

# **‘Better Protection’ Programme**

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In his letter to the Lower House of Parliament dated 30 June 2004, the Justice Minister promised that child protection in the Netherlands will be improved as a result of the Government’s ‘Better Protection’ Policy Programme.

## **Contents of this fact sheet**

This fact sheet briefly describes what the Programme is all about. It will be updated regularly in line with current developments.

- Background of and Basis for the Programme
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## **Background**

It has been established by the International Convention on the Rights of the Child to which the Netherlands was also a co-signatory that children have a right to grow up in a healthy and harmonious environment and grow towards independence. When the development of children is under serious threat and when parents or carers insufficiently take their responsibilities as educators, the government can take the necessary steps to avert such a threat. The number of reports of child abuse – neglect, physical or mental violence and sexual abuse – has increased sharply in recent years. The number of children requiring protection will therefore continue to rise.

An assessment of the functioning of the child protection system has revealed a number of problems. These relate to the cooperation and alignment between the various organisations operating within the child protection chain as well as the speed with which cases are processed. The manner in which the implementation of guardianships and family supervisions has been arranged can also be improved. Current legislation has also received criticism.

## **Aim**

The aim of the ‘Better Protection’ Programme from the Justice Ministry’s Youth and Crime Prevention Department is to tackle the problems identified within the child protection system and by doing so, increase its effectiveness (in terms of speed) and efficiency (in terms of results). Some improvements here have already been set in motion. Three projects within the Programme aim toward a coherent package of measures and methods to further increase the speed and results of the efforts in the child protection system.

### **“Better Protection” Legal Framework**

The youth protection system has to function within two legal contexts:

- The Dutch Civil Code, when it is necessary to impose child protection measures.
- The Dutch Youth Care Act, in which the implementation of guardianships and family supervision is arranged.

Dutch provinces work within national frameworks when implementing the child protection policy.

### **Responsibilities and Partners within the ‘Better Protection’ Programme**

The Minister of Justice bears primary responsibility for the youth protection system and has consequently taken the initiative for the ‘Better Protection’ Programme. The State Secretary for Health, Welfare and Sport bears joint responsibility for the system and at a provincial and metropolitan level the governments bear responsibility for the implementation of the child protection policy by the youth care agencies.

Chaired by the Director for Youth and Crime Prevention, the Steering Group for the ‘Better Protection’ Programme manages the projects of the Programme. All the partner organisations concerned are represented in this Group and are closely involved in the three projects.

The Ministry of Justice’s partners within the ‘Better Protection’ Programme are:

- Ministry of Health, Welfare and Sport;
- Inter-Provincial Consultation Forum (IPO) – on behalf of the provinces and major cities regions
- Social Employers’ Group (MO groep), an umbrella organisation for the welfare, youth care and child day care sectors – on behalf of the youth care agencies;
- Child Care and Protection Board;
- Council for the Administration of Justice.

The Programme officially runs until 31 December 2006, so that whilst the intensive guidance and Programme structure will then probably come to an end, the efforts for improvement will of course be continued in the organisations concerned and the regular consultation mechanisms.

### **Description of the ‘Better Protection’ Projects**

#### *Project to Align the Working Methods in the Chain*

##### *Project Leader: Child Care and Protection Board*

The aim of this project is to achieve efficient cooperation between the chain partners in child care protection to facilitate the swift transfer of potential and actual protection-worthy cases and consequently offer the required assistance swiftly. The basic principle is that a decision is reached as quickly as possible on the necessity of a measure.

The ‘Better Protection’ Steering Group has requested the Project Group to Align the Working Methods in the Chain to introduce pilot projects that develop and try out methods with the principle aim of reaching decisions within one week on the use of child protection measures for specific cases. This ambitious target is based on the results of an expert meeting that was held in October 2005. The expert meeting was held in the context of the Processing Times Project – another Better Protection Programme, which had as its objective to develop a working standard that would consequently be tested in practice in the Project to Align the Working Methods in the Chain. Since the pilots were introduced on 1 April 2006, the Processing Times Project is now part of the Project to Align the Working Methods in the Chain.

The pilots were introduced in the Amsterdam, Rotterdam, Overijssel, Gelderland, Zeeland, Noord-Brabant and Limburg regions.

The chain partners will make agreements to facilitate the swift flow of information and rapid transfer of cases. Overlapping of activities must be prevented wherever possible.

The pilot projects must eventually result in:

- suggestions for national standards for processing times;
- recommendations for nation-wide working methods;
- suggestions for simplification of the exchange of information.

As a separate sub-project, the Project Group will also monitor whether the Child Care and Protection Board carries out its verification obligation. The Board checks the decisions made by the youth care agencies to not extend family supervision placements or to terminate child care proceedings.

#### *Project to Implement Family Supervision/Guardianship*

*Project Leader: IPO*

The project consists of two sub-projects:

- Family Supervision

Between 2003 and 2005, a new working method was developed and tested in regions for the implementation of family supervision placements, the 'Deltaplan Gezinsvoogdij' (Deltaplan for Family Supervision). It consists of an improved, systematic working method by family supervision workers that enhances the clarity for and involvement of clients.

The sub-project will initiate the nation-wide introduction of the new working method developed in the Deltaplan for Family Supervision Project.

- Guardianship

A working method similar to the one developed in the Deltaplan for Family Supervision Project will be developed for the implementation of guardianships. The principal focus is on the ward of court. A vision on guardianship has been developed in this sub-project and will consequently be transformed into a national working method at the youth care agencies and Stichting Nidos, the national guardianship organisation for unaccompanied minor asylum-seekers. Eventually, this working method will be implemented nationwide.

#### *Project Legislation*

*Project Leader: Council for the Administration of Justice*

The basic principle used when amending the existing legislation is the child's interests and positive development.

The Project Group lays the basis for child protection legislation that meets the following conditions:

- When deciding on a measure that restricts or takes away responsibility, preference will be given to the child's interests.
- Accountability for the results of family supervision or guardianship cases shall be uniformly structured.
- The legal position of parents, minors and interested parties shall be clearly, uniformly and simply defined.

The legislative proposal will be submitted to advisory bodies for their opinion as of May 2006. The goal is to submit the final versions of the Bills to the Lower House of Parliament as soon as the Council of State has issued its advice and the proposal, subsequently, has been amended.

**Another Important Development Concerning Child Protection: Measurement of Effects**

There is a need for an instrument that determines whether the target set has actually been achieved or not when child protection measures have been imposed. This issue can only be resolved when there are criteria to measure the quality of the child's educational and living situation. These criteria can also be used to indicate whether child protection measures are required for specific minors. Consequently, the development of these criteria and of an instrument to measure the effects are in line with one another.

The Project is inseparable from the Netherlands Institute for Care and Welfare (NIZW) project that develops a scientifically validated, national measuring instrument for determining the nature and seriousness of the child care problems. The InterProvincial Consultation Forum is one of the initiators of the Project. The Ministry of Health, Welfare & Sport and the Ministry of Justice provide financial support. The instrument should be ready in two years and will then be introduced nationwide.

**More information**

More up-to-date information can be found on the 'Better Protection' website:

[www.justitie.nl/beterbeschermd](http://www.justitie.nl/beterbeschermd). Here, the sub-projects are described in more detail (only in Dutch, however). In addition, you can also find links to the Deltaplan for Family Supervision, chain partners of the Programme and various articles.