

**Monitoring
Safety &
Security**

2013
5013

Annual report



*Research programme
Erasmus School of Law*

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1. Introduction

This annual report describes the strategy, activities and publications of the Erasmus School of Law research programme 'Monitoring Safety and Security' in 2013.

The research programme 'Monitoring Safety and Security' aims to study social responses to unsafety and insecurity, and the interplay between various modes of monitoring and safety and security, from a normative legal perspective as well as from a social scientific standpoint. There is a general tendency in the Western world towards implementing more monitoring and control, identifying problems at an earlier stage, and creating roles for authorities and other organisations not previously involved in the prevention of criminal or other rule-breaking behaviour. Traditionally, monitoring and enforcement were primarily state tasks; however, the authority and responsibility for monitoring is increasingly being transferred to private actors. Commercial security and auditing firms, citizen-consumers, and self-regulation through internal monitoring are examples of the responsabilisation and privatisation of monitoring. New forms of monitoring have developed outside the traditional national legal framework: partly under the influence of globalisation, supranational and intergovernmental control bodies have emerged. In addition, the role of technology in supervision has gained importance. These developments occur not only at a national but also at an international level: for example, within the framework of the European Union.

These developments have given rise to new and important research questions that can only be answered by way of a multidisciplinary approach. The programme aims to generate legal and social scientific knowledge for practice by a critical assessment of the legal and societal implications relating to current modes of monitoring and enforcement. The programme intends to realise this goal by way of innovative multidisciplinary contributions to the Dutch and international academic debate on safety and security, as well as by disseminating research findings to a broad audience of potential users, such as legislators, policy-makers, corporations, and public and private enforcement agencies. The programme is composed of legal scholars in the fields of criminal law, administrative law, as well as technology law, law and society, law and philosophy, and legal theory. In addition, criminologists, economists, psychologists, and other social scientists form part of the programme.

The programme is organized in three overarching research themes:

- Fundamental legal reflection on democratic and constitutional questions around safety and supervision;
- Transformations in modes of supervision: the study of transitions between legal domains or interactions between modes of supervision, such as public and private supervision; and legal questions and problems that are raised by these transitions, such as problems of competence between national, supranational, and inter-governmental supervising authorities;
- The interaction between (changes in) modes of supervision and unsafety, including the question of the effects and unintended side-effects of supervision.

The year 2013 was a transition year in many respects. The recommendations of an external midterm review committee have been translated into several changes in the programmes publication strategy. New collaborative activities have been initiated and the programme underwent significant changes in personnel. The programme was able to appoint 3 new PhD's and a large number of grants were obtained for both fundamental and applied research. Last, we organized several conferences, attracting a significant and diverse professional and academic audience to Erasmus School of Law. For 2014, we envision to maintain our societal impact, and to increase our international profile, by organizing two international conferences and increasing the number of international publications.

2. Programme strategy in 2013

2.1 Midterm evaluation 2012-2013

The research programme was evaluated by an external visitation committee in 2009 and scored 4,25 out of 5 points. In 2012, ESL undertook a mid-term evaluation of all research programmes. In the self-evaluation report, MSS noted as its main strong points the innovative and multidisciplinary character of the research; the strong increase in the number of PhD's since 2009 and the strong external orientation and professional reputation of the participating researchers. As points for improvement, the coherence of the programme and internal collaboration were mentioned. Productivity has suffered from a high teaching load. Also, a change of management of the programme was announced, because this task has proven to be too large for one person.

An external committee chaired by prof. Hol conducted the mid-term evaluation. The committee's report was received in the summer of 2013. The main conclusions of the committee were as follows:

- The committee praised the quality of individual researchers and the output, and the fact that several NWO grants have been awarded. It stated that the societal relevance of such a programme goes without saying.
- The committee evaluated MSS as coherent, but large and diverse. The Committee notes that cooperation between criminologists and lawyers could be improved. This could result in improved coherence within programme and a greater synergy between the scholars. Attempts at multidisciplinary have been made, but have not yet entirely borne fruit. It is early days, and multidisciplinary collaboration is notoriously difficult in the beginning'
- Although the programme is well embedded in ESL, it is so large and diverse that it could easily lose coherence. It is also far too big and complex to be managed by one person.
- With regard to productivity, the committee finds that the research programme has somewhat lacked visibility, particularly in the international field, at least not as it has functioned for the past two/three years. There is nonetheless definitely room for improvement, particularly because several productive scholars are retiring.

Midterm evaluation score of research programme Monitoring Safety and Security

	Scores (1-5)
Quality	4.00
A1 Quality and scientific relevance of the research	4.20
A2 Leadership	3.80
A3 Academic reputation	4.00
A4 Organisation	3.80
A5 Resources	4.00
Productivity	4.00
B1 Productivity strategy	4.00
B2 Productivity	4.00
Relevance	4.50
C1 Societal relevance	4.50
Vitality and Feasibility	4.10
D1 Strategy	4.20
D3 Robustness and stability	4.00
Total	4.15

2.2 Follow-up of midterm evaluation

Plenary meeting and bilateral meetings

The midterm evaluation report and ideas for follow-up were discussed in a plenary meeting with programme participants on June 10 2013. Also, a series of bilateral meetings between the programme leader and researchers has taken place. These meetings served both as introduction for the new programme leader and as a forum to discuss research themes and publication strategies for individual researchers.

Programme leadership



As was announced in the self-evaluation report, the task of programme management was too large for one person. From 2008 onwards, prof. dr. Henk van de Bunt was the programme director. He led the programme with great effort and contributed to its success. Dr. Judith van Erp joined him as a deputy programme leader in the preparatory process of the midterm review in 2012. In March 2013, Judith was appointed as interim programme leader and Henk van de Bunt was able to withdraw as the programme leader on his request.



In addition, Prof. Mr. Paul Mevis (criminal law; left picture) and dr. Willem Jan Verhoeven (criminology; right picture) act as programme coordinators.



Changes in composition of staff within the programme

The midterm evaluation committee evaluated the programme as large and diverse and warned for the risk of a lack of coherence. The midterm evaluation coincided with a reorganisation at ESL consisting of, among other changes, a merger of the departments of financial law and corporate law. Following this merger and the evaluation committee's observation on the broadness of the programme, it was agreed by all parties that the three remaining researchers of the financial law department (prof. De Bos; dr. Soppe and dr. Galle) would better fit in the programme 'Lex Mercatoria'. They have therefore left the programme MSS. We hope to maintain the research collaboration with financial law scholars, in particular in the research line on corporate and white-collar crime.

Several other programme participants left ESL in the course of 2013 for other jobs or for reason of retirement. Professor Dorn (criminology) and dr. Kleve (e-law) have retired. Both prof. Diekman

(financial law) and dr. Van Ooyen and dr. Van Dongen (criminology) terminated appointments at ESL. Professors Bleichrodt and Hartmann (criminal law) have taken up positions within the judiciary and although they remain connected to ESL and MSS with a part-time appointment, their research time is relatively limited. Professors De Doelder and Spierenburg have also retired, and remain connected to the research programme as emeriti.

As a counterbalance, three young scholars and three new PhD's, all with a clear profile in safety and security research, have joined the programme in 2013; and dr. Nicole Haas joins the programme in February 2014. The possibility to appoint three new PhD's arose as a result of the Erasmus School of Law internal funding scheme, to which we have applied with several proposals. We are very pleased that three candidates have been selected by ESL, enabling us to realise our goal to increase the number of PhD's in the programme.

On the whole, these combined changes have resulted in a reduction of the size of the programme and a greater internal coherence. We expect that the new participants and PhD's will give a strong boost to the international output of the programme. The current staff of the research programme will be presented in chapter 3.

Professor Eric Rassin
(psychology of law)



Prof. Eric Rassin was invited to join the programme in the spring of 2013. He combines an appointment at the Faculty of Social Sciences with a chair in law and psychology at ESL. His research on flaws and biases in judicial decision-making complements the criminal legal and forensic psychology research in the programme. He also has a strong track record of international publications and is therefore expected to contribute to the international output of the programme.

Dr. Karin van Wingerde
(criminology)



Karin van Wingerde is interested in the interaction between different forms of supervision and regulation (internal-external as well as public-private) and the compliance behavior of enterprises and organizations.

Mr. Dr. Joost Nan
(criminal law)



Joost Nan is a specialist in criminal procedure, with a focus on appeal and cassation. His dissertation concerned the principle of legality.

In 2013, three new PhD candidates joined the research programme.

Lisa van Reemst MSc	Shir Shah Nabi MSc	Mr. Mieke Kox
 <p>Victimization among people with a public service task.</p>	 <p>Organized crime, the role of informal financial arrangements, social cohesion and trust in communities of ethnic entrepreneurs.</p>	 <p>The Dutch immigration system and how illegally residing immigrants understand it.</p>

Publication strategy and guideline

In 2012, ESL's research quality assessment tool, the Sanderskwalificatie, was simplified. The only quality assessment tool that remains at a central level is the output norm of 9 academic publications over 3 years. Additional publication guidelines are to be formulated at the level of the research programmes. The research programme thus plays a more important role than before in the system of quality assessment of ESL's research output.

Parallel to this development, both the internal evaluation and the external midterm evaluation committee expressed concern about the quantity of research output and the limited number of international publications. The numbers of professional publications and academic publications are out of balance. In addition, it was concluded that the distinction between professional and academic publications is not always easy to make in legal research.

Against this background, it was judged necessary to formulate complimentary publication guidelines within the programme MSS to clarify the ambitions of the programme. Relevant reports, such as the report of the Commissie Koers (2009) – 'Kwaliteit en diversiteit, rapport van de evaluatiecommissie rechtswetenschappelijk onderzoek 2009'; the KNAW-report 'Naar een raamwerk voor kwaliteitsbeoordeling van sociaalwetenschappelijk onderzoek' (2013); and the NWO-report 'Publicatieculturen NWO-MAGW' (2013) have been taken into account in formulating these guidelines.

A first draft of the guideline has been discussed in a lunch meeting with programme members on the 29th of October 2013. After that, the guideline has been established and communicated to the researchers in the first week of November 2013. The guideline is effectuated from 2014 and serves as a standard for the evaluation of publication output. Its usefulness will be evaluated in 2015.

The guideline is as follows:

Quality

The priority in the research programme lies with academic publications. The publication strategy within the programme is primarily directed to peer reviewed journals or journals in which an authoritative board of editors conducts peer review. In addition, professional legal publications and social scientific professional publications on safety and security issues are of high importance in our research programme, to disseminate results and contribute to the public debate about safety and security. Both have an important function. Academic publications however should be the first priority.

To distinguish between academic and professional publications, the VSNU criteria, and the additional criteria of the Committee Koers on legal research (2009) are leading. These criteria categorize a publication as *academic* when it presents the results of new academic research to the forum of researchers. The publication contains a clear central question; shows thorough use of sources; addresses the research process; explicates research methods, and discusses earlier research results to clarify the contribution of the current research to the existing body of knowledge. Most academic publications are longer than 5 pages, although this is not a rule. A *professional* publication reports about results of academic research to an audience of professionals, who are interested in the results for the execution of their profession. An academic publication aims to further academic knowledge, a professional publication aims to distribute knowledge.

We generally categorize annotations in NJ as academic publications and other annotations as professional publications, with the possibility to create exceptions.

Contributions to *liber amicori* are professional publications in principle, unless good reasons exist to qualify a particular contribution as academic.

Quantity

Full time staff members are expected to publish at least three academic publications in peer reviewed journals per person per year. Co-authored publications count for full. An additional guideline is set for two international publications in three years. These form part of the three publications per year. International publications are publications that aim for an international audience, e.g. not in Dutch language. English language journals based in the Netherlands or Flanders, or occasional English special issues of Dutch journals, are international journals as well (e.g. *Erasmus Law Review*). International publications are no goals in themselves, but are encouraged because they provide a wider audience of our research results; because of the academic quality of peer review and of the external perspective, which can sharpen our own argumentation.

Editing volumes or special journal issues is an activity which consumes a lot of time, but is generally not recognized in output measures. However, a quality edited volume or special issue can provide an important contribution to academic innovation or multidisciplinary or provide a much valued overview of a certain area. Therefore, we value the editing of books or special issues as a publication.

All researchers in the research programme have the responsibility to disseminate their results to a wider audience in addition to their academic publications. Because of the variety of possible valorisation activities, varying from professional publications to media performance to legal advice, it is impossible to attach a quantitative norm to valorisation activities.

Follow-up meeting on international publications

One of the conclusions of the internal discussion about publication guidelines was that researchers in the programme lacked insight in potential outlets for international publications. To increase awareness about possible international journals of interest to researchers in the programme, we organized a meeting on December 3 2013 to exchange ideas about international journals that could be interested in the publication of our work. The powerpoint slide copied below shows the journals whose scope and aims were discussed during the meeting

1. [Criminology & criminal justice](#)
2. [European journal of crime, criminal law & criminal justice](#)
3. [Legal studies](#)
4. [European journal of criminal policy and research](#)
5. [International criminal justice review](#)
6. [Social and legal studies](#)
7. [International journal law in context](#)
8. [Modern law review](#)
9. International journal of comparative and applied criminal justice *
10. [Journal of contemporary criminal justice](#)
11. [Criminal justice](#)
12. Justice quartely
13. Criminal law and philosophy
14. Public Law and Legal Theory Research Paper Series
15. Zeitschrift fur die gesamte Strafrechtswissenschaft.

Other measures

- A series of lunch lectures started in 2013, discussing ongoing research projects and promoting exchange between researchers. See chapter seven.
- As a programme-wide collaborative activity, an international conference on Detention will be organized in 2014, following a multidisciplinary research project on the Maximum Security Prison. This conference combines criminal law and criminology perspectives and serves to improve the international orientation of the programme
- Financial support for translation of publications was introduced to increase the number of international publications in the short term
- To increase the visibility of the research programme, the website was updated.

3. Researchers in the programme

As was outlined in chapter 2, significant changes in staff took place in the research programme in 2013. In this annual report, we pay special attention to the remarkable career of the three professors who retired in 2013: prof. De Doelder, prof. Spierenburg and prof. Dorn.

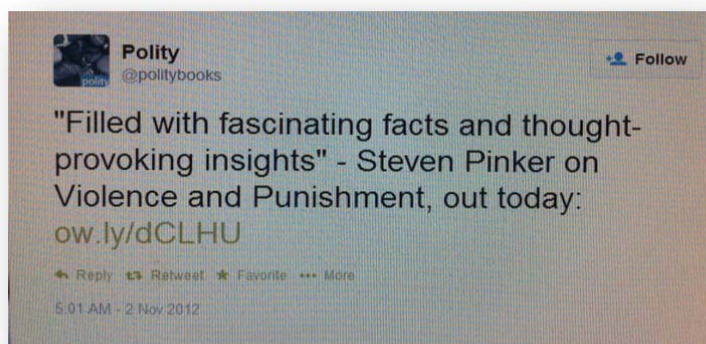


Professor Hans de Doelder retired on December 20. De Doelder was appointed in 1987 as a professor of criminal law and criminal procedural law at (currently) Erasmus School of Law. From 1993 to 2001, Professor De Doelder was dean of the law faculty. Under his deanship, several partnerships with international universities were established, especially in China. These contacts have successfully resulted in the establishment of both the Erasmus University China Centre and the China Law Centre. Furthermore, in 1994 De Doelder has established the Erasmus Center for Penal Studies and in 2000 the Graduate School of Public Safety. To underline his international academic activities, Professor De Doelder was appointed a visiting professor at the University of Trento (Italy), the China University of Political Science and Law in Beijing and the East China University of Politics and Law in Shanghai.

During his academic career Hans de Doelder has written numerous articles related to law enforcement. The main research topics being fraud, corruption and money laundering. Also characteristic for De Doelder is his work outside academia. From 1979 until 1989 he was employed as a public prosecutor and up to 2004 he was both Vice-Chairman of the Complaints Committee Police Rotterdam and chairman of Transparency International in The Netherlands. Since 1989, Professor de Doelder is working as a judge at the court of Rotterdam as well as the Joint Court of Justice of Aruba, Curaçao, St. Maarten and Bonaire, St. Eustatius and Saba. Currently he still works on the revision of the Criminal and Criminal Procedural Codes in Aruba, St. Maarten, Curaçao and Bonaire, St. Eustatius and Saba.

On December, 20 Professor De Doelder held his valedictory lecture, titled 'De onafhankelijke strafrechter'. Prior to that, a grand symposium took place in his honor, regarding the role of the public prosecutor. Both this topic and the title of the symposium refer to his inaugural lecture in 1988.

Professor Pieter Spierenburg retired on June 1. Spierenburg was the endowed chair on Historical Criminology. His research focused on perceptions and social reactions to violence and punishment throughout the centuries. Pieter Spierenburg is one of the most



eminent historical criminologists in the world. His work has had tremendous international impact; his books "A History of Murder" en "Violence and Punishment" are international bestsellers. The audience of these books stretched far wider than criminology: "Violence and Punishment" is on Choice's 2014 list of Outstanding Academic Titles.

Spierenburg is the secretary of the International Association for the History of Crime and Criminal Justice and was visiting professor at the Centre for the Study of Law & Society at the University of California, Berkeley in 2010. Professor Spierenburg received an NWO Grant for an international research project entitled "The Global Trajectory of Murder and Genocide".

Pieter Spierenburg gave a valedictory lecture on the 27th of June 2013: "Please Please me's number one: Maatschappelijke Veranderingen sinds de jaren Zestig en hun Weerslag op het Beeld van Misdadigers en Slachtoffers". In this lecture, he sketched the Dutch attitudes towards crime during the roaring sixties and seventies, a period of tremendous social change with rapidly changing views on crime and punishment.



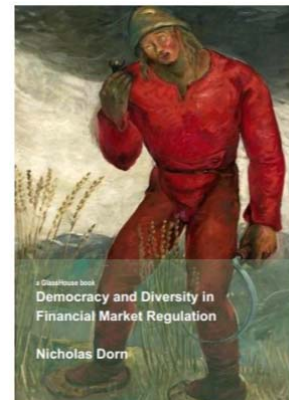
Professor Spierenburg's international publications have made a very important contribution to the research programme's international output and reputation. We are very pleased that Pieter will remain associated to the programme as an emeritus professor. As if to underline the continuation of his active career, he received an NWO Grant for the research project 'Four Centuries of Labour Camps. War, Rehabilitation, Ethnicity', in collaboration with IISG and NIOD, on the very day of his valedictory lecture.



Professor Nicholas Dorn retired in December 2013. Dorn was professor of International Safety and Governance from 2007. His research over the years has addresses issues of safety, security and regulation of issues as drugs, terrorism and financial markets; issues that may appear more diverse at first sight than they are. An overarching theme is the interrelation of state and private forms of ordering, and their consequences for state regulation and oversight. Like Pieter Spierenburg, Dorn's international research output highly contributed to the research programme's international profile over the past 5 years. He produced a great quantity of articles in international journals as well as edited volumes and was frequently invited to speak at international

conferences. He also took an active rol in policy advice to international regulatory bodies. In the last year of his appointment at ESL, Dorn had an exploratory role in preparing a new frontier research group on crime and punishment.

To celebrate the occasion of his retirement, Nicholas preferred a research symposium rather than a valedictory lecture. This symposium, entitled '*Private and public ordering – financial markets and corporate security*' - took place on January 15 2014 and enabled a lively discussion on Nicholas's forthcoming book as well as his current PhD student's Clarissa Meerts' work on private security.



3.1 Academic Staff

Seven members of the research programme have left the programme in the course of 2013, as was described in chapter 2. On December 31 2013, the following 27 staff members participate in the research programme Monitoring Safety and Security.

Mr. Dr. J. uit Beijerse	Prof. Mr. Dr. M. Hildebrandt	Prof. Dr. E.G.C. Rassin
Dr. J.R. Blad	Mr. Dr. J.W. van der Hulst	Prof. Mr. L.J.J. Rogier
Prof. Mr. F.W. Bleichrodt	Prof. Dr. H.J.C. van Marle	Prof. Dr. P.C. Spierenburg
Prof. Mr. A.B. Blomberg	Prof. Mr. P.A.M. Mevis	Prof. Dr. R.H.J.M. Staring
Prof. Dr. H.G. van de Bunt	Dr. T. Müller	Mr. Dr. S. Struijk
Prof. Mr. H. de Doelder	Mr. Dr. J.S. Nan	Prof. Dr. R. van Swaeningen
Dr. J.G. van Erp	Dr. C. van Noortwijk	Dr. J.T.M. Verhoeven
Dr. T.F.C. Fischer	Dr. R. Pieterman	Dr. C. G. Van Wingerde
Prof. Mr. Dr. A.R. Hartmann	Dr. J.V.A.G. Piret	Dr. M. van der Wolf

3.2 PhD candidates

- Mr. Drs. N.T. Arnoldussen - The social construction of air pollution.
- Mr. G.A.H. Bakhuis - Curaçao and Sint Maarten: Under intensified supervision of the Kingdom of the Netherlands.
- Drs. J.J.H. Beckers - Criminal sanctioning of corporate crime in the Netherlands.
- Drs. A. Bouabid - Mods and Mocros: Strategies Used by Moroccan Youth in the Netherlands and Belgium to Cope with their Representation in the Media.
- Drs. J.W. Hiah - Employment or Modern Slavery: Different Perspectives on informal Labour Relations in Chinese Niches and the impact of Human Trafficking policies on Chinese Entrepreneurship in the Netherlands and Romania.
- Drs. T.A.J. de Leeuw - The dynamics between local safety policies and socio-cultural developments in marginal city areas in international comparative perspective.
- Drs. C.A. Meerts - Corporate Security.
- Mr. A.G. Mein - The administrative fine in market supervision.
- Drs. R.A. Roks - The embeddedness of criminal networks in local ethnic communities: a source of (ethnic) conflict?
- Mr. E.M. Moerman - Government and Citizens in Criminal Investigations: A Joint Effect?
- S.S. Nabi MSc - Organized crime, and the role of informal financial arrangements, social cohesion and trust in communities of ethnic entrepreneurs.
- W. Pei - Comparative Research on the Criminal Procedural Agreements between England and Wales and China.
- L. van Reemst MSc - Victimization among people with a public service task.
- M.A. van Schijndel - Embeddedness of criminal networks in local communities: a source of conflict?
- Drs. B.W.A. Volker - Verblijfsverboden: verscheidenheid of wildgroei?
- Q. Wang - Towards Chinese Cyber-Criminal Law: A Comparative Approach.

4. Publications

4.1 Selected publications

The following section contains a brief summary of some of the highlights of the research output in 2013, to indicate the directions in which the central themes have developed. The following presents only a selection of the output in the research programme; the complete output can be found in appendix 1.

Fundamental legal reflection on democratic and constitutional questions around safety and supervision

A first highly contemporary line of work within the theme of fundamental legal reflection on safety and security issues are the democratic and constitutional questions raised by developments in digital technology. Hildebrandt co-edited no less than three important international volumes on computer law and its implications for privacy, due process and data protection. Moreover, she published on security technology and its impact on fundamental rights, and on enforcement in cyberspace, in three international journals.

Hildebrandt, M. & Gaakeer, A.M.P. (Eds.). (2013). *Human Law and Computer Law*. Dordrecht: Springer.
Hildebrandt, M. & De Vries, K. (Eds.). (2013). *Privacy and Due Process after the Computational Turn*. Abingdon: Routledge.
Hildebrandt, M., O'Hara, K. & Waidner, M. (Eds.). (2013). *The Value of Personal Data. Digital Enlightenment Yearbook 2013*. Amsterdam: IOS Press.
Hildebrandt, M. (2013). Balance or Tradeoff? Online Security Technologies and Fundamental Rights. *Philosophy and Technology*, 2013(26), 357-379.
Hildebrandt, M. & Tielemans, L. (2013). Data Protection by Design and Technology Neutral Law. *Computer Law and Security Review*, 29(5), 509-521.
Hildebrandt, M. (2013). Extraterritorial Jurisdiction to Enforce in Cyberspace? Bodin, Schmitt, Grotius in Cyberspace. *University of Toronto Law Journal*, 63(2), 196-224.

An important accomplishment in 2013 consists of the publication of several handbooks on aspects of administrative and criminal law. Both the publication of a volume on administrative and state law in Curacao, and the concept Caribbean Wetboek van Strafvordering, illustrate the programme's concern with oversea territories. These works are of great value for the quality of jurisprudence in the Antilles. Bleichrodt and Vegter published an overview of Sanction law, and uit Beijerse edited an overview of Juvenile criminal law.

Uit Beijerse's major publication in 2013 however is the monography *Jeugdstrafrecht. Beginselen, wetgeving en praktijk. (Juvenile criminal law. Principles, legislation and practice)*. This book gives a complete and thorough overview of the rich history of the Dutch juvenile criminal law, which was introduced in 1905 and has been frequently under attack recently. Juveniles under the age of 18 have the right to a separate treatment with laws, procedures, authorities and institutions tailored to the special needs of youth. In this book, Jolande describes in a refreshing way how this principle has been realised throughout the years and



to what extent it is reflected in today's Dutch legal practice. The relevance of the book is illustrated by the fact that in November 2013, the legislator decided that young-adults between the age of 18 and 21 will be treated as juveniles in the near future.

Rogier, L.J.J. & Rijn, A.B. van (Eds.). (2013). *Wetgeving Staats- en Bestuursrecht voor Curaçao*. Deventer: Kluwer.
Salverda, B.A., Doelder, H. de, Verbaan, J.H.J. & Verbeek, R.J. (Eds.). (2013). *Concept Caribisch Wetboek van Strafvordering*. Oisterwijk: Wolf Legal Publishers.
Bleichrodt, F.W. & Vegter, P.C. (2013). *Sanctierecht* (Ons strafrecht, deel 3). Deventer: Kluwer.
Beijerse, J. uit (2013). *Jeugdstrafrecht. Beginselen, wetgeving en praktijk*. Apeldoorn/Antwerpen: Maklu.
Beijerse, J. uit (Ed.). (2013). *Wetgeving Jeugdrecht 2013/2014*. Den Haag: Boom juridische uitgevers.

Last, several articles and book chapters discussed specific contemporary issues such as hate crime (Mevis & Verrest); the administrative fine (Hartmann), and preventive detention (Van der Wolf), thus demonstrating the preoccupation within the programme with topical issues.

Mevis, P.A.M. & Verrest, R.A.M. (2013). Enkele gedachten over rechtsvorming en inhoud van strafbaarheid van uitingsdelicten na Hoge Raad 10 maart 2009. In J.W. Fokkens, P.H.P.H.M.C. van Kempen, H.J.B. Sackers & P.C. Vegter (Eds.), *Ad hunc modum. Opstellen over materieel strafrecht* (pp. 217-232). Deventer: Kluwer.
Hartmann, A.R. (2013). De bestuurlijke boete. In D.R. Doorenbos & M.J.C. Somsen (Eds.), *Onderneming en sanctierecht* (Onderneming en Recht, 76) (pp. 227-249). Deventer: Kluwer.
Wolf, M.J.F. van der (2013). The ECHR and the German System of Preventive Detention: An Overview of the Current Legal Situation in Germany. Comments on Kinzig. In M. Caianello & M.L. Corrado (Eds.), *Preventing Danger: New Paradigms in Criminal Justice* (pp. 96-101). Durham, North Carolina: Carolina Academic Press.

Transformations in modes of supervision

Law is by no means static and boundaries between legal domains become increasingly blurred. This theme encompasses the study of transitions between legal domains or interactions between modes of supervision. The research programme has a long tradition of research on restorative justice, which can be seen as an attempt to incorporate elements of conflict resolution in criminal law to transcend the traditional dichotomy between offender and victim in criminal law. A major accomplishment in 2013 is the publication of the edited volume 'Civilising Criminal Justice, an international restorative agenda for penal reform', co-edited by John Blad, with Cornwell and Wright and published by Waterside press. This massive volume gives a wide overview of various aspects of restorative justice in international context, and gives many examples and lessons of how civil justice gives victims a better position and reconciles offenders, victims and communities.

Cornwell, David, Blad, J.R. & Wright, Martin (Eds.). (2013). *Civilising Criminal Justice. An international restorative agenda for penal reform*. Hampshire UK: Waterside Press.

Another example of intersecting domains is criminal law and psychology. With the second edition of the edited volume *Gedragskundige rapportage in het strafrecht*, Van Marle, Mevis and Van der Wolf present a handbook that is useful for both psychologists and lawyers. The handbook aims to contribute to a dialogue between psychologists and lawyers, and thus to a better quality of the decision-making about offenders.

Marle, H.J.C. van, Mevis, P.A.M. & Wolf, M.J.F. van der (Eds.). (2013). *Gedragskundige rapportage in het strafrecht. Tweede herziene druk*. Deventer: Kluwer.

Several contemporary forms of interaction between different modes of supervision were addressed in various publications. Bleichrodt and Moerland addressed the potential contribution of citizens in criminal investigations and its risk. Meerts discusses the role of private corporate security in dealing with fraud and financial crime. A publication by Arthur Hartmann noted the increased role of criminal prosecution for financial economic crime, after an era in which administrative enforcement prevailed. Jaap van der Hulst discussed various problems of cross-border judicial cooperation. These publications, again, demonstrate our interest in up-to-date research topics. Last, the impressive *liber amicorum Onbegrensd Strafrecht* for Hans de Doelder deserves mentioning here.

Bleichrodt, Edwin, Hartmann, Arthur, Mevis, Paul, Rogier, L.J.J. & Salverda, Barbara (Eds.). (2013). *Onbegrensd Strafrecht, Liber amicorum Hans de Doelder*. Oisterwijk: Wolf legal Publishers.

Hulst, J.W. van der (2013). The Dutch Judge of Instruction and the Public Prosecutor in International Judicial Cooperation. *EUCRIM*, 2013(4), 131-137.

Hulst, J.W. van der & Werff, J.H. van der (2013). *Internationale rechtshulp en het fiscale delict*. Zeist: Kerckebosch.

Hartmann, A.R. & Kraaijeveld, R.P.A. (2013). Opwaardering van het strafrecht: naar nieuw geloof in strafrechtelijke handhaving bij financieel-economische criminaliteit? *Tijdschrift voor Sanctierecht & Compliance*, 2013(2), 50-56.

Meerts, C.A. (2013). Corporate Security - Private Justice? (Un)Settling Employer-Employee Troubles. *Security Journal*, 26(3), 264-279.

Bleichrodt, F.W. & Moerman, E.M. (2013). Enkele vormen van private bijdragen aan de opsporing belicht. *Ars Aequi*, 62(07/08), 566-573.

The interaction between (changes in) modes of supervision and unsafety, including the question of the effects and unintended side-effects of supervision.

The effects and side-effects of new modes of supervision were the subject of a wide variety of publications. Two important multidisciplinary evaluation studies regard the Maximum Security Prison and the Experiment 'Legal counsel during interrogation'. Both are successful collaborations between criminal lawyers and criminologists. The Maximum Security Prison has reached its goal of zero escapes. The central question of the report is: what price is paid to achieve this level of security? The policy of the 'EBI' regime is that detainees should be deprived of any illusion that it is possible to flee. The researchers identify several rules and practices that are not contributing to the goal of zero escapes but are purely symbolic, such as the visit through a window of the detainees family members. They recommend to abolish these rules to clear the regime of its sharp edges.



Several other studies performed at the request of various enforcement agencies investigate the effects of behavioural interventions by rehabilitation agencies and the causes of violence against the police. Criminalization of the medical sector is growing, as is illustrated by our involvement in reports on perceptions of fraud by medical specialists and on 'naming and shaming' by the inspectorate for health care. Although this is only a selection of commissioned research, it demonstrates the strong societal orientation and impact of the research programme, which is combined by a high academic quality. A challenge is to create international academic output out of these reports. This is a priority for 2014.

Bunt, H.G. van de, Bleichrodt, F.W., Struijk, S., Leeuw, P.H.P.M. de & Struik, D. (2013). *Gevangen in de EBI. Een empirisch onderzoek naar de Extra Beveiligde Inrichting (EBI) in Vught*. Den Haag: Boom Lemma uitgevers.

Erp, J. van & Mein, A.G. (2013). *Evaluatie actieve openbaarmaking toezichtrapporten IGZ*. Rotterdam/Utrecht: Erasmus School of Law/Verwey-Jonker Instituut.

Erp, J.G. van & Mein, A.G. (2013). *Doelgroepenanalyse declaratiepraktijk medische specialisten zorg*. Utrecht: Verwey Jonker Instituut.

Fischer, T.F.C. & Zwirs, B.W.C. (2013). Gedragsinterventies van de reclassering: over de onbereikte doelgroep. *Sancties. Tijdschrift over Straffen en Maatregelen*, 2013(3), 147.

Reemst, L. van, Fischer, T.F.C. & Zwirs, B.W.C. (2013). *Geweld tegen de politie, de rol van mentale processen van de politieambtenaar* (Politiewetenschap, 70). Apeldoorn: Reed Business.

Verhoeven, W.J. & Stevens, L (2013). *Rechtsbijstand bij politieverhoor. Evaluatie van de Aanwijzing rechtsbijstand politieverhoor in Amsterdam-Amstelland, Groningen, Haaglanden, Limburg-Zuid, Midden- en West-Brabant en Utrecht*. Den Haag: Boom Lemma uitgevers.

In terms of international publications, Rene van Swaaningen's research track on developments in punitiveness in the Netherlands and beyond culminated in three contributions to major international edited volumes on the subject, thus clearly demonstrating Van Swaaningen's reputation in European penology. Two publications of Van Erp in well-rated international peer reviewed journals can also be mentioned. In collaboration with Huisman, she published an analysis of the criminal files of the Dutch Environmental Inspectorate, demonstrating that criminal opportunities for environmental offenders are widespread. Societal reactions to corporate offenses are ambiguous, particularly in the case of administrative sanctions, as she discussed in a paper on the media representation of sanctions by the Dutch Financial Authority.

Erp, J.G. van & Huisman, W (2013). Opportunities for Environmental Crime, a Test of Situational Crime Prevention Theory. *British Journal of Criminology*, 53(6), 1178-1200.

Erp, J.G. van (2013). Messy business. Media representations of administrative sanctions for corporate offenders. *Law & Policy*, 35(1-2), 109-139.

Swaaningen, R. van (2013). Reversing The Punitive Turn: The Case of the Netherlands. In T. Daems, D. van Zyl Smit & S. Snacken (Eds.), *European penology?* (pp. 339-360) Oxford & Portland: Hart Publishing.

Swaaningen, R. van & Beijerse, J. uit (2013). Bars in your head: electronic monitoring in the Netherlands. In M. Nellis, K. Beyens & D. Kaminski (Eds.), *Electronically Monitored Punishment; international and critical perspectives* (pp. 172-191). London/New York: Routledge.

Swaaningen, R. van & Boone, M. (2013). Regression to the Mean: Punishment in the Netherlands. In V. Ruggiero & M. Ryan (Eds.), *Punishment in Europe: A Critical Anatomy of Penal Systems* (pp. 9-32). Basingstoke: Palgrave Macmillan.



On June 27 2013, Willem Jan Kortleven defended his dissertation entitled 'Voorzorg in Nederland. Ontwikkelingen in de maatschappelijke omgang met kindermishandeling, verkeersonveiligheid en genetische modificatie', supervised by prof.dr. H.G. van de Bunt and dr. R. Pieterman. In his dissertation, he asks whether the public approach to risk and harm in our society moves towards a precautionary culture. Building upon the work of Roel Pieterman, he characterizes a precautionary culture as a safety culture where interventions are taken in a very early stage, even without economic-rational restrictions, scientific basis or certainty of harm. Fear of risks start playing such an active role that any chance of risk is

unacceptable. Through an indepth case study analysis of three very different cases – child safety, genetic modification of food, and road safety – Kortleven demonstrates how safety gradually becomes a dominant and absolute goal in the 2000s where it was balanced by other goals before. However, he also observes counterweight factors, such as the value of family integrity or the desire for speeding, which imply that the precautionary culture is not entirely materialized. His dissertation ends with the expectation that the precautionary culture will not become dominant. With this reflective and empirical dissertation, Kortleven demonstrates the value of concepts as risk culture and precautionary culture, that play a key role in the research programme, for the analysis of contemporary policy and attitudes towards risk and unsafety.

A last publication that is worth mentioning here is Rassin's book 'the Spinoza-effect' on credulity. Rassin describes the general human tendency to be willing to trust and believe even incredible things. After examples and definition of credulity, Eric Rassin puts 'lying' in a legal context because in that context finding the truth is of immense importance. Eric Rassin wrote this book for a wide audience. It was well received by reviewers: *Hoewel Het Spinoza-effect maar zo'n 150 pagina's telt, lijkt het boek door de hoeveelheid informatie minstens twee keer zo dik.* –New Scientist



Rassin, E.G.C. (2013). *Het Spinoza-effect. Goedgelovigheid en de zoektocht naar de waarheid*. Schiedam: Scriptum.

4.2 Quantitative output

		2010	2011	2012	2013
International academic publications	International journal articles	17	15	15	9
	International book contributions	15	20	7	20
	International academic reports	2	3	1	3
	International dissertations	1	1	5	0
Total international academic publications		35	39	28	32

Dutch academic publications	Dutch academic books and reports	7	8	9	19
	Dutch journal articles	37	37	31	33
	Dutch academic book contributions	21	30	6	28
	Dutch dissertations	1	3	4	1
Total Dutch academic publications		66	78	50	81
Dutch professional publications		57	45	48	45
Annotations		33	32	20	10

Both the internal evaluation and the external midterm evaluation committee expressed concern about the quantity of research output and the limited number of international publications. The numbers of professional publications and academic publications was also found out of balance: although professional publications are an important means for valorization of academic knowledge, the priority in the research programme should lie with academic publications. This priority was also discussed with the programme participants in several meetings during 2013 and confirmed in the guideline for publications in November 2013, which will settle in in 2014 and beyond.

The numbers of international publications and Dutch academic publications have remained more or less stable over 2013 in comparison to earlier years. It is too early to see the results from the discussion about priorities in the research programme, which took place in the course of the midterm review and beyond, but we can already see that the number of professional publications has decreased in accordance with the priority on academic publications. Against the background of the reduction of the number of (fte) senior researchers in the programme in the course of 2013, in combination with a heavier teaching load than usual due to a reform of the bachelor programme at ESL, we can be satisfied with the academic output in 2013. 2013 was particularly fruitful in terms of the number of Dutch academic books and reports (19). That also means that a number of important book projects, particularly in criminal law, have been finalized and that room exists for new projects. Several researchers have embarked on international publications. We expect to see these published in 2014 or 2015.

5. Grants & Funding

MSS researchers have always been very successful in obtaining research funding. We have a strong track record in obtaining NWO Grants. This is sustained by two new NWO Grants and a KNAW Grant awarded in 2013. We have been equally successful in obtaining funding for contract research. The programme values this type of research because it offers an opportunity to conduct studies that are both of high academic quality and relevant to societal needs. Five new research projects have been funded by various funding agencies in the area of crime control.

Most of these projects are the result of collaborative research proposals with partners from other universities. The successful collaboration with ESL research programme BACT deserves special mentioning here. In 2013, this has resulted in two research grants, including a highly prestigious KNAW Grant.

NWO Grants

Pieter Spierenburg received a NWO Grant for the project '*Four Centuries of Labour Camps. War, Rehabilitation, Ethnicity*', in collaboration with IISG and NIOD.

This project aims to bring about the first integrated, worldwide history of labour camps. Diachronic and comparative research will be used to trace the socio-political, ideological and economic conditions that led to the emergence of labour camps and remain conducive to their existence. All too often, labour camps, both within scholarship and in public perceptions, are associated mainly with the Nazi *Lagers* and Soviet *gulags*. Overcoming the resulting narrowed vision is one of the objectives of this project. To this end, the project places labour camps in the context of the global history of oppression and exploitation in the early modern and modern world. The project addresses three aspects in particular: the conditions that precede, accompany and follow military conflicts; the concept and practice of "rehabilitation"; the discourse and practices around ethnicity, in both colonial and non-colonial settings. Emeritus Professor of Erasmus University Pieter Spierenburg acts as the programme leader

Judith van Erp received a NWO Smart Governance Partnership Development Grant for the proposal '*Partners in Fighting Subversive Organised Crime: Exploring and Evaluating New Forms of Governance*', in collaboration with TU Delft and Harvard University.

The Smart Governance funding scheme is part of the Social Infrastructure Agenda and the current grant enables to develop partnerships to prepare a full proposal. The project investigates the potential of public-private collaboration in the prevention and detection of organized crime. Collaboration of a large variety of crime fighting organisations has been secured, including the ministry of Justice, Dutch Embassy in the US, the city boards of Rotterdam; Alkmaar and G5 Brabant; National Police and Prosecuting office. The full proposal, which was also co-authored by Richard Staring, was submitted in January 2014.

KNAW Grant

A KNAW Grant "Smart mixes for cross-border legal environmental protection' in the National Science Agenda programme 'Across borders' was awarded to a multidisciplinary research team consisting of Michael Faure and Peter Mascini (BACT-ESL); Andre Nollkaemper (international law, (UvA)); Judith van Erp (MSS-ESL), Marjan Peeters en Niels Philipson (Maastricht University). The project aims to collect, integrate and disseminate knowledge about smart mixes of legal instrument for transnational action against cross-border environmental damage.

Rotterdam Global Health Initiative Grant

Prof. Richard Staring received a research grant in collaboration with ISS researchers Hintjens and Siegmann. The project is entitled 'Count us in': Towards Realising Health Rights among Undocumented People in Two Dutch Global Cities.

The project aims to identify health needs and obstacles faced by undocumented women and men in The Hague and Rotterdam in accessing healthcare. The objective of our study lies in (1) getting an overview of undocumented women and men's basic health needs, their health-seeking behaviour and obstacles to realising healthcare in The Hague and Rotterdam; (2) identifying good practices in health governance in Dutch cities; and (3) providing useful information to improve health and contribute to improved health governance. We use the PEER method, standing for Participatory Ethnographic Evaluation and Research, in which community members in the researched groups are trained to act as key informants and interviewers for qualitative interviews.

ZonMW Grant

A ZonMW Grant was awarded for the project 'Thematische wetsevaluatie gedwongen zorg' (Thematic evaluation of legislation concerning coerced care) – Jolande uit Beijerse, Paul Mevis, Michiel van der Wolf, Lucas Noyon, in collaboration with Legemaate, Ploem, Gevers (Amsterdam Medical Center) and Winter et al (ProFacto).

This project aims to compare and analyze all legislative possibilities of coerced care for mentally disordered (for example commitment to a mental hospital or pharmacotherapy) in regular psychiatry, including nursing homes for mentally retarded and elderly, and the forensic sector (judicial system and forensic mental health system), both for adults and youth. The evaluation incorporates existing legislation and proposed legislation; in the latter case the evaluation will be ex ante, based on expectations. Leading will be the question whether perceived differences, for example in procedure or legal protection, are explainable and justified. Part of the research is empirical, especially to assess how legal norms play out in practice. Special attention will be given to the question whether harmonization of legislation (or legal position) is feasible and effective to solve perceived problems, such as border crossing obstacles between the sectors.

Police and Science Research Program Grant

This grant is for the project of Willem Jan Verhoeven: *'Effectiveness of police interviews and interrogations. The relation between interview and interrogation techniques and suspects' willingness to give a statement'*.

This project aims to understand why specific interview and interrogation techniques are effective in eliciting a statement from a suspect whereas others are not. To this end, social psychological theory on mechanisms of influence and persuasion will be used to deduce hypotheses about the conditions under which certain techniques are effective. These hypotheses will be tested with sophisticated

statistical analyses of coded video tapes of police interrogations. Using the Dutch interrogation practice, the project contributes to the existing literature both theoretically as well as empirically.

Contract research

Risk factors for repeat victimization - Lisa van Reemst MSc, dr. Tamar Fischer and dr. Sanne van Dongen

Funded by WODC, Ministry of Security and Justice

The aim of this research was to identify risk factors of repeat victimization of property crimes, (semi-public) violent crimes, sexual, partner and family violence, violence against public service professionals, intimidation and retaliation, by performing a literature scan. The found information will serve as input for the development of a risk assessment tool for victims in the Netherlands, following Article 22 of Directive 2012/29/EU on October 25th, 2012. According to this Directive, Member States are obliged to ensure that victims are subjected to a timely and individual assessment, to identify protection needs and to determine to what extent the victim should be provided with special measures, given its particular vulnerability to repeat victimization.

Victimization in the public task - dr. Tamar Fischer and Lisa van Reemst MSc

Funded by Veilige Publieke Taak, Ministry of the Interior and Kingdom Relations

Many employees with a 'public task' (who work for the public interest, work for public services, and perform a task on behalf of a public body) experience repeat victimization. Both between public tasks (e.g. between police officers and teachers) and within public tasks, there are large variations in the experienced victimization. This research aims to describe which groups of employees with a public task can be distinguished based on the extent and nature of experienced aggression and violence, and to describe which demographic and socio-economic, function and situational, and subjective characteristics are related to the victimization experiences. Secondary sources, i.e. monitors of the Ministry of the Interior and Kingdom Relations, and latent class and regression analysis are used to perform this study.

An inventory of new initiatives in correctional interventions - Dr. Tamar Fischer

Funded by Reclassering Nederland

In this short project an inventory is made of new initiatives in the field of correctional interventions in the three Dutch probational organisations (3RO). This study concerns both newly developed behavioural interventions and adaptations to existing interventions. Among those initiatives are also interventions that might be subject for accreditation by the Dutch accreditation committee in the future. The study focusses on the question which criminogenic needs and which groups of offenders are reached with the interventions with the special aim to find hiatus and overlap in the products of 3RO.

Criminological detection of business cartels - Prof. Henk van de Bunt

In collaboration with and funded by the Authority for Consumers and Markets (ACM).

The effectiveness of supervision by the ACM partly depends on the possibility to detect offenses proactively. In order to do so the authority aims to reduce her dependency on third parties, such as whistleblowers (leniency) and official complaints. The goal of this study is to explore relevant aspects of criminological theory, previous empirical studies and best practices relating to the behavioural

aspects of business cartels. This will help to identify risks and creates input for the development for a risk assessment tool for the detection of business cartels.

Company reactions to a lack of punishment for rule violations by competitors, Judith van Erp in collaboration with Peter Mascini (BACT)

Funded by Centre for Crime Prevention

Although many authors have studied corporate deterrence and business reactions to sanctions, one question that has received little attention is how companies respond to the *absence* of sanctions; or in other words a perceived lack of enforcement towards offending competitors. In analogy with broken windows theory, we ask whether observed offenses undermines other businesses willingness to comply. This question is particularly relevant in the context of self-regulatory arrangements: companies may be reluctant to invest in voluntary compliance when they know that offending competitors are not punished. This project will be based on interview and survey data collected from representatives of Dutch companies active in sectors partaking in voluntary tax self-regulation. The project is funded by the Project Group on Enforcement and Behaviour, a cooperation between various supervising agencies established to stimulate more evidence-based supervision and enforcement.

Richard Staring and Judith van Erp received funding from the LDE Centre for Safety and Security with the aim to organize a *conference on cybercrime* in 2014. The conference will be organized in collaboration with Johan van Wilsem, Leiden University, on November 6 2014.

6. Conferences and seminars

The following conferences and seminars were organized within the research programme in 2013.

Conference ‘Wat ik ervan vind, de stem van het kind’ – May 31 2013.

This conference was organized by Jolande uit Beijerse in cooperation with the Rechtbank Rotterdam, the VJAR, Bureau Jeugdzorg Rotterdam and the RvdK Rotterdam and was a result of the recent publication of ‘kinderombudsman’ Marc Dullaert. Professionals from different disciplines debated about the way underaged individuals are treated in civil law procedures. The congress aimed to formulate several goals regarding the voice of the child in



Dutch laws. The list is meant as a source of inspiration for policymakers as well for the legislator. Biopsychologist dr. M. Delfos and the ‘kinderombudsman’ gave presentations. In addition, discussions, workshops and artists contributed to a great outcome of the congress. The voice of children was literally heard at the conference the conference.

Open normen ingevuld. Symposium over de wetgevende macht van de toezichthouder – June 19 2013.

This symposium was organized by professors Peter Diekman, Lodewijk Rogier and Helene Vletter-Van Dort and thus a joint initiative of the programmes Monitoring Safety and Security, and Lex Mercatoria. The symposium discussed the publication of guidelines by financial regulators, to fill in open norms. Since these guidelines are interpreted as fixed rules, the classic separation between executive and legislative power is jeopardized. A lively discussion took place between Theodor Kockeloren, interim director of the Authority for Financial Markets, and Financial lawyer Frank ‘t Hart and Anthony Burgmans, Chair of the Monitoring Commission Banking Code. ‘t Hart pointed out that financial service authorities are not held accountable for their regulatory activities, and Burgmans stated that the regulators punitive approach has the reverse effect of decreasing the confidence of the public in financial markets. Since these issues are at the core of current financial market regulation, they were widely picked up by professional financial websites such as fm.nl and amweb.nl.

Ciroc symposium Cybercrime: ‘Threats and answers’ - November 13 2013.

Organized by Richard Staring in collaboration with Edward Kleemans (VU University), this symposium was part of the symposium series of the Centre for Information and Research on Organized Crime, a joint initiative of the criminology departments of ESL, the departments of criminology at the Erasmus University the Vrije Universiteit Amsterdam (VU), the Universiteit Maastricht (UM), and the WODC, the Research and Documentation Centre of the Dutch Ministry of Justice. This symposium was the first in the Netherlands combining the issue of organized crime and cybercrime. Presenters from the ministry of Justice and various enforcement agencies and private cybercrime control agencies, gave an overview of current insights on organized cybercrime and legislative responses for an audience of about 120 academics and professionals.

Seminar ‘Cyber security in the process industry’ - December 3 2013

This seminar was organized by Judith van Erp in collaboration with DCMR, the environmental supervision authority in the Rijnmond area, on the request of DCMR. The aim was to explore the legal and societal responsibility of public enforcement authorities for cybersecurity in the process industry. This was a private seminar with 14 participants from a variety of enforcement agencies, NCTV, TNO, academics, and former minister Spies of Internal Affairs and prof. Mertens, former member of the Dutch Safety Board. The discussion increased the awareness of the participating representatives of enforcement authorities of their responsibility for monitoring cyber security. Follow-up discussions took place within these organisations, which is expected to result in an explorative research project in 2014. The seminar took place in the context of the NWO Smart Governance research grant and will have a follow-up in May 2014.



Conference ‘De meerwaarde van een apart jeugdstrafrecht’ –December 6 2013.

In this conference uit Beijerse presented her book ‘Jeugdstrafrecht. Beginselen, wetgeving en praktijk’ in the presence of a diverse public. Lawyers, judges, public attorneys, employees of the Raad voor de Kinderbescherming and students were invited. Uit Beijerse gave an impression of the content of the book and gave speakers the opportunity to talk about their experiences. Two of them were

juveniles from ‘de Hartelborgt’ in Spijkenisse, the young speakers shared their story as well.

A boy with an autism disorder residing on the Foba-Division, explained how an ordinary day in the juvenile institute looks like, but also how he learns to deal with his disorder. A boy who is detained for several years told how he experienced it as frustrating that the staff always refers to protocols. As a result the staff can’t reward good behaviour with more freedom. A plenary



discussion led by Rene van Swaaningen followed. Panel members were youth prosecutor Linda Dubbeldam, boardmember of 'de Hartelborgt' Marijke van Genabeek, Isabeth Mijnaerends, Professor in Criminal Law at the University of Leiden and Ido Weijers, Professor in youth protection at the Utrecht University. Various topics as the more frequent use of mediation and the collation of criminal law concerning juveniles and the youth protection law were discussed.



At the end of the conference youth prosecutor Ad de Beer, judge Sonja de Pauw and Edwin Bleichrodt, professor of criminal law and attorney-general at the Supreme Court received the first books from uit Beijerse. Professor Bleichrodt offered uit Beijerse the 'Umbra Erasmi' – sign.

Conference 'Handhaving in de haven' – December 16 2013

To ensure safety and security in the Rotterdam Harbor and to prevent criminal and society-disruptive activities in the Rotterdam port area, collaboration between public and private actors is indispensable. This collaboration takes place within the program "Integere haven" (Harbor Integrity). Do the stakeholders succeed in finding effective ways to prevent and combat crime? To what extent should the enforcement in the port take economic developments into account? And what is the role of the judge in this issue? These questions were discussed in the conference 'Handhaving in de haven', organized by professor Aletta Blomberg in cooperation with 'Stichting Juridische Samenwerking aan de Maas'.



Alderman Jeanette Baljeu, responsible for the Rotterdam harbor, opened the conference. Eric Daalder, state attorney and partner at Pels Rijcken, Drooglever & Fortuijn and Folkert Jensma, commentator for the newspaper 'NRC Handelsblad' gave their vision. Erwin Muller, Vice-President of the Dutch Safety Board and Professor in Security and Justice at the University of Leiden, evaluated the role of public supervision in the Odfjell case.

Symposium: 'Het openbaar ministerie na 25 jaar – nog steeds in positie?' –December 20 2013.

After 25 years of professorship, Prof. Mr. Hans de Doelder retired. In appreciation of the work and person of Prof. Mr. de Doelder, the Erasmus University organized a symposium on the 20th of December 2013. The symposium focused on the prosecutor's office and the 'eternal' debate on the two characteristics during the last 25 years: the prosecutor's office as a governing body of the state and the prosecutor's office with a magistrate character. Three esteemed speakers, Mr. H.J. Bolhaar, chairman of the 'college van Procureurs-generaal', Prof. mr. J.W. Fokkens, Procureur-generaal at the 'Hoge Raad' and Prof. mr. L.J.J. Rogier, Professor of administrative law at the Erasmus University, set their vision from different angles. Their presentations were followed by a lively discussion with the audience. The event was closed with the valedictory lecture of Prof. De Doelder, entitled '**De onafhankelijke strafrechter**'.



7. Lectures and media performances¹

International lectures

Rene van Swaaningen was invited as a distinguished Visitor at the University of Central Lancashire Law School in November 2013. In the framework of the visit of Van Swaaningen and his Norwegian colleague Katja Franko Aas to UCLA, a national symposium was organized on global criminology, migration and surveillance and in depth discussions had subsequently taken place on these themes were held with UCLA staff members and PhD-students alike. From November 12-14, he gave three lectures: *The Challenges of Comparative Research in Criminology; From Critical Criminology to Global Criminology; and The criminalisation of migration: Political conflicts and moral problems*. Next to this, Van Swaaningen also participated in special panel on the work of Barbara Hudson, a much appreciated UCLA colleague who passed away some weeks before the visit and who has participated various times at conferences of the Onderzoeksschool Maatschappelijke Veiligheid at the Erasmus University.

Nicholas Dorn gave three lectures on the issue of democratic financial regulation in the the wake of the financial crisis. On February 1, he presented about *Democratic Diversity in Financial Market Regulation: banalisation, difference and the global public good*, at the conference Shadow Banking: A European Perspective, at City University, London. On March 26, he organized a *conference stream on "Europe: crisis, what crisis? Contested political and legal visions"* at the Annual conference of the British Socio-Legal Studies Association, which took place at the University of York. On May 12, he presented the lecture *Shady Governance of Financial Markets by Global Technocratic Elites: EU citizens, there is an alternative*, at Anglia Ruskin University, Cambridge, UK, on the occasion of the 14th Cross-border Crime Colloquium, held from 12-14 May, on Shady Business and Governance in Europe: cross-border sleaze and crisis.

Judith van Erp and Karin van Wingerde were invited speakers on the Brown Crime: Hazardous Waste and Pollution Conference held October 4, at Northumbria University. Newcastle, United Kingdom. This conference was part of a series of ESRC –funded research seminars on Green Criminology and focused on air, water, and soil pollution as well as the dumping of traditional and ‘e’ wastes. The conference discussed the economic, political, and social implications of such toxic environments and the emerging black markets in waste and prohibited products. Judith was one of the key note speakers, and gave a lecture entitled ‘Hazardous waste and corporate crime: Legal and extralegal enforcement of corporate brown crime’. Karin presented on ‘Sanctions as moral messages. General deterrence and environmental compliance in the waste industry in the Netherlands’.

Thaddeus Müller was invited by dr. Michael Dellwing of the University of Kassel on July 11 2013 to present *"In praise of ethnography. Towards a rich understanding of crime and deviance"*, as a follow up of a publication on this subject.

¹ Regular academic conference presentations are not mentioned here.

Dutch academic lectures

Karin van Wingerde presented a lecture *Beyond deterrence. Deterrence, prevention, and compliance in the Dutch waste industry*, at a research seminar with Brian Tamanaha organized by the Dutch/Flemish Association for Research on Law and Society and the Paul Scholten Centre on June 27.

Medea van Schijndel presented her research at the Global Encounters research seminar at the Department of Social and Cultural Anthropology, Free University of Amsterdam, on May 16. Her presentation was entitled “(Trans)local ties of Nigerian migrants in Amsterdam Southeast: social roles and reactions towards deviant behaviour”. She examines how reactions towards deviant behaviour within Nigerian migrant communities in Amsterdam Southeast can influence social interactions at neighborhood level and possibly fuel conflict. The paper shows how participation in local and transnational networks is linked to a moral economy that influences participants’ behaviour and decisions to take risk.

Willem Jan Verhoeven presented on the seminar 'Wat is empirie in het recht?', organized by Utrecht University School of Law/Institute of Criminal Law, on September 13 2013. His presentation was entitled *Empirisch onderzoek t.b.v een normatieve vraag. Evaluatie van de Aanwijzing rechtsbijstand politieverhoor*.

Rene van Swaaningen and Abdessamad Bouabid spoke at a research seminar organized by the Dutch Association for Criminology on ‘Critical Criminology in Current Society’, on September 26. René addressed the differences between American and European critical criminology, and Abdessamad spoke about the current relevance of the moral panic theory. Their presentations were preceded by a lecture of prof. Tony Platt of San José State University, California (USA), on the role of radical criminology in current society. This seminar demonstrated that the critical and radical approaches to criminology, developed in the sixties, are still fruitful in current criminological analysis.

John Blad gave a lecture at a symposium on TBS and victims organized by Radboud University, entitled *Maximaliserende herstelrechtstheorie: cultuur en structuur van een herstelgerichte aanpak van delicten*, on November 29.

Professional presentations

Arnt Mein presented his research on *Bestuurlijke rapportage coffeeshop Checkpoint Terneuzen* for the ‘driehoeksoverleg’ Terneuzen on January 17.

Arthur Hartmann, spoke on *Ontwikkelingen in en rond het bestuursstrafrecht* at the Academie voor Wetgeving Den Haag, expertmeeting for policy makers at the ministry for Safety and Justice, on February 14, and provided courses on the administrative fine for SSR on May 8 and on Special Criminal Law for the NOVA.

Judith van Erp gave several lectures with the aim to disseminate research results to policy makers and enforcement agencies. On February 19, she spoke about disclosure at an expert meeting on disclosure for the Inspectorate of Social security and Labor. On June 28, she gave a lecture for the

Dutch Care Authority entitled *Correct declareren en registreren zorgkosten: Een onderzoek naar de declaratiepraktijk in de medisch specialistische zorg*, on a seminar on Fraud in Healthcare. On September 3, she presented her Evaluation of the Active Disclosure of Enforcement Reports of the Health Care Inspectorate, at a colloquium organized by the inspectorate.

Jaap van der Hulst presented about International criminal investigations at a seminar in Amersfoort on November 11.

Mieke Kox presented her research at a conference of the Raad voor Strafrechtstoepassing en Jeugdbescherming (Zit ik hier wel goed), together with professor Boone, on November 21. Her presentation was entitled *Blijven zitten of wegwezen. Differentiatie- en resocialisatiemogelijkheden voor strafrechtelijk gedetineerde vreemdelingen*.

Lectures for the general public

Rene van Swaaningen gave several lectures on public safety perceptions. On April 25, he spoke on a symposium on Community policy organized by Movisie: *Is meten weten? Een commentaar op 'Schoon, heel en werkzaam?'*. He spoke in Arminius Rotterdam in a Studium Generale programme on De Knuffelbajes on June 19 and in Felix Meritis in Amsterdam on illegal immigration policy at a seminar 'Ongehoorde wetenschap' organized by Macademics on July 5. This 'pitch' was also broadcasted as a podcast. In November, he gave a lecture in a series organized by the Socialist Party on 'Thinking about the left', on 'The danger of safety'.

Pieter Spierenburg gave a lecture for Studium Generale at the Koninklijke Academie voor Beeldende Kunsten, Den Haag on the occasion of the opening of 'Scaffold' by Sam Durant (October 21 2013). His lecture was entitled *The opposite of love is not hate, but indifference*.

Richard Staring was interviewed on human trafficking in Studio Erasmus on December 10, on the question 'Is Rotterdam a smuggling paradise?' <http://www.youtube.com/user/StudioErasmus>.

John Blad presented a lecture '*Harder straffen: in het belang van de samenleving?*' for the HOVO course on law at Erasmus University on February 13 2013.

Television and radio performances

Tom de Leeuw commented on different types of football fans in the television programme De Rekenkamer – 'Hoeveel kost een hooligan?' on November 14.

Pieter Spierenburg was interviewed for a series of four radio-programmes of the BBC Schotland '*Killing in Schotland*' door Billy Kay in March and April 2013.

On the occasion of his dissertation, **Willem-Jan Kortleven** was invited to the NTR science radio programme Hoe?Zo! on June 27.

Newspaper coverage

Rene van Swaeningen and Marc Schuilenburg wrote an Op-ed in *Trouw*, March 27, 'Veiligheidsbeleid is uitdrukking van politiek versimpelde werkelijkheid'. Their article in *Tijdschrift over Cultuur en Criminaliteit* was picked up by the column of Folkert Jensma in *NRC Handelsblad*: 'Pas op, relativerend stuk over veiligheid' (July 6).

Paul Mevis was interviewed by *NRC Handelsblad* on piracy on April 29 and, in an extensive article on budget cuts on safety in his function as member of the Council for Criminal Sanctions, on May 21.

Nicholas Dorn wrote an Op-ed in the *Financial Times*, on 08-03-2013: Let's make the responsibility collective.

Jolande uit Beijerse contributed to the popular section 'The question' in *Erasmus Magazine* on the need for a special juvenile criminal law (January 17).



8. Lunch Lectures

In 2013, a series of lunch lectures for programme members was started. The brown bag lectures take place every three weeks on Mondays. The internal lunch lectures serve to strengthen the ties within the programme, to exchange research results and approaches, and to discuss new ideas. The programme started in September 2013 and will be continued in 2014. In addition to these lunch lectures, three internal discussion sessions were held to discuss the results of the midterm review and publication guidelines and strategies, in June, October and November.



Overview of lunch lectures 2013



Social position and risks of radicalisation

By Richard Staring.
September 16 2013.

Healthy behaviour: panoptic ideals of professionals, policy makers and scientists

By Roel Pieterman.
October 7 2013.

Ontwikkelingen in het jeugdstrafrecht en de wet adolescentenstrafrecht

By Jolande uit Beijerse.
November 18 2013.

TBS to the test: towards legally and empirically legitimate indeterminate sentencing of dangerous offenders. The interrater-reliability of forensic psychiatric evaluations; design and results of a pre-study

By Michiel van der Wolf.
December 9 2013.

Appendix

Publications Monitoring, Safety and Security (2013)

A. Academic Publications

International journal articles

Dongen, J., N. Buck, H. Van Marle, First Offenders With Psychosis: Justification of a Third Type Within the Early/Late Start Offender Typology. *Crime & Delinquency*, February 2014; vol. 60, 1: pp. 126-142., first published on October 28, 2013

Erp, J.G. van (2013). Messy business. Media representations of administrative sanctions for corporate offenders. *Law & Policy*, 35(1-2), 109-139.

Erp, J.G. van & Huisman, W (2013). Opportunities for Environmental Crime, a Test of Situational Crime Prevention Theory. *British Journal of Criminology*, 53(6), 1178-1200.

Hildebrandt, M. (2013). Balance or Tradeoff? Online Security Technologies and Fundamental Rights. *Philosophy and Technology*, 2013(26), 357-379.

Hildebrandt, M. & Tielemans, L. (2013). Data Protection by Design and Technology Neutral Law. *Computer Law and Security Review*, 29(5), 509-521.

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Hulst, J.W. van der (2013). The Dutch Judge of Instruction and the Public Prosecutor in International Judicial Cooperation. *EUCRIM*, 2013(4), 131-137.

Meerts, C.A. (2013). Corporate Security – Private Justice? (Un)Settling Employer-Employee Troubles. *Security Journal*, 26(3), 264-279.

Müller, T. (2013). In praise of ethnography. Towards a rich understanding of crime and deviance. *Kriminologisches Journal*, 2(144), 144-159.

Rassin, E.G.C. (2013). Presence bias and the insensitivity to the diagnosticity of nonidentifications. *Psychology Crime & Law*, 19(3), 203-214.

International book contributions

Blad, J.R. (2013). Civilisation of Criminal Justice: Restorative Justice amongst other strategies. In David Cornwell, John Blad & Martin Wright (Eds.), *Civilising Criminal Justice* (pp. 209-254). Hampshire, UK: Waterside Press.

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- Lamas Leite & Rita Faria (Eds.), *Infrações Económicas e Financeiras. Estudos de Criminologia e Direito* (pp. 360-383). Coimbra: Coimbra Editora.
- Dorn, N., Levi, M. & White, S. (2013). Do European procurement rules generate or prevent crime? In N. Passas (Ed.), *Transnational Financial Crime* (pp. 541-558). Farnham: Ashgate.
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