
IMPROVING THE QUALITY OF THE ENVIRONMENTAL TASK OF THE POLICE IN THE NETHERLANDS: A PERMANENT PROCESS

SPEL, A.

Chief of Police of Noord-Holland Noord, Holder of the Environment portfolio of the Board of Chiefs of Police¹, P.O. Box 219, 2501CE The Hague, The Netherlands

SUMMARY

To support the process of implementation of the environmental task of the Dutch police, in 1995 the Board of Chiefs of Police published a national environmental policy program. The main objective was the full integration of this task, which was quite young those days. Although this policy program was intended for the years up to and including 1998, the Board's Advisory Committee on Environment performed an interim review. This was primarily prompted by the results of the first implementation of the Monitor on the Environmental task of the Police of the Ministry of the Interior. Each regional force was requested to use this instrument to give both a quantitative and qualitative description of the current status. Besides quantitative data about for example enforcement activities, qualitative information was gained by means of a self-assessment per regional force, based on the Dutch version of the quality model of the European Foundation on Quality Management (EFQM). These self assessments showed that especially the following themes deserved further attention: structural question, commitment of management, providing information, cooperation and area-oriented approach. Discussing these themes, the Advisory Committee on Environment formulated 15 recommendations for improvement of the environmental task of the police. One of these comprises the 'rebirth' of specialists on environment.

1 FOREWORD

Dutch environmental policy distinguishes three types of environmental offences. Typical of *offences related to institutions* is that they are often committed in the context of normal business operations. *Offences in open spaces* are committed outside institutions. These involve not only offences literally committed in open spaces, but also violations of the environmental regulations for materials, products and waste substances and rules governing protected animals, plants and areas. *Serious crimes against the environment* concern exceptional, severe types of offences belonging to the first two categories. The distinction is thus not entirely clear-cut; however, it is functional because each type of environmental offence demands a specific enforcement strategy and specific means of enforcement.

Supervision of the compliance of institutions with environmental prescriptions is primarily the responsibility of the administration. If necessary, the police can provide assistance; it also steps in when the administrative enforcement measures are deficient and a criminal proceeding is in place. The investigation of offences in open spaces is preeminently a task for the police and is generally carried out in the context of regular surveillance. As is the case in other frequently committed offences, the police function here is that of ears, nose and eyes. Serious crimes against the environment generally take place as organized crime or organizational crime.² Criminal prosecution is indicated, which is why there are particular tasks for the police and the Public Prosecutions Department.³

2 INTRODUCTION

So in the Netherlands, as well as the administration and the Public Prosecutions Department, the police is involved in enforcing environmental legislation. The environmental task of the police however is relatively new: it was introduced at the end of 1991. But even before this new police task had the chance to mature, it was faced with far-reaching reorganization in 1994.⁴ Which is why the environmental task of the police is said to have made a new start in 1995. To support this process, the Board of Chiefs of Police then published a national environmental policy program.⁵ The main objective was the full integration of the environmental task of the police.

Although this policy program was intended for the years up to and including 1998, we performed an interim review. In consultation with the regional coordinators of the environmental task of the police and under my chairmanship, the Advisory Committee on Environment of the Board of Chiefs of Police examined the way the police fulfills its environmental task. The conclusion was quite positive. At the same time, because of the great efforts of a large number of police officers, a wealth of experience was gained that afforded greater and deeper insights. This helped to specify or revise certain intentions of the Board of Chiefs of Police environmental policy program.⁶

The interim review was primarily prompted by the results of the first implementation of the Monitor on the Environmental task of the Police of the Ministry of the Interior. Each regional force was requested to use this instrument to give both a quantitative and qualitative description of the current status.⁷ The results were published mid 1997 and, when totalled, outline the following national picture.⁸

3 INPUT

In 1995, around NLG 100 million was available for the environmental task. With this, roughly 2.6% of the total police budget was allocated to environmental tasks, which helped finance upward of 700 full-time equivalents. 17% was intended for managers and specialists who spent at least half of their working hours on the environmental task. The more than 580 other positions were distributed over a much greater number of personnel belonging to the Basic Police Care section.⁹ Because of the general nature of their work, the environmental task is one of their (many) sub-tasks.

Of the latter group, the vast majority (some 20,000) has since followed a training course on environment. In addition, the environmental task is an integral part of training for basic police care personnel and managers these days. At the same time, the package of accredited courses on environment is updated and expanded continuously. Modules were recently added in the field of sample-taking and the enforcement of 'green' laws.¹⁰ These steps have resulted in by far the majority of Basic Police Care personnel being equipped to tackle relatively simple environmental offences.

Preconditions have also been created in the field of providing (computerized) information. In this context, a data dictionary for the environmental task of the police is set for completion in the near future. The development of two operating systems dedicated to environmental information is also in its last phase as is a project in which supra-regional exchange of data is possible. Furthermore, in 1997 the national Information and Expertise Centre was founded. Its primary task is the encouragement of the further professionalization of the environmental task in the forces and the support of the exchange of information and communication between them.

4 ENFORCEMENT ACTIVITIES

According to the Monitor on the Environmental task of the Police, in 1995 roughly 135,000 calls were registered in the field of the environment.¹¹ Half of the specified environmental calls concerned noise nuisance; at the same time relatively few written reports were drawn up. This is because of the transitory nature of the offence that moreover entails one written report being drawn up based on numerous calls. Noise nuisance, just as for example air pollution, often rather requires a warning. Moreover, 'waste' and 'fireworks' also rated high with regard to both the number of calls and the number of written reports. But controlling and enforcing environmental legislation by the police is not simply directed at drawing up written reports. Nature conservation offences are often more conveniently dealt with by police transactions which is also reflected in the statistics. On the grounds of the Monitor on the Environmental task of the Police, the environmental task of the police is thus primarily focused on enforcing offences in open spaces.

Measured against the number of written reports, this is also confirmed in the following statistics of the Public Prosecutions Department. In 1995, the number of written reports drawn up by the joint investigation services increased with 13%. The increase in police efforts was proportionately higher, 21%. In addition, its share in the total number of environmental written reports increased from 61% in 1994 to 65% in 1995. This rise not only involves offences in open spaces but also serious crime against the environment: the categories in which the police has an independent task. Enforcing offences related to institutions, in which the police is dependent on the administration, lagged behind.

In 1996, the number of environmental written reports issued by the police seemed to stabilize, while its share in the total amount increased to 67%. At the same time, according to the statistics of the regional forces, the number of other environmental products such as police transactions rose, partly as a result of present day extended 'tit-for-tat' possibilities.¹²

5 SELF-ASSESSMENT

Besides this quantitative data, the Monitor on the Environmental task of the Police also produced qualitative information. This was gained by means of a self-assessment per regional force, based on the Dutch version of the quality model of the European Foundation on Quality Management (EFQM).¹³

The EFQM model consists of nine correlating areas of attention: five focusing on organization (Leadership, Policy & Strategy, People Management, Means and Processes or Managing the Profession) and four directed at results (see Appendix 1). This concerns for example Customer Satisfaction and Impact on Society; matters of great importance for a service organization like the police. In addition the EFQM model distinguishes five levels of development that stand for a growth process: from focussing on isolated activities to total quality care.

With its use of the EFQM model, the Monitor on the Environmental task of the Police was in advance of a system of integral quality care for the entire Dutch police force that started in 1996. The system is characterized by a statutorily established approach in three steps. First, self-assessments are held in all regional forces, using the EFQM model. Because these self-assessments are implemented at the level of both subdivision and regional force, areas possibly in need of improvement become clear. This is followed by an external audit requested by the force management which comprises a critical consideration by colleagues from another region of the force's description of its own organization. The EFQM model also plays a central role here. This second phase is rounded off with a report which outlines both the strong points and those

aspects requiring improvement. After the audit, the force is given one year in which to implement the improvements, after which it is visited by a visitation committee that sets out the issues that have been concretely addressed and improved.¹⁴

The implementation of the system of quality care is managed by an organization specially set up for the purpose: the Quality Bureau for the Police. The aim is that all 26 forces will have completed the described process of self-assessment - audit - visitation by the year 2000. In the meantime a comparable process has been initiated for the 19 districts of the Public Prosecutions Department, while recently the umbrella organization of the Netherlands municipalities also decided to introduce the EFQM model.

The self-assessments of the regional forces in the context of the Monitor on the Environmental task of the Police have also shown that a number of - correlating - themes deserve further attention.

6 STRUCTURAL QUESTION

Enforcing environmental legislation is part of the general package of tasks of almost all regional forces, but the organization is divergent. Where in one region the environmental task is primarily housed in a separate office with (material) experts, in the other region, it is almost entirely dealt with by the Basic Police Care section, which is supported by only a few specialists. The environmental task of the police is, however, so complex that tasks that go further than recognition, registration and referral can only be efficiently carried out by specialists. In this context, Basic Police Care personnel seldom seem to draw up an environmental written report during their surveillance activities. They also often give a warning when a written report should be issued and the environmental written report they draw up mostly involve offences in open spaces. Moreover, police supervision of institutions is only of an incidental nature.

Against this background, in the context of the interim review of the environmental policy program of the Board of Chiefs of Police, the Advisory Committee on Environment concluded that the main objective of full integration of the environmental task has not been adequately achieved. Although it is true that integration is beginning to emerge in tackling offences in open spaces. But when there are no or too few specialists on environment involved, the approach of institution-related environmental offences hardly gets off the ground. A certain degree of specialism thus appears essential, and the Advisory Committee on Environment also argues for a 'rebirth of the environmental specialist'.¹⁵ In the opinion of the Advisory Committee on Environment, (regional) coordinators and specialists on environment have a two-fold task. On the one hand, supporting the warning function of the Basic Police Care section and consequently coordination as well. On the other hand, implementation when the nature of the investigation requires.

This has consequences for the training programs. For an optimal result, it is essential to adapt these to the distinction between the tasks of specialist and generalist. But just as important are possibilities of putting knowledge gained on training courses on environment into practice. Which is why the Advisory Committee on Environment argues for forces being able to select their courses to match the target groups, thus investing less in the 'breadth' and more in the 'depth'.

7 COMMITMENT OF MANAGEMENT

Environmental offences have an unequal 'competitive position' because they differ from the other problems with which the police is faced. After all, the environment cannot defend itself or call on police assistance. Environmental problems also demand a long-term approach - more so than other crime sectors - which makes environmental matters less dominant and concrete.

Moreover (middle) management also has little affinity with the environmental task of the police, which entails capacity often being channelled into other priorities and success being largely dependent on the personal efforts of individuals.

For these reasons, the Advisory Committee on Environment finds that extra attention is required for prioritizing. If environmental problems need to compete with other investigation priorities, agreements must be made per region on the efforts to be made, synchronized with regional environmental issues and the results of earlier efforts. The Advisory Committee on Environment also gives importance to management support for the environmental task of the police and, on the basis of sufficient expertise, includes 'the environment' in daily prioritizing. For this reason, it argues that management staff should update their expertise on environment by following courses. At the same time, the Advisory Committee on Environment calls on the environmental task force of the police to invest more in their chiefs and, certainly when these don't respond, continually emphasize the reasons for their ambitions. In addition, the Advisory Committee on Environment would like each regional force to appoint a holder of the Environment portfolio at the level of chief of a district or division as an advocate in 'the line'. In the daily listing of priorities in the regional and district policy programs, he can request attention for the environment with a degree of authority.

8 PROVIDING INFORMATION

Management and policy information based on facts is an important precondition for improving the quality of the environmental task force. This assumes insight into and of operations and task implementation. This requires good registration of data in the chain policy - implementation - evaluation. However, the Monitor on the Environmental task of the Police shows that the regional forces often have not established their operating processes dedicated to the environmental task and do not always list the means used, how much the activities cost and their results. This hampers the underpinning and evaluation of environmental plans. The environmental policy is thus not always integrated in the policy cycle of the police; too much still takes place coincidentally. Moreover, different registration systems are used which hampers both the ability to make good comparisons and drawing up a nationwide picture.

Against this background, the Advisory Committee on Environment argues for the general introduction of an information model developed in order of the Public Prosecutions Department (1996): 'Public Prosecutions Department, Police and the Environment'. This model affords the opportunity of steering on the basis of systematic registration: one of the preconditions for the organizational anchoring of the environmental task of the police. Partly because implementation is still not uniform, the Advisory Committee on Environment requests the Environment Platform, comprising the holders of the Environment portfolio of the three police boards¹⁶, to phase in the 'Public Prosecutions Department, Police and the Environment' model as soon as possible. Phasing in this model would include eradicating the great disadvantage that this system revolves primarily around hours assigned. The products mentioned by themes and target groups are only put into operation quantitatively which threatens to give too little attention to the qualitative aspect of the role and action of the police.

9 COOPERATION

Many bodies have a place in the chain of Dutch environmental law enforcement, which involves a great degree of cooperation. The Monitor on the Environmental task of the Police shows that the police has acquired a strong position in regional networks on environment. At the same time, there is insufficient insight into tasks, policy and the ambition of partners even though the partnership with the Public Prosecutions Department and municipalities is better

developed than that with other partners. Consequently, cooperation is often still incidental and, above all, (too) little directed at actual enforcement. But all partners are satisfied with the cooperation with the police when it comes to concrete actions. Because this is still (too) little the case, the police is often blamed for not always being reliable. The question is how, given the heavy workload, they can utilize the capacity available to guarantee input for the environmental task when requested by the partners.

The Advisory Committee on Environment sees part of the solution in working more in accordance to a plan, for which a joint list of environmental problems is essential. On the basis of this and the formal task package of each enforcement partner, the police should also be able to make agreements on its specific contribution. In the view of the Advisory Committee on Environment the contribution should reflect support from the force management, the regional triangle¹⁷ and the regional board.¹⁸ Ultimately, these bodies should also establish the extent to which the environmental problems have been resolved. Then, policy intentions can be adapted and new agreements made. Each year, capacity might be allocated to a predetermined number of investigations into institution-related environmental offences.

10 AREA-ORIENTED APPROACH

In the context of area-oriented environmental enforcement, the Dutch police force experiments with the simultaneous enforcement of the Town and Country Planning Act and the acts in the field of environmental protection and nature conservation. In cooperation with the enforcement partners, agreements are set down in an area covenant about the harmonization of rules and standards with the specific aspects of the area concerned. Such an approach involves more stakeholders than tackling the three areas of attention individually. In this way, area-centered environmental law enforcement yields more than the sum of the parts.

In the Netherlands, the police also works towards 'bringing blue closer to citizens'.¹⁹ In this regard, the Basic Police Care is increasingly carried out in a limited, specific area. In the context of this area-accountable police care, also promising environmental projects are set up. By way of illustration, Basic Police Care personnel maintain structural contacts with companies through which they are better able to tackle simple institution-related offences, with specialist support if need be. But specialists also benefit from area-accountable police care. In tackling the complicated institution-related offences, they can make use of information known to the Basic Police Care personnel on the companies concerned. The area-centered approach to environmental problems thus takes numerous forms, depending on the goal. Because both working methods described provide good results, the Advisory Committee on Environment requests special attention for both.

11 POINTS FOR IMPROVEMENT

Prompted by the self-assessment based on the EFQM model in the context of the Monitor on the Environmental task of the Police, each region has formulated points for improvement. Analogue to this, the recommendations of the Advisory Committee on Environment largely based on the collected self-assessments can be seen as national points for improvement. In summary, this concerns recommendations such as those in the diagram below, placed against the background of their origin, the EFQM model. In the successor to the Board of Chiefs of Police environmental plan, set to be published in 1999, the Advisory Committee on Environment hopes to be able to sketch an outline for the implementation of these national recommendations.

Also by 1999, the system for integral quality care will have been more or less generally implemented. New objectives for environmental legislation enforcement by the police will be formulated on the basis of the EFQM model. The mid-term review of the Advisory Committee on Environment, the main points of which are presented here, already dovetails with the same system. With this, improving the quality of the environmental task of the police is at the forefront, which could give it extra impetus. I look forward to keeping you informed of developments at a later date.

ENDNOTES

1. One of the tasks of this Board is, for example, to supervise the processes of development and change within the (26) Dutch police forces.
2. Where the former concerns the systematic perpetration of crime, organizational crime is motivated by improving the trading results.
3. In the Netherlands, both police officers (general investigation service) and officials of certain control services (special investigation services) appointed by the administration have investigative powers on certain environmental offences.
4. On this occasion, not only the management and supervisory structure were amended; 148 individual municipal forces and 17 district forces of the national police were also combined into 25 regional forces and 1 national police service agency. This involves a total of 40,000 men and women.
5. Because the 25 regional forces are autonomous and environmental problems can best be tackled on the basis of a regional/local analysis, this policy program intends to offer the main points of a national context.
6. See the report entitled 'Tussenbalans' (meaning: interim review; March 1998) that sets down these points, and which served as the basis for this paper.
7. With respect to quantitative aspects (finance, organization and results), the report concerns 1995: the qualitative information concerns the situation in the second half of 1996.
8. At the time of the first implementation of the Monitor on the Environmental task of the Police, in many regional forces the information registration system was not operating efficiently. This had consequences for the mutual comparability and reliability of data. For this reason, comments are made on a relatively high level of abstraction.
9. Basic Police Care is understood to mean: all first line police activities (such as surveillance, traffic control, dealing with accidents, assistance and investigating punishable offences) which require no exceptional specialisms or specialist services.
10. These are laws concerning the nature conservation such as the Flora and Fauna Act and the Forestry Act.
11. Because this concerns the first implementation of the Monitor on the Environmental task of the Police, no comparative information is available, which is why no developments can be sketched and a value judgement is impossible.

12. The 'tit-for-tat' method enables same-day settlement through an abridged written report of environmental offences where the proof is simple and the perpetrator caught in the act.
13. The EFQM model was developed under the auspices of fourteen captains of industry. For the Netherlands and other countries, a national version of the model exists. The headquarters of the foundation in question are in Brussels.
14. This committee always comprises a Force Manager, a Public Prosecutor and a Chief of Police, thereby representing the managerial and command hierarchy within the Dutch police.
15. With the reorganization of 1994 mentioned above, the specialist units that existed for juvenile crime, vice and the environmental task were disbanded in favor of the Basic Police Care section: hence talk of a 'rebirth'.
16. Not only the Chiefs of Police, but also the Force Managers and the Public Prosecutors have united in boards. In addition to their usual main tasks, the holders of the Environment portfolio are involved with (national developments in the area of) environmental law enforcement in particular and on behalf of their boards.
17. This comprises the Force Manager, the Public Prosecutor and the Police Chief Commissioner of the region concerned.
18. In addition to the Force Manager, this comprises all other lord mayors of the municipalities in the region concerned. The meetings of the regional college are attended by the Public Prosecutor and the Police Chief Commissioner.
19. Blue is the color of the Dutch police uniform.

APPENDIX 1

DIAGRAM: EFQM MODEL INCLUDING THE 15 RECOMMENDATIONS

EFQM-model



