



Reference data 2020 (01/01/2020 - 31/12/2020)

Start/end date of the data collection campaign : 19/03/2021 - 01/10/2021

Objective :

The CEPEJ decided, at its 35th plenary meeting, to launch the ninth evaluation cycle 2020 – 2022, focused on 2020 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 47 member states of the Council of Europe as well as three observer states (Israel, Morocco and Kazakhstan). This will enable policy makers and judicial practitioners to take account of such unique information when carrying out their activities.

The present questionnaire was adapted by the Working group on evaluation of judicial systems (CEPEJ-GT-EVAL) in view of the previous evaluation cycles and considering the comments submitted by CEPEJ members, observers, experts and national correspondents. The aim of this exercise is to increase awareness of judicial systems in the participating states, to compare the functioning of judicial systems in their various aspects, as well as to have a better knowledge of the trends of the judicial organisation in order to help improve the efficiency of justice. The evaluation questionnaire and the analysis of the results becomes a genuine tool in favour of public policies on justice, for the sake of the European citizens.

Instruction :

The ways to use the application and to answer the questions are guided by two main documents:

- User manual
- Explanatory note

While the explanatory note gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, the User manual is a tool to help you navigate through this application. You can download the Explanatory note as a whole on the CEPEJ website. The specific explanations are also accessible for each question within this application under the tab "Explanatory note". This will serve as immediate consultation tool when answering questions. In case you have any questions related to these documents or on the use of the application, please do not hesitate to contact the Secretariat.

1. General and financial information

1.1. Demographic and economic data

1.1.1. Inhabitants and economic general information



001. Number of inhabitants (if possible on 1 January of the reference year +1)

[17 475 415]

Comments

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002. Total of annual public expenditure at state level and where appropriate, public expenditure at regional or federal entity level (in €)

	Amount
State or federal level	332 000 000 000 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Regional / federal entity level (total for all regions / federal entities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

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003. Per capita GDP (in €) in current prices for the reference year

[45 900]

Comments Source: <https://www.cbs.nl/nl-nl/nieuws/2021/28/bbp-per-inwoner-in-nederland-nog-altijd-relatief-hoog-binnen-de-eu>

004. Average gross annual salary (in €) for the reference year

[62 700]

NA

Comments These are provisional numbers and the definitive numbers (available in 2022) may differ slightly from these provided here. The data specifies 'reward per working year' as salary. The reward consists of salary (gross salary, as it includes taxes and social contributions/premiums), rewards like holiday stipends, payment in kind, expense allowances that tie in with work (like travel allowances that cover costs to and from work), and social premiums that are for the employer (payments for lawful and contractual social security, like pension contributions).

005. Exchange rate of national currency (non-Euro zone) in € on 1 January of the reference year +1

[]

Allow decimals : 5

NAP

Comments

A1. Please indicate the sources for answering the questions in this part

Sources: CBS Statline:

<https://opendata.cbs.nl/statline/#/CBS/nl/dataset/84165NED/table?ts=1611219165227>

<https://opendata.cbs.nl/statline/#/CBS/nl/dataset/84432NED/table?ts=1605017063168>

<https://opendata.cbs.nl/statline/#/CBS/nl/dataset/37296ned/table?ts=1626443981674>

www.rijksfinancien.nl

<https://www.cbs.nl/nl-nl/nieuws/2021/28/bbp-per-inwoner-in-nederland-nog-altijd-relatief-hoog-binnen-de-eu>



1.1.2 Budgetary data concerning judicial system

006. Annual (approved and implemented) public budget allocated to the functioning of all courts, in € (without the budget of the public prosecution services and without the budget of legal aid). If you cannot separate the budget allocated to the courts from the budget of public prosecution services and/or the one allocated to legal aid, please go to question 7. If you are able to answer this question 6, please answer NA to question 7.

	Approved budget (in €)	Implemented budget (in €)
TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	1 054 825 000 [] NA [] NAP	1 130 627 000 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	868 753 000 [] NA [] NAP	897 759 000 [] NA [] NAP
2. Annual public budget allocated to computerisation (2.1 + 2.2)	62 036 000 [] NA [] NAP	118 733 000 [] NA [] NAP
2.1 Investments in computerisation	[X] NA [] NAP	[X] NA [] NAP
2.2 Maintenance of the IT equipment of courts	[X] NA [] NAP	[X] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)	2 768 000 [] NA [] NAP	2 535 000 [] NA [] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	101 656 000 [] NA [] NAP	91 469 000 [] NA [] NAP
5. Annual public budget allocated to investments in new (court) buildings	[] NA [X] NAP	[] NA [X] NAP
6. Annual public budget allocated to training	[X] NA [] NAP	[X] NA [] NAP
7. Other (please specify)	19 612 000 [] NA [] NAP	20 131 000 [] NA [] NAP

Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main reasons for the differences: Budgets of 2020 include the High Court (not always included in previous years). Covid-19 had effect on the costs in 2020. High Court costs are included in total, salaries and computerisation.

As regards the decrease of the approved budget allocated to computerisation, in 2019, price agreements about additional financing for 2020-2022 were reached with the Council of the Judiciary. So in the approved budget 2020, these finances were included in the total estimated budget, but not specified to budget for computerization.

As regards the decrease of the approved budget for "other", in 2018, the approved depreciation (material capital assets) were much higher than in the approved budget for 2020.

007. If you cannot answer question 6 because you cannot isolate the public budget allocated to

courts from the budget allocated to public prosecution services and/or the one allocated to legal aid, please fill in only the appropriate line in the table according to your system:

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to all courts and the public prosecution services together	[X] NA [] NAP	[X] NA [] NAP
Total annual public budget allocated to all courts and legal aid together	[X] NA [] NAP	[X] NA [] NAP
Total annual public budget allocated to all courts, public prosecution services and legal aid together	[X] NA [] NAP	[X] NA [] NAP

Comments - Please indicate any useful comment to explain the figures provided. If the annual public budget actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:

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008. Are litigants in general required to pay a court fee to initiate a proceeding at a court of general jurisdiction:

	Litigants required to pay a court fee to initiate a proceeding at a court of general jurisdiction ?
for criminal cases	() Yes, at the beginning of the procedure () Yes, at a later stage (X) No
for other than criminal cases	(X) Yes, at the beginning of the procedure () Yes, at a later stage () No

If there are exceptions to the obligation to pay these court fees, could you please provide comments on those exceptions?

008-1. Please briefly present the methodology of calculation of these court fees:

<p>- Civil cases:</p> <p>-There are fixed court fee rates based on the underlying value of the claim. There is a flat rate in cases where the value of the claims is undetermined.</p> <p>-There are different rates for individuals and legal entities.</p> <p>Administrative cases:</p> <p>-The rate depends on the type of case and whether it is an individual or legal entity.</p> <p>There is a fixed rate for people with low income.</p> <p>Since 1 January 2011 the court fee must be paid in advance.</p>

008-2. The amount of court fees requested to commence an action for 3000€ debt recovery:

[236]

[] NA

[] NAP

Comments The reported fee of 499 is for legal entities. For individuals the fee is 236 euros, and for individuals with low income the fee is 83 euros.

009. Annual income of court fees received by the State (in €):

[151 548 000]

[] NA

[] NAP

Comments

012. Annual approved public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)	438 400 000 [] NA [] NAP	149 500 000 [] NA [] NAP	288 900 000 [] NA [] NAP
12.1 for cases brought to court (court fees and/or legal representation)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12.2 for cases not brought to court (legal advice, ADR and other legal services)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments

012-1. Annual implemented public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)	455 400 000 [] NA [] NAP	161 600 000 [] NA [] NAP	293 800 000 [] NA [] NAP
12-1.1 for cases brought to court (court fees and/or legal representation)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12-1.2 for cases not brought to court (legal advice, ADR and other legal services)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main reasons for the differences: The approved budget is based on estimations, the implemented budget is the actual cost.

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012-2. Does legal aid include:

Legal aid includes:

Coverage of court fees	() Yes (X) No [] NAP
Exemption from court fees	() Yes (X) No [] NAP

Comments

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012-3. Do legal aid budgets indicated in Q12 and Q12-1 include:

	Amount calculated/estimated included
Coverage of court fees	() Yes (X) No [] NAP
Exemption from court fees	() Yes (X) No [] NAP

Comments

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013. Annual (approved and implemented) public budget allocated to the public prosecution services, in €.

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the public prosecution services, in € (including 13.1)	535 469 000 [] NA [] NAP	603 770 000 [] NA [] NAP
13.1. Annual public budget allocated to training of public prosecution services	[] NA [X] NAP	[] NA [X] NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:

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014. Authorities formally responsible for the budgets allocated to the courts (multiple options possible):

	Preparation of the total court budget	Adoption/approval of the total court budget	Management and allocation of the budget among the courts	Evaluation of the use of the budget at a national level
Ministry of Justice	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP

Other ministry	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP
Parliament	() Yes (X) No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP
Supreme Court	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP
High Judicial Council	(X) Yes () No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP
Courts	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP
Inspection body	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP
Other	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP	() Yes (X) No <input type="checkbox"/> NAP

Comments - If “Other Ministry” and/or “Inspection body” and/or “Other”, please specify: The Council of State (Other) does not have an influence on the budget that the Ministry divides under parts of the judiciary.

014-0. What are the criteria used to allocate financial resources among courts? Furthermore, please select maximum three main criteria of allocation

	Criteria used	Main criteria
Previous years' budget costs	<input type="checkbox"/>	<input type="checkbox"/>
Special needs assessment	<input type="checkbox"/>	<input type="checkbox"/>
Number of judges/non judges' staff	<input type="checkbox"/>	<input type="checkbox"/>
Number of incoming cases	<input type="checkbox"/>	<input type="checkbox"/>
Number of pending cases	<input type="checkbox"/>	<input type="checkbox"/>
Number of resolved cases	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>

NAP

Comments - If “Other”, please specify Number of resolved cases is the sole determinant for allocation of financial resources. Each court makes an annual plan, describing how much funds they expect to need. These plans are used to distribute the financial resources within the court.

014-1. Who is entrusted with responsibilities related to the budget within a first instance court?

	Preparation of the budget	Arbitration and allocation of the budget	Day to day management of the budget	Evaluation and control of the use of the budget
Court President and/or judge(s)	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Head of court administration and/or non-judges	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Mixed body (judge(s) and non-judge(s))	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Other	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP	() Yes () No [X] NAP

Comments - If "Other", please specify. If the responsibilities are different depending on the type/instance of courts, please answer the question for the first instance court of general jurisdiction and describe the differences in the comment box: The management board is a mixed body, made up of judges and business management.

A2. Please indicate the sources for answering the questions in this part

Sources: no specific sources

1.1.3 Budgetary data concerning the whole justice system

015-1. Annual (approved and implemented) public budget allocated to the whole justice system, in € (this global budget includes the judicial system budget - see 15-2 and other elements of the justice system - see 15-3)

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the whole justice system in €	13 376 000 000 [] NA [] NAP	14 382 000 000 [] NA [] NAP

Comments - Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the whole justice system actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences: A large part of this discrepancy stems from the coronapandemic and its costs. There has been higher spending across almost the entire judicial system, but notably higher expenditures are for police (230m), prisons (232m) and asylum (220m, of which 144m was for the sheltering and care of the asylum seekers).

015-2. Elements of the judicial system budget (Q6, Q7, Q12, Q13)

Included

Courts	(X) Yes () No <input type="checkbox"/> NAP
Legal aid	(X) Yes () No <input type="checkbox"/> NAP
Public prosecution services	(X) Yes () No <input type="checkbox"/> NAP

Comments

015-3. Other budgetary elements

	Included
Prison system	(X) Yes () No <input type="checkbox"/> NAP
Probation services	(X) Yes () No <input type="checkbox"/> NAP
High Judicial Council	(X) Yes () No <input type="checkbox"/> NAP
High Prosecutorial Council	(X) Yes () No <input type="checkbox"/> NAP
Constitutional court	() Yes () No <input checked="" type="checkbox"/> NAP
Judicial management body	(X) Yes () No <input type="checkbox"/> NAP
State advocacy	(X) Yes () No <input type="checkbox"/> NAP
Enforcement services	(X) Yes () No <input type="checkbox"/> NAP
Notariat	() Yes (X) No <input type="checkbox"/> NAP
Forensic services	(X) Yes () No <input type="checkbox"/> NAP
Judicial protection of juveniles	(X) Yes () No <input type="checkbox"/> NAP
Functioning of the Ministry of Justice	(X) Yes () No <input type="checkbox"/> NAP

Refugees and asylum seekers services	(X) Yes () No <input type="checkbox"/> NAP
Immigration Service	(X) Yes () No <input type="checkbox"/> NAP
Some police services (e.g. : transfer, investigation, prisoners' security)	(X) Yes () No <input type="checkbox"/> NAP
Other	(X) Yes () No <input type="checkbox"/> NAP

If "Other", please specify: Notariat is funded by the Royal Dutch Association of Civil-law Notaries (KNB, Koninklijke Notariële Beroepsorganisatie).

A3. Please indicate the sources for answering the questions in this part

Sources: Rijksbegroting.nl

1.2. Organisation and management of courts and public prosecution services

015-4. Please describe who has responsibilities for the management of individual courts, what management roles they have, what is their status and their position in the organisational hierarchy of the court concerned.

- Since 2002, when the Council for the Judiciary was established, courts have been given the responsibility of running their own organisation on the basis of integral management.

The Council for the Judiciary is part of the judiciary system, and does not administer justice itself. Among other tasks, the CftJ is responsible for the allocation of the budget to the courts, supervision of their financial management, HR policies, IT and housing. The CftJ also supports the courts in their tasks, advises and is responsible for quality promotion.

Each court has its own collegial court board, which is chaired by the court president. This board is responsible for the general management and day-to-day running of the court. The court board is made up of the court president, a member of the business side and a person responsible for the quality of the court. They are accountable towards the CftJ for the use of resources, but not for how judicial decisions are made. The CftJ reports to the Minister of Justice on how resources are used. The Minister is – now that de CftJ exists – less directly involved, but does hold political responsibility. Under the court board, there are teams or departments that are responsible for the operational running of the court.

<https://www.rechtspraak.nl/SiteCollectionDocuments/The-Judiciary-System-in-the-Netherlands.pdf#search=organisation%20of%20the%20courts>

Max characters value : 10 000

015-5. Please describe who has responsibilities for the management of individual public prosecution offices, what management roles they have, what is their status and their position in the

organisational hierarchy of the office concerned.

- Explanation of definition: parket – translated with State Counsel’s Office (SCO), regional or special office of the public prosecution. There is an arrondissementsparket (office of the public prosecution in a jurisdiction) and a Ressortsparket (office for the High Court).

The Public Prosecution is a national organization, divided into 10 jurisdictions (which are the same as the 10 regional units of the Dutch Police). There is the National SCO (Landelijk Parket), which focuses on fighting (international) organized crime, and the Functional SCO (Functioneel Parket), which fight criminality in the fields of the environment, economy, and fraud, and the SCO of Central Processing of the Public Prosecution (Parket Central Verwerking Openbaar Ministerie), which handles all appeals for traffic tickets.

In the Offices of the Public Prosecution in a jurisdiction (Arrondissementsparketten) the public prosecutors handle hundreds of thousands of cases annually, supported by administrative and judicial specialists. Cases that are appealed go to one of four offices of the High Court (Ressortsparket). The representative of the Public Prosecution is called an attorney-general (advocaat-generaal). Offices of the Public Prosecution are lead by the Head of the Public Prosecution (Hoofdofficier van Justitie), and the head of the Officie of the High Court is the Head attorney-general. The national leadership of the Public Prosecution Services is the Assembly of Attorney-Generals (College van procureurs-generaal, the Assembly) in The Hague. The minister of Justice and Safety (minister van Justitie en Veiligheid) is politically responsible for the Public Prosecution Office. Together with the Assembly, he decides the priorities in investigating and prosecution.

The national management of the Public Prosecution lies with the Board of PG's (College van Procureurs-Generaal) in The Hague. The management of an office (parket) lies in the hands of a Head Prosecutor, who forms the board of that office together with a Deputy Head Prosecutor and Director of Management. The Head Prosecture bears principal responsibility for the office he/she leads. In practice, the work of Head Prosecutor is focused somewhat more on external relations, the Deputy Head Prosecutor on the internal organisation and the Director of Management on management aspects.

Since August 1, 2020, an adjusted way of recruiting the management functions was introduced (for Head Prosecutor, Deputy Head Prosecutor, and Director of Management). First, a recruiting profile is compiled, then the vacancy is opened for applications. Next, a first selection is done based on application letters (letters are judged based on criteria in the profile). Following, an interview with the Selection Advisory Committee (SAC). The SAC then advises the Nomination Advisory Committee (NAC) on which candidates they judge positively, and the board of those with a negative advice. Next, the candidates with a positive advice take part in a selection assessment. The SAC then discusses the report and their advice with the board and advises the NAC. The NAC then interviews the candidates and finally a candidate is selected by the board.

Max characters value : 10 000

2. Access to justice and all courts

2.1. Legal Aid

2.1.1 Scope of legal aid

016. Does legal aid apply to:

Criminal cases	Other than criminal cases
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Representation in court	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Legal advice, ADR and other legal services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

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016-1. Please briefly describe the organisation of the legal aid system in your country both before going to court and during court proceedings.

- The Dutch legal aid system is basically a threefold model. It encompasses three ‘tiers’ providing legal aid (see figure 1 for a schematic representation). The legal aid system, therefore, is a mixed model, consisting of a public preliminary provision, public first-tier and private second-tier help.

1. Online self-help, information and support is offered on the Rechtwijzer website (Rechtwijzer translates into Roadmap to Justice; see www.rechtwijzer.nl) and on the website of the Legal Services Counter. Rechtwijzer is a preliminary provision and offers interactive ‘decision trees’ helping people to assess their situation. In addition Rechtwijzer provides easy-to-understand information and guidance on possible solutions for the most common legal problems. Rechtwijzer combines publicly run guided pathways for common legal problems with online products and services from private service providers. In 2020 Rechtwijzer is supplemented with Rechtwijzer EHBO (‘First aid for solutions’). This decision tree is aimed at early identification of multiple problems. The Legal Services Counters (see section 2 below) also have a website that can be used as a preliminary provision.

2. The Legal Services Counters act as what is commonly known as the ‘front office’ (primary help). Legal matters are being clarified to clients and information and advice is given. Clients may be referred to a private lawyer or mediator, who act as the secondary tier of legal aid. Clients may also apply for help from a subsidised lawyer or mediator directly. If necessary, clients can also be referred to other professionals or support agencies, such as legal advisors or Consumer and Rent Tribunals.

3. Private lawyers and mediators provide legal aid in more complicated or time-consuming matters (secondary help) in the form of certificates. A lawyer (or mediator) submits an application to the LAB on behalf of his client. If legal aid is granted, a certificate is issued which allows the lawyer in question to deal with the case. Lawyers and mediators are paid by the LAB to provide their services to clients of limited means. Generally they are paid a fixed fee according to the type of case (with fixed surcharges if applicable), although exceptions can be made for more time consuming cases.

To some extent, trade unions and consumer organisations also provide legal aid. The number of legal aid insurance policies continued to rise for a long time and has stabilized around 42% of the Dutch households since 2010.

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018. Can legal aid be granted for the fees that are related to the enforcement of judicial decisions (e.g. fees of an enforcement agent)?

Yes

No

If yes, please specify: Article 12, criminal law on prosecution (wetboek van strafvordering)

019. Can legal aid be granted for other costs (different from those mentioned in questions 16 to 18, e.g. fees of technical advisors or experts, costs of other legal professionals (notaries), travel costs etc.)?

	Criminal cases	Other than criminal cases
Legal aid granted for other costs	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please specify:

2.1.2 Information on legal aid

020. Please indicate the number of cases for which legal aid has been granted:

	Total	Cases brought to court	Cases not brought to court
TOTAL	301 304 [] NA [] NAP	253 506 [] NA [] NAP	47 798 [] NA [] NAP
In criminal cases	88 075 [] NA [] NAP	88 075 [] NA [] NAP	[] NA [X] NAP
In other than criminal cases	213 229 [] NA [] NAP	165 431 [] NA [] NAP	47 798 [] NA [] NAP

Comments - Please specify when appropriate: The number of cases in 2020 is considerably lower than previous years, probably in part due to the Covid-19 pandemic. Due to the pandemic, criminal cases had been paused, waiting to be handled.

020-1. Please indicate the timeframes of the procedure for granting legal aid, in relation to the duration from the initial legal aid request to the final approval of the legal aid request:

	Time in days
Maximum duration prescribed in law/regulation	40 [] NA [] NAP
Actual average duration	12 [] NA [] NAP

Comments - Please specify if the envisaged timeframe is set in a statutory law, or in other regulation. Furthermore, if different timeframes are envisaged for criminal and other than criminal cases please provide more information: 40 working days, so eight weeks. 12 days was the average in 2020.

The maximum duration is 8 weeks (40 working days). This is based on statutory law (the AWB: the General Administrative Law Act). However, this only applies to approximately 20% of the applications. Around 80% of the applications falls under the High Trust regime (see below) in which the application is granted automatically within 7 days (after the income and assets-check with the tax authorities). High Trust: Many lawyers and mediators regarded the application for a certificate as burdensome and time consuming, and the

verification as bureaucratic. Therefore alternatives were considered to simplify the verification of applications and expense statements. The LAB introduced a High Trust method for dealing with the applications for certificates. This High Trust method implies that the LAB and lawyers and mediators work together on the basis of transparency, trust and mutual understanding. The High Trust method involves greater compliance on the part of the legal profession, both as to administrative proceedings of rules and working in accordance with the law, fixed procedures and support facilities such as Kenniswijzer (an online tool of the LAB with information about legislation, jurisprudence and guidelines for the application of certificates). The LAB developed specific tools for compliance assistance, such as information and instruction meetings, which are free of charge for lawyers and mediators under High Trust. The basic philosophy underlying High Trust is that trust among a larger group of people will more readily lead to positive cooperation and compliance than institutionalised distrust. In 2009, the Board started with its first High Trust pilot. Since 2011, the Board has been implementing High Trust across the country in phases. At the end of 2020, more than three quarters of the certificates are issued to lawyers and mediators who work based on the principles of High Trust. It has become easier for providers of legal aid to apply for certificates without having to send documents along with their applications. The Board grants the certificate shortly after assessing the client's eligibility for legal aid. The applications of the lawyers and mediators that work together with the Board according to High Trust are accepted automatically. This means that the client will very soon receive confirmation on whether or not the application has been granted. Verification takes place after the provider of legal aid has submitted the statement of expenses. There are two ways of verification: either verification on the basis of a random sample, or verification on a one-on-one basis of certificates granted.



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021. In criminal cases, can individuals who do not have sufficient financial means be assisted by a free of charge (or financed by a public budget) lawyer?

	Assisted by a free of charge lawyer
Accused individuals	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If yes, please specify:

022. In criminal cases are these individuals free to choose their lawyer within the framework of the legal aid system?

	free selection of lawyer
Accused individuals	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Victims	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments

023-0. Does your country have an income and assets evaluation for granting full or partial legal aid?

Yes

No

Comments - Please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the data provided above:

023. If yes, please specify in the table:

	Annual income value (for one person), (in €)	Assets value (for one person), (in €)
Full legal aid to the applicant for criminal cases	27 900 [] NA [] NAP	30 000 [] NA [] NAP
Full legal aid to the applicant for other than criminal cases	27 900 [] NA [] NAP	30 000 [] NA [] NAP
Partial legal aid to the applicant for criminal cases	27 900 [] NA [] NAP	30 000 [] NA [] NAP
Partial legal aid to the applicant for other than criminal cases	27 900 [] NA [] NAP	30 000 [] NA [] NAP

024. Is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action or no chance of success)?

Yes

No

Comments - If yes, please explain the exact criteria for denying legal aid: The merit of the case must be at least €500; lawyers can always refuse their help when they see no chance of success.

025. Is the decision to grant or refuse legal aid taken by:

the judge(s) dealing with the main case

another judge or official

an authority external to the court

several authorities (court and external bodies)

Comments

026. Is there a private system of legal expense insurance enabling individuals (this does not concern companies or other legal persons) to finance court proceedings?

Yes

No

Comments - If appropriate, please inform about the current development of such insurances in your country; is it a growing phenomenon? A part of the population has legal expense insurance in the Netherlands. However, not every judicial problem that is covered by the Legal Aid system is covered by this insurance (for example, criminal cases and divorce cases). Also, people who have insurance can still make use of the Legal Aid system (there is no insurance-check first).

027. Can judicial decisions direct how legal costs, paid by the parties during the procedure, will be shared:

	Judicial decisions direct how legal costs will be shared
in criminal cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

in other than criminal cases

Yes

No

Comments - If no, please specify how legal costs are distributed:

B1. Please indicate the sources for answering the questions in this part

Sources: Data of the legal aid board

2.2. Court users and victims

2.2.1 Rights of the users and victims

028. Are there official internet sites/portals (e.g. Ministry of Justice, Judicial Council etc.) where general public may have free-of-charge access to the following:

	Yes, internet adresse(es)	No
Legal texts (e.g. codes, laws, regulations, etc.)	<input checked="" type="checkbox"/> www.wetten.nl www.rijksoverheid.nl/wetten-en-regelingen	<input type="checkbox"/>
Case-law of the higher court/s	<input checked="" type="checkbox"/> www.uitspraken.rechtspraak.nl	<input type="checkbox"/>
Information about the judicial system (organisation of courts, court proceedings, etc)	<input checked="" type="checkbox"/> www.rechtspraak.nl https://www.rijksoverheid.nl/onderwerpen/rechtspraak-en-geschiloplossing/vraag-en-antwoord/hoe-verloopt-een-strafrechtelijke-procedure www.rijksoverheid.nl	<input type="checkbox"/>
Other documents (e.g. forms, downloadable forms, online registration forms)	<input checked="" type="checkbox"/> www.rechtspraak.nl https://mijn.rechtspraak.nl/start/burger www.rijksoverheid.nl/documenten/brochures/2015/04/curatele-bewind-en-mentorschap	<input type="checkbox"/>

Comment - Please specify what documents and information are included in "Other documents" Information, documents and forms on custody and guardianship, appealing verdicts, receivership (curatele), mentorship (mentorschap) and control (bewind).

029. Is there an obligation to provide information to the parties concerning the foreseeable timeframes of their proceedings?

Yes, always

No

Yes, only in some specific situations

Comment - If "Yes, only in some specific situations", please specify:

030. Is there a public and free-of-charge information system for providing information and facilitating access to justice:

	Information system
General for citizens	<input checked="" type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No
Specific for victims of offences	<input checked="" type="checkbox"/> Online information <input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input checked="" type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No
Specific for minors (child-friendly systems)	<input checked="" type="checkbox"/> Online information <input type="checkbox"/> Telephone <input type="checkbox"/> Interactive chat <input type="checkbox"/> In-person (physical access on site) <input type="checkbox"/> Other <input type="checkbox"/> No

Comment - Please provide more information on these systems. Furthermore, please specify how this assistance is provided.

031. Are there special favourable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons:

	Information mechanism	Special arrangements in hearings	Other specific arrangements
Victims of sexual violence/rape	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims of terrorism	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Minors (witnesses or victims)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims of domestic violence	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Ethnic minorities	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Persons with disabilities	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Juvenile offenders	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - If "Other vulnerable person" and/or "Other specific arrangements", please specify: As it is not possible to put NA for this

table, the answer regarding ethnic minorities and persons with disabilities are marked 'no' but should be read as 'NA'.

031-0. If there are special arrangements for minors, what are the settings / tools / facilities / practises employed to protect them when they participate in judicial proceedings?

- Special and child-adequate preparation for participation in trials / lawsuits (explaining in a child-friendly manner the proceedings)
- Special room in court designated for child-friendly hearings
- Special person / team of trained professional(s) (such as psychologists) to accompany a minor throughout the proceedings
- Special ways to communicate and explain meaning of court decisions
- Interagency/multidisciplinary structure such as "Children's Houses"

Other, please specify In practically all cases concerning youth criminal law, judging is done behind closed doors. Parents are required to be present. Often, cases are judged by a children's judge. If a minor is suspect of an offence, they will be appointed a lawyer.

NAP

Comment

031-1. What are the main criteria for a minor to initiate a proceeding, take procedural actions in his/her own name or to be a witness?

	Civil proceedings	Criminal proceedings
Capacity to initiate a proceeding and take other procedural actions in his/her own name	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Exceptions from the threshold <input type="checkbox"/> Capacity for discernment <input checked="" type="checkbox"/> Other <input type="checkbox"/> NAP	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Exceptions from the threshold <input type="checkbox"/> Capacity for discernment <input type="checkbox"/> Other <input checked="" type="checkbox"/> NAP
To be a witness	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Exceptions from the threshold <input type="checkbox"/> Capacity for discernment <input checked="" type="checkbox"/> Other <input type="checkbox"/> NAP	<input type="checkbox"/> Age threshold [Comment] <input type="checkbox"/> Exceptions from the threshold <input type="checkbox"/> Capacity for discernment <input checked="" type="checkbox"/> Other <input type="checkbox"/> NAP

Comment - Please specify if you selected answers "Exceptions from the threshold" and "Other". If your system distinguishes between full and limited capacity to take legal actions, please describe the basis for this differentiation (age, capacity for discernment, type of action, type of cases, other).

031-2. If a minor cannot conduct proceedings in his/her own name, who can represent him/her in judicial proceedings?

Civil proceedings	Criminal proceedings

Parent/legal guardian	<input checked="" type="checkbox"/> Yes, always <input type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes, always <input type="checkbox"/> Yes, except in some specific situations <input type="checkbox"/> No <input type="checkbox"/> NAP
Other representative (instead of parent/legal guardian)	<input type="checkbox"/> Social care services or other public institution <input checked="" type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input checked="" type="checkbox"/> Other <input type="checkbox"/> NAP	<input type="checkbox"/> Social care services or other public institution <input checked="" type="checkbox"/> Legal professional <input type="checkbox"/> Associations for protection of minors <input checked="" type="checkbox"/> Other <input type="checkbox"/> NAP

Comment

031-3. What are the different criteria for the criminal liability of minors? (multiple replies possible)

- Age threshold(s)
- Capacity for discernment
- Other criteria

Comment

031-3-1. What is the age threshold for the criminal liability of minors?

Criminal liability resulting in sentence without privation of liberty (for example, educational measures)

- [12]
- NA
- NAP

Criminal liability resulting in sentence of privation of liberty

- [18]
- NA
- NAP

Comment - Please describe, briefly, the specifics of your system. Could you, please specify if the possibility of mitigation applies to the sanctions and how?

032. Does your country allocate compensation for victims of offences?

- Yes, but only if offender is unknown
- Yes, but only if compensation could not be obtained from offender
- Yes, always
- No

Comment

032-0. If yes, for what types of offences the compensation is allocated?

- For all types of offences
- For some types of offences

[] NAP

Comment - Please specify:

032-1. Is a court decision necessary in the framework of the compensation procedure?

Yes

No

Comments A judge can order an offender to pay damages, one can receive damages through a civil procedure or insurance may cover any damages.

In some cases there doesn't necessarily need to be a decision of the judge.

<https://www.rijksoverheid.nl/onderwerpen/slachtofferbeleid/vraag-en-antwoord/schadevergoeding-slachtoffer>

032-0. If yes, for what types of offences the compensation is allocated?

For all types of offences

For some types of offences

[] NAP

Comment - Please specify:

032-1. Is a court decision necessary in the framework of the compensation procedure?

Yes

No

Comments A judge can order an offender to pay damages, one can receive damages through a civil procedure or insurance may cover any damages.

In some cases there doesn't necessarily need to be a decision of the judge.

<https://www.rijksoverheid.nl/onderwerpen/slachtofferbeleid/vraag-en-antwoord/schadevergoeding-slachtoffer>

032-0. If yes, for what types of offences the compensation is allocated?

For all types of offences

For some types of offences

[] NAP

Comment - Please specify:

032-1. Is a court decision necessary in the framework of the compensation procedure?

Yes

No

Comments A judge can order an offender to pay damages, one can receive damages through a civil procedure or insurance may cover any damages.

In some cases there doesn't necessarily need to be a decision of the judge.

<https://www.rijksoverheid.nl/onderwerpen/slachtofferbeleid/vraag-en-antwoord/schadevergoeding-slachtoffer>

034. Are there studies that evaluate the recovery rate of the damages awarded by courts to victims?

Yes

No

Comments - If yes, please illustrate with available data concerning the recovery rate, the title of the studies, the frequency of the studies and the coordinating body: Statline CBS -

035. Do public prosecutors have a specific role with respect to victims (protection and assistance)?

- Yes
- No

Comments - If yes, please specify: the public prosecutor has to support the victim during the entire process, for example through giving enough information, informing on the release of the offender from prison etc.

035-1. Do public prosecutors have a specific role with respect to minor victims (protection and assistance)?

- Yes
- No

Comment - If yes, please specify: See 35

036. Do victims of offences have the right to dispute a public prosecutor's decision to discontinue a case? Please verify the consistency of your answers in this question and question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge".

- Yes
- No
- NAP

Comment - If necessary, please specify:

037. Is there a system for compensating users in the following circumstances:

	Number of requests for compensation	Number of condemnations	Total amount (in €)
Total	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Excessive length of proceedings	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Non-execution of court decisions	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Wrongful arrest	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Wrongful conviction	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comment - Where appropriate, please give details of the compensation procedure and the calculation method for the amount of the compensation (e.g. the amount per day for unjustified detentions or convictions):

2.2.2 Confidence and satisfaction of citizens with their justice system



038. Does your country implement surveys to measure trust in justice and satisfaction with the services delivered by the judicial system?

	National level	Court level
Surveys for judges	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for court staff	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for public prosecutors	<input checked="" type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input checked="" type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for lawyers	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for other professionals	<input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Other regular <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for the parties	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies, NGOs)	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for victims	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for minors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Surveys for the general public	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
Other not mentioned	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc

Comment - Please, indicate the references and links to the satisfaction surveys you mentioned above: A summary of national satisfaction surveys can be found on this page: <https://www.wodc.nl/onderzoek-in-uitvoering/statistiek-en-monitoring/rechtspleging-civiel-en-bestuur>. Click on <https://www.wodc.nl/onderzoek-in-uitvoering/documenten/publicaties/2021/02/01/rechtspleging-civiel-en-bestuur-tabellen-2019> to view the updated tables. Tables 8.x are about quality and appreciation. These files are updated annually. These are the tables for 2019, tables for 2020 are not yet available.

The Netherlands Institute for Social Research conducts continuous research called 'Burgerperspectieven (Citizen Perspectives), every quarter a publication is published. These are not specifically about the courts or justice, but more about the confidence in the government

sector. This includes justice, and sometimes they are included in the results. <https://www.scp.nl/over-scp/data-en-methoden/onderzoeksbeschrijvingen/continu-onderzoek-burgerperspectieven-cob>

The Council of the Judiciary conducts 'customer satisfaction' research every three to four years, these are for the parties, other professionals and lawyers. They also conduct employee satisfaction surveys every three to four years for judges and court staff.

039. Are there statistical data concerning male and female court users, persons who initiate a case, victims, accused persons, etc.

Yes, please specify: number of suspects and convicts, divided by age, gender, nationality etc.

No

Comment - If you have additional comments please specify: These statistics are available in Statline (by the Central Bureau of Statistics, CBS) and Criminaliteit & Rechtshandhaving by the WODC (the tables mentioned in question 38).

040. Is there a national or local procedure for filing complaints about the functioning of the judicial system? (for example, handling of the case by a judge or the duration of a proceeding)

Yes

No

Comments

041. If yes, please specify certain aspects of this procedure:

	Authority responsible for dealing with the complaint	Existence of a time limit to deal with the complaint for this authority
Court concerned	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Higher court	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Ministry of Justice	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
High Judicial Council	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other external bodies (e.g. Ombudsman)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

041-1. If yes, please specify certain aspects of this procedure:

	Number of complaints	Compensation amount granted
Court concerned	2 519 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Higher court	61 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Ministry of Justice	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

High Judicial Council	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other external bodies (e.g. Ombudsman)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If possible, please give information concerning the efficiency of this complaint procedure and any useful comment: The High Judicial Council reports on the numbers presented at 'court concerned'. It is unclear whether this also includes the number of complaints filed against employees of the Council. Complaints concern treatment of an individual by employees of the courts, complaints about the timeframes of proceedings, administrative mistakes (e.g. not returning calls, papers that have gone missing etc.), and other complaints. Some complaints are rejected; this can be due to the nature of the complaint. For example, if a person doubts the impartiality of a judge, they can request replacement or recusal of the judge (waking). This procedure can be started during a hearing of the handling of the case, and is thus not grounds for a complaint. Another example are complaints about the verdict. If a person disagrees with the verdict, they can appeal the decision, but this is not grounds for a complaint. Both of these types of complaints are registered, but rejected. The 2519 complaints include complaints about treatment of an individual by employees of the courts. Some of these complaints can be traced to complaints about impartiality of a judge. If someone doubts the impartiality of the judge, they can request the judge is replaced (waking). This can be started during a hearing or handling of the case. These complaints are not handled, but are registered. It also included complaints about judicial decisions, but these complaints are not handled by the organisations. If someone disagrees with the judges' verdict, they should not file a complaint, but appeal the judges' decision. They are however registered. Additionally, it includes complaints about the timeframes of proceedings, administrative mistakes (not returning calls, missing papers etc.) and other complaints. The Higher Court reports on 59 external complaints, of which some were rejected. This can be on grounds of the topic (e.g. complaints about the judges' decision), term (complaints about things that happened years earlier), or complaints that have their own provisions (e.g. for a judge to recuse themselves, waking). Additionally, 2 internal complaints were filed. Furthermore, complaints against non-judge staff can be filed with the National Ombudsman, but numbers could not be provided. The High Judicial Council reports the numbers presented here (number of complaints at the court concerned). It is unclear from their annual report whether the number of complaints at the court concerned also include complaints filed about employees of the High Judicial Council.

See: <https://jaarverslagrechtspraak.nl/wp-content/uploads/sites/2/2021/04/Jaarverslag-Rechtspraak-2020.pdf#page=81>
<https://2020.jaarverslaghogeraad.nl/klachtzaken/extern-klachtrecht/>
<https://2020.jaarverslaghogeraad.nl/klachtzaken/intern-klachtrecht/>

3. Organisation of the court system

3.1. Courts

3.1.1 Number of courts

042. Number of courts - legal entities.

	Number of courts
Total number of all courts - legal entities (1 + 2)	19 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1 Total number of courts of general jurisdiction - legal entities (1.1 + 1.2 + 1.3)	16 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1.1 First instance courts of general jurisdiction - legal entities	11 <input type="checkbox"/> NA <input type="checkbox"/> NAP

1.2 Second instance courts of general jurisdiction - legal entities	4 [] NA [] NAP
1.3 Highest instance courts of general jurisdiction - legal entities	1 [] NA [] NAP
2 Total number of specialised courts - legal entities	1 [] NA [] NAP

Comments There are 11 first instance courts (Rechtbanken).

There are 4 second instance courts of general jurisdiction: 4 courts of appeal (Second instance, Gerechtshoven) that handle civil cases, criminal cases and tax cases.

There is 1 highest instance court of general jurisdiction, the Supreme Court (Hoge Raad), the highest instance court in The Netherlands.

There are three specialized courts (see comment Q43).

043. Number of specialised courts – legal entities.

	First instance	Higher instances
Total number of specialised courts - legal entities	1 [] NA [] NAP	1 [] NA [] NAP
Commercial courts (excluded insolvency courts)	[] NA [X] NAP	[] NA [X] NAP
Insolvency courts	[] NA [X] NAP	[] NA [X] NAP
Labour courts	[] NA [X] NAP	[] NA [X] NAP
Family courts	[] NA [X] NAP	[] NA [X] NAP
Rent and tenancies courts	[] NA [X] NAP	[] NA [X] NAP
Enforcement of criminal sanctions courts	[] NA [X] NAP	[] NA [X] NAP
Fight against terrorism, organised crime and corruption	[] NA [X] NAP	[] NA [X] NAP
Internet related disputes	[] NA [X] NAP	[] NA [X] NAP
Administrative courts	1 [] NA [] NAP	[] NA [X] NAP
Insurance and / or social welfare courts	[] NA [X] NAP	[] NA [X] NAP

Military courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Juvenile courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other specialised courts	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If “Other specialised courts”, please specify: The specialized courts are:

Trade and Industry Appeals Tribunal: the administrative High Court for trade and industry. This tribunal is a specialized administrative court that rules on disputes in the area of social-economic administrative law. Categorized as administrative court.

The Central Appeals Tribunal is the highest judicial authority in areas of social security and civil service. Categorized as other.

044. Number of courts - geographic locations.

	Number of courts (geographic locations)
First instance courts geographic locations (this includes 1st instance courts of general jurisdiction and first instance specialised courts)	33 <input type="checkbox"/> NA <input type="checkbox"/> NAP
All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all Supreme Courts)	42 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments In one case (of 43), a first instance court of general jurisdiction, a specialized first instance court, and a court of appeal are housed at the same site (adding 2 sites according to the explanatory note).

In 3 cases, a first instance court of gen.jur. and a court of appeal are housed at the same site (adding 3 sites according to the explanatory note).

In 1 case, a f.i. court of gen.jur. and a specialized second instance court are housed at the same site (adding 1 site according to the explanatory note).

Finally, the Supreme Court, 1 specialized second instance court, and 2 appeal courts are housed at unique locations (adding 4 sites according to the explanatory note).

=

045. Number of first instance courts (geographic locations) competent for a case concerning:

	Number of courts
A small claim	31 <input type="checkbox"/> NA <input type="checkbox"/> NAP
An employment dismissal	31 <input type="checkbox"/> NA <input type="checkbox"/> NAP
A robbery	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
An insolvency case	18 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Small claims and Employment dismissal cases are handled by ‘kantonrechters’ (a justice of the peace, or

subdistrict court judge), which are available at all geographical locations.

Robberies are somewhat more difficult to provide numbers for. When it comes to robberies, they fall under criminal law. The way a case is handled (e.g. with one or more judges) depends on what kind of robbery (e.g. organised crime or not, etc.) was committed, and the way a case is handled decides which courts are equipped to handle the cases. All 11 legal entities can deal with criminal law cases in at least one of their courts (geographical locations). In 2018 the legal entities were reported here.

For insolvency cases, the category 'bankruptcy' in the case divisions for the courts (geographical locations) was used. In 2018 the legal entities were reported here.

045-1. Is your definition of a small claim the same as the one in the Explanatory note?

Yes

No

Comments - If not, please give your definition of a small claim:

045-2. Please indicate the value in € of a small claim:

[25 000]

Comments Up to 25000

C. Please indicate the sources for answering the questions in this part

Sources: <https://www.rechtspraak.nl/Organisatie-en-contact/Organisatie/Rechtbanken/Paginas/default.aspx>

3.2. Court staff

3.2.1 Judges and non-judge staff

046. Number of professional judges sitting in courts (if possible on 31 December of the reference year). (please give the information in full-time equivalent and for posts actually filled for all types of courts - general jurisdiction and specialised courts)

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	2 597 [] NA [] NAP	1 031 [] NA [] NAP	1 566 [] NA [] NAP
1. Number of first instance professional judges	1 882 [] NA [] NAP	698 [] NA [] NAP	1 184 [] NA [] NAP
2. Number of second instance (court of appeal) professional judges	680 [] NA [] NAP	312 [] NA [] NAP	368 [] NA [] NAP
3. Number of Supreme Court professional judges	35 [] NA [] NAP	21 [] NA [] NAP	14 [] NA [] NAP

Comment - Please provide any useful comment for interpreting the data above: These numbers are on posts filled, not fte. The total fte for first and second instance together is 2372, but information on fte is NA for the rest of the categories and detail required for this question. These numbers include court presidents.

In the previous cycles, due to an inability to differentiate between first or second instance for a certain group of judges, they were counted as first instance judges. This inflated the first instance numbers and underreported the second instance numbers. This problem was present in the data up until the 2019 survey. For the 2020 data, this problem has been solved, and the data is now correct.



=

046-1-1. Does your system allow part-time work for judges with proportionally reduced remuneration?

- Yes
- No

Comments

046-1-2. If yes, please specify in which situation part-time work can be granted? (multiple replies possible):

- Child-care
- Elderly care
- For the purposes of early retirement
- Other reason, please specify:
- Without reason

Comments Judges may have their own reasons for wanting to work part-time, including all the above. Essentially, those reasons do not matter as each judge can make their own arrangement with their boss.

046-1-3. If yes, what is the percentage of judges working part-time (in relation to the total number of judges)?

	Total (%)	Male (%)	Females (%)
Total (1 + 2 + 3) (%)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. At first instance level (%)	39 <input type="checkbox"/> NA <input type="checkbox"/> NAP	19 <input type="checkbox"/> NA <input type="checkbox"/> NAP	51 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. At second instance (court of appeal) level (%)	38 <input type="checkbox"/> NA <input type="checkbox"/> NAP	20 <input type="checkbox"/> NA <input type="checkbox"/> NAP	54 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. At Supreme Court level (%)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

046-1-4. What is the percentage of work time of a judge working part-time compared to a full-time equivalent judge?

- Less than 50%
- 50 – 60%
- 60 - 80%

(X) More than 80%

[] NA

[] NAP

Comments There is no minimum or standard for part time work, there are a lot of variations possible.

=

046-2. Number of judges (FTE) by case type:

	Total	Civil and/or commercial	Criminal	Administrative	Other
Total number of judges	2 597 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
First instance	1 882 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Second instance	680 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Supreme court	35 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

If "Other", please explain which types of cases: Judges often work with more than one case type. There is a large overlap, but in the administrative system, only one sector can be registered. Therefore, while this information is not easily available, making this distinction would also not be a fair reflection of the true situation.

These are positions filled, not fte (like Q46).

=

047. Number of court presidents (professional judges).

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	16 [] NA [] NAP	9 [] NA [] NAP	7 [] NA [] NAP
1. Number of first instance court presidents	11 [] NA [] NAP	5 [] NA [] NAP	6 [] NA [] NAP
2. Number of second instance (court of appeal) court presidents	5 [] NA [] NAP	4 [] NA [] NAP	1 [] NA [] NAP
3. Number of Supreme Court presidents	1 [] NA [] NAP	0 [] NA [] NAP	1 [] NA [] NAP

Comments There was an opening for one court on December 31st, which is why the total presidents is 16 instead of 17.

048. Number of professional judges sitting in courts on an occasional basis and who are paid as such (if possible, on 31 December of the reference year):

	Figure
Gross figure	[X] NA [] NAP
In full-time equivalent	[X] NA [] NAP

Comments - If necessary, please provide comments to explain the answer provided: In the Dutch court system, people (with legal education and experience) can handle cases occasionally. They are appointed as a judge but are not employed by a court (most have a main job as lawyer of professor). They will be asked for assistance in busy times, and receive a fixed fee (per hearing) to cover their expenses. So, they are no paid as a judge according to Q 48 but they rather fit the payment situation of Q49. On the one hand, they could be considered either as 'non-professional' since being a judge is not their main job; on the other hand, they are (or have been) employed as a professional in the field of Law. And being formally appointed as a judge would be reason to see them as 'professional judge'

048-1. Do these professional judges sitting in courts on an occasional basis deal with a significant part of cases?

- () Yes If yes, please give specifications on the types of cases and an estimate in percentage.
- () No
- [X] NAP

Comments

049. Number of non-professional judges who are not remunerated but who may receive a simple defrayal of costs (if possible, on 31 December of the reference year) (e.g. lay judges or “juges consulaires”, but not arbitrators or persons sitting on a jury):

	Figure
Gross figure	[X] NA [] NAP
In full time equivalent	[X] NA [] NAP

Comments In the Dutch court system, people (with legal education and experience) can handle cases occasionally. They are appointed as a judge but are not employed by a court (most have a main job as lawyer of professor). They will be asked for assistance in busy times, and receive a fixed fee (per hearing) to cover their expenses. So, they are no paid as a judge according to Q 48 but they rather fit the payment situation of Q49. On the one hand, they could be considered either as 'non-professional' since being a judge is not their main job; on the other hand, they are (or have been) employed as a professional in the field of Law. And being formally appointed as a judge would be reason to see them as 'professional judge'.

The Dutch system doesn't know 'lay judges'.

049-1. If such non-professional judges exist at first instance in your country, please specify for which types of cases:

	Yes	No	Echevinage / mixed bench
Criminal cases (severe)	()	(X)	()

Criminal cases (misdemeanour and/or minor)	(X)	()	()
Family law cases	(X)	()	()
Labour law cases	(X)	()	()
Social law cases	(X)	()	()
Commercial law cases	(X)	()	()
Insolvency cases	(X)	()	()
Other civil cases	()	(X)	()

NAP

Comments - If "Other civil cases", please specify:

050. Does your judicial system include trial by jury with the participation of citizens?

() Yes

(X) No

Comments

050-1. If yes, for which type(s) of case(s)?

Criminal cases

Other than criminal cases

Comments

051. Number of citizens who were involved in such juries for the year of reference:

[]

NA

NAP

Comments

=

052. Number of non-judge staff who are working in courts (if possible on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for posts actually filled)

	Total	Males	Females
Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	7 435 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Non-judge (judicial) staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, helping to draft the decisions)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Technical staff	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other non-judge staff	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "Other non-judge staff", please specify:

052-1. Number of non-judge staff by instance (if possible, on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for posts actually filled).

	Total	Males	Females
Total non-judge staff working in courts (1+2+3)	7 435 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Total non-judge staff working in courts at first instance level	6 263 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Total non-judge staff working in courts at second instance (court of appeal) level	965 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Total non-judge staff working in courts at Supreme Court level	207 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

=

053. If there are Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal in your judicial system, please specify in which fields they have a role:

Legal aid

- Family cases
- Payment orders
- Registry cases (land and/or business registry cases)
- Enforcement of civil cases
- Enforcement of criminal cases
- Non-litigious cases
- Other cases not mentioned (please describe in comment)
- NAP

Comments - Please briefly describe their status and duties:

054. Have the courts outsourced certain services under their responsibilities to external providers?

- Yes
- No

Comments

054-1. If yes, please specify which services have been outsourced:

- IT services
- Training of staff
- Security
- Archives
- Cleaning
- Other types of services (please specify):

Comments

C1. Please indicate the sources for answering the questions in this part

Sources: <https://jaarverslagrechtspraak.nl/wp-content/uploads/sites/2/2021/04/Jaarverslag-Rechtspraak-2020.pdf#page=68>

<https://www.hogeraad.nl/over-ons/kamers-hoge-raad/>

3.3. Public prosecution

3.3.1 Public prosecutors and staff

055. Number of public prosecutors (on 31 December of the reference year). (Please give the information in full-time equivalent and for posts actually filled, for all types of courts – general jurisdiction and specialised courts).

Total	Males	Females

Total number of prosecutors (1 + 2 + 3)	945 [] NA [] NAP	367 [] NA [] NAP	578 [] NA [] NAP
1. Number of prosecutors at first instance level	850 [] NA [] NAP	319 [] NA [] NAP	531 [] NA [] NAP
2. Number of prosecutors at second instance (court of appeal) level	95 [] NA [] NAP	48 [] NA [] NAP	47 [] NA [] NAP
3. Number of prosecutors at Supreme Court level	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - Please indicate any useful comment for interpreting the data above: The Supreme Court does not have (public) prosecutors. The office of the procurator general and attorneys general that the Supreme Court houses, is separate from the public prosecution and does not function as prosecution. They have a different function.

=

055-1-1. Does your system allow part-time work for prosecutors with proportionally reduced remuneration?

Yes

No

Comments

055-1-2. If yes, please specify in which situation part-time work can be granted? (multiple replies possible):

- Child-care
- Elderly care
- For the purposes of early retirement
- Other reason, please specify:
- Without reason

Comments The reason does not play a role in whether part-time work is granted. It is the individual, personal choice of the employee to work part-time, no reason is required.

055-1-3. If yes, what is the percentage of prosecutors working part-time (in relation to the total number of prosecutors)?

	Total (%)	Male (%)	Females (%)
Total (1 + 2 + 3) (%)	18 [] NA [] NAP	4 [] NA [] NAP	27 [] NA [] NAP
1. At first instance level (%)	16 [] NA [] NAP	1 [] NA [] NAP	15 [] NA [] NAP
2. At second instance (court of appeal) level (%)	20 [] NA [] NAP	5 [] NA [] NAP	15 [] NA [] NAP

3. At Supreme Court level (%)	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP

Comments

055-1-4. What is the percentage of work time of a prosecutor working part-time compared to a full-time equivalent prosecutor?

- Less than 50%
- 50 - 60%
- 60 - 80%
- More than 80%
- NA
- NAP

Comments There is no minimum or standard for part time work, there are a lot of variations possible.

056. Number of heads of prosecution offices.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	14 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Number of heads of prosecution offices at first instance level	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Number of heads of prosecution offices at Supreme Court level	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Please provide any useful comment for interpreting the data above:

057. Do other persons have similar duties to those of public prosecutors?

- Yes
- No

Comments - If yes, please specify their titles and functions: Assistant-Public prosecutor
Since the previous cycle, the function of assistant - public prosecutor has been introduced.

057-1. Please specify their number (in full-time equivalent):

[221]
 NA

059. If yes, is their number included in the number of public prosecutors that you have indicated under question 55?

- Yes

(X) No

[] NAP

Comments

059-1. Do prosecution offices have prosecutors who are specially trained in areas of domestic violence and sexual violence?

	-
Domestic violence	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes, specifically for minor victims <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Sexual violence	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes, specifically for minor victims <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please specify On national and local level, there are public prosecutors with a task ('portefeuille', an area or topic they are responsible for) 'sexual offences' and public prosecutors with a task 'domestic violence'. These tasks include both minors and adults.

=

060. Number of staff (non-public prosecutors) attached to the public prosecution services, if possible, on 31 December of the reference year and without the number of non-judge staff, see question 52 (in full-time equivalent and for posts actually filled).

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	3 998 [] NA	1 336 [] NA	2 662 [] NA

Comments

C2. Please indicate the sources for answering the questions in this part

Sources: no sources provided by contacts

3.4. Gender equality

3.4.1 Specific provisions for facilitating gender equality

061-2. Are there specific provisions for facilitating gender equality within the framework of the procedures for recruiting :

Yes, please specify	No
---------------------	----

judges	()	(X)
prosecutors	()	(X)
non-judge staff	()	(X)
lawyers	()	(X)
notaries	()	(X)
enforcement agents	()	(X)

[] NA

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify:

061-3. Are there specific provisions for facilitating gender equality within the framework of the procedures for promoting :

	Yes, please specify	No
judges	()	(X)
prosecutors	()	(X)
non-judge staff	()	(X)
lawyers	()	(X)
notaries	()	(X)
enforcement agents	()	(X)

Comments - If the situation changed since the reference year or you have additional comments, please specify:

=

061-3-1. Are there specific provisions for facilitating gender equality within the framework of the procedures for the appointment of:

	Yes / No
Court president	() Yes If "yes", please specify:[Comment] (X) No
Head of prosecution services	() Yes If "yes", please specify:[Comment] (X) No

Comments

3.4.2 At national level

061-5. Does your country have an overarching document (e.g. policy/strategy/action plan/program) on gender equality that applies specifically to the judiciary?

() Yes

(X) No

Comments - If the situation changed since the reference year, please indicate in the comments. Could you specify the reference or internet link of this/these document(s) or send/upload it/them to us?

061-6. At national level, is there any specific person (e.g. an equal opportunities commissioner) / institution dealing with gender issues in the justice system concerning:

	Yes, please specify	No
The recruitment of judges	()	(X)
The promotion of judges	()	(X)
The recruitment of prosecutors	()	(X)
The promotion of prosecutors	()	(X)
The recruitment of non-judge staff	()	(X)
The promotion of non-judge staff	()	(X)

Comments - if other than recruitment and/or promotion, please specify. If the situation changed since the reference year, please specify in the comments:

061-6-1. Please specify the text which set up this person/institution :

(title, date, nature of the text)

[X] NAP

061-6-2. Please specify the status of this person/institution:

(e.g. independent, attached to the Ministry of Justice, to the High Judicial Council or equivalent or to an inter-ministerial institution specifically dedicated to gender equality)

[X] NAP

061-6-3. Please specify if this person/institution has an information and consultative function or if

its opinions/decisions have legal consequences:

(e.g. to block a decision or allow an appeal)

[X] NAP

3.4.3 At court/public prosecution services level

061-7. At the court or public prosecution services level, is there a person (e.g. an equal opportunities commissioner)/institution specifically dedicated to ensure the respect of gender equality in the organisation of judicial work:

	Yes	No
in courts (judges)	()	(X)
in public prosecution services (prosecutors)	()	(X)
for courts' non-judge staff	()	(X)

Comments - Please specify the details of this person/institution, in particular its titles and function:

061-8. Does the feminisation of certain functions, if it exists in your country, within courts or public prosecution services, lead to concrete changes in the organisation of the work in the following areas:

	Yes	No
Assignment to different positions	()	(X)
Workload distribution	()	(X)
Working hours	()	(X)
Modalities of teleworking and presence in the workspace	()	(X)
Replacement of absent persons	()	(X)
Organisation of the hearings	()	(X)
Other	()	(X)

Comments - If other, please specify. Could you also indicate concrete examples referring to the various possibilities mentioned? If the situation changed since the reference year, please specify in the comments.

061-9. In order to improve gender balance in access to different judicial professions and equality in promotion and in access to functions of responsibility, what are the measures, in your country,

which:

have been already implemented (please specify) :

are planned (please specify) :

Comments - If the situation changed since reference year, please specify in the comments.

NAP

061-10. Are there evaluation studies or official reports regarding the main causes of possible inequalities with regard to:

- Recruitment procedures, please specify:
- Appointment to the position of court president, please specify:
- Appointment to the position of head of prosecution services, please specify:
- Promotion procedures and access to the functions of responsibility, please specify:
- Other studies, please specify:

NAP

Comments - Please specify also the reference documents.

3.5 Use of information technologies in courts

3.5.1 General policies in Information Technology in judicial systems

062-1. Basic principles and models used in Information technology policies and strategies definition

	Organisation
IT policies and strategies	<input type="checkbox"/> Defined and coordinated at national level by one institution <input type="checkbox"/> Defined and coordinated at national level by several institutions <input type="checkbox"/> Defined and coordinated at unit/stakeholder level <input checked="" type="checkbox"/> Other

IT Governance	<input type="checkbox"/> Governed at national level by one institution <input type="checkbox"/> Governed at national level by several institutions <input type="checkbox"/> Organised at unit/stakeholder level <input checked="" type="checkbox"/> Other
----------------------	--

Comments There is not one policy or strategy that binds all the organisations active in the justice field (or country wide). There are projects that involve various partners, but these may still operate alone in other projects.

065-1. In case there is a national structure in charge of the strategic policy making and governance of the judicial system modernisation (including also IT) what is the composition of this structure?

- administrative, technical and scientific staff only
- mixed teams of judicial staff (judges/prosecutors/etc.) and administrative/technical/scientific staff
- other (please specify in a comment)

Comments - (please specify if there are other modernisation approaches that have been implemented): No structure in charge.

065-2. Which is the organisational model primarily chosen for conducting structural IT projects in courts and the management of applications (maintenance, evolution)?

	Implementing new projects	Management of applications
Mainly by an IT department with the help of professionals in the field (judges, prosecutors, non-judge judicial staff, etc.)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Mainly by professionals in the field (judges, prosecutors, non-judge judicial staff, etc.) with the help of an internal IT department and/or an external service provider	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other alternatives (external service provider only – specify in a comment)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments - please also describe in case of “other alternatives”

065-4. Have you measured the impact resulting from the implementation of one or several components of your new information system?

- Yes
- No

065-4-1. If yes, have you measured the impact on (multiple answers possible):

- Business processes
- Workload
- Human resources
- Costs
- Other, please specify

3.5.2 Security of courts information system and personal data protection

065-5. Are there independent audits or other mechanisms to contribute to the global security policy regarding the information system of the judiciary ?

Yes

No

Comments (please specify in particular if national frameworks of information security exist):

065-6. Is the protection of personal data managed by courts ensured at legislative level?

Yes

No

Comment - If yes, please specify among others: if there are authorities specifically responsible for protection of personal data; the extent of the rights granted to citizens in the specific framework of software used by courts; if there are controls or limitations by law regarding the sharing of databases managed by courts with other administrations (police, etc.)

3.5.3 Centralised databases for decision support

062-4. Is there a centralised national database of court decisions (case-law, etc.)?

Yes

Non

Comments The largest database is not publically available. There is a register with select verdicts that is publically available, and these verdicts have been anonymized, names have been blacked out. This is freely accessible. This data is available in text-form, but it has not been structured into e.g. tables.

062-4-1. If yes, please specify the following information:

	For 1st instance decisions	For 2nd instance decisions	For 3rd instance decisions	Link with ECHR case law	Data anonymised	Case-law database available free online	Case-law database available in open data
Civil and/or commercial	<input type="checkbox"/> Yes all judgements <input checked="" type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input type="checkbox"/> Yes all judgements <input checked="" type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input type="checkbox"/> Yes all judgements <input checked="" type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Criminal	<input type="checkbox"/> Yes all judgements <input checked="" type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input type="checkbox"/> Yes all judgements <input checked="" type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input type="checkbox"/> Yes all judgements <input checked="" type="checkbox"/> Yes some judgements <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Administrative	() Yes all judgements (X) Yes some judgements () No	() Yes all judgements (X) Yes some judgements () No	() Yes all judgements (X) Yes some judgements () No	() Yes (X) No	(X) Yes () No	(X) Yes () No	() Yes (X) No
-----------------------	---	---	---	---------------------	---------------------	---------------------	---------------------

Comments - if it exists in other matters please specify

062-6. Is there a computerised national record centralising all criminal convictions?

(X) Yes

() No

Comments

062-6-1. If yes, please specify the following information:

[] Linkage with other European records of the same nature

[X] Content directly available through computerised means for judges and/or prosecutors

[] Content directly available for purposes other than criminal (civil and administrative matters)

Comments - Please specify who is the authority delivering the access This is not the responsibility of the judiciary, because this is managed by the organisation Justid.

3.5.4 Writing assistance tools

062-7. Are there writing assistance tools for which the content is coordinated at national level? (models or templates, paragraphs already pre-written, etc.)

(X) Yes

() No

Comment – if it exists in other matters please specify There is a tool, called 'Schrijfhulp' (writing assistance), which is a tool that helps people e.g. write a letter to respond to a summons.

https://formulieren.rechtspraak.nl/formulier/SchrijfhulpKanton_Dagvaarding_004.aspx/Benodigdheden_Dagvaarding_004

Templates for the courts are approved centrally, so if they are available they would be available for all courts, but no specific information is available.

062-7-1. If yes, please specify the following information:

Availability rate

<p>Civil and/or commercial</p>	<p><input type="checkbox"/> 100% (all templates are available for all courts of this matter)</p> <p><input type="checkbox"/> 50-99% (most of the templates are available for all courts or all templates for most of the courts)</p> <p><input type="checkbox"/> 10-49% (some of the templates are available for most of the courts or most of the templates for some of the courts)</p> <p><input type="checkbox"/> 1-9% (just starting to become available or in testing phase)</p> <p><input type="checkbox"/> 0% (NAP) (does not exist at all for this matter)</p> <p><input checked="" type="checkbox"/> NA</p>
<p>Criminal</p>	<p><input type="checkbox"/> 100% (all templates are available for all courts of this matter)</p> <p><input type="checkbox"/> 50-99% (most of the templates are available for all courts or all templates for most of the courts)</p> <p><input type="checkbox"/> 10-49% (some of the templates are available for most of the courts or most of the templates for some of the courts)</p> <p><input type="checkbox"/> 1-9% (just starting to become available or in testing phase)</p> <p><input type="checkbox"/> 0% (NAP) (does not exist at all for this matter)</p> <p><input checked="" type="checkbox"/> NA</p>
<p>Administrative</p>	<p><input type="checkbox"/> 100% (all templates are available for all courts of this matter)</p> <p><input type="checkbox"/> 50-99% (most of the templates are available for all courts or all templates for most of the courts)</p> <p><input type="checkbox"/> 10-49% (some of the templates are available for most of the courts or most of the templates for some of the courts)</p> <p><input type="checkbox"/> 1-9% (just starting to become available or in testing phase)</p> <p><input type="checkbox"/> 0% (NAP) (does not exist at all for this matter)</p> <p><input checked="" type="checkbox"/> NA</p>

062-8. Are there voice recording tools?

Yes

No

Comments In some courtrooms, sound is recorded to an SD-card. This is solely to assist in reporting, it is not a product in itself. The level of automation / computerization differs between courts and types of courts, which makes it difficult to report on how often and how much voice recording tools are used. Voice recognition is not used.

062-8-1. If yes, please specify:

	Availability of simple dictation tools	Availability of multiple speakers recording tools	Voice recognition feature
Civil and/or commercial	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input checked="" type="checkbox"/> NA	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input checked="" type="checkbox"/> No <input type="checkbox"/> NA
Criminal	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input checked="" type="checkbox"/> NA	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input checked="" type="checkbox"/> No <input type="checkbox"/> NA
Administrative	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input checked="" type="checkbox"/> NA	<input type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> Pilot testing <input checked="" type="checkbox"/> No <input type="checkbox"/> NA

062-9. Is there an intranet site within the judicial system for distribution of news/novelities?

Availability rate:

- 100% - accessible to everyone in judiciary
 50-99% - accessible for most judges/prosecutors in all instances
 10-49% - in some courts only
 1-9% - in one court only
 0% (NAP) - No access

NA

Comments There is an intranet site, which is a 100% available for employees of the Judiciary. Each court and each national service has their own intranet site, with pages with local news, introductions of new employees, information about the organisation, services (HR, ICT, judicial things, facilities), and things like that.

3.5.5 Technologies used for administration of the courts and case management

063-1. Is there a case management system (CMS) ? (Software used for registering judicial proceedings and their management)

- Yes
 No

Comments - if it exists in other matters please specify

063-1-1. If yes, please specify the following information:

	CMS deployment rate	Status of case online	Centralised or interoperable database	Early warning signals (for active case management)	Status of integration/connection of a CMS with a statistical tool
Civil and/or commercial	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Accessible to parties <input type="checkbox"/> Publication of decision online <input type="checkbox"/> Both <input checked="" type="checkbox"/> Not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input checked="" type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP
Criminal	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Accessible to parties <input type="checkbox"/> Publication of decision online <input type="checkbox"/> Both <input checked="" type="checkbox"/> Not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input checked="" type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP
Administrative	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Accessible to parties <input type="checkbox"/> Publication of decision online <input type="checkbox"/> Both <input checked="" type="checkbox"/> Not accessible at all <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Fully integrated including BI <input checked="" type="checkbox"/> Integrated <input type="checkbox"/> Not integrated but connected <input type="checkbox"/> Not connected at all <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comment - If it exists in other matters please specify:

063-2. Computerised registries managed by courts

	Deployment rate	Data consolidated at national level	Service available online	Statistical module integrated or connected
Land registry	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Business registry	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
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Comment – if it exists in other matters please specify:

Budgetary and financial monitoring

063-6. Budgetary and financial management systems of courts

	Tool deployment rate	Data consolidated at national level	System communicating with other ministries (financial among others)
Budgetary and financial management of courts	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Justice expenses management	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other (please specify in comments)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input checked="" type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

Other tools of courts management

063-7. Measurement tools to assess the workload of judges, prosecutors and/or non-judge/non-prosecutor staff (tool quantifying the activity of judges, prosecutors and/or non-judge/non-prosecutor staff – for example the number of cases resolved)

Yes

No

Comments

063-7-1. If yes, please specify the following information:

Tools deployment rate	Data used for monitoring at national level	Data used for monitoring at court local level	Tool integrated in the CMS
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For judges	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
For prosecutors	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
For non-judge/non-prosecutor staff	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

3.5.6 Technologies used for communication between courts, professionals and/or court users

users

064-2. Is there a possibility to submit a case to courts by electronic means?(possibility to introduce a case by electronic means, for example an e-mail or a form on a website)

Yes

No

Comments

064-2-1. If yes, please specify the following information:

	Availability rate	Simultaneous submission of cases in paper form remains mandatory	Specific legislative framework authorising the submission of a case	An integrated/connect ed tool with the CMS
Civil and/or commercial	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Criminal	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Administrative	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
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Comments - if it exist in other matters please specify

064-3. Is it possible to request legal aid by electronic means?

Yes

No

Comments

064-3-1. If yes, please specify the following information:

	Requesting legal aid electronically
Availability rate	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA
Formalisation of the request in paper form remains mandatory	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Specific legislative framework regarding requests for legal aid by electronic means	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Granting legal aid is also electronic	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Information available in CMS	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

064-4. Is it possible to transmit summons to a judicial meeting or a hearing by electronic means? (a judicial meeting relates to stages prior to a court hearing, with a view to mediation or conciliation)

Yes

No

Comments

064-4-1. If yes, please specify the following information:

	Summons produced by CMS	Simultaneous summon in paper form remains mandatory	Consent of the user to be notified by electronic means	Modalities (if other please specify in comments)	Specific legislative framework
Civil and/or commercial	[X]	[X]	[X]	[] SMS [] E-mail [] Specific computer application [] Other	[]
Criminal	[X]	[X]	[X]	[] SMS [] E-mail [] Specific computer application [] Other	[]
Administrative	[X]	[X]	[X]	[] SMS [] E-mail [] Specific computer application [] Other	[]

Comments Due to the high variance in practice (between and within the areas of justice), the last two columns cannot be answered. Hopefully there will be more uniformity in the future thanks to the project Digital Accessibility.

Use of information technologies for improving the quality of the communication between courts and professionals

064-6. Are there possibilities of electronic communication between courts and lawyers and/or parties? (sending of electronic files and data concerning a judicial proceeding with or without scanned documents, mainly to develop dematerialised communication)

Tool deployment rate	Trial phases concerned	Modalities (if there are different according to the trial phases or if other, please specify in a comment)	Specific legal framework	Availability for

Civil and/or commercial	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Submission of a case to a court <input type="checkbox"/> Phases preparatory to a hearing <input checked="" type="checkbox"/> Schedule of hearings and/or deferrals <input type="checkbox"/> Transmission of court decisions	<input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Lawyers <input type="checkbox"/> Parties not represented by lawyer
Criminal	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Submission of a case to a court <input type="checkbox"/> Phases preparatory to a hearing <input checked="" type="checkbox"/> Schedule of hearings and/or deferrals <input type="checkbox"/> Transmission of court decisions	<input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Lawyers <input type="checkbox"/> Parties not represented by lawyer
Administrative	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Submission of a case to a court <input type="checkbox"/> Phases preparatory to a hearing <input checked="" type="checkbox"/> Schedule of hearings and/or deferrals <input type="checkbox"/> Transmission of court decisions	<input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Lawyers <input type="checkbox"/> Parties not represented by lawyer

Comments Communication on the planning of court meetings or procedural issues is possible. Communication on the case itself is a sensitive issue. Due to the high variance in practice (between and within the areas of justice), the last column cannot be answered. Hopefully there will be more uniformity in the future thanks to the project Digital Accessibility.

064-7. Terms and conditions of electronic communication used by professionals other than lawyers (sending of electronic data concerning a judicial proceeding with or without scanned documents, mainly to develop dematerialised communication)

	Tool deployment rate	Modalities (if there are different according to the deeds or if other, please specify in a comment)	Specific legal framework
Enforcement agents (as defined in Q169 and following)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes
Notaries (as defined in Q192 and following)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes
Experts (as defined in Q202 and following)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes
Judicial police services	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> E-mail <input type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Yes

Comments There certainly is a possibility for bailiffs to submit cases in electronic form. For other professional parties, this is not clear. Due to the high variance in practice (between and within the areas of justice), the middle column cannot be answered. Hopefully there will be more uniformity in the future thanks to the project Digital Accessibility.

064-9. Are there online processing systems of specialised litigation (small claim litigation, undisputed claims, preparatory phases to the resolution of family conflicts, etc. – please, specify in “comments” section)?

Yes

No

Comments – Please describe the system that exists. Most traffic tickets can be dealt with online, some mediation as well

Use of information technologies between courts, professionals and users in the framework of judicial proceedings

064-10. Videoconferencing between courts, professionals and/or users (this concerns the use of audio-visual devices in the framework of judicial proceedings such as the hearing of parties, etc.)

Yes

No

064-10-1. If yes, please specify the following information and describe in comments of this section the cases of actual use of videoconferencing and the expected benefits (for example, the use of this device to reduce the number of detainees’ transfers to the court):

	Deployment rate (chose one only)	Proceeding phase	Specific legislative framework
Civil and/or commercial	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Prior to the hearing <input type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input type="checkbox"/> Yes <input type="checkbox"/> No
Criminal	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Prior to the hearing <input type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input type="checkbox"/> Yes <input type="checkbox"/> No
Administrative	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Prior to the hearing <input type="checkbox"/> During the hearing <input type="checkbox"/> After the hearing	<input type="checkbox"/> Yes <input type="checkbox"/> No

Comments It is rather difficult to make an estimation of these answers due to the corona pandemic. We'll hopefully be able to provide more clarity next year.

064-11. Recording of hearings or debates (sound or audio-visual recording during the investigation and/or trial phase(s))

Yes

No

Comments

064-11-1. If yes, please specify the following information:

	Tool deployment rate	Type of recording	Specific legislative framework
Civil and/or commercial	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Sound <input type="checkbox"/> Video <input type="checkbox"/> Both <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Criminal	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Sound <input type="checkbox"/> Video <input type="checkbox"/> Both <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Administrative	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Sound <input type="checkbox"/> Video <input type="checkbox"/> Both <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

064-12. Is electronic evidence admissible?

	Admissibility of electronic evidence	Legislative framework
Civil and/or commercial	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> General law only <input type="checkbox"/> General and specialised law <input type="checkbox"/> Specialised law only <input type="checkbox"/> NAP
Criminal	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> General law only <input type="checkbox"/> General and specialised law <input type="checkbox"/> Specialised law only <input type="checkbox"/> NAP
Administrative	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> General law only <input type="checkbox"/> General and specialised law <input type="checkbox"/> Specialised law only <input type="checkbox"/> NAP

Comments - Other devices of electronic communication between courts, professionals and/or users

3.6. Performance and evaluation

3.6.1 National policies applied in courts and public prosecution services

066. Are quality standards determined for the judicial system at national level (are there quality systems for the judiciary and/or judicial quality policies)?

Yes

No

Comments - If yes, please specify:

067. Do you have specialised personnel entrusted with implementation of these national level quality standards?

Yes / No

within the courts	(X) Yes () No
within the public prosecution services	(X) Yes () No

Comments

3.6.2 Performance and quality objectives at court level/public prosecution services

077. Concerning court activities, have you defined performance and quality indicators?

- (X) Yes
() No

Comments

078. If yes, please select the main performance and quality indicators that have been defined for courts:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of judges and court staff
- satisfaction of court staff
- satisfaction of users (regarding the services delivered by the courts)
- costs of the judicial procedures
- number of appeals
- appeal ratio
- clearance rate
- disposition time
- other (please specify):

Comments Satisfaction is monitored, but courts are not necessarily judged for that.

077-1. Concerning public prosecution activities, have you defined performance and quality indicators?

- (X) Yes
() No

Comments

078-1. If yes, please select the main performance and quality indicators for the public prosecution services that have been defined:

- number of incoming cases
- length of proceedings (timeframes)

- number of resolved cases
- number of pending cases
- backlogs
- productivity of prosecutors and prosecution staff
- satisfaction of prosecution staff
- satisfaction of users (regarding the services delivered by the public prosecutors)
- costs of the judicial procedures
- clearance rate
- disposition time
- percentage of convictions and acquittals
- other (please specify):

Comments

073. Do you have a system to evaluate regularly court performance based primarily on the defined indicators?

- Yes
- No

Comments

073-0. If yes, please specify the frequency:

- Annual
- Less frequent
- More frequent

Comments - If “Less frequent” or “More frequent”, please specify: Along with monthly reports and quarterly reports, there are annual reports which are more thorough and elaborate.

073-1. Is this evaluation of the court activity used for the later allocation of resources within this court?

- Yes
- No

Comments This is not a 'hard' rule, the outcomes of the evaluation do not directly influence the allocation of resources in the next years.

073-2. If yes, which courses of action are taken?

- Identifying to the causes of improved or deteriorated performance
- Reallocating resources (human/financial resources based on performance (treatment)
- Reengineering of internal procedures to increase efficiency (treatment)
- Other (please specify):

Comments

073-3. Do you have a system to evaluate regularly the performance of the public prosecution

services based primarily on the defined indicators?

Yes

No

Comments

073-4. If yes, please specify the frequency:

Annual

Less frequent

More frequent

Comments - If "less frequent" or "more frequent", please specify: Along with the monthly reports and quarterly reports, there are annual reports which are more thorough and elaborate.

073-5. Is this evaluation of the activity of public prosecution services used for the later allocation of resources within this public prosecution service?

Yes

No

Comments

073-6. If yes, which courses of action are taken?

Identifying to the causes of improved or deteriorated performance

Reallocating resources (human/financial resources based on performance (treatment))

Reengineering of internal procedures to increase efficiency (treatment)

Other (please specify): Each three years, the amount of money is defined. The public prosecutors get a fixed amount and an amount of resources based on the amount of cases they have dealt with.

Comments In 2019, the system Directing and Funding (Besturen en Bekostigen) was formally introduced. This system introduced more measurements and questions about allocation. Also in 2019 an internal budget allocation model was introduced for allocation of resources between parts of the public prosecution.

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079. Who is responsible for evaluating the performance of the courts (multiple replies possible)?

High Judicial Council

Ministry of Justice

Inspection authority

Supreme Court

External audit body

Other (please specify):

Comments

079-1. Who is responsible for evaluating the performance of the public prosecution services (multiple replies possible)?

- Public Prosecutorial Council
- Ministry of Justice
- Head of the organisational unit or hierarchically superior public prosecutor
- Prosecutor General /State public prosecutor
- External audit body
- Other (please specify):

Comments Since 2020, an independent Audit Committee was installed that monitors critical parts and management processes of the public prosecution.

3.6.3 Measuring courts' / public prosecution services activity

070. Do you regularly monitor court activities (performance and quality) concerning:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of judges and court staff
- satisfaction of court staff
- satisfaction of users (regarding the services delivered by the courts)
- costs of the judicial procedures
- number of appeals
- appeal ratio
- clearance rate
- disposition time
- other (please specify):

Comments There is an annual publication that includes the appeal ratio for some case types. To call it 'monitoring' would be a bit too much, but it is annually checked and reported on.

Incoming cases and length of proceedings have not previously been mentioned, but these are monitored.

070-1. Do you regularly monitor public prosecution activities (performance and quality) concerning:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of prosecutors and prosecution staff
- satisfaction of prosecution staff
- satisfaction of users (regarding the services delivered by the by the public prosecution)

- costs of the judicial procedures
- clearance rate
- disposition time
- percentage of convictions and acquittals
- other (please specify):

Comments

071. Do you monitor the number of pending cases and cases that are not processed within a reasonable timeframe (backlogs) for:

- civil law cases
- criminal law cases
- administrative law cases

Comments

072. Do you monitor waiting time during judicial proceedings?

	Yes (If yes, please specify)	No
within the courts	<input checked="" type="checkbox"/> Registration in the court system gives the opportunity to monitor waiting time.	<input type="checkbox"/>
within the public prosecution services	<input checked="" type="checkbox"/> Across the justice chain, agreements have been made on the timeframes in which particular caseloads (sexual offences, youth cases and specific traffic violations) should be handled. These agreements are monitored. Annually, the government (Second Chamber) is informed on this via the factsheet 'Strafrechtketen'. Besides this, timeframe-agreements have been reached within the public prosecution on speed with which penal orders are to be issued, terms in which an objection is to be judged and the speed with which the first decision with attachment is to be taken (eerste beslissing bij beslag).	<input type="checkbox"/>

Comments Within the courts: Registration in the court system gives the opportunity to monitor waiting time.

Within the public prosecution services: Across the justice chain, agreements have been made on the timeframes in which particular caseloads (sexual offences, youth cases and specific traffic violations) should be handled. These agreements are monitored. Annually, the

government (Second Chamber) is informed on this via the factsheet 'Strafrechtketen'. Besides this, timeframe-agreements have been reached within the public prosecution on speed with which penal orders are to be issued, terms in which an objection is to be judged and the speed with which the first decision with attachment is to be taken (eerste beslissing bij beslag).

3.6.4 Information regarding courts /public prosecution services activity

080. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the courts?

Yes (please indicate the name and the address of this institution): Council of the Judiciary

No

Comments

080-1. Are the statistics on the functioning of each court published?

Yes, on the internet

No, only internally (on an intranet website)

No

Comments There is no open data, but when requested, data can be made available online.

=

080-2. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the public prosecution services?

Yes (please indicate the name and the address of this institution): Public Prosecutors Office.

No

Comments Various annual statistics are published by the Public Prosecutors Office, WODC and CBS (Central Bureau for Statistics)

080-3. Are the statistics on the functioning of each public prosecution service published?

Yes, on the internet

No, only internally (on an intranet website)

No

Comments Generally, statistics are published at national level, not by region (arrondissement).

=

081. Are individual courts required to prepare an activity report (that includes, for example, data on the number of resolved cases or pending cases, the number of judges and administrative staff, targets and assessment of the activity)?

Yes

No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is intended): An annual report for all courts is published. Some courts choose to publish individual annual reports, but this is not required. There are other institutes that publish reports as well, but these are broader in context than just the functioning of the courts (e.g. WODC publishes monitors on criminal activity).

081-1. If yes, please specify in which form this report is released:

- Internet
- Intranet (internal) website
- Paper distribution

Comments

081-2. If yes, please, indicate the periodicity at which the report is released:

- Annual
- Less frequent
- More frequent

Comments

=

081-3. Are public prosecution services required to prepare an activity report (that includes, for example, data on the number of incoming cases, the number of decisions, the number of public prosecutors and administrative staff, targets and assessment of the activity)?

- Yes
- No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is intended): An annual report on national basis is published. Some prosecutor's offices choose to publish individual annual reports, but this is not required. There are other institutes that publish reports as well, but these are broader in content than just the functioning of the prosecutors office (e.g. WODC publishes monitors on criminal activity).

081-4. If yes, please specify in which form this report is released:

- Internet
- Intranet (internal) website
- Paper distribution

Comments

081-5. If yes, please, indicate the periodicity at which the report is released:

- Annual
- Less frequent
- More frequent

Comments

3.6.5 Courts administration

082. Is there a process or structure of dialogue between the public prosecution services and courts regarding the way cases are presented before courts (for example the organisation, number and planning of hearings, on-call service for urgent cases, selection of simplified procedures of prosecution...)?

Yes

No

Comments - If yes, please specify: Annually, the Court and public prosecutor's office at a local level make up a contract on the number of cases that will be brought before the Court. Big cases, taking several days (or weeks) in Court, are planned individually, but in advance there are agreements about the maximum amount of hours that will be available (mega-uren).

082-1. Is there in general a process or structure of dialogue between lawyers and courts regarding the way cases are presented before courts in other than criminal matters (e.g. organisation, number and planning of hearings, on-call service for urgent cases)?

Yes

No

Comments - If yes, please specify: It's a structure of dialogue that is more ad hoc, individually. In normal cases, lawyers are not involved in the planning. Nevertheless, they can request for a change of date and/or time. Large cases that will take several days in court are planned in dialogue with lawyers.

3.6.6 Performance and evaluation of judges and public prosecutors

083. Are there quantitative performance targets defined for each judge (e.g. the number of resolved cases in a month or year)?

Yes

No

Comments

083-1. Who is responsible for setting the individual targets for each judge?

Executive power (for example the Ministry of Justice)

Legislative power

Judicial power (for example the High Judicial Council, Supreme Court)

President of the court

Other (please specify):

NAP

Comments

114. Is there a system of qualitative individual assessment of the judges' work?

Yes

No

Comments

114-1. If yes, please specify the frequency of this assessment:

Annual

Less frequent

More frequent

=

083-2. Are there quantitative performance targets defined for each public prosecutor (e.g. the number of decisions in a month or year)?

Yes

No

Comments There is no national policy on targets for every prosecutor. An office (parket) could choose to set targets for their prosecutors (see next question), but this may vary across offices.

083-3. Who is responsible for setting the individual targets for each public prosecutor

Executive power (for example the Ministry of Justice)

Prosecutor General /State public prosecutor

Public Prosecutorial Council

Head of the organisational unit or hierarchically superior public prosecutor

Other (please specify):

NAP

Comments

120. Is there a system of qualitative individual assessment of the public prosecutors' work?

Yes

No

Comments The public prosecution has a team Judicial Quality at the General Office (Parket Generaal) that studies the quality of the criminal proceedings of the public prosecution. As part of these studies and assessments, a pool of prosecutors has been compiled, and they study the work of other public prosecutors. The results of these studies are used for quality enhancement trajectories. The studies are repeated periodically.

120-1. If yes, please specify the frequency of this assessment:

Annual

Less frequent

More frequent

Comments

C4. Please indicate the sources for answering the questions in this part

Sources: Team Judicial Quality: www.tweedekamer.nl/kamerstukken/detail?id=2018D52900&did=2018D52900
www.om.nl www.wodc.nl www.criminaliteitinbeeld.nl
opendata.cbs.nl
www.strafrechtketen.nl
www.rechtspraak.nl/organisatie-en-contact/organisatie/raad-voor-de-rechtspraak www.rechtspraak.nl/organisatie-en-contact/rechtspraak-in-nederland/rechtspraak-in-cijfers <https://www.om.nl/documenten/jaarverslagen/om/map/2019-en-verder/om-jaarbericht-2020>

4.Fair trial

4.1.Principles

4.1.1Principles of fair trial

084. Percentage of first instance criminal in absentia judgments (cases in which the suspect is not attending the hearing in person nor is represented by a lawyer)?

[]

NA

NAP

Comments - Please add methodology for calculation used.

085. Is there a procedure to effectively challenge a judge (recusal), if a party considers that the judge is not impartial?

Yes

No

Comments - Please could you briefly specify:

085-1. If yes, what is the ratio between the total number of initiated procedures and the total number of recusals pronounced (in the reference year):

[]

NA

Comments There were 675 initiated procedures for recusal in 1st and 2nd instance courts, of which 17 were rewarded. There were 3 initiated procedures for recusal at the High Court, none of which was awarded. Note that judges may withdraw from a case themselves, after a challenge.

086. Is there in your country a monitoring system for the violations related to Article 6 of the European Convention on Human Rights?

For civil procedures (non-enforcement)

For civil procedures (timeframe)

For criminal procedures (timeframe)

NAP

Comments - Please specify what are the terms and conditions of this monitoring system (information related to acknowledged violations by ECHR at the State/courts level; implementation of internal systems to prevent other violations (that are similar) and if possible to measure an evolution of the established violations):

086-1. 1 Is there in your country a possibility to review a case after a finding of a violation of the European Convention on Human Rights by the European Court of Human Rights?

Yes

No

NAP

Comments

D1. Please indicate the sources for answering the questions in this part

Sources: <https://jaarverslagrechtspraak.nl/cijfers/#subsection-2-3-1-8>
<https://2020.jaarverslaghogeraad.nl/vierde-kamerzaken/inleiding/>

4.2. Timeframe of proceedings

4.2.1 General information

087. Are there specific procedures for urgent matters regarding:

- civil cases
- criminal cases
- administrative cases
- There is no specific procedure for urgent matters

Comments - If yes, please specify:

088. Are there simplified procedures for:

- civil cases (small disputes)
- criminal cases (misdemeanour cases)
- administrative cases
- There is no simplified procedure

Comments - If yes, please specify: In small civil disputes, there are less rules and costs (compared to 'bigger' cases). Sinds >95% of the civil commercial cases is considered a small case, we do not view this procedure as a 'simplified' procedure.

088-1. For these simplified procedures, may judges deliver an oral judgement with a written order and without the full reasoning of the judgement ?

- civil cases
- criminal cases
- administrative cases

Comments - If yes, please specify:

089. Do courts and lawyers have the possibility to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings)?

- Yes
- No

Comments - If yes, please specify: In big criminal cases, the planning of the Court case is done in dialogue with the lawyers.

4.2.2 Case flow management – first instance

091. First instance courts: number of other than criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of other than criminal law cases (1+2+3+4)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	1 124 792 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 107 740 <input type="checkbox"/> NA <input type="checkbox"/> NAP	276 260 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	128 180 <input type="checkbox"/> NA <input type="checkbox"/> NAP	127 753 <input type="checkbox"/> NA <input type="checkbox"/> NAP	44 560 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Non litigious cases (2.1+2.2+2.3)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	896 895 <input type="checkbox"/> NA <input type="checkbox"/> NAP	893 907 <input type="checkbox"/> NA <input type="checkbox"/> NAP	159 930 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	896 895 <input type="checkbox"/> NA <input type="checkbox"/> NAP	893 907 <input type="checkbox"/> NA <input type="checkbox"/> NAP	159 930 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.1. Non litigious land registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.2 Non-litigious business registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.3. Other registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.3. Other non-litigious cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Administrative law cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	99 717 <input type="checkbox"/> NA <input type="checkbox"/> NAP	86 080 <input type="checkbox"/> NA <input type="checkbox"/> NAP	71 770 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments Administrative law cases include tax cases and immigration / asylum cases.

First instance cases at Council of State, Court of Appeal, including trade tribunal, are excluded.

In the Netherlands, there are some registers that are kept by the judiciary. Those do not include a land- or business registry, see www.rechtspraak.nl/registers. Most registers are related to debt, bankruptcy and help or surveillance of people who are unable to handle their financial situation. There is also a register with so-called ‘nevenfuncties’ (a list of jobs and positions held by judges next to their judgeship). Mutations in these registers are not counted as court cases. For the category ‘other registry cases’ the answer is NAP, as the Dutch system does not count mutations in the registers as court cases.

092. If courts deal with “civil (and commercial) non-litigious cases”, please indicate the case categories included:

. Non-litigious cases include default judgments (undefended cases), unconqusted requests (e.g. a married couple asking for a divorce together).

093. Please indicate the case categories included in the category "other cases":

. NAP

094. First instance courts: number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of criminal law cases (1+2+3)	223 723 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	213 096 <input type="checkbox"/> NA <input type="checkbox"/> NAP	81 040 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Severe criminal cases	159 476 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	158 827 <input type="checkbox"/> NA <input type="checkbox"/> NAP	56 620 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	64 247 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	54 269 <input type="checkbox"/> NA <input type="checkbox"/> NAP	24 420 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Other criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories. If “Other criminal cases”, please specify Classification of severe and minor cases:

Minor offences: mainly traffic offences (speeding tickets, running red lights) and petty theft, vagrancy, littering, etc.

Severe offences: driving while drunk, grand theft, violent crimes, vice, drugs/narcotics, etc.

Effects of the pandemic:

No in person hearings happened in the period between 17 March and April 6 2020. At the start of the pandemic, not everyone was able to work remotely due to insufficient available laptops and that many files were still coming in on paper. There were some exceptions for working remotely as well, such as security, some administrative staff (people that compiled paper files, for example), etc.

Some measures were taken: hearing in other buildings, online or hybrid, and hearings in the evenings. The age restriction for judges was

pped from 70 years old to 73 years old, more criminal orders were handled by the public prosecution and more cases were handled by one judge instead of more (enkelvoudig versus meervoudig)



4.2.3 Case flow management – second instance

097. Second instance courts (appeal): Number of “other than criminal law” cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of other than criminal law cases (1+2+3+4)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	19 363 <input type="checkbox"/> NA <input type="checkbox"/> NAP	21 232 <input type="checkbox"/> NA <input type="checkbox"/> NAP	24 530 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Non litigious cases (2.1+2.2+2.3)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.1. Non litigious land registry cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.2 Non-litigious business registry cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.3. Other registry cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2.3. Other non-litigious cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative law cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP	8 172 <input type="checkbox"/> NA <input type="checkbox"/> NAP	9 686 <input type="checkbox"/> NA <input type="checkbox"/> NAP	12 340 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP

4. Other cases	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP	<input checked="" type="checkbox"/> NAP

Comments - If “Other cases” please specify It is not possible for us to differentiate between litigious and non-litigious cases at second instance. In short, we can provide this for first instance because the financial registrations makes clear distinction between types of cases (finances differ) that we can base that answer on, but for second instances, this differentiation in finances does not exist and thus, the registration is all the same.

098. Second instance courts (appeal): Number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court
Total of criminal law cases (1+2+3)	26 972 <input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	25 482 <input type="checkbox"/> NA <input type="checkbox"/> NAP	24 270 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Severe criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Other cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences". If “Other cases”, please specify.

4.2.4 Case flow management – Supreme Court

099. Highest instance courts (Supreme Court): Number of “other than criminal law” cases:

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of other than criminal law cases (1+2+3+4)	1 307 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 316 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 259 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 277 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	445 <input type="checkbox"/> NA <input type="checkbox"/> NAP	439 <input type="checkbox"/> NA <input type="checkbox"/> NAP	393 <input type="checkbox"/> NA <input type="checkbox"/> NAP	460 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Non litigious cases (2.1+2.2+2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.1. Non litigious land registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.2 Non-litigious business registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.3. Other registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.3. Other non-litigious cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Administrative law cases	862 <input type="checkbox"/> NA <input type="checkbox"/> NAP	877 <input type="checkbox"/> NA <input type="checkbox"/> NAP	866 <input type="checkbox"/> NA <input type="checkbox"/> NAP	817 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "Other cases", please specify With regard to 2. Non litigious cases: In theory, it is possible these cases get to the Supreme Court, but these cases are not specified in available numbers for the courts.

With regard to 3. Administrative law cases: Please note that the Dutch Supreme Court only handles tax cases and some social security cases. There is no third instance court for other administrative cases in the Netherlands, so these are not represented in this number.

With regard to 4. Other cases: There might be other cases in separate courts (Kamers), but these numbers are not available nationally.

With regard to the discrepancies: there are always some factors that might be of influence on the number of cases the Supreme Court handles in a year. It might be due to delays or catch ups in lower courts (so incoming cases are lower/higher), new laws or changes in law that the SC must answer (like covid-regulations), cases may become more complex because laws and differences are more complex (as a result cases may take longer), or cases that are connected that are grouped to deal with in clusters (meaning more cases for a longer time). While we cannot clearly pinpoint a 'cause' of the discrepancies, all these factors mentioned might influence the numbers.

099-1. At the level of the Highest court (Supreme Court), is there a procedure of manifest inadmissibility?

(X) Yes, please indicate the number of cases closed by this procedure: 2577

() No

Comments

100. Highest instance courts (Supreme Court): Number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme Court
Total of criminal law cases (1+2+3)	2 363 [] NA [] NAP	3 414 [] NA [] NAP	3 246 [] NA [] NAP	2 318 [] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Other criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comment - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please specify what cases are reported in those categories.. If “Other criminal cases”, please specify In the numbers and accounts that are kept by the Dutch Supreme Court, no distinction is made between severe criminal cases and misdemeanours and/or minor criminal cases.

With regard to the discrepancies: there are always some factors that might be of influence on the number of cases the Supreme Court handles in a year. It might be due to delays or catch ups in lower courts (so incoming cases are lower/higher), new laws or changes in law that the SC must answer (like covid-regulations), cases may become more complex because laws and differences are more complex (as a result cases may take longer), or cases that are connected that are grouped to deal with in clusters (meaning more cases for a longer time). While we cannot clearly pinpoint a 'cause' of the discrepancies, all these factors mentioned might influence the numbers. The gap of 213 is caused by cases that are labeled as ‘outflow other’ (in Dutch: uitstroom overig). These are cases that do not get resolved because of administrative reasons (for instance: the appeal is filed too late, or mandatory court fees have not been paid and there is no dispensation).

4.2.5 Case flow management and timeframes – specific cases

101. Number of specific litigious cases received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending for more than 2 years
Litigious divorce cases	[X] NA [] NAP	[X] NA [] NAP	4 147 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Employment dismissal cases	[X] NA [] NAP	[X] NA [] NAP	2 060 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Insolvency	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Robbery case	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Intentional homicide	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments There are some numbers available on this, but we don’t register whether cases are litigious or not in this manner.



=

101-0. Number of procedures/cases relating to asylum seekers and to the right of entry and stay for aliens.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending for more than 2 years
Non-court procedures relating to asylum seekers (refugee status under the 1951 Geneva Convention)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Non-court procedures relating to the right of entry and stay for aliens	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Court cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Court cases relating to the right of entry and stay for aliens	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments There are some numbers available, but it is not possible to split these up like requested here.

The Council of the Judiciary divides VK-cases (vreemdelingenzaken, cases related to asylum seekers and aliens) in 5 ways: General Asylum Procedure, Extended Asylum Procedure, Dublin (aliens that have entered Europe in another country and should return there first), Regular (requests for stay for aliens not based on asylum but based on e.g. work), and Custody (aliens that are in custody).

101-1. Could you briefly describe the system in your country dealing with legal remedies relating to asylum seekers (refugee status under the 1951 Geneva Convention) and the right of entry and stay for aliens:

. NA

101-2. Number of cases relating to child sexual abuse and child pornography received and processed by first instance courts.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Child sexual abuse	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Child pornography	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
--------------------------	---------------------	---------------------	---------------------	---------------------	---------------------

Comments - Please explain what are the legal definitions of these categories of offences in your system: These cases do exist, but the information is not available in this manner. There are separate articles in the Criminal code regarding child sexual abuse and child pornography, but there are no numbers readily available. Other aspects at play in criminal cases are for example the difference between the charges and what is considered proven in the end, and that more offences or facts may be part of one case. That complicates searching for specific numbers on cases like these, and also makes the numbers a bit more unreliable.

102. Percentage of decisions subject to appeal, average length of proceedings and percentage of cases pending for more than 3 years for all instances for specific litigious cases. The average length of proceedings has to be calculated from the date the application for judicial review is lodged to the date the judgment is made, without taking into account the investigation phase in criminal cases as well as enforcement procedure.

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average total length of the total procedure (in days)	% of cases pending for more than 3 years for all instances
Civil and commercial litigious cases	_____ Max numeric value allowed : 100 [X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Max numeric value allowed : 100 [X] NA [] NAP
Litigious divorce cases	_____ Max numeric value allowed : 100 [X] NA [] NAP	199 [] NA [] NAP	292 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Max numeric value allowed : 100 [X] NA [] NAP
Employment dismissal cases	_____ Max numeric value allowed : 100 [X] NA [] NAP	95 [] NA [] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	_____ Max numeric value allowed : 100 [X] NA [] NAP
Insolvency cases	_____ Max numeric value allowed : 100 [X] NA [] NAP	150 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Max numeric value allowed : 100 37 [] NA [] NAP
Robbery cases	_____ Max numeric value allowed : 100 [X] NA [] NAP	34 [] NA [] NAP	417 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Max numeric value allowed : 100 [X] NA [] NAP
Intentional homicide cases	_____ Max numeric value allowed : 100 [X] NA [] NAP	144 [] NA [] NAP	417 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	_____ Max numeric value allowed : 100 [X] NA [] NAP

Comments The length within one instance is from the formally defined start of the case until the termination of the case at that instance. Again, at the start of a case, it is unclear whether the case will be litigious. In some cases, numbers cannot be given in the way they are asked here. For robbery cases and intentional homicides, the average length of proceedings have been increasing steadily for a few years. Additionally, the corona pandemic may play a role in the discrepancies.

103. Where appropriate, please indicate the specific procedure regarding divorce cases (litigious and non-litigious):

. There is no specific procedure for divorce cases. However, since March 2009, a parental plan is mandatory, i.e. a divorce case with minors involved will not be dealt with unless a 'parental plan' is established.

104. How is the length of proceedings calculated for the six case categories of question 102? Please give a description of the calculation method.

. The length within one instance is from the formally defined start of the case until the termination of the case at that instance. The average length is calculated over all cases terminated at that instance during the year we report on.

4.2.6 Case flow management – public prosecution



105. Role and powers of the public prosecutor in the criminal procedure (multiple options possible):

- [X] to conduct or supervise police investigation
- [X] to conduct investigations
- [X] when necessary, to request investigation measures from the judge
- [X] to charge
- [X] to present the case in court
- [X] to propose a sentence to the judge
- [X] to appeal
- [X] to supervise the enforcement procedure
- [X] to discontinue a case without needing a decision by a judge (ensure consistency with question 36!)
- [X] to end the case by imposing or negotiating a penalty or measure without requiring a judicial decision
- [] other significant powers (please specify):

Comments

106. Does the public prosecutor also have a role in:

- [] civil cases
- [] administrative cases

[] insolvency cases

Comments - If yes, please specify:

107. Public prosecutors: Total number of 1st instance criminal cases.

	Number of cases
1.Pending cases on 1 Jan. ref. year	73 800 [] NA [] NAP
2.Incoming/received cases	184 900 [] NA [] NAP
3.Processed cases (3.1+3.2+3.3+3.4)	179 500 [] NA [] NAP
3.1.Discontinued during the reference year (3.1.1+3.1.2+3.1.3+3.1.4.)	55 100 [] NA [] NAP
3.1.1 Discontinued by the public prosecutor because the offender could not be identified	[] NA [X] NAP
3.1.2 Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	39 800 [] NA [] NAP
3.1.3 Discontinued by the public prosecutor for reasons of opportunity	15 300 [] NA [] NAP
3.1.4 Discontinued for other reasons	[] NA [X] NAP
3.2.Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	44 700 [] NA [] NAP
3.3.Cases closed by the public prosecutor for other reasons	3 900 [] NA [] NAP
3.4.Cases brought to court	75 800 [] NA [] NAP
4.Pending cases on 31 Dec. ref. year	59 300 [] NA [] NAP

Comments The number of pending cases at the end of the year cannot equal pending cases at the start of the year + incoming cases – processed cases because a certain type of case can only be counted in the stock when the file has been judged, not when they are pending. These cases are criminal cases where an order is given, but they are then returned because the order cannot be executed. These criminal cases return to the stock, but cannot be measured in the system the public prosecution uses. Once a case like that it assessed again and streams out, it becomes visible in the numbers of the system.

107-1. If the guilty plea procedure exists, how many cases were concluded by this procedure?

Total	Severe criminal cases	Misdemeanour and / or minor criminal cases

Total number of guilty plea procedures	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Before the main trial	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
During the main trial	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

109. Do the figures provided in Q107 include traffic offence cases?

- Yes
- No

Comments These include traffic offences, but NOT traffic violations. Only serious traffic issues are prosecuted as traffic offence, the less serious as violation of even administrative justice (wet Mulder).

D2. Please indicate the sources for answering the questions in this part

Sources: <https://www.om.nl/documenten/jaarverslagen/om/map/2019-en-verder/om-jaarbericht-2020>; kerncijfers

5. Career of judges and public prosecutors

5.1. Recruitment and promotion

5.1.1 Recruitment and promotion of judges



110. How are judges recruited?

- mainly through a competitive exam (open competition)
- mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)
- a combination of both (competitive exam and working experience)
- other (please specify):

Comments

111. Authority(ies) responsible for recruitment - are judges initially/at the beginning of their career recruited and nominated by:

- An authority made up of judges only
- An authority made up of non-judges only
- An authority/authorities made up of judges and non-judges
- Other

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles: There is a national selection committee for Judges (LSR). This

committee is a diverse group of people, made up of judges and members from other sectors, like business, education and science, lawyers and public prosecution.

111-1. How many members compose this authority?

	Total	Male	Female
Members	22 [] NA [] NAP	8 [] NA [] NAP	14 [] NA [] NAP

Comments – Please specify what is the status of this authority and who is proposing its members? Members of the LSR are installed by the Council of the Judiciary, which has mandated their task in selecting judges to the LSR.

<https://www.rechtspraak.nl/organisatie-en-contact/rechtspraak-in-nederland/rechters>

<https://www.werkenbijderechtspraak.nl/rechter-of-raadsheer-worden/>

111-2. May non-selected candidates appeal against the decision on recruitment/appointment?

Yes

No

Comments – please specify which body is competent to decide on appeal?

112. Is the same authority (Q111) competent for the promotion of judges?

Yes

No

Comments

113. What is the procedure for the promotion of judges? (multiple answers possible)

Competitive test / Exam

Other procedure (interview or other)

No special procedure

Comments - Please specify how the promotion procedure for judges is organised (especially if there is no competition or examination): There are function profiles for jobs higher up (e.g. a judge may want to become a senior judge). Furthermore, the specific procedures are described in the Law on the Legal Position of Magistraties (Wet Rechtspositie rechterlijke ambtenaren)

113-1. Please indicate the criteria used for the promotion of a judge? (multiple replies possible)

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

Comments - Please specify any useful comment regarding the criteria (especially if you have checked the box “performance” or “other”): Many criteria will not be explicitly discussed. There are function profiles and quality norms.

5.1.2 Status, recruitment and promotion of prosecutors

115. What is the status of public prosecution services?

- Has an independent status as a separate entity among state institutions
- Is part of the executive power but enjoys functional independence (please briefly explain how and to what extent)
- Is part of the executive power (without functional independence)
- Is part of the judicial power but enjoys functional independence (please briefly explain how and to what extent)
- Is part of the judicial power (without functional independence)
- Is a mixed model (please explain)
- Has other status (please explain)

Comments - When appropriate, please specify the objective guarantees of this independence (such as funding) and where they are enshrined (Constitution, legislation etc.).Furthermore, if "mixed model" or "other", please specify.

115-1. Does the law or other regulation prevent specific instructions to prosecute or not, addressed to a public prosecutor?

- Yes
- No

Comments - If yes, please specify:

115-2. If you answered "Yes" to Q115-1, are there exceptions provided by the law/regulations?

- Yes
- No

Comments - Please describe these exceptions:

115-3. If you answered "No" to Q115-1, which authority can issue the specific instructions?

- General Prosecutor
- Higher prosecutor/Head of prosecution office
- Executive power
- Other

Comments - If "Other", please specify:

115-4. What form these instructions may take?

- Oral instruction
- Oral instruction with written confirmation
- Written instruction
- Other
- NAP

Comments - If "Other", please specify:

115-5. In that case, are the instructions:

- Issued seeking prior advice from the competent public prosecutor
- Mandatory

Reasoned

Recorded in the case file

Other

NAP

Comments - If "Other", please specify: See also the comment under 115-4

115-6. What is the frequency of this type of instructions:

Exceptional

Occasional

Frequent

Systematic

NAP

Comments

115-7. Can the public prosecutor oppose/report an instruction to an independent body?

Yes

No

NAP

Comments - If yes, please specify to which body/institution and please describe under which conditions.

116. How are public prosecutors recruited?

mainly through a competitive exam (open competition)

mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

a combination of both (competitive exam and working experience)

other (please specify):

Comments

117. Authority(ies) responsible for recruitment - Are public prosecutors initially/at the beginning of their career recruited by:

An authority composed of public prosecutors only

An authority composed of non-public prosecutors only

An authority composed of public prosecutors and non-public prosecutors

Other

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles: This authority is not external, but an internal selection committee of the Public Prosecution Services.

117-1. How many members compose this authority?

Total	Male	Female

Members	3 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
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Comments - Please specify what is the status of this authority and who is proposing its members?

117-2. May non-selected candidates appeal against the decision on recruitment/appointment?

- () Yes
(X) No

Comments - Please specify which body is competent to decide on appeal?

118. Is the same authority (Q.117) formally responsible for the promotion of public prosecutors?

() Yes

(X) No, please specify which authority is competent for promoting public prosecutors
The board of the Prosecutor General is competent as head of the Prosecution Service. The nomination is done by the King of the Netherlands

Comments

119. What is the procedure for the promotion of prosecutors? (multiple answers possible)

- [] Competitive test / exam
[X] Other procedure (interview or other)
[X] No special procedure

Comments - Please specify how the promotion procedure for prosecutors is organised (especially if there is no competition or examination):

119-2. Please indicate the criteria used for the promotion of a prosecutor:

- [X] Years of experience
[X] Professional skills (and/or qualitative performance)
[] Performance (quantitative)
[X] Subjective criteria (e.g. integrity, reputation)
[] Other
[] No criteria

Comments - Please, specify any useful comment regarding the criteria (especially if you have checked the box "performance" or "other"):

5.1.3Mandate and retirement of judges and prosecutors

121. Are judges appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

- (X) Yes, please indicate the compulsory retirement age:70
() No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

121-1. Can a judge be transferred to another court without his/her consent:

- [] For disciplinary reasons

For organisational reasons

For other reasons (please specify modalities and safeguards):

No

Comments

122. Is there a probation period for judges (e.g. before being appointed "for life")? If yes, how long is this period?

Yes, duration of the probation period (in years):

No

Comments The probation period is before being appointed. During training or while serving as a replacement judge.

123. Are public prosecutors appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

Yes, please indicate the compulsory retirement age:70

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

124. Is there a probation period for public prosecutors? If yes, how long is this period?

Yes, duration of the probation period (in years):see comment

No

Comments Probation period is not a fixed amount of time.

125. If the mandate for judges is not for an undetermined period (see question 121), what is the length of the mandate (in years)?

[]

NA

NAP

Comments

125-1. Is it renewable?

Yes

No

NAP

Comments

126. If the mandate for public prosecutors is not for an undetermined period (see question 123), what is the length of the mandate (in years)?

[]

NA

NAP

Comments

126-1. Is it renewable?

Yes

No

NAP

Comments

E1. Please indicate the sources for answering the questions in this part

Sources: no sources specified by contact

5.2. Training

5.2.1 Training of judges

127. Types of different trainings offered to judges:

	Compulsory	Optional	No training proposed
Initial training (e.g. attend a judicial school, traineeship in a court)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
General in-service training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for management functions of the court (e.g. court president)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for the use of computer facilities in courts	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training on ethics	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training on child-friendly justice	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

128. Frequency of the in-service training of judges:

	Frequency of the judges training
General in-service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for management functions of the court (e.g. court president)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for the use of computer facilities in courts	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on ethics	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on child-friendly justice	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the continuous training of judges: Judges and prosecutors are stimulated to follow at least 30 hours of training every year. SSR (the training institutue) offers trainings as often as needed.

5.2.2 Training of prosecutors

129. Types of different trainings offered to public prosecutors:

	Compulsory	Optional	No training proposed
Initial training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
General in-service training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for specialised functions (e.g. public prosecutors specialised in organised crime)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for management functions (e.g. Head of prosecution office, manager)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for the use of computer facilities in office	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training on ethics	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training on child-friendly justice	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

130. Frequency of the in-service training of public prosecutors :

	Frequency of the in-service training
General in-service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for specialised functions (e.g. public prosecutor specialised in organised crime)	<input checked="" type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for management functions (e.g. Head of prosecution office, manager)	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for the use of computer facilities in office	<input checked="" type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on ethics	<input checked="" type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on child-friendly justice	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors: Judges and prosecutors are stimulated to follow at least 30 hours of training every year. SSR (the training institutue) offers trainings as often as needed.

5.2.3 Training institutions

131. Do you have public training institutions for judges and / or prosecutors?

	Initial training only	Continuous training only	Initial and continuous training
Institution(s) for judges	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Institution(s) for prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Institution(s) for both judges and prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments

131-0. If yes, what is the budget of such institution(s)?

	Budget of the institution(s) for the reference year, in €
Institution(s) for judges	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Institution(s) for prosecutors	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Institution(s) for both judges and prosecutors	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The SSR (the training institute for judges and prosecutors in the Netherlands) receives budget for the initial trainings (trainings to become a public prosecutor or a judge) and permanent education. Permanent education is for judges, public prosecutors and all other personnel working at Courts of the Prosecution Counsel (Parket). This means the budget of SSR is not quite comparable to an institute that e.g. does not provide education or training for supporting staff.

131-1. If judges and/or prosecutors have no compulsory initial training in such institutions, please indicate briefly how these judges and/or prosecutors are trained?

. NAP

5.2.4 Number of trainings

131-2. Number of in-service training courses available and delivered (in days) by the public institution(s) responsible for training

	Number of in-person training courses available	Number of delivered in-person training courses in days	Online training courses available during the reference year (e-learning)
Total	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. For judges	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. For prosecutors	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. For other non-judge staff	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. For other non-prosecutor staff	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
5. Training for other professionals	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments – please specify if there are training courses of judges and/or prosecutors that include other professionals in the field of justice. As for previous years - it is not possible to split up the numbers in this way. We can provide the following information: Total of learning activities: 1524 (this includes multi-day trainings, and part-day trainings), with 570 for the initial training and 761 for permanent education.

131-3. Number of participants of the training courses during the reference year

	Number of participants in in-person training courses	Number of participants in online training courses (e-learning)
Total	[X] NA [] NAP	[X] NA [] NAP
Judges	[X] NA [] NAP	[X] NA [] NAP
Prosecutors	[X] NA [] NAP	[X] NA [] NAP
Non-judge staff	[X] NA [] NAP	[X] NA [] NAP
Non-prosecutor staff	[X] NA [] NAP	[X] NA [] NAP
Other professionals	[X] NA [] NAP	[X] NA [] NAP

Comments Like the question before: it is for us not possible to split up the numbers in this way. We can provide the following numbers:

Total number of registrations: 19822 (10590 for initial training, 7920 permanent education).

Total number of individual participants: 6998 (2224 from the Public Prosecution; 4478 from the Judicial System NL)

5.3.Practice of the profession

5.3.1Salaries and benefits of judges and prosecutors

132. Salaries of judges and public prosecutors on 31 December of the reference year:

	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
First instance professional judge at the beginning of his/her career	83 765 [] NA [] NAP	52 772 [] NA [] NAP	[] NA [X] NAP	[] NA [X] NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)	[X] NA [] NAP	[X] NA [] NAP	[] NA [X] NAP	[] NA [X] NAP
Public prosecutor at the beginning of his/her career	84 351 [] NA [] NAP	42 900 [] NA [] NAP	[] NA [X] NAP	[] NA [X] NAP
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Attorney General).	[X] NA [] NAP	[X] NA [] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments Public prosecutor at the beginning of his / her career: The recent salary table RM of the end of 2020 is used (Scale 9, first step). On top of this the holiday stipend and end of year stipend is calculated. The 42.900 is a rough estimate of the net annual salary, after taxes, pensions etc.

133. Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
Reduced taxation	() Yes (X) No	() Yes (X) No
Special pension	() Yes (X) No	() Yes (X) No
Housing	() Yes (X) No	() Yes (X) No
Other financial benefit	() Yes (X) No	() Yes (X) No

Comments

134. If “other financial benefit”, please specify:

[X] NAP

=

135. Can judges combine their work with any of the following functions/activities?

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	(X) Yes () No	(X) Yes () No
Consultant	(X) Yes () No	(X) Yes () No
Cultural function	(X) Yes () No	(X) Yes () No
Political function	() Yes (X) No	() Yes (X) No
Mediator	(X) Yes () No	(X) Yes () No
Other function	(X) Yes () No	(X) Yes () No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify.

137. Can public prosecutors combine their work with any of the following functions/activities?

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	(X) Yes () No	(X) Yes () No
Consultant	(X) Yes () No	(X) Yes () No
Cultural function	(X) Yes () No	(X) Yes () No
Political function	(X) Yes () No	(X) Yes () No
Mediator	(X) Yes () No	(X) Yes () No
Other function	(X) Yes () No	(X) Yes () No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify:

139. Productivity bonuses: do judges receive bonuses based on the fulfilment of quantitative objectives in relation to the number of resolved cases (e.g. number of cases resolved over a given period of time)?

- () Yes
- (X) No

Comments - If yes, please specify the conditions and if possible the amounts:

5.3.2 Body/institution of ethics

138. Is there in your country an institution / body giving opinions on ethical questions of the conduct of judges (e.g. involvement in political life, use of social media by judges, etc.)

- () Yes
- (X) No

Comments

138-1. If yes, who are the members of this institution/body?

- () Only judges
- () Judges and other legal professionals
- () Other, please specify:

Comments

138-2. Are the opinions of this institution / body publicly available?

Yes

No

NAP

Comments - Please describe the work of this institution / body, the frequency of opinions, etc.

138-3. Is there in your country an institution / body giving opinions on ethical questions of the conduct of prosecutors (e.g. involvement in political life, use of social media by prosecutors, etc.)

Yes

No

Comments

138-4. If yes, who are the members of this institution/body?

Only prosecutors

Prosecutors and other legal professionals

Other, please specify:see comment

Comments

138-5. Are the opinions of this institution / body publicly available?

Yes

No

NAP

Comments - Please describe the work of this institution / body, the frequency of opinions, etc.

5.4. Disciplinary procedures

5.4.1 Authorities responsible for disciplinary procedures and sanctions

140. Who is authorised to initiate disciplinary proceedings against judges (multiple replies possible)?

Court users

Relevant Court or hierarchical superior

High Court / Supreme Court

High Judicial Council

Disciplinary court

Disciplinary body (disciplinary prosecutor, investigator etc.)

Ombudsman

Parliament

Executive power (please specify):

Other (please specify):

This is not possible

Comments

141. Who is authorised to initiate disciplinary proceedings against public prosecutors: (multiple replies possible):

- Citizens
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (High Judicial Council)
- Disciplinary court
- Disciplinary body (disciplinary prosecutor, investigator etc.)
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):
- This is not possible

Comments

142. Which authority has disciplinary power over judges? (multiple replies possible)

- Court
- Higher Court / Supreme Court
- High Judicial Council
- Disciplinary court or body
- Ombudsman
- Parliament
- Executive power (please specify):
- Other (please specify):

Comments

143. Which authority has disciplinary power over public prosecutors? (multiple replies possible)

- Supreme Court
- Head of the organisational unit or hierarchical superior
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (High Judicial Council)
- Disciplinary court or body
- Ombudsman
- Professional body
- Executive power (please specify):
- Other (please specify):



5.4.2 Number of disciplinary procedures and sanctions

144. Number of disciplinary proceedings initiated during the reference year against judges and public prosecutors. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Judges	Prosecutors
Total number (1+2+3+4)	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: A combined integrity issue in work and private life

145. Number of sanctions pronounced during the reference year against judges and public prosecutors:

	Judges	Prosecutors
Total number (total 1 to 10)	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Fine	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Temporary reduction of salary	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
6. Position downgrade	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

7. Transfer to another geographical (court) location	0 [] NA [] NAP	0 [] NA [] NAP
8. Resignation	2 [] NA [] NAP	1 [] NA [] NAP
9. Other	0 [] NA [] NAP	0 [] NA [] NAP
10. Dismissal	0 [] NA [] NAP	0 [] NA [] NAP

Comments - If “other”, please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons. Resignation: whether or not at the insistence of the board (head of the court administration). Technically judges cannot be fired, as they are appointed for life.

E3. Please indicate the sources for answering the questions in this part

Sources: CAO RM, www.nvvr.org
the data is requested from the courts themselves (with due regard for privacy)

6.Lawyers

6.1.Profession of lawyer

6.1.1Status of the profession of lawyers

146. Total number of lawyers practising in your country:

	Total	Male	Female
Number of lawyers	17 964 [] NA	9 837 [] NA	8 127 [] NA

Comments This is the number of lawyers on 1-1-2021

Number of lawyers on 1-1-2020: 17.829 (total), 9867 (males), 7962 (females)

147. Does this figure include “legal advisors” who cannot represent their clients in court (for example, some solicitors or in-house counsellors)?

Yes ()

No (X)

Comments

148. Number of legal advisors who cannot represent their clients in court:

[]

[] NA

=

149. Is legal representation in courts exclusively exercised by lawyers in: (multiple replies possible)

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	<input type="checkbox"/> Yes always <input checked="" type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP
Dismissal cases	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP
Criminal cases – Defendant	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP
Criminal cases – Victim	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input type="checkbox"/> No <input type="checkbox"/> NAP
Administrative cases	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes always <input type="checkbox"/> Yes in some cases <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments - Please indicate any useful clarifications regarding the content of lawyers' exclusive rights: There is no general monopoly for civil cases in 1st instance. There is a monopoly however for a few types of cases such as litigious divorce cases and commercial cases with a value > 25.000 Euro.

149-0. If other than lawyers may represent a client in court, please specify who:

	First instance	Second instance	Highest instance court (Supreme Court)
Civil society organisation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Family member	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Self-representation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Trade union	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If "other", please specify. In addition, for the categories selected please specify the types of cases concerned by this/these

representation(s): Almost everybody (individual or legal entity) is allowed to represent a party in court (if a lawyer is not obligated). If a lawyer is not obligatory, everyone can represent the party. There is no difference if it is in first instance, second instance or at the Supreme Court.

Civil cases: almost everybody (individual or legal entity) is allowed to represent a party in court (if a lawyer is not obligated).(see 149)

Dismissal cases: In first instance the person can be represented by, for example, a specialist of the trade union; in second instance the person has to have a lawyer (see 149);

In criminal cases: a defendant has a right to defend him- or herself, but he can also have a counsellor; as 'counsellors' only lawyers registered at the Dutch Bar are admitted. (see 149)

In criminal cases: victims: can be represented (in Supreme Court a lawyer is obligatory, see 149)

Administrative cases: can be represented by everyone.

149-1. In addition to the functions of legal representation and legal advice, can a lawyer exercise other activities?

Notarial activity

Arbitration / mediation

Proxy / representation

Property manager

Real estate agent

Other law activities (please specify):in general much of the work of lawyers is drafting contracts

Comments

149-2. What are the statuses for exercising the profession of lawyer?

Self-employed lawyer

Staff lawyer

In-house lawyer

Comments

150. Is the lawyer profession organised through:

a national bar association

a regional bar association

a local bar association

Comments The bar is organized on a national and regional level. The regions are the same as those covered by the 11 general jurisdiction 1st instance courts. The mixing of local and regional might stem from the general term used in Dutch for the regional organizations: they are called 'lokale orde' (= 'local bar'). Given the size of the territories the term regional seems more appropriate than local.

151. Is there a specific initial training and/or exam to enter the profession of lawyer?

Yes

No

Comments - Please indicate if there are other specific requirements as regards diplomas or university degrees: After the graduation in law (university degree) , there is a three-years professional training for lawyers. During this period he/she is lawyer –trainee and has to take exams.

152. Is there a mandatory general in-service professional training system for lawyers?

Yes

No

Comments

153. Is the specialisation in some legal fields linked to specific training, levels of qualification, specific diploma or specific authorisations?

Yes

No

Comments - If yes, please specify:

F1. Please indicate the sources for answering the questions in this part

Sources: Jaarverslag Nederlandse Orde van Advocaten 2020

6.1.2 Practicing the profession

154. Can court users establish easily what the lawyers' fees will be (i.e. a prior information on the foreseeable amount of fees)?

Yes

No

Comments In general lawyers are paid a hourly fee; is not always easy to establish the amount of work that a Court case will involve.

155. Are lawyers' fees freely negotiated?

Yes

No

Comments

156. Do laws or bar standards provide any rules on lawyers' fees (including those freely negotiated)?

Yes, laws provide rules

Yes, standards of the bar association provide rules

No, neither laws nor bar association standards provide rules

Comments No standards, only rules of conduct ('gedragsregels': regel 17 : honorarium): for example: fees should be reasonable; at the beginning of an assignment lawyer and client have to agree on the fee, the costs and the payment; the lawyer has to warn his client when he foresees the costs will be much higher.

6.1.3 Quality standards and disciplinary procedures

157. Have quality standards been determined for lawyers?

Yes

No

Comments - If yes, what are the quality criteria used? The NOVA is responsible for the carrying out of 'quality tests'. These tests are performed by experts: lawyers have to take part in a form of structured feedback. They can choose between three forms of structured feedback: intervision, peer review and structured consultation between colleagues. (This is stated in the Lawyers Act since 1 March 2020, and since June 2017 in a regulation of the Bar association (NOVA) (Wijzigingsverordening kwaliteitstoetsen).

Lawyers are also obliged to describe in which way they comply with rules about professional competence, office organisation, administration, third party funds, anti-money laundering law.

Source: <https://www.advocatenorde.nl/kwaliteitsbevordering>

158. If yes, who is responsible for formulating these quality standards:

- the bar association
- the Parliament
- other (please specify):

Comments

159. Is it possible to file a complaint about:

- the performance of lawyers
- the amount of fees

Comments - Please specify: A client can file a complaint: first a complaint must be discussed with the involved lawyer; each lawyer/office has a complaint procedure; complaints about fees are generally filed to the Geschillencommissie advocatuur; other complaints can be filed to the 'deken' (=dean, president) of the regional bar association; if this is not satisfactory, the deken can file the complaint to the Raad van discipline.

160. Which authority is responsible for disciplinary procedures?

- a judge
- Ministry of Justice
- a professional authority
- other (please specify):

Comments There is a special chamber of the court that deals with these procedures (Raad van discipline)

161. Disciplinary proceedings initiated against lawyers. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings
Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	993 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

4. Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
-----------------	--

Comments - If "other", please specify:

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	224 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	61 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	23 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Fine	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other	139 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons. 107 warnings, 23 conditional suspensions ; 9 were dismissed by the Bar (cannot work as lawyer anymore)

These numbers are the sanctions in first instance, except for the dismissals : those are all final dismissals in 2018.

Please note that some of the sanctions in 1st instance may be revised in appeal. These numbers are the sanctions in first instance, except for the dismissals : those are all final dismissals in 2018.

Please note that some of the sanctions in 1st instance may be revised in appeal. (bron: Jaarverslag Tuchtrechtspraak advocatuur 2020)

7. Court related mediation and other alternative Dispute Resolution

7.1. Court related mediation

7.1.1 Details on court related mediation

163. Does the judicial system provide for court-related mediation procedures?

Yes

No

Comments

163-1. In some fields, does the judicial system provide for mandatory mediation with a mediator?

Before/instead of going to court

Ordered by the court, the judge, the public prosecutor or a public authority in the course of a judicial proceeding

No mandatory mediation

Comments - If there is mandatory mediation, please specify which fields are concerned:

163-2. In some fields, does the legal system provide for mandatory informative sessions with a mediator?

Yes

No

Comments - If there are mandatory informative sessions, please specify which fields are concerned:

164. Please specify, by type of cases, who provides court-related mediation services:

	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
Civil and commercial cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Family cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Administrative cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Labour cases including employment dismissals	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Consumer cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments

165. Is there a possibility to receive legal aid for court-related mediation or receive these services free of charge?

Yes

No

NAP

Comments - If yes, please specify (only one or both options):: See General Comment.

=

166. Number of accredited or registered mediators for court-related mediation:

Total	Males	Females
-------	-------	---------

Number of mediators	865 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
----------------------------	--	--	--

Comments

167. Number of court-related mediations:

	Number of cases for which the parties agreed to start mediation	Number of finished court-related mediations	Number of cases in which there is a settlement agreement
Total (1 + 2 + 3 + 4 + 5 + 6)	1 823 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 795 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 181 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Civil and commercial cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Family cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Administrative cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Labour cases including employment dismissal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
5. Criminal cases	637 <input type="checkbox"/> NA <input type="checkbox"/> NAP	666 <input type="checkbox"/> NA <input type="checkbox"/> NAP	567 <input type="checkbox"/> NA <input type="checkbox"/> NAP
6. Consumer cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please indicate the source: Lower numbers in 2020 are due to the corona pandemic, as not all mediations can be done digitally, for example.

Raad voor de rechtspraak en gerechten (Judicial Council and the Courts). <https://jaarverslagrechtspraak.nl/wp-content/uploads/sites/2/2021/04/Jaarverslag-Rechtspraak-2020.pdf#page=45>

=

168. Do the following alternative dispute resolution (ADR) methods exist in your country?

- Mediation other than court-related mediation
- Arbitration
- Conciliation (if different from mediation)
- Other ADR (please specify):

Comments

G1. Please indicate the sources for answering the questions in this part

Source: Raad voor de rechtspraak en gerechten (Judicial Council and the Courts)

8. Enforcement of court decisions

8.1. Execution of decisions in civil matters

8.1.1 Number of enforcement agents, status and mandate

169. Number and type of enforcement agents in your country.

	Total	Male	Female
Total (1+2+3+4)	696 [] NA	506 [] NA	190 [] NA
1. Private professionals under the authority (control) of public authorities	696 [] NA [] NAP	506 [] NA [] NAP	190 [] NA [] NAP
2. Enforcement agents working in a public institution (civil servants paid by state)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Judges	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
4. Other	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If other, please specify their status and competences: Numbers are from february 2021. The numbers include 'toegevoegde deurwaarders', bailiffs that have not yet gained full professional status and perform the work of a bailiff under the supervision (and final responsibility) of a bailiff with full professional status. People can perform the work for years without full professional status

170. What are the requirements to access the profession of enforcement agent (multiple replies possible)?

- diploma
- professional experience
- specific exam
- appointment procedure by the State
- initial training
- other

Comments - If "other", please specify: There is a specific training at the School for Higher professional education (HBO) to get the diploma 'kandidaat gerechtsdeurwaarder', a parttime study of four years. Part of the training is a work placement during a year. This practical is necessary to qualify. Many students start the training then they already work in a bailiffs practice.

171. Are enforcement agents appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

- Yes, please indicate the age of retirement: 70
- No, please specify the duration of the appointment:

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: •At his request
•dismissal as a disciplinary sanction

- when he does not have the Dutch nationality anymore, or the nationality of another –EU- member State or the EEA or Switzerland
- legal restraint
- prison sentence for criminal offence
- civil imprisonment because of debts after an irrevocable court sentence
- bankruptcy, moratorium or debt restructuring
- permanent unfitness to fulfill the job because of illness or infirmity

8.1.2 Activities/scope of competence

171-1. Which debtor's information can the enforcement agent access at the beginning of the enforcement procedure?

	Access to information	Direct electronic access to information
Address	(X) Yes () No	(X) Yes () No
Date of birth	(X) Yes () No	(X) Yes () No
Civil status	(X) Yes () No	(X) Yes () No
Cohabitant	() Yes (X) No	(X) Yes () No
Employer	(X) Yes () No	(X) Yes () No
Motor vehicle	(X) Yes () No	(X) Yes () No
Movable property	() Yes (X) No	() Yes (X) No
Immovable property	(X) Yes () No	(X) Yes () No
Bank account	(X) Yes () No	(X) Yes () No
Other enforcement proceedings underway	(X) Yes () No	(X) Yes () No
Insolvency proceedings (bankruptcy, judicial reorganisation, collective debt settlement etc.)	(X) Yes () No	(X) Yes () No
Other	() Yes (X) No	() Yes (X) No

Comments - If "other", please specify: Bank account: the agent does not have access to information about the amount of money on the account, only the the bank number. There is a digitally accessible register on insolvencies (central insolventregister), seizures (digitaal beslagregister), a register on marriage goods (huwelijksgoederenregister). There is also a debt assistance register (verwijnsindex schuldhulverlening, VISH).

171-2. Can the enforcement agent carry out the following civil enforcement proceedings:

Option

Seizure of movable tangible properties	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Preventive seizure of movable tangible properties	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of immovable properties	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Preventive seizure of immovable properties	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure from a third party of the debtor claims regarding a sum of money	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of remunerations	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of motorised vehicles	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Eviction measures	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP

Seizures of boats and ships	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of aircrafts	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of electronic assets (e.g cryptocurrency)	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Enforced sale by public tender of seized properties	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Sale of shares	<input checked="" type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input type="checkbox"/> Yes, exclusively performed by enforcement agents <input type="checkbox"/> Yes, but not exclusively performed by enforcement agents <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments It should be noted that some enforcement actions can be taken by other bodies. For example, the traffic fines. The public agency that collects these fines can seize money from a bank account without having to hire a bailiff.

171-3. Apart from the enforcement of court decisions, what are the other activities that can be carried out by enforcement agents?

- Service of judicial and extrajudicial documents
- Debt recovery
- Voluntary or public auctions of moveable or immovable property
- Custody of goods
- Recording and reporting of evidence
- Court hearings service
- Provision of legal advice

- Bankruptcy procedures
- Performing tasks assigned by judges
- Representing parties in courts
- Drawing up private deeds and documents
- Building manager
- Other

Comments

8.1.3 Training and ICT

172-1. Is there a system of mandatory general continuous training for enforcement agents?

- Yes
- No

Comments

172-2. Do you have an e-learning training system established for enforcement agents?

- Yes
- No

Comments - If yes, please specify:

172-3. Does the content of the continuous training system also include ICT (related to enforcement procedures)?

- Yes
- No

Comments - If yes, please specify:

172-4. Have an electronic service of documents or electronic notifications been introduced in your country?

- Yes
- No

Comments Notification of garnishment (seizure) at a third party (for example bank or employer) can be done electronically (source: jaarverslag KBvG e-derdenbeslag) On 3 august 2020 the Court in Rotterdam, in cooperation with two bailiffs offices started an experiment to exchange digitally documents in (debt) collection cases. It concerns uncontested claims that end in default to appear cases. Bailiffs can submit cases digitally and receive the outcome digitally. The first authenticated copy is also sent on paper. If there is defence, the procedure goes on on paper.

172-5. Does the development of new technologies have an effect on the different stages of the enforcement procedure?

- Yes
- No

Comments - Please explain: Notification of garnishment (seizure) at a third party (for example bank or employer) can be done electronically (Source: jaarverslag KBvG e-derdenbeslag)

There is a Digital seizure register (Digitaal Beslagregister) in which all bailiffs register what kind of seizures at third parties they have placed (for example on periodical income (like wages or pension) .When a bailiff wants to take out a summons or wants to seizure, he is obliged to look into this register to make sure if and what other seizures exist regarding the same debtor. This reduces the risk that useless procedures are started. There is a tool to calculate the Protected earnings level. There is a debt assistance register (verwijsindex, VISH) via which bailiffs can get access to data on active debt assistance (the data are given by local/municipal agencies).

8.1.4 Fees

174. Are enforcement fees easily established and transparent for parties?

Yes

No

Comments The prices are fixed for acts the bailiff does as a public officer on the basis of authorities/ competences that are given to him by law.

Other prices (on debt collection) are negotiable. Most of the work of bailiffs involves work for great companies: they have large order contracts with companies for a negotiated price. This means that in most cases the price is transparent. For individuals with a single case , prices are less predictable.

175-1. Are the fees charged in case of successful enforcement proceedings freely negotiated?

Yes

No

Comments Yes and no: If the creditor wins, the debtor has to pay the costs of the enforcement. These are fixed prices., For a creditor, the fees can be freely negotiated. In 2001 the law on bailiffs was introduced, with, among others, the idea to leave the fees to market forces, as competition between bailiffs would improve production and quality, and would induce reduction of costs. Free rates regarding the client (creditor), fixed prices for debtors. At first this system was received as positive, but more and more negative side effects manifested: it happens that the fee of the bailiff is made dependant on the result of the execution, that financial risks of the claim move to the bailiff, or that there is direct or not-direct gain for creditors regarding public acts at the cost of the debtor. Bailiffs in competition with each other, can make agreement on tariffs or make agreements with clients under the cost price and can cause risks regarding care at performing the acts of his public office and the continuity regarding the performing of his public tasks.

Therefore the tariffs for debtors have been adapted and a new regulation has come into force, about rules of conduct for bailiffs regarding the making of financial agreements with creditors (it regards only remuneration for public office acts). In last years more attention is given to people who have problems in paying claims in one time and effort is invested by the government, public and private sectors, and the bailiffs themselves in a way of debt collection that is socially acceptable, in improvement of the quality of service of debt collection and revision of seizure and enforcement law. The sector tries to reduce the total amount of public acts and the costs for the debtors.

175-2. Who has to pay these fees if the enforcement proceedings are successful?

The debtor

The creditor

Other – please specify

Comments

176. Do laws provide any rules on enforcement fees (including those freely negotiated)?

Yes

No

Comments

H0. Please indicate the sources for answering the questions in this part

8.1.5 Organisation of profession and efficiency of enforcement services

177. Is there a body entrusted with supervising and monitoring the enforcement agents' activity?

Yes

No

Comments

178. Which authority is responsible for supervising and monitoring enforcement agents?

professional body

judge

Ministry of Justice

public prosecutor

other (please specify):

Comments

181. Is there a specific mechanism for executing court decisions rendered against public authorities, including supervising such execution?

Yes

No

Comments - If yes, please specify:

182. Is there a system for monitoring how the enforcement procedure is conducted by the enforcement agent?

Yes

No

Comments - If yes, please specify:

183. What are the main complaints made by users concerning the enforcement procedure? Please indicate a maximum of 3.

no execution at all

non execution of court decisions against public authorities

lack of information

excessive length

unlawful practices

insufficient supervision

excessive cost

unethical behaviour of enforcement agent

other (please specify):

Comments

185. Is there a system measuring the length of enforcement procedures:

	Existence of the system
for civil cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
for administrative cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

186. Regarding a decision on debt collection, please estimate the average timeframe to serve and/or notify the decision to the parties who live in the city where the court sits (one option only):

between 1 and 5 days

between 6 and 10 days

between 11 and 30 days

more (please specify):

NA

Comments

187. Number of disciplinary proceedings initiated against enforcement agents. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1. For breach of professional ethics	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. For professional inadequacy	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. For criminal offence	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: Numbers for 2020 not yet available

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	<input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	<input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	<input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	<input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Fine	<input type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other	<input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If “other”, please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons: Numbers for 2020 not yet available

H1. Please indicate the sources for answering the questions in this part

Source: Court of Amsterdam , Kamer voor gerechtsdeurwaarders (=the authority in handling disciplinary cases against bailiffs)

8.2. Execution of decisions in criminal matters

8.2.1 Functioning of execution in criminal matters

189. Which authority is in charge of the enforcement of judgments in criminal matters? (multiple replies possible)

- Judge
- Public prosecutor
- Prison and Probation Services
- Enforcement agent
- Other authority (please specify): CJIB

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions). The CJIB acts in name of the minister of Justice and Safety since 2020 (wet USB, Law USB).

There may be other authorities, but we did not get this answer in time.

190. Are the effective recovery rates of fines decided by a criminal court evaluated by studies?

- Yes
- No

Comments we did not get this answer in time.

191. If yes, what is the recovery rate?

- 80-100%
- 50-79%
- less than 50%

Comments - Please indicate the source for answering this question:

9. Notaries

9.1. Profession of notary

9.1.1 Number, status and mandate of notaries

192. Number and status of notaries in your country.

	Total	Male	Female
TOTAL (1+2+3+4)	3 374 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 541 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 833 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Private professionals (without control from public authorities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Holders of public offices appointed by the State	3 374 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 541 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 833 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Civil servants (paid by the State)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Other	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If "Other", please specify the status, or if "holder of a public office appointed by the State", please indicate which ministry is mainly engaged in the appointment procedure: The count of notaries includes the so-called 'candidate'-notaries; they do not hold the full professional status, and a notary with full professional status remains responsible for the work of the candidate. People can remain a 'candidate' for many years, even a life time. Notaries are entrepreneurs, work in/ as private enterprises, and are formally appointed by the King; their profession is regulated by law. There are also 'added notaries' (toegevoegde notarissen): they have full responsibility like a notary, but they are not entrepreneurs, they are employees.

192-1. What are the access conditions to the profession of notary (multiple replies possible):

- diploma
- professional experience
- specific exam
- appointment procedure by the State
- initial training
- other (please specify):

Comments Initial training: see previous comment on ‘candidates’’: notaries usually have gained years of professional experience before they receive full professional status

192-2. Are notaries appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

yes, please indicate the age of retirement:70

no, please specify the duration of the appointment:

Comments - are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

9.1.2 Activities/scope of competences



194. What kind of activities do notaries perform (multiple options possible):

	Please select one option
Authentication	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Certification of signatures	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Legalisation of signatures / Apostille	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Legality control of documents	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Mediation	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP

Taking of oaths	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Non-contentious judicial procedures (e.g. acting as court commissioner in a successions file, performing divorce, division of estate, please specify)	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Act as civil servant (for example performing marriage, please specify)	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
Other judicial functions (for example, payment orders)	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
Public auctions	<input type="checkbox"/> Yes, exclusively performed by notaries <input checked="" type="checkbox"/> Yes, but not exclusively performed by notaries <input type="checkbox"/> No <input type="checkbox"/> NAP
Other (for example collect taxes, run registers etc.)	<input type="checkbox"/> Yes, exclusively performed by notaries <input type="checkbox"/> Yes, but not exclusively performed by notaries <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments - If “other”, please specify. Please indicate any useful clarifications regarding the content of the notaries’ exclusive rights or, on the opposite, other bodies that also have competences for the listed activities. Notaries have exclusive rights regarding wills (inheritance) and they have a register regarding last wills; they have exclusive rights regarding transfer of ownership of real estate property; they have exclusive rights regarding the founding of some legal entities (for example incorporating a NV or private limited company (BV)).

194-2. In which areas of law do notaries perform their activities (multiple options possible)?

- Real estate transaction
- Family law
- Succession law
- Company law
- Legality control of gambling activities

Protection of vulnerable persons

Other

Comments

9.1.3 ICT, organisation of the profession and training

194-3. Do notaries use specialised ICT systems in their activity?

In their relations with the State (e.g. courts, registries, chambers of commerce, tax authorities)

In their relations with their clients

In their relations with other notaries (e.g. videoconferencing, system to exchange documents)

Comments

194-4. Which computerised registries can notaries consult?

Land registry

Business registry

Civil status / Population registry

Succession / Family law registry

Any other registry (please specify)

None

Comments

194-5. Are there registries/ registry infrastructures run by the notaries?

Yes

No

Comments - If yes, please specify: Register of last wills (Centraal testamentenregister (CTR)) is managed by the KNB (the professional organization of notaries) There is a digital registry system of acts (digital repertorium)

194-6. In which computerised registries can notaries modify data (either directly or by submitting an online request)?

	Directly modifying	Indirectly modifying by submitting an online request
Land registry	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Business registry	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Civil status/ Population registry	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP
Succession / Family law registry	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NAP

Any other registry (please specify)	(X) Yes () No [] NAP	(X) Yes () No [] NAP
None	() Yes () No [X] NAP	() Yes () No [X] NAP

Comments Notaries send the information directly, but often the information that is sent in is checked by the registry as well, before the information is added to the registry.

UBO-registry (Ultimate beneficial owners): notaries can directly change, the concerned/involved business can also modify data

194-7. What ICT tools are used by notaries in their relations with clients?

- Videoconferencing (e.g. digital advice)
- Digital act
- Digital identification
- Digital archiving
- Other, please specify
- None

Comments Digital archiving: not centrally.

194-8. Who is responsible to run the digital archives?

- Notariat / Professional body
- Other public authority
- Another entity (please specify)

Comments

195. Is there an authority entrusted with supervising and monitoring the notaries' work?

- Yes
- No

Comments

196. If yes, which authority is responsible for supervising and monitoring notaries (multiple options possible)?

- professional body
- court
- Ministry of Justice
- public prosecutor
- other (please specify):

Comments Surveillance of the profession is done partly by the profession itself and partly by an external body, the BFT (Bureau Financieel toezicht) an independent administrative body. The Ministry of justice has a responsibility for regarding the availability of notaries, but it does not do the monitoring. In case of a complaint about a notaries' actions, a disciplinary law court system is available,

196-1. Is there a system of general continuous training for all notaries?

Yes

No

Comments

196-2. Do notaries have training on:

	Yes	No
European law	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Law of another Member State (cross-border training programmes)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments - If yes, please indicate the types (e.g. traditional courses, e-learning, webinar) and the major topics of the training activities: There are training courses, e-learning for some topics, like the European regulations on matrimonial property regimes, for continuing education.

I1. Please indicate the sources for answering the questions in this part

Sources: www.KNB.nl (including the 'Wet op het notarisambt' (law on the notarial profession))
www.PE-academy.nl/notaris

10. Court interpreters

10.1. Details on profession of court interpreter

10.1.1 Status of court interpreters

197. Is the title of court interpreters protected?

Yes

No

Comments

198. Is the function of court interpreters regulated by legal norms?

Yes

No

Comments

199. Number of registered court interpreters:

[269]

[] NA

[] NAP

Comments There are 269 registrations with the specialisation 'criminal cases'. The actual number of interpreters might be slightly lower,

as a court interpreter can have multiple registrations.

200. Are there binding provisions regarding the quality of court interpretation within judicial proceedings?

Yes

No

Comments - If yes, please specify (e.g. having passed a specific exam): In the basis, there are binding provisions. There is a register of sworn interpreters (Rbtv), and interpreters have to meet a set of requirements to be eligible to be in the register. There are two levels of interpreters: C1 and B2. C1 interpreters can get the specialisation of court interpreter (there is a set of additional requirements). Finally, there are emergency interpreters. These are not registered in the Rbtv, but they do have to provide a declaration of good conduct to be on the 'emergency list'. Quality is not tested.

When it comes to hiring, the order is as follows: C1-interpreter with specialisation, C1-interpreter, B2-interpreter, emergency interpreter. There are some organisations included in the law on sworn court interpreters (Wbtv) (like the National Police, Public Prosecution, Judiciary etc.). If a Rbtv-interpreter is not available, people can deviate from that. The choice about whether to hire another interpreter is then up to the client.

There is a procedure for complaints, and the handling of the complaint is with an independent complaints commission.

201. Are the courts responsible for selecting court interpreters?

Yes, for recruitment and/or appointment for a specific term of office

Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings

No, please specify which authority selects court interpreterssee comment

Comments Currently, there is a hybrid system between the old system and a new one that is implemented at this time. In the old situation, the clients (public prosecutors etc.) would arrange for sworn interpreters via internal interpreter bureaus and as such, would have direct contact with the interpreters. In the new system, the coordination is via tender in the market. Intermediaries receive a request from a client to arrange for an interpreter. The source will always be the Rbtv. Some organisations have already switched to the new systems, but some have not yet.

The bureau Wbtv manages the the Rbtv and makes the Rbtv available for organisations and intermediaries. When it comes to the list of emergency interpreters, the bureau Wbtv only has an administrative job.

J1. Please indicate the sources for answering the questions in this part

Sources: contact at the wbtv

11.Judicial experts

11.1.Profession of judicial expert

11.1.1Status of judicial experts

202. In your system, what types of judicial experts can participate in judicial procedures (multiple replies possible):

Experts designated by the parties in support of their arguments but bound by a duty of independence and impartiality to the court

Experts appointed by the court or other authority independent of the parties

Other system of judicial expertise, please specify

Comments - Please specify who is proposing and appointing experts in an individual case.

202-1. Are there lists or any other form of official registration for judicial experts?

Yes

No

Comments

202-1-1. If yes, at which level is the list established (multiple replies possible):

national

administrative district or federal entity

judicial district

other

Comments - Please, indicate any other comment regarding these lists or databases of experts, if they do exist (e.g. does the expert take an oath? How are his/her skills evaluated? By whom?):

202-1-2. Are these lists publicly available?

Yes, available on the internet

Yes

No

Comments www.nrgd.nl

202-2. Which authority is competent for the registration of judicial experts?

Ministry of justice

Courts

Administrative body

Independent body (association of judicial experts)

Other

Comments - Please also specify the registration criteria:

202-3. Is the registration of judicial experts limited in time?

Yes, for how long 5 years

No

Comments

202-4. Can an expert who is not on the list or not registered be appointed in a case?

Yes

No

Comment - If yes, please specify in which cases:

203. Is the title of judicial experts protected?

Yes

No

Comments - If appropriate, please explain the meaning of this protection: For Criminal Law Cases. Only NRGD-registered experts are allowed to call themselves registered experts in criminal law cases.

203-1. Does the judicial expert have an obligation of training?

	Obligation of training
Initial training	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Continuous training	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

203-2. If yes, does this training concern:

judicial proceedings

the profession of expert

other

Comments

204. Is the function of judicial experts regulated by legal norms?

Yes

No

Comments

204-1. On the occasion of a task entrusted to him/her, does the judicial expert have to report any potential conflicts of interest?

Yes

No

Comments - If yes, please specify:

205. Number of accredited or registered judicial experts:

	Total	Male	Female
Number of experts	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

206-1. Number of cases where expert opinion was ordered by a judge or requested by the parties

Number of cases

Total (1+2+3+4)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1.Civil and commercial litigious cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.Administrative cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3.Criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4.Other cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

205-1. Who defines the amount of the expert remuneration?

	In civil/administrative cases	In criminal cases
Defined by law/by-law or a special regulation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Defined by the court/judge	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Defined by Ministry of Justice or another ministry (setting a tariff for example)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Salary of public official (in case of forensic or another specialist – who is public employee)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Freely agreed between expert and the parties	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments - If other, please specify:

206. Are there binding provisions for judicial experts regarding:

	Yes	No
Deadlines to provide expertise	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Quality of expertise	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input checked="" type="checkbox"/>

NAP

Comments - If yes, please specify, and provide details in case there are possible sanctions:

207-1. Does the judge or another body control the progress of the expertise?

Yes

No

If yes, please specify:

207-2. Are judicial experts' associations involved in:

Selection processes

Initial or continuous training

Disciplinary procedures

NAP

Comments Assuming the Register is not counted as association.

K1. Please indicate the sources for answering the questions in this part

Sources: <https://www.nrgd.nl/>

12.Reforms in judiciary

12.1.Foreseen reforms

12.1.1Reforms

208. Can you provide information on the current debate in your country regarding the functioning of justice? Are there undergoing or foreseen reforms? If possible, please observe the following categories:

208-1. (Comprehensive) reform plans

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: As of now, no reforms are foreseen. However, it is important to note that in March, there were elections in The Netherlands, and as of yet, no new coalition has been formed. When a coalition agreement is formed, this might trigger changes on these topics.

208-2. Budget

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

208-3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts (geographic locations), competences of the courts, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings)

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: The temporary experiment-act on judicial procedures (in Dutch: Tijdelijke Experimentenwet rechtspleging) has been adopted in 2020 by Dutch parliament, but has not entered into force yet. This act aims to provide a legal basis to various pilot projects on accessible justice and experiments with regard to justice and conflict resolution (e.g. see also mediation and ADR)

208-4. Access to justice and legal aid

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Currently, there is a debate in Dutch judiciary and politics as to whether access to the Dutch judiciary is guaranteed sufficiently, with regard to for instance access to legal aid. A phased implementation of a new legal aid system is currently underway, and will take place through incremental piloting and ultimately leads to the submission of new legislation to Parliament in 2023/24.

The 'childcare benefits scandal' (in which tax authorities falsely accused thousands of families of fraud), among other things, led to new insights into the relationship between citizen and government. Themes like "person centered", the restoration of the "human dimension" and self-reliance have become important. It is therefore in line with expectations that the next cabinet will invest in these current developments. Despite the recent fall of the cabinet and the elections in March 2021, the plans did not come to a standstill.

208-5. High Judicial Council

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

208-6. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents,

etc.): organisation, education and training, etc.

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

208-7. Gender balance

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Currently, there is a debate in and on the Dutch judiciary with regard to gender-neutral and inclusive language (for instance, female judges at courts of appeal and the supreme court are still referred to as 'raadsheer' which is a male reference). The legislator has not yet planned any changes with regard to this topic.

208-8. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Dutch government is preparing to modernize the Dutch Code of Criminal Procedure. The current Code dates back to 1926. Draft legislative proposals have been published, but not yet formally introduced to parliament.

208-9. Enforcement of court decisions and in particular regarding decisions against public authorities

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

208-10. Mediation and other Alternative Dispute Resolution

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: A pilot for mediation in criminal cases, which is an expansion of the mediation in criminal cases that is already possible.

https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwi9yvT35Mf0AhUKyqQKHXNECGwQFnoECAcQAQ&url=https%3A%2F%2Fwww.rijksoverheid.nl%2Fbinaries%2Frijksoverheid%2Fdocumenten%2Frapporten%2F2021%2F10%2F29%2Ftk-bijlage-6-pva-pilot-mediation-innovatiewet-strafovordering%2Ftk-bijlage-6-pva-pilot-mediation-innovatiewet-strafovordering.pdf&usg=AOvVaw28zaYRDz187HDj_i2nboMZ

208-11. Fight against crime

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Sizeable investments in MIT, a multi-disciplinary intervention team to combat organised - subversive - crime.

208-12. Prison system

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify:

208-13. Child friendly justice

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: The Dutch Council for the Judiciary has requested attention for the existing Act on Minors (in Dutch: Jeugdwet) in its 2020 annual report. This act aims to regulate the assistance of (local) government to minors and their parents, who struggle with family difficulties, such as mental issues. The Council argues that adaptation of this act (and the system of youth welfare service in the Netherlands) will be necessary to adequately assist minors and their parents.

208-14. Domestic violence

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Special regulations for the treatment and sentences in cases of domestic violence, e.g. for the regulation of the public prosecution in these cases: <https://www.om.nl/onderwerpen/beleidsregels/richtlijnen-voor-strafvordering-resultaten/richtlijn-voor-strafvordering-huiselijk-geweld>

208-15. New information and communication technologies

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: Project Chain Computerisation Justice Chain, see e.g. <https://www.strafrechtketen.nl/actueel/nieuws/2019/06/26/stappen-gezet-richting-duurzaam-verbeteren-ketenprestaties>

208-16. Other

Yes (planned)

Yes (adopted)

Yes (implemented during year of reference +1)

No

NA

Comments - If yes, please specify: