assessment basis for annual accounts (1976)*

A grant has been applied for by the Annual Reports Commission for this project. Research into an 'Assessment Basis for Annual Accounts' relates to the yardsticks for valuing the assets of an undertaking (the balance of assets and liabilities) and those for determining its achievements (profit and loss account) in the form in which appear in the annual accounts of undertakings legally required to publish these. The Annual Accounts Act ('W.J.O.') states that these yardsticks must match up to standards regarded by society as acceptable. It is hoped that this investigation will contribute towards an understanding of the operation of the Annual Accounts Act. The research may further prove useful for the 'Considerations with regard to the W.J.O.' to be drafted by the Commission. The grant will in the first instance be limited to a preliminary examination to demonstrate that any full-scale investigation will prove feasible. The project is being carried out by the *Limperg Institute* at Amsterdam. It will be supervised by a committee chaired by Prof. J. W. Schoonderbeek. The preliminary survey report will be ready in summer 1977.

16. *Operation of the Supervisory Commission (1976)*

The purpose of this project is to evaluate the forthcoming Prisoners' Legal Status Act, as far as the operation of the Supervisory Commissions is concerned. Members of the Commission and prisoners will be interviewed before and after the new measure is enacted. The prisoners section of the investigation falls into two main parts — dealing with complaints and the image of the commissions; the former topic will be approached from the aspect of the administration existing for this purpose, the latter will be dealt with in the interviews. The investigation is a joint project by the Criminological Institutes of the State University of *Groningen* and the University of *Amsterdam*.

17. *The powers of supervision exercised by group leaders in prisons (for young offenders) (1977)*

At the request of the Department, *Dr. J. E. Rink*, associated with the Institute of Orthopedagogics at the Catholic University of Nijmegen, has converted a research scheme previously devised by him into a 'practical experiment' with the confrontation methods developed by him as its background. An evaluation study is coupled to the experiment; each will consist of two two-year stages. The grant made for the time being covers the first stage only. This involves (a) developing a specific programme for the guidance of prisoners; (b) working out a consultation and guidance scheme for personnel; and (c) the gradual transfer of the guidance programme for prisoners to group leaders via supervision. The experiment will take place in the 'Ter Peel' prison at Sevenum. A supervisory committee has been set up, chaired by Prof. J. W. F. Kok.

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18. *The growth of crime in the Flevo polder, phase II (1977)*

This follow-up project at the '*Bonger*' Criminological Institute at the University of Amsterdam will highlight the results I of phase I of the project with the aid of interviews and enquiries concerning the characteristics of the inhabitants of Lelystad and by means of a participant observation survey amongst the police and social and welfare services.

19. *Women's emancipation and criminality (1977)*

A late application was made (and approved) for a grant for this project at the Criminological Institute of the State University at Leiden for sampling purposes. The researcher, *dr. A. R. Hauber*, hopes to use the project to increase understanding of the development of anti-social behaviour amongst women, partly in the light of female emancipation.

C. External research in preparation

20. *Alternative forms of relationship*

A grant has been applied for in connection with this project by the Dutch Family Council and the C.O.C. Proposals for the project were formulated and will be implemented by the *Nisso organization at Zeist*. The Family Council submitted the proposals to the Minister of Culture, Recreation and Social Work, who has asked the Minister of Justice to participate in the grant made. An increase has been recorded in the number of forms of relationship which, in addition to marriage, fulfil functions within society which in the past were assigned exclusively to marriage and the family. It would appear that these forms of relationship acquire little or no legal protection and are subject to social discrimination in other ways as well. The research is aimed at making a contribution to drafting a policy by which the gaps are closed in legal protection for relationships of this kind and by means of which equality before the law and the welfare of the individual are encouraged.

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21. *Operation of the Public Nuisances Act*

A grant has been applied for from the Ministry of Public Health and Environmental Hygiene by the '*Bonger*' *Criminological Institute* of the University of Amsterdam for research into the operation of the Public Nuisances Act.

The Act is operating unsatisfactorily and sanctions are seldom, if ever, applied.

Within the general framework of re-adapting the operation of this Act, the Ministry of Health is concerned with the problem of applying sanctions. Having regard to the clear judicial aspects of the matter, the Minister of Health has asked his colleague at the Ministry of Justice to contribute financially to the proposed research.

22. *The frequency of applying and the duration of preventive detention*

The Act changing provisions for pre-trial detention became effective on 1 January 1974. Its aim is to restrict the application of pre-

trial detention and in such cases where recourse is made to this means of coercion, to limit its duration.

Within the framework of an investigation into the legal questions raised by criminal law, *J. P. Balkema* of the Criminal Law study group at the faculty of jurisprudence at the State University, Groningen intends to examine the extent to which the objective which Parliament aims towards is achieved and if it is not, the reason why this is not so. Research is to be carried out in co-operation with the RDC.

23. *Drugs and detention*

The desire for research into the problems attending drug use in Dutch penal institutions has been expressed in a number of departmental notes; in particular, insight into the opportunities for giving help would be welcomed. In consultation with the departmental working party on 'The Listing of drug problems in correctional institutions' (chairman L. Oranje), the *Criminological Institute* of the State University, Groningen has formulated research proposals which break down into three sub-studies: past career of imprisoned drug takers, their drug intake during imprisonment, and their drug intake after a certain period after leaving the penal institution. The grant applied for applies provisionally only to the first sub-study, in which, for comparison, non-drug takers amongst the prisoners will also be involved.

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24. *The supply and demand of rehabilitation aid*

The RDC are carrying out an investigation in conjunction with the Association of Rehabilitation Institutions (VVRI) into the progress of rehabilitation. The first stage of this investigation will be devoted to examining the time spent by social workers in this field. Subsequently, research will be directed towards the process of providing assistance, as seen by the social workers and their clients. In order to carry out the investigation amongst clients, the VVRI have asked the *Criminological Institute* at the State University, Groningen, to assist them, and the latter have also now submitted an

application for a grant for this work. The proposed study includes an evaluation of the work of the Rehabilitation Service, with questions on the topicality and/or desirability of clients' problems and the help offered.

II. RESEARCH CONDUCTED BY THE RESEARCH AND DOCUMENTATION CENTRE OF THE MINISTRY OF JUSTICE

25. *The extent and growth of crime (annual)*

Researchers: Dr. J. J. M. van Dijk and
A. C. Vianen

To gain a better insight into the growth of crime, the Centre has drawn up a questionnaire to be submitted yearly to a large number of people in the Netherlands. The data are collected by the Dutch Institute for Public Opinion and Market Research (NIPO), by means of a random sample according to the size of province and municipality and devised according to housing distribution. The number of respondents in previous years was in each case about 3,000 but this was raised to 10,000 in 1976. The respondent is asked to state whether he/she has been the victim of any of the criminal offences listed in the enquiry

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(a) at any time

(b) in the year preceding the enquiry, or

(c) in the current year.

The offences concerned are some of the more common, such as pick-pocketing, bicycle and moped thefts, theft of and from cars, and breaking and entering. Further, a question included for female respondents since 1976 is whether they have been molested in the street, the assailant having clear sexual intentions. Other questions cover the laying of the complaint and the circumstances in which the offence occurred. The intention is to repeat the enquiries in future years and to expand both their content and scope to improve their usefulness for statistical analysis of the results.

26. *Criminality in 1966 (1972)*

Researcher: C. van der Werff

This project will cover two aspects. The first concerns the factors relating to sentencing, a particular reference to the levying of fines. A report has been issued in the meantime on

this section, as part of the final report of the Financial Penalties Commission (1972).

Further, an attempt is being made to provide insight into the special preventive effect of action through the criminal courts. As regards certain categories of offence – including simple theft, breaking and entering, simple assault – the special preventive effect of various kinds of penalty and of sentencing will be compared in each case. A report will be published on the latter aspect in 1977. The special preventive effect of rapid sentencing has already been reported on (1974). The research group consists of a sample of final decisions in criminal cases in 1966. The data were derived from Information Statements and from extracts from the General Documentation Register of the Legal Documentation Service.

27. *Robbery (1973/1975)*

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This project was set up in collaboration with the *Institute of Criminology* of the State University, *Groningen*. It consist of two parts, the first covering an analysis of the data as collected by the Central Criminal Information Department since 1968. Many aspects of robbery are considered, such as the type of property, use of weapons, etc. and also the growing incidence of the offence. A closer look is also taken at sentencing in cases of robbery. The project covers the years 1968 to 1974. The second part consists of an exploratory investigation based on interviews with 50 offenders convicted of raids on banks and petrol stations, attention also being devoted to their social and financial backgrounds. The more important findings of the investigation will be included in the proceedings to appear shortly in connection with a Dutch conference on 'Violence in society'. The Criminological Institute have published their findings in a book entitled: 'Plegers van een overval (1976)'.

28. *Fear of crime amongst women (1976)*

Researchers: C. Cozijn and Dr. J. J. M. van Dijk

Following on the investigation into feelings of disquiet (see 'Justitiële Verkenningen' no. 7, 1976, p. 305), research will be undertaken into the specific question of fear of aggressive sexual offences amongst women in city areas. The project sets out to examine in particular the extent to which women's freedom of movement is restricted by their fear of being assaulted. Within the framework of the investigation, thought will also be given to the way in which actual victims of aggressive sexual offences in the Netherlands are received by the police and/or other institutions.

29. *Crime and the Horeca industry (1975)*

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Researcher: P. C. van Duyne

In 1975, the two leading organizations of hoteliers, restaurateurs and café-proprietors, Horecaf and Horeca Nederland, made a joint approach to the Minister of Justice to ask that special attention be paid to crime to which this industry in the Netherlands has become victim. As a result of this approach, the Minister commissioned RDC to undertake a nation-wide investigation into the experience of horeca-keepers of crime directed towards them. With the aid of four questionnaires administered in the course of the year to a representative sample of horeca-keepers, the project will examine the nature and the extent of the kind of crime with which horeca-keepers are faced. The enquiries were conducted in February, May, August and December 1976. The project was set up in close co-operation with the Horeca Trade Federation. Twenty-five questions appeared on the questionnaire. A constantly repeated question is whether the case was reported to the police and, particularly, where applicable, why the police were not involved. An interim report was issued in June 1976; the final report will be ready in the first half of 1978.

30. *The cost associated with breaking and entering (1977)*

Researcher: F. W. M. van Straelen

40 Within a framework of a cost-effectiveness analysis, to be carried out by the inter-departmental Commission for the Development of Policy Analysis (COBA) in conjunction with the municipal police at The Hague, the RDC are conducting an investigation into the work of the organs of justice in connection with the offence of 'breaking and entering' and the resort to burglary prevention methods by firms and private individuals. The aim of the project is to gain some awareness of the degree to which private persons and firms take trouble to protect their property against burglary by security devices, personal security and other methods. A further question to be answered is the extent to which institutions of justice such as the Public Prosecutor's Department, the Bench, rehabilitation, the prison service, etc. are concerned with offences of this kind that have been solved by the police, and their consequences. The investigation will be carried out in The Hague. A sample will be taken amongst the population and firms in the city and each will be asked by (oral) interview and (written) enquiry what they have done about protecting themselves against burglary, and why. A file study is also being carried out having regard to the number of breaking and entering cases dealt with by the Hague police in 1971 and 1974. The results of both investigations will be included in the above mentioned COBA costbenefit analysis.

31. *Enquiry by the Pornography Commission of the Public Prosecutor's Department (1976)*

Researcher: C. van der Werff

In line with a proposal by the Pornography Commission of the Public Prosecutor's Department, an enquiry has been set up under the burgomasters of all 850 municipalities in the country in order to list the various local practices with regard to prostitution,

sex clubs, sex cinemas, sex shops, and the like. The object of the investigation is to arrive at an informed national long-term policy regarding the commercial exploitation of sex, and the like. The RDC has been asked to conduct the enquiry. The results will be reported on in 1978.

32. *Crime as a subject of conversation (1977)*

Researcher: Dr. J. J. M. van Dijk

41 Attention has already been paid in two earlier RDC research projects to public opinion-forming on crime and the influence that the mass media have on this. In order to improve knowledge on this subject, a sample of over 4,000 persons in the Netherlands were asked, amongst other things, whether they had resorted to any of the various mass media (newspaper, radio and TV) the previous day and, if so, whether they had further discussed anything they had seen or heard in them. When analysing the replies, special attention was paid to the subject of crime. A report will be made in the spring of 1978 on the results of this investigation, the field work for which was carried out within the scope of another enquiry.

33. *The treatment of heroin addicts in penal institutions (1977)*

Researcher: Dr. J. J. M. van Dijk

A fact-finding investigation has been carried out in order to obtain information in the short term on the number of heroin addicts at present in penal institutions and on the methods of treatment adopted by the latter in this case. Doctors connected with the institutions completed questionnaires on this project for a period of several months. The results will become available in the spring of 1978.

34. *Basic police training and police performance in the Netherlands (1975)*

Researcher: Dr. J. Junger-Tas

42 An investigation is being carried out in conjunction with the Ministry of Home Affairs and the Itoya Foundation into how basic training of the police corresponds with police work in practice. Whether training provides the cadet with sufficient knowledge, skills and attitudes in order to carry out police duties to full effect will be examined on the basis of the tasks of the police constable – divided into crime prevention, the maintenance of law and order and the giving of help and advice. The project covers a large number of sub-projects, including (1) an observation study of the constable's work (2) an enquiry amongst cadets at the start and at the end of the training period, (3) an enquiry amongst young constables and sergeants after six to eight months of practical experience, (4) an enquiry amongst instructors, mentors and station sergeants, (5) a survey of the Dutch population as to attitudes and expectations concerning action by the police, and (6) an enquiry amongst police superintendents, public prosecutors and burgomasters on their views as to action by and training of the police. The first two sub-projects have already been completed and reported on. As regards the other enquiries (with the exception of the last) collection of data has been wholly or partly completed. The total project may possibly lead to recommendations concerning changes in the form and content of training. A final report will be made in 1978.

35. *Application of instant-fine powers (1976)*

Researcher: A. K. Kröner

Rapporteur: Dr. J. J. M. van Dijk

The RDC have been asked to conduct an investigation into (differences in) the application of instant-fine powers by the various police forces on the basis of the fines collected by the various forces (or

national groups) in 1973. After a statistical treatment, in which the amounts of fines collected per force were related to the total number of cases booked, strength of the force and the size of the local vehicle fleet, discussions were held with senior officers of a number of forces with an exceptionally high or low percentage of cases. The final report on this investigation appeared in 1977.

36. *Crime detection (1976)*

Researcher: F. W. M. van Straelen

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Of all the criminal acts that come to the knowledge of the police, only a limited proportion, varying according to type of offence, is in fact solved, i.e. only a restricted proportion results in the tracing and arrest of one or more suspects. If you are to look for the causes of this, we must distinguish between two aspects. In the first place, it is not within the power of the police to solve all the cases that come to their knowledge. In the second place, by stating priorities, the police follow a policy when detecting criminal acts. Both aspects will be covered by the project. An answer will have to be found to the following questions:

- 1) What criteria play a part when deciding what kind of case should be *reported*, i.e. be earmarked for detection?
- 2) Given the detection work, what is the percentage of cases *solved*; has there been any progress in time in this connection; has there been a real drop?
- 3) Having regard to these developments and in the light of the detective work of the criminal investigation branch, what are the criteria that should be adopted in *detection policy*?

Implementation of the investigation is divided into four parts: (a) an observation survey amongst various police stations (at the station sergeant's desk) to see how incoming complaints, information, and the like are dealt with. (b) An observation survey of crime detection by the same police stations in order to see how cases which are formally

recorded are further dealt with by the criminal investigation branch. (c) Interviews with a number of detective officers on various factors that affect criminal investigation work. (d) A case history in which a number of recorded cases are followed up to see what factors are linked to their being or not being solved. The project commenced in spring 1977 and the final report is expected by mid-1979. The researcher will make an interim report on the various aspects.

37. Prosecution policy. The dismissal of criminal cases by the Public Prosecutor in The Hague district (1975)

Researcher: F. W. M. van Straelen

44 An investigation has been made, using an analysis of a sample of criminal files from The Hague district, into, amongst other things, to what factors concerning the offender and the offence the decision to prosecute and, if proceedings are not instituted, the reasons for non-institution are linked. Examination was also made as to whether there are any differences in prosecution policy between the four parishes in the district. Some findings of the investigation have already been published in the February 1977 issue of the *Tijdschrift voor criminologie* within the framework of the discussion concerning class factors in the dispensing of justice. It appeared that the seriousness of the crime (degree of damage) plays an important role in the decision whether to prosecute, while the public prosecutor also appears to consider the suffering of the injured party or victim in consequence of the crime. Only in the case of assault does the social class factor appear to exercise some independent – albeit small – influence on the decision whether to prosecute. A report on the entire project will appear in the spring of 1978.

38. *Discussion project – prosecution policy in the 's-Hertogenbosch district (1975)*

Rapporteurs: G. A. van Bergeijk and
J. J. van der Kaaden

45 The public prosecutors for the 's-Hertogenbosch district attended a symposium in 1976 at which discussions centred on the decision to prosecute in three minor criminal cases. The same three cases were submitted for an opinion to all the public prosecutors and clerks of their offices. The aim of the meeting was to obtain some insight into the background and the motivation for decisions to prosecute, as a complement to an investigation made previously into the use of information by prosecutors when deciding whether to prosecute or not (1972). For this purpose, particular attention was paid to the grounds put forward for dismissal of the case and the reasons given for prosecuting or non-prosecuting. In the report recently released on 'The harmonization of sentencing under discussion – the 's-Hertogenbosch district', the results of the investigation made in 1972 are briefly summarised. The organisation of the discussion project is described and the results of the most recent project are dealt with in further detail.

39. *The prosecution and sentencing of foreigners (1975)*

Researcher: C. van der Werff

Information from criminal files is used to see whether heavier sentences are demanded and/or awarded on foreigners than on Dutch subjects in comparable cases. Dismissal policy with regard to foreigners is also examined. The research population consists of some 1,700 cases of offences against the Criminal Code on which final sentence was given during the fourth quarter of 1974. The chief points have already been published in the report of the Public Prosecutor's Department for 1975. The final report will appear in the spring of 1978.

40. *Sentencing for serious crime (1976)*

Researcher: O. J. Zoomer

At the request of the District Meeting at The Hague, research is being carried out into sentencing policy (taken to mean both the sentences demanded and the verdicts) in cases of serious crime. The intention is to discover how sentencing in cases of serious crime has developed in the Netherlands in recent years and what differences there are in this respect between the districts and sub-districts. Attention is also paid in this project to the relationship between sentencing practice and the 'theory' of the statutory threat of punishment. Use is made of statistical material (where available) and data from criminal files concerning serious crimes which were dealt with in 1973, 1974, 1975 and 1976. For various reasons, the project will be limited to the districts of The Hague, Amsterdam and 's-Hertogenbosch. A report will be made in 1978 on the results of the investigation.

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41. *Discussion project – the administration of criminal justice in the Arnhem District (1975)*

Rapporteurs: J. J. van der Kaaden and Dr. D. W. Steenhuis

In 1975 and 1976 symposia were held at public prosecutors' offices in the Arnhem district aimed at making a contribution to harmonizing the administration of criminal justice. At the 1975 symposium two concrete criminal cases were submitted to the public prosecutors for assessment in order to examine to what extent a uniform policy was being adopted in this district and what might be the background of any differences. The second symposium examined at greater detail the aims of punishment as put forward by the public prosecutors at the earlier meeting. The final report, entitled 'Harmonization of sentencing under discussion – the Arnhem District', provides a summary of the differences in decisions and the grounds on which

they are taken. It would seem that the differences in decisions do not originate from differences in the aims of sentencing. It is clear from the results of the second symposium that these aims do not mean the same thing to all prosecutors and that the objects of the sentence are not weighed up in every concrete case. From the results of the two symposia, complemented with a brief examination of current literature, it is argued that the differences largely coincide with the differences in the attitudes of the prosecutors, which lead to a difference in selection and assessment of information underlying the case.

42. Sentencing under article 26 of the Road Traffic Act during 1974 and 1975 (1975)

Researcher: A. C. Vianen

- 47 The consequences of the 'Act of the 1st November' (which introduced breathalyser tests) was investigated at the initiative of the Meeting of Attorneys-General with particular reference to sentences demanded and those awarded under article 26 of the Road Traffic Act. For this purpose, the verdict or decision in all cases involving this offence in which final sentence was given in the first six months of 1974 and 1975 were recorded. In addition to personal data, the recidivist aspect was investigated in each case as an explanatory factor. On the basis of the data obtained in this way, a random sample was then taken, categorized according to date of offence and district. The cases in the sample were examined not only as to the sentence demanded but also as to the permillage of alcohol and the damage caused. Finally, the difference in sentencing as between court and appeal court was also investigated. The results of the survey are included in the published details of the project referred to in item 43.

43. *Sentencing under article 26 et al of the Road Traffic Act during 1976 (1975)*

Researchers: G. A. van Bergeijk and A. C. Vianen

In connection with the in November 1974 implemented change in the legislation on drunken driving the RDC has made a start with collecting data on sentencing in connection with driving while under the influence of alcohol. The aim of the project is to provide greater insight into the practice at present adopted nation-wide in this respect. Of the cases which during the period from end-1975 to end-1976 led to a conviction, details have been sent by the clerks of the courts to RDC. The results of this survey have been published in two articles in the journal 'Delikt en Delinquent'.

48

Convictions for the first half year of 1976 were reported in the April issue. It then appeared that there were substantial differences between districts in the degree to which an unconditional term of imprisonment was imposed. However, differences in the grading of blood/alcohol content were few. There were major differences, too, in charging practice. Sub-districts, that were relatively more prone to convict under sub-section 1 also appeared to impose an unconditional term of imprisonment more frequently. Further details have been published in december 1977.

44. *Training of court officers (RAIO) (1975)*

Rapporteur: F. W. M. van Straelen

In 1975, a working party of the Association of Officers of the Court under Training, organized by P. A. J. T. van Teeffelen, conducted an exploratory survey in the form of an enquiry amongst 61 trainee officers on judicial procedure, their selection and the image they had of themselves, and highlights in their training. The investigation was inspired by an earlier enquiry amongst trainee officers* which.

* Carried out at the Institute for Applied Sociology, see also 'Justitiële Verkenningen' nr. 2, 1976, pp. 70-76.

indicated that there was some dissatisfaction on the way in which their training was given. The scope of the survey was expanded while it was in course, so that now trainee officers are asked how they feel not only about their training but also about the functions and place of the judiciary, the attitude of the Bench, the hierarchy and selection for training. The RDC were asked to assist with processing the research data obtained from the enquiry and with reporting. The investigation was part-financed by the Dutch Law Association. The working party's report appeared in autumn 1977 under the title 'De toekomst in de Rechterlijke Macht'.

45. *Medium-long term prisoners (1974)*

Researcher: B. van der Linden

49

This project seeks to determine the short and long-term effects of two different systems on prisoners serving a medium-long term sentence. As far as short-term effects are concerned, attention will be paid to prisoners' subjective experience of imprisonment and possible changes in their behaviour, personality, standards and values will be investigated during their stay at one of two institutions. This part of the investigation will be held from October 1977 to October 1978 or thereabouts, and involve about 500 prisoners. So as to evaluate the effects of both systems in the longer term as well, a follow-up survey will examine the functioning of discharged prisoners. Further, a recidivist survey has been instituted amongst prisoners who spent their time at one of the two institutions in past years. In order to situate the results of the survey in a broader framework, a look will be taken at how sentencing has developed with regard to medium-long term prisoners and selection policy will be examined. A separate sub-study is devoted to the two institutions themselves, the chief subjects being internal organization, maintenance of the system and the functioning of personnel. The project will be reported in stages. The first interim reports will appear in the spring of 1978.

46. *Evaluation survey at the 'De Sprang' youth detention centre (1976)*

Researcher: A. C. Berghuis

The 'De Sprang' youth detention centre at The Hague consists of five departments with different regimes; in order to meet the requirements of prisoners as fully as possible, various forms of supervision are adopted. The object of the investigation is the effect of supervision and improvements (if any) in such things as regime-forming. An analysis of intake data will be used to investigate whether there are various types of prisoner and if such typology is linked with internal selection. The content of supervision in the various departments will then be examined, together with its effects on the prisoners during their period in the institution. A follow-up survey will examine the further development of inmates after leaving 'De Sprang'. Distinction will be made between those who have been released and those who have been transferred to a different institution.

50

47. *Execution of suspended prison sentences (1977)*

Researcher: J. J. van der Kaaden

This project was inspired by the uncertainty that exists about the circumstances under which suspended prison sentences are executed. It is aimed at answering two main questions, i.e. to what extent does execution take place (under article 14a et seq. of the Criminal Code), and in what cases?

In order to answer these questions, a look must be taken not only at the cases where this punishment is imposed but also at cases where it was not done, though it could have been.

In this way, the extent to which execution is linked with e.g. the gravity of the suspended sentence, the seriousness of the new offence, the nature of the infringement of special conditions or the length of probation can be examined. In order to obtain the necessary information, a sample is being taken of all persons sentenced to a wholly or partially

suspended term of imprisonment within one year and their conduct examined during the subsequent three years (the maximum probation period being three years). In order to obtain a true assessment of the recidivism, not only the personal crime records but also the case files will be examined.

48. *The criminally unbalanced and psychiatric reports (1976)*

Researcher: E. G. M. Nuijten-Edelbroek

51

This survey has been inspired by the reduction in recent years in the number of committals and the corresponding increase in the number of persons detained without special measures but who were subsequently transferred to special psychiatric institutions. This trend is complicating the capacity planning of the special psychiatric institutions. In order to provide information to facilitate such planning, three aspects of the problem are to be investigated, *i.e.* (1) the change in the number of persons detained at the Government's pleasure, those transferred to special psychiatric institutions and long-term prisoners who complete their sentence without being transferred for that matter; (2) characteristic differences between these three groups of offender with regard to the degree of dangerousness, the kind of offence and mental imbalance; and (3) opinions and attitudes of persons who through their office are concerned with imposing and implementing committals to special psychiatric institutions and ordinary prison sentences on special detention of this kind, on treatment of those specially committed, on the policy to be adopted towards them and on psychiatric reporting. At the present time, research is being undertaken into areas 1 and 2 and is in preparation on area 3.

49. *Follow-up research at the Van der Hoeven Clinic (1976)*

Researcher: J. L. van Emmerik

This project will deal with the functioning of

ex-patients at the Dr. Henri van der Hoeven Clinic after their release, within the framework of an evaluative investigation of the treatment of the criminally insane. An attempt will also be made to discover whether and to what extent such functioning can be (at least partly) attributed to their stay at the clinic. Further, changes in the composition of the patient population will be examined. The necessary data will be obtained from court documentation, material held at the Van der Hoeven Clinic, material from the rehabilitation teams to whom the ex-patients were assigned after their release, and material from other institutions where the ex-patient was transferred. In order to obtain the views of ex-patients on their present functioning and the possible influence of their treatment on this, they will be subjected to structured in-depth interviews. The project will be conducted by the RDC in close co-operation with the research staff at the clinic. The project will take up two and a half to three years and is in the stage of data gathering.

50. Experimentation with structured rehabilitation reports (1975)

Researcher: Dr. M. J. M. Brand-Koolen

After detailed preliminary discussion with all those concerned, experimenting has been undertaken since June 1976 with a structured form of reporting. The aim of this trial is to see to what extent a certain amount of structuring of reports is desirable and, should this be so, what form of structuring should be preferred. Further, a check will be made, making use of this structuring, as to whether more insight can be obtained into existing requirements as to the content of the reports. Sixteen rehabilitation social workers and a rather smaller number of public prosecutors are co-operating in the experiment, which will take about six months. The final report will appear in the course of 1978.

51. *The operation of 'first aid' (1975)*

Researcher: L. C. M. Tigges

53

This project is intended to examine the effect of the changes in the law introduced in 1 January 1974 concerning articles 59 and 62 the Code of Criminal Procedure. Provisions have been added to these articles requiring the Secretary of the Rehabilitation and After-Care Council to be immediately informed of any preventive custody order and that, if a report is prepared as a result of such notification, the public prosecutor should note the report before applying for a remand order. Attention will be paid to the following aspects: the practical operation of the above provisions in the various sub-districts, the conditions under which first aid operates in the various sub-districts, the work of the rehabilitation social worker within the framework of first aid, the nature and extent of the problems with persons kept in preventive detention, and first aid reporting. The operation of first aid in the sub-district of The Hague is at present being studied through registration procedures. The first interim report can be expected in the spring of 1978.

52. *The time spent by and the operation of rehabilitation teams (1976)*

Researchers: Dr. A. Coster and L. C. M. Tigges and Dr. M. J. M. Brand-Koolen

This project was conducted at the request of the VVRI (Association of Rehabilitation and After-Care Institutions) and is intended to determine how rehabilitation social workers divide up their time, the content of their work, and the support that they require in carrying it out. Having regard to the complexity of the questions to be put, a start will be made with an exploratory research on six teams, who have agreed to co-operate. A time-write form will be tested during this preliminary phase and an attempt will be made by means of participant observation to obtain an insight into the nature of the work and all variations arising

within it. The main research will be planned only afterwards. The exploratory phase was carried out in autumn 1976; the main research commenced in 1977.

53. *Punishable defamation (1976)*

Researcher: J. J. van der Kaaden

54 The RDC have been asked to conduct a survey into the nature and extent of cases of defamation that appeared before the criminal courts and of the possible effects of police action in this connection, with due regard to Bill 11,249 which sets out the new rules for punishable defamation. The survey is aimed at two main points: on the one hand, the nature and the extent of the cases of defamation that appeared before the criminal courts; on the other, one of the consequences of decriminalizing simple defamation, i.e. a restriction in the preventive powers of the police. To answer these questions, the investigation has been divided into two parts. The first part covered a study of the files of all cases of slander, libel (261 Criminal Code) and simple defamation (266 Criminal Code) that appeared before the criminal courts in 1971, 1973 and 1975. The second part of the investigation will comprise an interview with the reporting officers in a number of cases in 1975. In this way, as complete a picture as possible can be obtained of the facts concerning a complaint of defamation and its treatment before the courts. The results of these interviews can also be used to examine how complete the information from the criminal files is in relation to the analyses to be made on them. The reports on this project can be expected in the course of 1978.

54. *The law of succession (1975)*

Researcher: C. Cozijn

The RDC was asked, in connection with the enactment of new legislation concerning the law of succession prior to the introduction of Book IV of the new Civil Code, to under-

take research into public opinion on a number of alternative approaches to the law on intestate succession. The alternatives differ from the existing law particularly as regards the position of the surviving spouse. The chief difference between them lies in the nature of children's rights and the point at which these rights can be enforced.

In autumn 1975, a representative sample of the population was asked by oral survey to state its views on the various alternatives and to arrange them in their order of preference. The final report will be available shortly. This will also include demographic data collected so as to facilitate an evaluation of the number of cases in which the surviving spouse is in a position where the law on intestate succession may apply. A final report will be made in spring 1978.

55

Literature surveys

55. Alternative sanctions (1976)

Rapporteur: L. J. M. d'Anjou

At the beginning of 1976, the Alternative Criminal Sanctions Commission asked that a literature survey be conducted into the effectiveness of alternative sanctions as a follow-up to the report on 'Effectiveness of Sanctions'. The following points were concerned: (1) What is the relative effectiveness of alternative sanctions to imprisonment, particularly brief periods of detention and (2) what are the consequences of introducing one or more of these alternatives. To answer the two questions, an extended literature survey was carried out in which a great number of categories in the RDC documentation system and the issues of some thirty journals for the years 1970 to 1975 were perused. The project was reported on to the Commission in December 1976. Since literature on the subject of alternative sanctions appears to be relatively voluminous, the report starts with a delimitation of the subject. The report is limited to sanctions that the courts might impose instead of imprisonment of a maximum of six months.

In addition, details are given of research into the relative effectiveness of short-term detention and the sanctions discussed in the report. These details are limited to the aims: to influence the conduct of the offender or others and to solve the conflicts between offender and victim. The consequences that might flow from the introduction of new sanctions are then dealt with. Chiefly concerned here are the factors that could encourage the success of a renewal of sanctions or in fact stand in its way. A look is further taken as to whether there is sufficient scope for any new sanctions. A number of advantages and disadvantages of brief periods of detention and alternative sanctions are then considered in turn. Finally, some general comment is made on the conclusions contained in the summing-up and consideration is given to whether or not new sanctions should be introduced into the Netherlands. This study has appeared in the meantime as the RDC report 'Alternatieve sancties'.

56

56. *Treatment of heroin addicts (1977)*

Researcher: L. J. M. d'Anjou

The working party dealing with the listing of drug problems set up by the Ministry of Justice has raised the point whether a literature survey could contribute to solving the problem of what the Ministry could do with recidivist offenders who are addicted to drugs. The working party had thought of treating such addicts inside or outside a penal setting with the aim of ending the addiction, so that the associated criminality could also be eliminated. The working party's theme may be divided into two parts: (a) does any effective treatment exist; and (b) in what way can the Ministry best contribute towards successful treatment? To answer these queries, a literature survey was set up at the beginning of 1977. The project ended in June of the same year and a report on it will appear shortly.

57. *The judiciary organization in matters of rural tenancies (1977)*

Researcher: O. R. de Lange

At the request of the Commission of State on the Review of Judiciary Organization, a literature survey has been conducted to find out what objections are formulated in literature regarding the judiciary organization in matters of rural tenancies, and what improvements are suggested in this connection. The report is in the nature of a topic descriptive review. Some topics that are dealt with in connection with the subject matter are: concentration and specialization of jurisprudence and judges and the relationship between the judges and laymen/experts. A report was submitted to the commission at the end of June 1977.

57 58. *The role of the judge in society (a supplementary literature survey) (1977)*

Researcher: O. R. de Lange

This literature survey was carried out at the request of the Commission of State on the Review of Judiciary Organization. It supplements the descriptive report on the role of the judge in society published by the RDC in October 1973. In consultation with the Commission, the supplementary report dovetails closely with the previous document. The literature examined in the main covers Dutch language legal publications that appeared between the end of 1973 and the beginning of 1977 and relate to the situation in the Netherlands. As in the previous report, emphasis is placed on matters involving 'fundamental principles' so that articles dealing mainly with organizational matters are given little prominence. Some of the topics dealt with in the report are the function of the law and the judge, the judge as a source of law, independence of the judiciary, political jurisprudence, justice and class distinctions, the origin of the members of the Bench and trust in the judiciary. The report appeared in the second half of 1977.

III. RESEARCH CONDUCTED UNDER THE AUSPICES OF THE CO-ORDINATING COMMITTEE FOR CHILD CARE RESEARCH

A. Completed Projects

59. *Adjustment and adjustment prediction II (AEPRA II, 1973)*

The aim of the project was to determine the practicability, effectiveness and validity of the advisory procedure developed under AEPR I (see Justitiële Verkenningen, no. 7, 1975, item 44). Use was made of follow-up and psychological data. The project was conducted by *K. Mesman Schultz* of SISWO at Amsterdam, at the initiative of *W. Brinkman*. The final report appeared in January 1977. See also item 62.

60. *Volunteer family guardians (1969)*

58 The focal point of this research carried out by *N. Schelvis* on behalf of Interact b.v. shifted gradually from 'what are the reasons explaining the decline in the number of volunteer supervisors?' to 'what image does the volunteer family guardian have of the conceptions, experiences and motives underlying his sense of satisfaction?' Reports were published in 1971 to 1974; a final report with the chief findings appeared in December 1974. The definitive edition of the final report, with the supervisory committee's presentation letter, appeared in June 1977.

61. *Foster homes II (1973)*

This research was aimed at obtaining an understanding of the nature of relationship-forming in foster families. The research is by *A.M. Weterings* of the Pedagogics Institute at the State University of Leiden, who used data from the Foster Homes I project, which was reported on in 1971, and from follow-up interviews. Internal reports appeared each year. A provisional edition of the final report appeared in February 1977.

B. Current Projects

62. *Adjustment and adjustment prediction III (AEPRA III, 1975)*

K. Mesman Schultz of SISWO (Inter-University Institute for Social Research) is working on a number of sub-projects aimed at a continuous updating of prediction procedures, the development of differential procedures of prediction for certain institutional settings and the study of the advantages and disadvantages of practical opportunities, including regional forms of co-operation between different institutions. The final report is not expected before 1981.

63. *The consequences of the traumatism of Jewish war orphans (1973)*

The psychiatrist H. Keilson is attempting through this study to obtain an insight into the age-specific after-effects of the stress exercised by living in hiding and in a foster family situation. Data from the files of the Jewish Board of Guardians is being used for this purpose. The final report is expected this year.

64. *The placing of children in foster homes (1974)*

The researcher, A.C.C. van den Oever of the social psychology teaching and research unit of the State University, Leiden, is examining the factors that forecast good 'fosterage'. Internal reports appeared in 1974, 1975, 1976 and 1977. The final report will be published in 1979.

65. *Maladjusted girls (Rekken - Gelders End, 1971)*

The object of this study is to identify sub-groups suitable for differential treatment techniques. The research material consists of tests, interview data, anamnesis and follow-up interviews. The research is conducted by K. Frans in conjunction with the Criminological Institute of the State University, Groningen. The final report (in thesis form) is expected later this year.

66. *The use of questionnaires for social enquiry reports in criminal cases involving young persons (1974)*

This project is aimed at devising an improved system for reporting by Child Care Boards to the judicial and prosecuting authorities and child care organisations. The study was initiated by the Child Care Board at Rotterdam and is being carried out by *H.M. Willemse* of the Institute of Criminology at Leiden by means of discussion, a literature survey and a statistical analysis based on data from completed questionnaires. It is hoped that the final report can appear in 1978.

67. *Behaviour therapy I (1973)*

This research is being carried out on the initiative of the Ministry of Justice by *A. Bartels* of the Institute of Pedology at Amsterdam, who is using a scientific experiment in an attempt to examine the effects of a treatment (extramural behaviour therapy in this case) for 'pre-delinquent' young people. The research includes statistical analysis of measurements of dependent variables obtained during treatment. Interim reports appeared each year; the final report is expected in 1977, a draft final report having already appeared.

60

68. *Processing of information: Valkenheide (1976)*

This study forms part of a wider research programme. The Valkenheide residential training school wished to adopt a type of organizational structure enabling it to determine which pedagogical tactics are best suited to the various problem categories. One of the aims of the study is to establish the identity of the institution and its residents in order to co-ordinate it with treatment methods (improved aid) and to exclude from treatment those categories unlikely to benefit from it (better selection). The research is being carried out by *A. Brouwer* and *L. van der Linden*. The final report is expected in 1977.

69. *Follow-up research Helper Haven, Rekken and Zetten (1976)*

J.H. van der Meulen is examining the process of social adaptation of girls aged fifteen and

above who have spent at least three months in a childrens home and is attempting to trace the factors forecasting this process. The research is being carried on in conjunction with the Criminological Institute of the State University, Groningen. It is not expected to be completed before 1982.

70. *Behaviour rating instrument (1976)*

Dr. A. W. Vermeul-van Mullem of the Institute for Applied Social Research, Advice and Assistance (ITOBA) of Amsterdam has composed a behaviour rating instrument on the basis of the findings of a differentiation project. It was published in 1975. The ITOBA is seeing to the introduction and supervision of the instrument in child care institutions and will evaluate this form of distributing research findings.

71. *Behaviour therapy II (1977)*

61

The researcher, A. Bartels of the Institute of Pedology at Amsterdam is aiming to 'translate' the treatment methods investigated in Behaviour Therapy I (extramural behaviour therapy in this case) into an assistance manual for the use of family guardians. This will subsequently form the basis of a training scheme for family guardians, including measurement of the effects of training. The final report is expected in 1979. See also item 67.

72. *Young clients who are difficult to place (1977)*

Research bureau: Interact b.v. (N. Schelvis)

The project was initiated by the Child Care Directorate and the WIJN who felt the need for more information on facilities for, and particularly difficulties in, placing certain kinds of young people who could be earmarked as hard to place. The Child Care Directorate is also concerned about the situation as regards receiving and treating drug abusers amongst this category of persons. The project is linked with agreement by the Ministry of Justice, the Ministry of Public Health and the Ministry of Culture, Recreation and Social Work with the Second Chamber of Parliament on the development of a joint policy on the commit-

tal of young drug abusers. The final report is expected towards the end of 1977 or beginning of 1978.

73. *Ill-treatment of children (1977)*

Research by: *Prof. M. van Beugen* and *M. Leenstra* of the sub-faculty of Welfare Problems at the Leeuwarden extension of the State University, Groningen.

The Youth and Family Foundation at Groningen has set up a development project on 'Monitoring of child abuse' in consultation with the Confidential Doctors Bureau, which in addition to broadening the scope of potential aid, is intended to obtain further insight into such matters as 'what are the most pertinent forms of assistance for what type of problem situation in which child abuse is a factor' and 'what methods of co-operation between Confidential Doctors Bureaux have proved the most suitable?' Part of the project is the subject of a scientific investigation, which will be completed by the end of 1978.

62

74. *Foster homes III (1977)*

The aim of this stage of the project is to set up a supervision model taking account of the findings of Foster Homes II on the basis of the research data obtained in the course of the latter (see item 61). This project, too, is being conducted by *A.M. Weterings* of the Social Pedagogics Research Unit at the State University, at Leiden. The supervision model will be tested as to its viability during a subsequent stage, if this is decided on. A detailed proposal on the subject of the model is expected in the autumn of 1977.

C. Research in the preparatory stage

75. *Assistance to families with children who require structuring*

The Development Psychology, Pedology and Special Pedagogics Research Unit of the Free University and staff of the Institute of Pedology at Amsterdam have submitted proposals for research to the Co-ordinating Committee. These proposals embrace an action-research project to heighten the effect of residential treatment of children requiring structural

therapy and integration of such treatment into an overall treatment plan for their families. The Co-ordinating Committee is prepared to set aside a contribution within its budget for further work on the plans.

Other current research projects at the Criminological Institutes and by specialist groups within the Departments of Criminal Law at Universities and Polytechnics in the Netherlands

76. *Children's ideas on crime and punishment*

Researcher: E. Lissenberg

66 This research is intended to obtain an insight into the ways in which children (pupils at State primary schools) interpret the phenomena of crime and punishment. As regards the committing of an offence, two kinds of reactions broadly follow: a formal reaction, the punishment and an informal reaction, the stigma. Punishment is meted out to an individual, but it is briefly the conduct that provokes a reaction. In the case of the stigma, the conduct gives rise to a reaction which is directed primarily at those who have deviated from the norm. The two kinds of reaction may result both separately and combined. Research included whether children feel that different offences should be differently punished and in conjunction, the (deterrent) significance of punishment and the threat of punishment was examined. A further query was whether children stigmatize (assess negatively) certain kinds of offender more heavily than other kinds. The project made use of essays by pupils at State primary schools in Amsterdam. In addition, pupils at State primary schools in The Hague answered questionnaires. The survey will be published at the beginning of 1978 in the form of a dissertation.

77. *Aggression in large department stores*

Researcher: F.A. van der Kooi

General supervision: Prof. Jac. van Weringh

Incidents are being recorded to an increasing degree in a number of branches of large department stores. These may vary from a simple slanging match to large-scale disorder. An enquiry amongst management and other staff and on the spot observation should indicate whether, and if so, how this phenomenon is linked to such characteristics as social groups, recreational facilities in the neighbor-

hood, the attitude of the police, surveyance in the shop, public/personnel interaction and other features of shop life. Branches with frequent troubles are being compared with those with few incidents. An article will be published on the survey in 1978.

78. *Criminological aspects of economic behaviour (1963-1973)*

Researcher: R.C.P. Haentjens
Supervisor: Prof. Jac. van Weringh

67

This research is concerned with examining the importance of economic legislation with particular reference to its importance to the consumer. Attention is being paid on the one hand to legislation on goods and on the other to product liability. The criminal law aspects are regarded in relation to the agencies concerned with investigating criminal acts in the field concerned, since the importance of these agencies seems to be of particular importance to the legislation. Two queries that may be dealt with are (a) what motives move Parliament to go for criminal sanctions or for sanctions at civil law in similar economic situations and (b) how does an agency officiate which is specially concerned with the investigation of criminal acts in the field of economics (functional structure, objectives, tactics). A dissertation on the project is expected at the beginning of 1978.

79. *The history of article 248 bis of the Criminal Code*

Researcher: M.J.M. Salden

Article 248 bis (1911-1971) runs: 'An adult who commits an immoral act with a minor of the same sex and whose minority he is aware of or could reasonably infer shall be sentenced to imprisonment not exceeding four years'. The research is aimed initially at how this provision was arrived at in 1911: what legal objects was it intended to protect; what interests were concerned when considering the degree of penalization; how were they able to develop political force? Exami-

nation is then given to how article 248a has been applied in the course of the years and what effects this had on those concerned. Finally, the circumstances are investigated which led to the attempt at decriminalization and the effects on this policy resulting from the rescission of the provision in 1971.

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80. Lawyers on call

Researcher: R.L. Bergsma

68 a) An examination of how lawyers 'surgeries' in the various sub-districts function and what has been the effect of the change in the Code of Criminal Procedure of 1 January 1974. Investigation was undertaken in 1973 to 1975 and the results processed in 1975 and 1976. A report will be issued in 1977.

b) An evaluation is also being made of these service by lawyers in Amsterdam, using enquiry forms which are completed by the advisers and interviews with suspects. Preparatory work was undertaken in 1976, the research was conducted in 1976 and 1977. A report is expected at end-1977 or in 1978.

81. Selectivity in legal aid

Researcher: R.L. Bergsma

The problem: is a lawyer's action at the initial stage of criminal proceedings influenced by extra-procedural factors?

The object: to contribute to furthering study of the first stage of criminal proceedings.

Commencement: end-1976, *Phasing:* 1976-77 preparation; 1977 investigation and processing; 1978 final report. *Completion:* mid-1978.

Publication: in the form of a conference paper and an article.

82. Legal question time at the House of Detention I at Amsterdam

Researcher: A. Frid

The problem: how does legal aid function at the House of Detention I at Amsterdam?
Object: evaluation of legal aid in the institutions of justice. *Commencement*: beginning of 1977. *Phasing*: 1977-78: preparation and execution; 1978-79: processing and reporting. *Completion*: 1979. *Publication*: in report form.

83. *'Glimpses in the law courts'*

Researcher: Dr. G. Snel

69

The object of the investigation was: 'Do extra-judicial factors have any effect on judgements in the police courts?' Consideration is given in the project to the extent to which extra-judicial factors influence the verdicts of the police courts in three groups of offence, *i.e.* offences against property, driving under the influence and common assault. The basic material was derived from observing 201 cases in the police courts in Amsterdam and Haarlem. 'Extra-judicial factors' means the social characteristics of the accused which the law does not explicitly require to be discussed during the hearing, *i.e.* which the magistrate need not take into account in his verdict — all positive, neutral and negative remarks made during the hearing by the magistrate, the prosecutor, the lawyer, the witness(s) and the accused himself on all characteristics of the accused and his circumstances brought into discussion. The investigation reveals that extra-judicial factors certainly play a part in the police court verdict. A report of the survey, preceded by theoretical considerations, can be found in 'Kijken in de rechtszaal' ('Glimpses in the law courts'), Samson, Alphen-on-Rhine, 1977.

84. *Stigmatization*

Researchers: R. L. Bergsma, dr. G. Snel and S. J. Steenstra

The problem: the extent to which the Dutch population stigmatizes ex-prisoners and the factors associated therewith.

Object: to investigate and influence prejudice against law-breakers.

Commencement: 1971. *Phasing:* 1971-72: preparation; 1972-73: field research; 1973-75: processing; 1976-77: completion and reporting. *Completion:* first half of 1977. *Publication:* in the form of a report and articles.

The results of this project indicate that at different contact levels (social distance scale) the Dutch avoid ex-prisoners more than persons with an unblemished record. More frequently, too, they are denied public office. Factors that affect the degree of stigmatization are, amongst other things, the attitude of the stigmatizer towards justice and the police, his knowledge of criminal procedure and a number of personal variables.

85. *Procedural models*

Researchers: Prof. H. Bianchi, W. de Haan and dr. G. Snel

70

The problem: what other procedural models are conceivable and practicable to replace existing procedures?

Object: to trace, compare and record other procedures than those existing for solving conflicts in criminal law.

Commencement: August 1976. *Phasing:* 1976-77: theory-making; 1977-78: practice and testing; 1978-80; definitive research and reporting. *Completion:* 1980. *Publication:* will be made in a report, articles and a book.

86. *Provocation and escalation*

Researchers: Prof. H. Bianchi, J. Dalstra and dr. G. Snel

The problem: how is police violence legitimised in cases of social protest?

Object: to gather data on circumstances where groups of police officers perceive and integrate violent conduct of groups as provocative and legitimize their own violent conduct as non-provocative.

Commencement: July 1976. *Phasing:* 1976-77: planning and trial survey; 1977-78: data collection and analysis of final investigation. *Completion:* 1980. *Publication:* in a report and a dissertation.

87. *Negotiating structures*

Researchers: C. Bogaards and W. de Haan

The problem: can special negotiation situations be identified and/or created in criminal proceedings?

Object: to develop and apply models for negotiating situations in cases of conflict concerning an offence.

Commencement: 1977. *Phasing*: 1977-78: theory-making and testing; 1978-80: final investigation and reporting. *Completion*: 1980.

Publication: in a report and in the form of articles.

88. *Female crime*

Researcher: S. J. Steenstra

71

The problem: are there quantitative and qualitative differences in criminality as between men and women and in the way society reacts?

Object: to list and evaluate developments in Western Europe and America with regard to social control of women.

Commencement: end 1974. *Phasing*: 1976-77: literature survey on statistical research; collection of material. 1977 onwards: ?

Completion: unknown. *Publication*: in articles and conference papers.

89. *Selectivity in the administration of criminal justice*

Researchers: Prof. H. Bianchi, J. Dalstra, W. de Haan and dr. G. Snel

The problem: what selection mechanisms can be observed in the administration of criminal justice in the Netherlands?

Object: to make a contribution on the basis of a socio-linguistic approach to the examination and development of the criminal procedure.

Commencement: mid-1976. *Phasing*: 1976-77: literature survey; 1977-78: investigation and processing. *Completion*: September 1978.

Publication: in a conference paper and an article.

90. *Rehabilitation*

Researcher: Dr. G. Snel

The problem: what factors influence recidivism and what is the effect of rehabilitation?

Object: to improve the rendering of social aid to ex-prisoners.

Commencement: 1965. *Phasing*: 1965-73: preparation and research; 1973-77: subsidiary reports. *Completion*: end-1977. *Publication*: in the form of articles, conference papers and reports.

State University, Groningen
Criminological Institute

91. *The criminal behaviour of school drop-outs*

Supervisor: Dr. H. Timmerman

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A pilot study into possible criminal behaviour (dark number) of pupils who do not complete a secondary school course. Two samples were drawn for this purpose at secondary schools in Groningen, one of premature school-leavers and one of pupils who completed the course. Questions asked concerned the reason for leaving school, social adaptability and possible criminal behaviour. Reporting took place in spring 1977 in the form of an essay. An article is to be published shortly.

92. *Rape*

Supervisor: Dr. H. Timmerman

A dark number enquiry will be held in autumn 1976 amongst some 3,000 women in Groningen. Questions will include a number of background data (perpetrator, reporting to the police, attitude, etc.). At the same time, a check will be made by comparing day reports and official reports by the police as to what type of complaint results in an official report and which does not.

Reporting took place in the form of an essay. An article is to be published shortly.

93. *Crime amongst young people and social environment*

Researcher: L. Veendrick

This research can be broken down into three stages. 1. Crime statistics are recorded in a medium-large town on an area basis with the aid of recorded and dark number statistics. Further, social control by the authorities, i.e. the intensity of police surveyance in particular, will also be looked at on the same basis.

2. A number of 'objective' life accommodation aspects will also be investigated with regard to two of these areas that differ widely in their criminality index with regard to offenders, including such aspects as living conditions, leisure provisions, social status of the area and the like. 3. 250 boys and their fathers will be sampled in each of these two areas (as to age, we have in mind the 15 to 20 year-old group). The following data will then be collected by means of an extended interview: data on delinquent behaviour and socio-graphic data; diagnostic data which may possibly be associated with delinquent behaviour. The diagnostic data will be mainly looked for in the situation (and not so much in the person). Reactions to delinquent behaviour. Under this heading information will be gathered relating to reactions (of the authorities, social environment, etc.) to being caught and the consequences of this for the future. Aspects of control and stigmatization will be dealt with in particular. The final report is expected by end-1978.

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94. *Female emancipation and female crime*

Researcher: J. Zondervan-de Jong

Does female emancipation lead to a change in the nature and extent of female criminality? On the basis of this question, *concealed* criminality data was used to compare criminality amongst housewives, working women and female students. It was expected that crime amongst working women and female students would be more extensive and more 'masculine in nature' than that of housewives, because

of more intensive participation of the first two groups in day-to-day society, which should offer more opportunity for 'male' conflict. In fact, the number of law-breakers and the number of offences committed (according to own indication) appeared to be appreciably (and significantly) lower in the housewife group than in the group of working women and students. This difference also appeared to persist where other relevant variables (age, social status and the like) of the groups under comparison remained constant. The nature of the offences committed did not differ so much, however, amongst the three groups. The housewives certainly differed the more in this respect. If we then include men in the comparison, it is noteworthy that the women (the three groups together) differ only slightly from the men, when we consider the kinds of offence they commit. This would point to a difference between male and female crime of a lesser proportion than is generally assumed from 'recorded' crime data. It is a fact that certain selection mechanisms play a divergent role in this case. An article was published in issue 7/8, 1976, of the 'Maandblad geestelijke volksgezondheid'

95. *The development of post-war crime statistics*

Researcher: Dr. H. L. W. Angenent

Crime statistics are often represented in graphs (polygons), although these are ill adapted to showing the course of crime since all kinds of (random) circumstances produce fluctuations. The course of crime is better represented by straight or curved lines ('best fitting functions'). These lines have been calculated for offences known to the police (for the period 1950 to 1974) and for convictions for crime (for the period 1950 to 1972). They have been derived for a large number of groups of offences. A publication will be devoted to absolute figures, and a second to figures per 100,000 inhabitants. The project was published this year under the title 'Developments in recorded crime'.

96. *Upbringing and crime*

Supervisor: Dr. H. L. W. Angenent

The subject of investigation is how offenders were brought up and how they themselves bring up their children. We limit ourselves to basic dimensions of upbringing: warmth and dominance. A personality investigation, with the basic dimensions of personality and dominance. A personality investigation was linked to the upbringing investigation, with the basic dimensions of personality (extraversion and emotionality) and aggression being examined. By means of questionnaires devised by ourselves, two groups of offender were studied: those sentenced for crimes against property and aggressive delinquents (convicted of assault).

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Separate publications have appeared on each of the two groups. Further research is devoted to comparing the data on the groups with each other. In addition, more advanced methods will be applied and certain aspects of the studies will be examined in greater depth. Publication: end-1977.

97. *Offenders' children*

Researcher: Dr. H. L. W. Angenent

Children of two kinds of offender (those sentenced for crimes against property and aggressive delinquents) are examined as to the extent to which they admit certain forms of criminal and antisocial behaviour. The children's statements are compared with those of a comparable group of children. The validity of the data will be examined by relating them to other data. Publication: end-1977.

98. *The physical complaints of offenders*

Researcher: Dr. H. L. W. Angenent

It would appear from nearly all surveys made with questionnaires that offenders tend to be neurotic. This also applies to ex-offenders. Two groups of ex-offender (those sentenced

for crimes against property and aggressive delinquents) are examined as to the extent to which they have physical complaints that could be connected with neuroticism. Publication: end-1977.

99. *Shop-lifting*

Researcher: Dr. H. L. W. Angenent

Shop-lifting has from time immemorial been regarded as a women's offence. The question arises if this is still the case. Most of the young people caught stealing from shops are boys while amongst older people women are in the majority. The latter are the subject of the study, consideration being given to the personality structure of female shop-lifters caught, with reference to the extent to which the sexual aspects of their lives play a different role than amongst other women, to their socio-economic level and the structure of their families. The attitude of the women questioned to a number of offences, and theft from shops in particular, will also be examined. Publication: beginning of 1978.

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100. *Follow-up research amongst marijuana takers*

Researcher: Dr. H. Timmerman

The first survey was made in spring 1970, at Gieten, a township about 30 km south-east of Groningen. The most noteworthy results were: (1) about 10% of the 16 to 21 age group amongst the population had at one time experienced a drug (mainly marijuana); (2) many differences were found between users and non-users on a number of social-psychological issues; (3) these differences must be regarded as a result of sub-cultural influences and not so much of the use of a drug; (4) the population were prejudiced with regard to drugs and drug-takers. The project was repeated in autumn 1972 (amongst the same people). An answer can now be given to the following questions. Did drug use amongst the 16-21 age group rise?; how did the pattern of use amongst the 1970 group of users develop?;

how did the users develop from a social-psychological aspect?; how did the attitude towards drug-takers develop? The project was published in spring 1977 in the form of a thesis entitled 'Drugs in een plattelandsgemeente'.

101. *Joko: an experiment in extra-judicial reception*

Day-to-day supervision: Dr. M. Andriessen

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A subsidy was recently received via the 'Mik Committee' for an experiment (provisionally for one year) in extra-judicial reception of young people who had been involved with the police. Various aspects of a rather divergent nature contributed to the inception of this problem. It appeared from a previous survey that there is a group of young people who were not committed for their offence but in the case of whom, the offence must clearly be regarded as an indication of underlying problems. Something could usefully be done about this while there is still time (provided that those concerned wish it, of course). It is also hoped to achieve that in the case of those who are committed for their offence, proceedings can be dismissed in a greater number of cases where an extra-judicial solution is sought in conjunction with the accused. By this we may perhaps also achieve that 'unequal opportunity before the law' can become more equal, i.e. that more young people of more humble social background can be dealt with outside the courts than is now the case. A positive factor seems to be that various bodies are co-operating on the project. The Council for Child Care, the police, the Public Prosecutor's Department and the children's courts are all concerned in a consultative capacity.

102. *Dismissal of criminal cases by public prosecutors and the sentencing policy of the courts*

Researchers: Prof. R. W. Jongman and T. Schilt

It appeared from previous research by the Insti-

tute that persons from humble socio-economic backgrounds have less chance if they commit an offence of having their cases dismissed than persons of higher vocational status. Partly because the policy of not instituting proceedings is changing — for example, more cases are dismissed now than were several years ago — research into this policy has been renewed on a larger scale. This renewed research also offered an opportunity for involving several new aspects in the project. It is, for example, worth knowing whether the difference found in despatching cases per social class is general throughout the country or whether this applies only to a number of subdistricts. In addition, foreigners and ethnic minorities (West and East Indians) are now concerned in the project as defined groups. The project is based on 6,000 cases of theft; details were obtained from the informatory statements of the Central Bureau of Statistics. Since these statements also include the court's verdict in cases of sentencing, it also proved possible to consider whether a number of factors might play a part in arriving at the judgement. Two articles on this subject have now appeared in the October and December issues (1976) of the 'Tijdschrift voor criminologie'.

103. Procedures for deciding in criminal matters at the Council for Child Care

Day-to-day supervision: Dr. H. L. W. Angenent

Amongst the various bodies concerned with young delinquents, the Council for Child Care occupies an important position. Yet, little is known from a scientific point of view on the way in which the final decision which results in an opinion is brought about. This autumn, initial research is to be commenced in the form of an extended practical exercise — partly by observation, partly by file analysis. The intention is for this exploratory study to be followed by a larger observation study, in which an attempt will be made to examine systematically the various forces and variables that influence decision making.

104. *The policy for dealing with income tax evasion*

Researcher: J. Zondervan-de Jong

79 This dual-purpose investigation is subsidized by the Ministry of Finance. On the one hand, it wishes to draw attention (of criminologists) to other forms of crime ('white collar' crime: economic, tax and environmental crime) and other types of offenders than the stereotype 'thieves and violators', namely citizens of the middle and higher classes who break the rules in a professional environment. On the other hand, and in conjunction, its main concern is the way in which evasion of income tax is dealt with (occupying a special place in criminology). The term 'evasion' in this case means making a false declaration for income tax purposes. In fact, we find in this field that the rule is a purely administrative decision (fines, arrangements and the like) and a criminal solution as the exception. In order to obtain some insight into the way in which these cases are settled and the associated factors (such as specific characteristics of the offence, the offender and those who deal with it), we wish to start with a systematic analysis of the files of 'tax evaders' who have recently been dealt with by the Inland Revenue. Research is in the analytical stage.

105. *The problem of unemployment amongst young people and a possible link with crime*

Researchers: P. de Laat and dr. H. Timmerman (also supervisor of the first part)

This project begins with a listing of unemployment in the Veendam labour area. A start was made with listing in June 1977 by means of a questionnaire sent to 20% of the population aged between 16 and 25. After the data have been processed, about November 1977, a number of persons will be interviewed on the basis of the information obtained. These interviews, which will as far as possible be of the open kind, will cover the problems of working, going to school and studying, and

being jobless. Criminality will also be examined. A report will appear in August 1978.

106. *Willingness to report an offence and the social class of the offender*

Researchers: H. Hornstra and R. Bosma
Supervisors: Prof. R. W. Jongman and
dr. H. Timmerman

80 What has been lacking so far in the series of investigations into 'selectivity in the administration of justice', carried out by the Criminological Institute, Groningen, is the role that the citizen could possibly play in such selection: to what extent is a citizen who has become a victim guided by the offender's social class in his decision whether or not to report the offence? The project consists of two stages: the first stage is devoted to tracing victims of offences against property by means of a screening list, the second stage covers interviews with those who have been victims and know the offender(s). The interviews will include questions on the role played by the perpetrator's social class in the decision whether to report the offence. The research is exploratory in nature. The chief aim is to highlight problems that may occur with research of this kind. To be completed in or about October 1977.

107. *Career development of minor suspects (as from 1977)*

Researchers: S. Miedema and O. J. A. Janssen

This proposed longitudinal research into the (delinquent) career development of young people has not yet been fully worked out and organized. Primarily, the aim is to trace this kind of process in a group of young people over an extended period (1970 to 1976) by administrative means and with the aid of data from police and court documents. The population will consist of young people regarded as minors under criminal law (boys and girls) who became known to police authorities as suspected of an offence in the

province of Groningen (police and judicial authorities' monthly statistics). There are two possible approaches towards devising a population: (1) a birth cohort: the young people monitored are those born in 1958 and recorded by the police as suspects during the period 1970-1976; and (2) an 'offender' cohort: all suspect minors in the 12 to 17 year age group entered on the police files during 1970 are monitored for a six-year period. A final choice has not as yet been made. Depending on the results of this initial phase, the researchers intend to examine during the subsequent phase the criminal career by means of interviews with the parties concerned. The same procedure will be adopted towards a comparable (not officially delinquent) control group. Subsequently, they intend to follow both groups again in the registers for the period 1977 to 1980 and finally re-interview them. By monitoring these young people for ten years, they hope to obtain better insight into such questions as 'when and why do they start', 'why do they stop', 'what kind of offences and repeated offences did they commit', 'what are the influences of family, school, friends and stigmatization', etc. The first report will appear at the end of 1977.

108. *Criminogenic effects of school*

Researchers: dr. F. P. H. Dijksterhuis and dr. J. A. Nijboer

Whenever 'delinquents' are compared with 'non-delinquents' — however crudely this may sometimes be done — it will be found that the school career of delinquents differs unfavourably from that of non-delinquents. This is often ascribed to unfavourable characteristics of the delinquent. Insufficient recognition has been given to the possibility of the school system being partly responsible for the failure of (future) delinquents. Publications have recently appeared in America and Germany in which reference is made to the criminogenic effects of school. These studies give little insight, however, into the processes involved. At a time when children

pass through a steadily lengthening period of education, it is important to consider the possible criminogenic effects of the school, the processes that have a bearing, and how these processes might be influenced. This is the aim of the project. A research scheme will be submitted by the end of this year.

109. *The regional distribution of crime*

Researchers: S. Miedema and O. J. A. Janssen

The object of this orientational investigation was to obtain some understanding of the distribution of official crime statistics over the civil parishes of the province of Groningen. The first approach was of a descriptive nature. For this purpose, the annual figures were totted up per civil parish for the year 1975 using criminal-political statistics amongst the data collected by the Central Bureau of Statistics. The data obtained in this way were utilised to prepare an 'atlas of crime' for the Groningen province. Standardized and corrected figures (commonly per 100,000 within the male population aged 15 to 64) were calculated per civil parish and for various national groups of State police having regard to the nature and extent of the various offences and offence groups. Further, data was collected relating to the percentage of crimes solved, suspects and probability of being caught. The second stage, after the 'criminal' ecological en geographical literature had been consulted, was devoted to an attempted explanation of the differences found between our analytical units, civil parishes and groups of parishes, with the aid of macro-statistical parameters. Amongst other things, a number of demographic, socio-economic and urbanisation factors were recorded. To this end, the civil parishes were divided up in two more or less parallel ways, namely according to degree of urbanisation (three categories) and kind of police force (municipal or State police). Using various statistical techniques (including factor and various correlation methods), whether and how the crime indices were related to the independent variables referred to above was

examined. The differences found could, it appeared, largely be explained by urbanisation factors, particularly population density. No relationship with joblessness could be demonstrated at macro-level. An internal report will be issued later this year.

**State University, Leiden
Criminological Institute**

110. Emancipation, work and crime amongst women

Researchers: H. A. Kingmans-Schreuder and dr. A. R. Hauber

83 An attempt is made in this project to determine whether women who work (away from the home) display different criminal behaviour from women who do not work. At the same time, a relationship is sought between working and feelings of being emancipated. Use is made of a stratified sample divided up into socio-economic categories and three age categories, drawn from the total female population aged between 16 and 65 of the municipality of The Hague. Information was obtained by means of a mailed questionnaire which included questions on (concealed) criminality, the family situation and the job. In addition, questions were put on the extent to which the women felt themselves emancipated and the extent of social integration within the residential area.

111. Behaviour therapy in the treatment of delinquents

Researchers: P. van Kooten and dr. A. R. Hauber

In order to obtain insight into the degree to which behaviour therapy is applied when treating offenders (in this case, those who have been punished for breaches of the law or those who seek expert help because of anti-social conduct), a semi-structured interview is being conducted amongst people professionally concerned in this field, namely

members of the Behavioural Therapy Association.

112. *Selectivity and the police*

Day-to-day supervision: H. M. Willemse and L. G. Toornvliet

Consideration will be given in a laboratory situation to the extent to which certain external characteristics of suspects contribute to a selective approach by the police. Because only a few variables can be manipulated in a realistic manner in the laboratory, particular attention will be paid to race, hair length, external appearance and age of 'suspects'. Use will be made of slides and rating scales. Police officers will act as guinea pigs. Involving others as guinea pigs in the experiment is also being contemplated.

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113. *Crime and cheques in the Netherlands*

Supervisor: L. G. Toornvliet

In this project, consideration is given to the nature and extent of crime involving cheques in the Netherlands, the effect of cheque guarantee systems, and the types of persons passing false cheques, and to the sanctions applied in cases of cheque frauds. The theoretical basis is largely formed by Edwin M. Lemert's ideas on 'naive cheque forgery' and 'systematic cheque forgery'. Use is made of enquiry material and file data on breaches of articles 225, 326 and 326a of the Criminal Code.

114. *Comparative criminology*

Day-to-day supervision: L. G. Toornvliet

A start was made on this project in 1975. An analysis was made of 21 predictor variables (macro-social, economic and demographic data) and 15 criterion variables (crime data). This information was collected for a ten year period involving 21 countries. Appreciable differences were found between the countries concerned. Further, a growth factor was

determined. In the follow-on investigation, the researchers are for the time being limiting themselves to Dutch data, particular attention being given to analysing correspondences and differences as between provinces.

**Catholic University, Nymegen
Criminological Institute**

115. *Crime as a macro-social conflict*

Researchers: Prof. C. I. Dessaur, dr. M. A. Zwanenburg, L. G. H. Gunther Moor and R. W. J. V. van Hezewijk

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Comparative research into the interaction between the criminal law system and persons committing offences against property on the one hand, and between the tax inspectorate and offenders against the income tax laws on the other. The object of the investigation is to describe both interaction processes and to provide a theoretical explanation for any differences, a link being sought with existing theory on conflict sociology.

116. *Prediction in criminology*

Researcher: Dr. M. A. Zwanenburg

An investigation into the scientific and epistemological assumptions that underlie prediction in criminology. Attention is being paid chiefly to the logical structure of scientific statements and predictions and the role of modern probability theory in this process. The author comes to the conclusion that the metrological nature of probability permits criminological prediction for general theoretical purposes but no prognostication of future delinquent behaviour of individuals. The study is published in the form of a dissertation.

117. *Evaluation of an identification instrument for problem cases at the Council for Child Care at Arnhem*

Researcher: Dr. M. A. Zwanenburg

This investigation was concluded before the empirical research phase was commenced. The Council for Child Care felt that the results achievable by scientific means did not justify the time and manpower to be invested by it. Nor did the Council for Child Care consider the possible outcome sufficiently relevant to its specific need for information on the operation of the identification instrument.

118. *Deviant socialization*

Researcher: G. J. N. Bruinsma

Supervisor: Prof. C. I. Dessaur

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The object of the investigation is to test a theoretical model based on Sutherland's differential association theory and the anomie theory of Merton. Using this network of hypotheses, an attempt will be made to explain the deviant learning process. For this purpose, interviews will be held with male members of the population in the 12 to 16 year age group.

119. *Crime and socio-economic structure*

Researcher: J. P. S. Fiselier

This project is devoted to the extent to which variations in crime statistics can be explained through social, economic and ecological characteristics of civil parishes or parishes combined into administrative regions. Because the investigation relates to two periods, 1958-1962 and 1968-1972, the extent to which changes in the criminality pattern correspond to changes in the characteristics referred to above will also be investigated.

120. *Decision-making in criminal law*

Researchers: the entire staff of the Criminological Institute, Nymegen

A series of experiments under changing conditions. Attention will be paid to, amongst other things, a. individual versus group decisions and b. nature and extent of available information.

121. *Listener reaction on criminality*

Researcher: L. G. H. Gunther Moor

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This project concerned a radio programme broadcast by the AVRO broadcasting organization at the end of September 1974, in which three criminal cases were reconstructed which made the headlines in 1972. At the end of each broadcast, listeners were asked which penalties or what measures would satisfy their feeling of justice. The 210 written reactions sent in were analysed as to content. The group investigated appeared to consist of persons with extreme repressive opinions which could not be considered as representative of the population as a whole. In fact, there were very few protagonists of a mild sentence. It appeared that the death sentence and life imprisonment were the penalties most commonly considered. As chief reasons for the sentence, retribution and special prevention and the causes of criminality were for the most part looked for in the person of the offender and in the assumed offhand attitude of the machinery of criminal justice. Female respondents looked for the cause of criminality mainly in the person of the offender while men saw it chiefly in the, in their opinion, offhand attitude of the courts. Further, sex appeared a factor of no significance. The size of the home town, too, was scarcely linked with the proposed penalties, reasons for the penalty and causes of criminality. Two interlinked patterns could be determined between proposed penalties, reasons and causes. Linked to each other were (a) the most

rigorous penalties, retribution as a reason and the attitude of the courts as the cause and (b) less rigorous penalties, special prevention as the reason and location of the cause within the individual.

122. *Literature survey of the mass media and crime*

Researcher: L. G. H. Gunther Moor
Supervisor: Prof. C. I. Dessaur

In this project, the conditions under which the mass media encourage and inhibit criminal behaviour are examined. The role of the mass media in the social definition process of crime is also analysed. The project constitutes an initial plan for a dissertation investigation. A prepublication report on this matter is being issued by Dekker and Van der Vegt as the 'Nijmegen Criminology File'.
The literature survey will be followed up by an empirical survey.

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123. *Literature survey of professional crime*

Researcher: G. J. N. Bruinsma

Work on this project has recently been started.

Erasmus University, Rotterdam
Criminal Law Unit

124. *Literature survey on the possible application of cost/benefit ideas to decision-making in criminal law*

Researcher: P. Wesemann

The extent to which it may be practically possible to apply policy analysis techniques (including cost-benefit analysis) to decisions on matters of prosecution and sentencing is examined. In this connection, a literature survey is being devoted to the following subjects amongst others: the theoretical applicability of existing economic techniques for decisions of criminal law; the manner in which prosecution and sentencing are at present decided

on; and changes in existing practices which will be necessary if policy analysis is to be effectively applied. It is hoped to conclude in the form of a dissertation in 1979.

125. *'Shop-lifting'*

Researchers: H. Moerland and J. G. Rodermond

An investigation aimed at facilitating rational decisions when dealing with 'shop-lifting'. 'Shop-lifting' in inverted commas, because for the time being, the project is in no way limited to behaviour that could lead to a conviction under article 310 of the Criminal Code.

At the present stage of preliminary investigation, the emphasis is in fact being placed on a much wider category of behaviour by the 'shopping public' (the researchers paying special attention to behaviour towards the goods exposed in e.g. a self-service store and department store) and the events and phenomena which occur with reference to or which are otherwise connected with such behaviour. A particular aim at the present stage of this preliminary investigation is not only to define the contours of 'shop-lifting' more clearly but also to elicit the researchers' normative assumptions and the relationship between these assumptions and concrete questions investigated. This part of the preliminary investigation will result in a pre-publication report in mid-1978.

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126. *The possible application of information science in criminal law*

Researcher: R. V. de Mulder

The following projects are in hand:

Analysis of the language of criminal law

Aim: to attempt a more exact description of the peculiarities of the language of criminal law. Nature of the investigation: exploratory.

Sentencing with the aid of a computer

Aim: to adapt decision models (e.g. 'Hulsman's sentencing model') for automatic processing and input them into the computer for interactive application.

Computer simulation of phenomena in systems of criminal law

Aim (initial stage): to design a global model of the Dutch criminal law system which can be fed with data obtained from the Central Bureau of Statistics.

These projects fall within the broader framework of a (dissertation) investigation into possible applications of computer science in the science and practice of criminal law. The researchers are co-operating with the automatic data processing unit of the faculty of economics at the Erasmus University.

127. *People's problems and the place of 'crime' among them*

Researchers: Prof. L. H. C. Hulsman, C. F. H. M. Hogenhuis, J. H. Olila and E. B. M. Rood-Pijpers

90 With the aid of qualitative interviews and participant observation, examination is taking place of the way in which people evaluate events as problems and the place that crime occupies among these problems.

Further, an attempt is being made to investigate whether and to what extent the problems, certain elements of which could be defined as 'crime' from the point of view of criminal law, are seen as being qualitatively different from other problems by those who are directly concerned.

The project includes an analysis of reporting in the local press on 'crime' and related phenomena. The first stage will be completed in 1978.

128. *Victims of crime*

Researcher: M. Kneepkens

An investigation into the state of affairs concerning the reception and assistance of victims of crime in the Netherlands, with regard to the rendering of both tangible and intangible assistance by both Government and private organizations. The aim of the investigation is to arrive at a number of concrete policy proposals in order to encourage an interested approach to the problem. To be completed by end-1978.

129. *The experience of 100 persons before the court accused of minor traffic offences*

Researchers: C. F. H. M. Hogenhuis and Prof. P. J. A. ter Hoeven

The above 100 persons were asked for their opinion on the attitude of police, the public prosecutor and the bench, and further how they considered their case had been dealt with. This investigation has recently been completed and will shortly be published in 'Mededelingen van het Juridisch Instituut'.

130. *How the police define crime*

Researcher: C. F. H. M. Hogenhuis

Attention will initially be given to how problems referred to the police are defined within the work structure. It is also intended to see to what extent the work structure determines the definition of crime.

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Erasmus University, Rotterdam
Criminology and Law of Children Department

131. *A quantitative approach to child care in connection with structural problems**

Researcher: P. K. Koster

An attempt is being made to analyse certain structural aspects of child care, to discover trends and to examine the consequences of these by means of a quantitative approach.

132. *The quality of an association of guardians*

Researcher: E. Kalsbeek-Jasperse

When studying for her doctorate in law, the researcher was attached to the 'Youth and

* What was sought was a quantitative determination of the quality of child care and serviceable means of testing and measuring it. To this end, three investigations were made, which resulted in three reports mentioned in this and the two subsequent items.

Family' organization at Middelburg; this organization acts as an association of guardians and as an advisory bureau. During the period of attachment particular attention was paid to the organization's activities as an association of guardians and of family guardians. Using criteria set up in the 'Koster' project, such as 'recovery score' and 'duration of establishment', quality was measured in a quantitative way by comparison with national data.

133. *Perspective insight*

Researchers: J. W. Foppen, Prof. G. P. Hoefnagels and J. Quik

A quantitative investigation into the usefulness of an instrument for measuring the quality of treatment in child care institutions. A measuring instrument was sought that would indicate an intrinsic value of a minor's residence in an institution. This was achieved by developing perspective insight as such an instrument, by means of which institutions can be more easily assessed.

134. *Methods of conducting a case*

Researchers: Prof. G. P. Hoefnagels and dr. K. J. Nijkerk

In conjunction with the Andragogical Institute at Amsterdam, an empirical investigation is being made into attitudes and group-dynamic relations in legal situations. A start was made on the project in September 1976; it is expected to be completed in 1979, after which the findings will be published in book form. Hoefnagels is at present conducting an empirical investigation into the objectives, expectations and outcome of the method of criminal judicature in less important cases. A theory was created for this purpose on the relationship between the conduct of criminal proceedings, sentencing and 'the dogmatism of criminal law'. Subsequently, observations and interviews were used before and after a session to describe the interactions and role

assumptions of the persons involved as towards each other; analysis and prospects are in hand.

135. *Divorce law*

Researcher: Prof. G. P. Hoefnagels

An investigation into the relationship between juridical, psychological and social processes. 'Marriage (or not) and Divorce (or not)' appeared in May 1976 as a preliminary publication. The possibility is now particularly being investigated of 'matching' the juridical and psychological implications of divorce in consultative outline discussions with persons in the course of divorcing.

136. *Football crime*

Researcher: A. Wassing

Initiator: Prof. G. P. Hoefnagels

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A ZWO*-subsidized investigation into the objectives and legal nature of disciplinary law in professional association football. This project was completed in 1977. A preliminary publication 'Voetbaltuchtrecht, een inventarisatie', appeared in 'Tuchtrecht' published by the 'Nederlands juristenblad', in December 1975.

137. *Comparative criminology*

Researchers: Prof. Keith Devlin, Ph. D. and Prof. G. P. Hoefnagels

Comparative research into the penal process in the Netherlands and the United Kingdom, with particular reference to police duties. This research is being carried out in conjunction with Brunel University (England). To be completed in or about 1979.

* ZWO = Pure Scientific Research

138. *Comparative research into family law in the Netherlands, the United Kingdom and the United States*

Researcher: Prof. G. P. Hoefnagels

Research into English, American and Dutch family law and case histories. This research, too, is being undertaken in conjunction with Brunel University, in England.

139. *Home environment and criminality*

Researcher: Prof. G. P. Hoefnagels

In conjunction with the Social Faculty and the Municipality of Rotterdam. A sub-project is also a graduation investigation. Research is still at the theory-forming and exploratory stage. To be completed in 1979. A film has already appeared (for educational purposes) on 'Home environment and human behaviour'. Directed by Bert Schwitters; produced by the Erasmus University Audio-Visual Department; script by Professor G. P. Hoefnagels.

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140. *Phenomenology of crime*

Researcher: Prof. G. P. Hoefnagels

An attempt is being made in conjunction with the Inter-faculty Centre to devise a new approach to the phenomenon of crime using the phenomenological method, within the framework of a cycle on 'Philosophy and science'.

141. *Relationship and custody*

Researcher: M. L. Smoor

Initiator: Prof. G. P. Hoefnagels

A comparative investigation into the relationship between the child and the parent who, after divorce, does not have custody, in a number of countries of Western Europe and the USA. Legislation, jurisprudence, literature and empirical research are used to collect information on the principles on which such relations can be based; provision for and

organization of a right of access; operation and practice; and the juridical and psychological consequences. The aim is to formulate proposals with regard to legislation and policy concerning provisions for access in the Netherlands.

142. *Penalization and sentencing by police officers in a specific force*

Researchers: C. G. M. van Wamelen and R. de Munnik

A quantitative investigation into sentencing. Using two films of the same criminal case but acting out different ways of conducting the proceedings, examination is made whether respondents (the police) react differently when in greater proximity to the offender (as in the second film). Willingness to award compensation is also looked at. To be completed in September 1977.

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143. *The semantics of football*

Researcher: R. Siekmann
Initiator: Prof. G. P. Hoefnagels

A promotional investigation into the meaning of football terminology and football language, including discipline and the rules of the game, in the Slavic, Germanic and Anglo-Saxon countries. The aim is to obtain a clearer understanding of association football terminology.

144. *Football crime*

Researchers: N. J. van der Giessen, R. Gijzel, H. P. G. A. M. de Rooij and J. W. Rus
Supervisors: Prof. G. P. Hoefnagels and A. Wassing

Within the framework of the criminology of sport as an optional subject, research was undertaken into the attitude of footballers on contract to breaches of the rules (rough play) in order to determine if they are generally in accord with the decisions of the referee, to what extent they feel that social

standards are involved, and to what degree they find alternative punishments worthwhile. Equipped with a video-taperecorder, the researchers visited the first elevens of Feijenoord, F.C. Den Haag, F.C. Utrecht and Vitesse.

145. *Standards of non-players to rough behaviour on the field*

Researchers: as for item 144

Information was also required on the standards of non-players with regard to rough behaviour on the field. For this purpose, the video-tape with the questions was submitted to television viewers with the assistance of the VARA broadcasting organization (F.C. Avondrood). The reactions have still to be processed.

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**Catholic University of Tilburg
Criminology Section of the Criminal Law Unit**

146. *First aid*

Researchers: H. F. C. Rombouts

In consultation with and to assist rehabilitation work in the Breda sub-district, research is being undertaken into the progress and effects of 'first aid'; this is rehabilitation work undertaken to assist suspects placed in preventive custody. A statistical report was issued in April 1975 concerning cases of first aid in 1974. In March 1976, a second report was issued with details of discussions on first aid in literature and a proposal for introducing a new recording annex evaluation procedure. After the various units involved had been consulted, the procedure will be implemented during the first nine months of 1977. The results will be available towards the end of that year.

147. *Street gang work*

Researcher: H. F. C. Rombouts

On 1 May 1976, a street gang project was

commenced at Eindhoven, for a two-year period, directed at aggressive young people and those 'tending towards aggression and crime'. The general objective of the project is to revitalize the rendering of social services and assistance with regard to the target groups. An evaluation report is to be issued every six months to the subsidizers. There is active participation in mounting and implementing this evaluation.

148. *Children of foreign workers*

Researcher: M. L. Kemperman

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Because of its position between two cultures, the second generation of immigrants is recognized as a threatened category tending towards divergent behaviour. What, then, is the position in this connection of children of foreign workers in the Netherlands? The socio-economic position of these children is described in the project. This is not being done so much with tracing criminological conditions in mind but mainly within the task that H. and J. Schwendigers gave to criminology. Criminologists must be able to point to forms of behaviour and organizations that can serve to defend human rights. To be able to defend human rights, criminologists must be able to recognize when they are encroached upon: by whom and against whom?, how and why? In other words, the position of foreign workers' children is described in this project as characterized by structural violence. Publication at end-1977 or beginning of 1978.

State University, Utrecht
Willem Pompe Institute for the science of
Criminal Law

Criminology Section

149. *A different view on 'crime'*

Researcher: P. Moedikdo

The study of criminology as a particularization

of the study of epistemological sociology and critical sociology.

150. *The operation of the documentation register*

Researcher: Prof. W. M. E. Noach

Youth law section

151. *Minors as independent persons in law and in legal proceedings*

Researcher: E. Ruppert

Literature on the legal status of minors still often lacks a theoretical juridical base. The term 'legal status' is certainly used frequently, but for one reason or another, it is more commonly associated with the realization of that aim in practice than with a juridical base; the procedural aspects of the problem are also often neglected.

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152. *The law on social assistance*

Researcher: J. A. C. Bartels

Research into legal form in the relationship between client and the body rendering social assistance; an exploratory investigation of the law in the field of social assistance work with the aim of acquiring a better understanding of the legal basis of the relationship between client and organization and contributing to the discussion on Assistance and the Law.

Criminal law section

153. *Preventive deprivation of liberty*

Researcher: P. J. Baauw

The problem: the relationship between the constitutional right to personal freedom and measures by the courts withdrawing such rights. Method: international law, the history of law and comparative law. Elaboration: research into the rules and practice of preventive

deprivation of liberty within the European Convention on Human Rights, the Dutch criminal procedure and criminal procedure in the United States.

154. *The defence in political cases*

Researcher: P. H. Bakker Schut

This case study of the criminal proceedings against the 'Red Army Faction' is intended to analyse the conditions under which the practice of criminal law is typically adversely affected. Through participation in the defence and by means of research into, inter alia, the situation in custody, legislation, procedural material and the role of the media, an attempt is made to obtain insight into the chief problems with which the defence is faced in a political case of this kind. Finally, on the basis of the insight gained and the underlying analyses of the material gathered, an analogy is drawn between this case and political developments in West Germany.

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155. *Economic crime*

Researcher: Dr. T. J. B. Buiting

By comparing Dutch law with, in particular, German law, the aim is to obtain more information on the phenomenon of improper conduct in the economic sector and the attitude of the authorities. In connection with the latter, investigation is being made whether their approach should be of a criminal or administrative nature, with all the practical consequences that flow from this.

156. *Equity and criminal law*

Researcher: J. A. Janse de Jonge

An investigation into the meaning of 'défense sociale nouvelle'. The project is concerned with the philosophy of law and legal history. It is intended to contribute towards a critical evaluation of *défense sociale nouvelle* as a post-war reform movement in the criminal

law in order to obtain a better insight into present day problems in its administration. The introductory philosophical chapter, in which the reference framework of the study is developed, is devoted to enquiring what contribution *défense sociale nouvelle* has made towards thinking on penalties and the right to penalize. The origin and development of this doctrine is then described. The whole is concluded with an empirical investigation into the influence of the philosophy of *défense sociale nouvelle* on criminological and related research.

157. *Literature survey on legal aid*

Researcher: E. Jessurun d'Oliveira-Prakken

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A theoretically orientated literature survey, complemented with interviews, to determine what legal aid could possibly contribute towards the juridical emancipation of the person and to democratizing the law. In this study of legal aid, which has a strong comparative accent, emphasis is placed on the content of legal aid.

158. *The legal content of martial law*

Researcher: N. D. Jörg

An investigation into the role of legal doctrine and the principles of law in military organizations, including the link between a specific type of organization and the nature of the rules within that organization. The attitude adopted in these analyses is that law is not synonymous with power, which is a major problem for lawyers in military organizations.

159. *The legal status of prisoners*

Researcher: C. Kelk

This study is intended to give legal form and expression to various attitudes to prison, particularly those evolved in Western societies. With the premise that a prisoner remains a legal citizen, indicators as to his legal status are sought in legal theory. The

practical effects of this status are examined in the Netherlands and with references to certain aspects of it in foreign legal systems in order to provide as firm a basis as possible for conclusions and proposals. In this connection, the structural conditions are examined under which the desired results of such proposals can be realized to best effect.

160. *Conspiracy*

Researcher: G. Mols

101 In view of the intended expansion of this offence (into actions involving such things as the security of persons) and the multiplicity of problems of criminal law associated with this offence, this research is to provide insight into such questions as the extent of the offence, its place in the problems concerning 'punishable thought' in our criminal law, and its procedural and dogmatic consequences. Having regard to the nature of the problem, the project will involve both the history of law and comparative law.

161. *Cross-cultural comparative research into the place and function of criminal law*

Researcher: A. van der Plas

This research is particularly concerned with criminal law in socialist countries (Cuba) and capitalist countries.

162. *Empirical research into the structural aspects of legal aid at the initial stage of criminal proceedings*

Researcher: M. J. A. Schouten

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