

# Probation in a harsh penal climate: the case of the Dutch Caribbean

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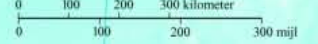
# Map 3 islands



Schaal 1:12,500,000

Lambertprojectie

Breedte standaardparallelen 9°N en 17°N



Representatie is niet noodzakelijk gezaghebbend



# Distance to The Netherlands





# Bonaire



Population: 16.500

Language: Papiamentu, Dutch

A scenic view of Saba, a mountainous island. The foreground is dominated by lush green vegetation, including a large, gnarled tree trunk on the left. In the background, a prominent mountain peak rises above the sea. The sky is clear and blue.

# Saba

Population: 1.970  
Language: Englisch

# Statia



Population: 4.000

Language: English



# The Netherlands



**Population: 16,8 million**

**Language: Dutch**



Constitutional Structure

**Special municipalities since 2010**

# Detention ratio

1	United States	716
2	Russia	477
23	Sint Maarten	369
26	Curacao	331
60	Aruba	228
18	UK	147
158	The Netherlands	82

Detention ratio

**Where would The Dutch Caribbean be positioned?**



# Detention ratio Dutch Caribbean

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**Origins and causes?**

# Origins

- Poverty
- Growth in capacity of police
- Efficient and strong Public Prosecutor's office
- Harsh Penal Climate: (long) prison sentences is the norm in the region
- Weak position of professional social services
- Relatively small capacity of probation service



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# Poverty Bonaire: Low income, high cost of living

## Monthly family net income 2012

< \$ 1000	21%
\$ 1000 - 2000	29%
\$ 2000 - 3000	13%
> \$ 3000	10%
Unknown	7%
Unwilling to give information	20%

# Unfavourable social conditions

- Many one-parent families
- Many family members under one roof
- Houses and neighbourhoods in bad repair
- High unemployment
- Dependency on drugs/alcohol
- Economic inequality/ wealth disparity



## Consequences of poverty on crime

*“Continuing poverty problems enhance the risk of a downward spiral, resulting in various, interrelated social problems, such as a further increase in income disparity, unemployment, single-parent families, alcohol abuse and domestic violence”*

*Research on criminality in The Dutch Caribbean (2012)*

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# Relative strong position of police

- Growth capacity in numbers
- Increase in professionalism
- Police Officers of Bonaire are in high demand on the neighboring islands

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# Strong public prosecutor's office

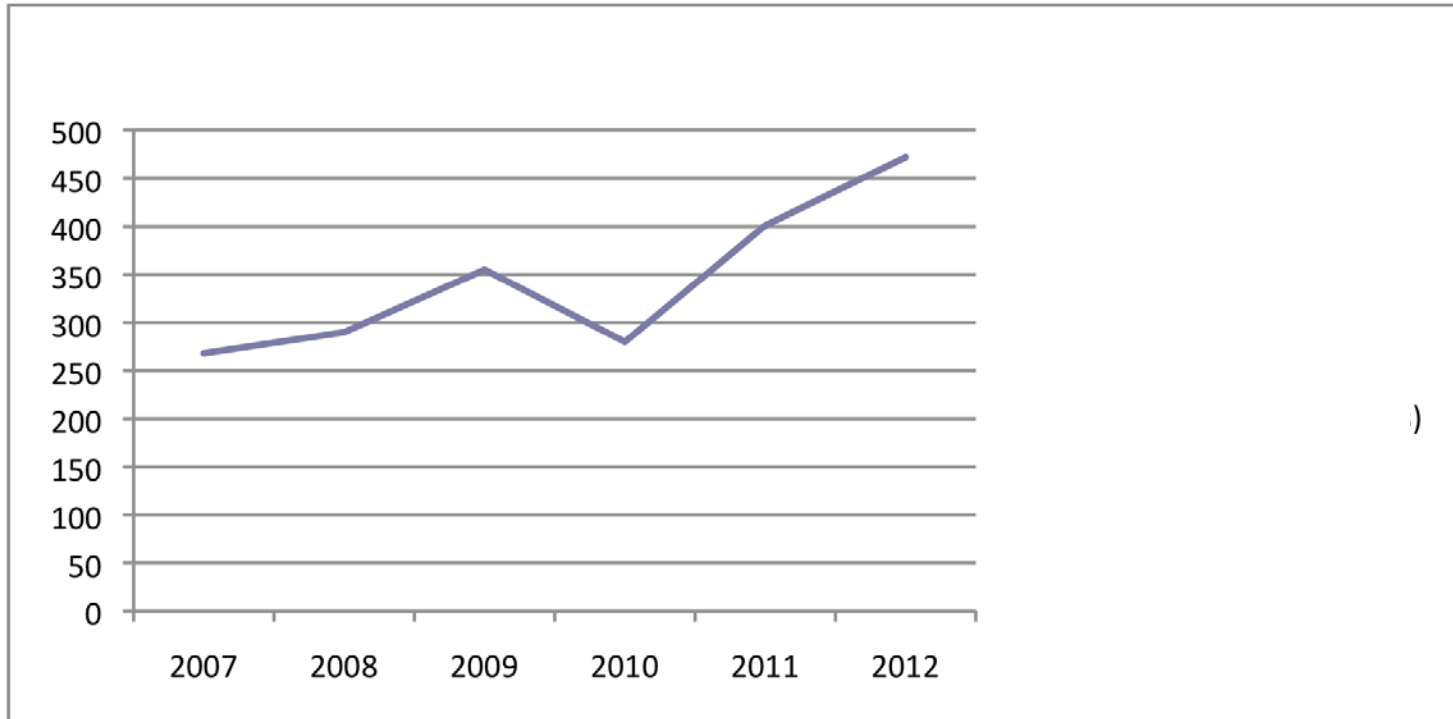
- 3 Public Prosecutors
- Permanent presence/availability on the 3 islands
- Strong steering influence on the police in terms of criminal investigation
- Strong links with the governors
- High intervention percentages in comparison with neighbouring islands
- Belief in the beneficial effects of pre-trial detention

# Registrations Public Prosecutor's Office

	2010	2011	2012
<b>Violence</b>	<b>78 (28%)</b>	<b>156 (48%)</b>	<b>155 (48%)</b>
<b>Property</b>	<b>144 (51%)</b>	<b>97 (29%)</b>	<b>94 (28%)</b>
<b>Drugs</b>	<b>40 (14%)</b>	<b>27 (8%)</b>	<b>27 (8%)</b>
<b>Traffic Offences</b>	<b>4 (1%)</b>	<b>1</b>	<b>5 (1%)</b>
<b>Firearms</b>	<b>1</b>	<b>6 (2%)</b>	<b>7 (2%)</b>
<b>Other</b>	<b>13 (5%)</b>	<b>40 (12%)</b>	<b>46 (14%)</b>
<b>Total</b>	<b>280</b>	<b>327</b>	<b>334</b>



# Rising crime level



# Research on criminality in The Dutch Caribbean (2012)

*“The absolute extent of crime, violation of rules and public nuisance on the BES islands may not be so large compared to the figures in the European Netherlands, but the extent is considerable in relative terms. It is hard to compare the situation on the islands with that in a village or small town of a comparable size in the Netherlands. All the same, crime and violence on the islands cannot be characterized as occasional. A large part of the problems has a structural character. “*

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# Prison sentence is the norm

- High intervention percentage
- Frequent use of pre-trial detention
- Long sentences are the standard sanction option in the region
- Hardly any alternative sentences for adults
- Problem: no data collection, so we have to rely on hunches and impressions

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# Weak Position of social services

- Low numbers of professionals
- Lack of cooperation between services
- Social problems are overwhelming; where to begin?
- Impacts on the effectiveness of probation

Example:

600 problem families, among which 200 multi-problem; but only 20 families can be supported, because of lack of professionals

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# Characteristics and Output Probation

- Number of staff: 5,8
- Probation service is highly regarded in the justice chain
- Activities mainly focused on detainees

	Caribbean	The Netherlands
<b>Supervision</b>	<b>70 %</b>	<b>48 %</b>
<b>Advice</b>	<b>21 %</b>	<b>22 %</b>
<b>Community Service</b>	<b>2 %</b>	<b>27 %</b>
<b>Structured Programmes</b>	<b>4 %</b>	<b>2 %</b>

discussion

**What should the Probation Service do to increase the number of alternative sanctions?**

## Social Services

**Without a strengthening of the social services,  
a growth of alternative sanctions should not be  
pursued**

## Debate on Detention Rate

**To hasten the extension of community sanctions instead of prison sentences, the public realm should be seized by starting a debate on the detention rate**

Pilot on Labour Sanction

**Be pro-active and start a pilot with a tough labour  
sanction**

## Early Screening Process

**Make every week a screening of all the incoming, new cases at the public prosecutor's office and give your advice to this office on the suitability of these cases for a labour sanction**