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## Summary

Project number 2207

Report title The administrative approach on organized crime. A study on the progress in 2012 (Bestuurlijke aanpak georganiseerde criminaliteit. Onderzoek naar de stand van zaken in 2012).

The study was commissioned by the Research and Documentation Centre (WODC), Ministry of Security and Justice in The Hague.

*A printed copy of the full report can be ordered from Arena Consulting or Pro Facto. The digital version can be downloaded from the websites of the WODC, Arena Consulting and Pro Facto.*

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This study documents the status quo in municipalities regarding their use of the administrative approach to organized crime as at the end of 2012. It is a follow-up to the baseline report of 2010 which gave an account of the status quo for 2009.<sup>1</sup> The report discusses awareness of the presence of crime, how the approach was embedded in policy and organizationally, the use of instruments, and expectations of the effectiveness of the approach in 2012. To the extent that these factors were measured in 2009, the differences are also indicated. The study also provides insight into the views of municipalities concerning the support offered by the RIECs (Regional Information and Expertise Centres) with respect to the administrative approach. This is partly for the benefit of policy formation by the Ministry of Security and Justice regarding the future of the administrative approach and the RIECs.

### **Study design**

The study was conducted from November 2012 to May 2013. The main instrument used was a digital survey sent to all municipalities. In preparation, interviews were conducted

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<sup>1</sup> Twijnstra, Gudde and CapGemini, 2010

with a few municipalities and RIECs and – on the basis of the literature and the interviews – a short reconstruction was carried out of the policy theory regarding the effectiveness of the administrative approach.

A survey was drawn up on the basis of this reconstruction and the study dating from 2009. The main differences between this survey and the 2009 survey are an extra focus on the organizational embedment of the administrative approach, evaluation of the RIECs and the addition of the themes 'environmental crime' and '1% biker gangs'. Ultimately 313 municipalities completed the surveys,<sup>2</sup> which is a response rate of 75%. This is a little lower than with the baseline study (84%). The results of the survey are representative for all municipalities in the Netherlands. The only questions for which the response rate was too low to be able to draw more generally valid conclusions were those about collaboration. The outcomes of the analyses of the survey and the researchers' initial thoughts on them were presented to the supervisory committee and during two experts' meetings to the heads of the RIECs and the Ministry of Security and Justice, and to the staff of municipalities and other organizations.

### ***Findings regarding the status quo in 2012***

In 2012, 84% of the municipalities were aware of the presence – or potential presence – of organized crime. Ninety-eight per cent of the municipalities believe they have a role to play in tackling organized crime. According to the municipalities, the main goal of the approach should be to prevent the facilitation of criminal activities and to enhance the public's sense of security.

The area of crime that is the main priority for municipalities is cannabis cultivation. This is also the most common manifestation of organized crime (69% of the municipalities) and it has the most visible adverse effects on the community (unsafe streets, urban degradation). Sixty-five per cent of the municipalities have established policy for the administrative approach and 70% specific policy in accordance with the Public Administration (Probity Screening) Act.

Staffing capacity specifically available for the administrative approach is on average 0.5 FTE, but there are major differences among the municipalities. This also applies to the working structure (how the administrative approach is organized), digital facilities for information management and the actual deployment of instruments. In connection with the administrative approach, quality assurance is not yet common practice.

Collaboration seems to take place mainly to tackle human trafficking, cannabis cultivation and enforcement problems. The main partners seem to be the police, the Public Prosecution Service and the RIEC. The police, the RIEC and the municipality itself seem to

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<sup>2</sup> Original and abbreviated surveys.

be the most important partners when it comes to the exchange of information (which usually takes place upon request and on an ad hoc basis).

The effectiveness of the administrative approach is considered by most municipalities to be 'reasonable' and is mainly manifested in the prevention of unintended facilitation of criminal activities and the reduction of urban degradation.

### ***Comparison with 2009***

It can be concluded that the administrative approach has become stronger than in 2009. In comparison with 2009, administrative awareness and the extent to which municipalities have incorporated the administrative approach into their policy have risen. The study cannot draw any conclusions about differences in the establishment of policy in accordance with the Public Administration (Probity Screening) Act. The number of municipalities that have established the working procedures set out in the Public Administration (Probity Screening) Act has risen. As regards collaboration, the coverage areas and the number of RIECs have changed since 2009 (from 11 to 10 RIECs). Participation in the RIECs has increased from 59% in 2009 to 93% at the end of 2012. The total capacity at the RIECs has risen from 43.8 FTE in 2009 to 137.3 FTE in 2012. Use of the general municipal by-laws in 2012 is similar to that in 2009; the use of closure and expropriation seems to have increased somewhat. As regards the effectiveness of instruments, use of the Public Administration (Probity Screening) Act and the general municipal by-laws were rated more highly than in 2009.

### ***Evaluation of the RIECs***

Across the board, the municipalities rated the RIECs higher as regards expertise, the information and resources available, working procedure, recommendations and general cost-effectiveness. The municipalities had no uniform opinion about what the RIEC's main role should be. Bigger municipalities think the promotion of collaboration is of foremost importance, whereas for smaller municipalities advice and support in implementation are the most important factors. Over 40% of the municipalities think the available capacity at the RIECs is insufficient or only just sufficient. Knowledge of the local situation is generally rated somewhat lower. There are differences between regions and for different manifestations of crime. Municipalities in which the administrative approach is more entrenched in policy and organization rate the RIECs higher than municipalities in which it is not.

### ***General conclusion***

Awareness of the potential presence of organized crime has increased sharply and is now present in nearly all municipalities. This also applies to acknowledgment of the administrative role in tackling crime and in incorporating the approach in policy. Degrees of organizational embedment vary widely. About 40% of the municipalities have a lot of

organizational structure (operational structure, available capacity, documentation of working procedures, digital facilities, quality assurance, etc.). In about 30% most of this structuring is absent. The rest of the municipalities present a mixed picture. The smaller municipalities in particular are organizationally vulnerable. In half of the municipalities implementation of the administrative approach seems to be more or less common practice as evidenced by their actual use of instruments.

As regards areas where the approach is applied, cannabis cultivation and enforcement problems are the most firmly embedded; these are the areas of crime of which municipalities have the best overall view and which they say have the biggest impact on the community. This embedment also makes it clear that these areas have the highest priority and that it is in these areas that the most collaboration takes place and that instruments are most frequently used. Municipalities do not have a good overall view of the added area of 'environmental crime' and it is given limited priority. Municipalities say they have a good overall view of the added area of '1% biker gangs'. A limited number of municipalities indicate that problems actually arise in this area.

The municipalities' opinions about whether or not the approach is effective vary widely. If the approach is considered to have achieved anything, the areas of success most commonly mentioned are preventing the unconscious facilitation of crime by the municipality and reducing urban degradation.

The general picture is that municipalities which have embedded the approach to organized crime in their administration and organization and also actually use instruments rate the effectiveness of the administrative approach more highly than other municipalities and also rate the RIEC more highly. The risk is that if there is no incentive to make the administrative approach structural and to gear the organization to it, attention will wane, both in civil service and administration.

### **Overall conclusions**

The municipalities affiliated with the RIECs are very diverse, not only as regards their problems, but also as regards the extent to which the administrative approach has been incorporated and the extent to which municipalities have been able to ensure adequate organizational safeguards for satisfactory implementation. Local embedment seems to be the Achilles' heel of the administrative approach, particularly in smaller municipalities. One key point in this context is that there is no frame of reference for what the minimum requirements for this organizational embedment should be. The study only indicates some aspects to which such requirements might relate (operational structure, working procedures, quality assurance, etc.). The ideal organizational embedment for a small municipality which is confronted with organized crime will only occasionally probably be different from that in a big municipality where the problems are structural. This should also

be seen in the light of the broader administrative context: the discussion about increase in scale (administrative mergers, redivision), concurrence and overlapping with other collaborative arrangements, and the wider definition of municipalities' tasks (also with new points of leverage for the administrative approach). Clearly when a frame of reference is developed and the role and form of the RIECs are defined in further detail, the point of departure will have to be customization.