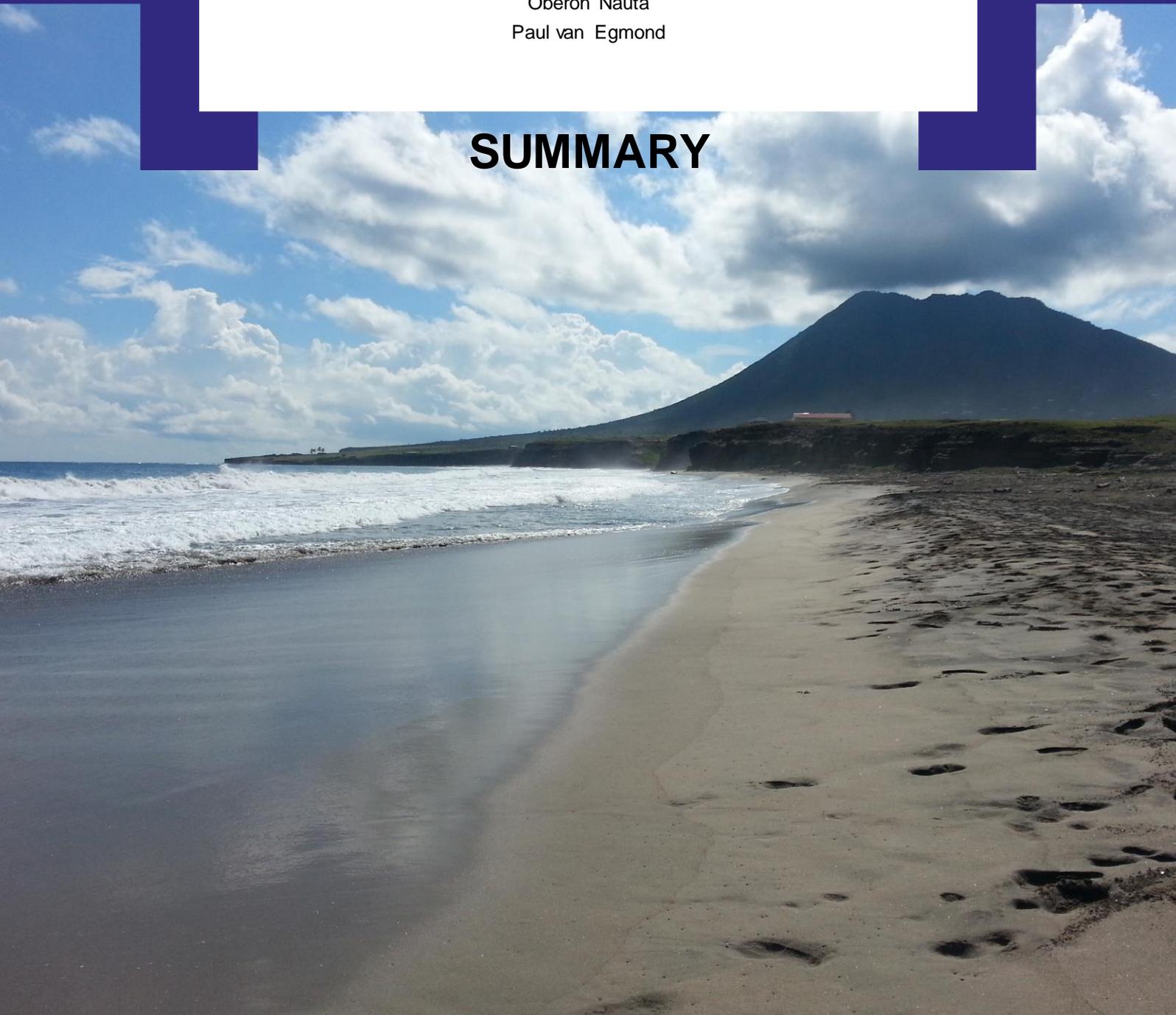


Organisational structure of the fire brigade and the police force in the Dutch Caribbean

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SUMMARY



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This research was carried out by the DSP group and commissioned by the Research and Documentation Centre (WODC) of the Ministry of Security and Justice.

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Summary

On 10 October 2010 the Dutch Antilles ceased to exist. The islands of Curacao and St Martin were given their own constitution which afforded them a status – identical to that of Aruba – as autonomous states within the Kingdom of The Netherlands. The islands of Bonaire, Saba and St Eustatius (BES islands) were integrated into The Netherlands as ‘special municipalities’. These state reforms entailed changes for the police and the fire brigade on the three BES islands. The police forces and the fire brigades of Bonaire, St Eustatius and Saba were merged to form one police force (Korps Politie Caribisch Nederland, KPCN) and one fire brigade (Brandweerkorps Caribisch Nederland, BKCN).¹

The Ministry of Security and Justice (VenJ) wishes to have an overview of the organisational structure and the functioning of the police force and the fire brigade on Bonaire, St Eustatius and Saba. To this end the WODC commissioned the DSP group to carry out an evaluation of the organisational structure of the two forces.

The study was supported by a committee under the chairmanship of Prof. H.G. (Henk) van de Bunt of the Erasmus University in Rotterdam and consisted of the following members:

- Mr. A.G. (Aart) Broek, Klasse! Education & Teaching / Research & Organisation
- Mr K. (Kitty) van Gendt, Ministry of Security and Justice / DG Police (DGPOL)
- J.W.J.L. (Job) Kramer MPS, Haaglanden Safety Region
- T.L. (Theo) van Mullekom, Scientific Research and Documentation Centre
- J.F.W. (Johan) Oldenboom MSc, Dutch Caribbean People’s Consultative Body

Aim, problems and research questions

The aim of the evaluation was to provide insight into the organisational structure of the police force and the fire brigade on Bonaire, St Eustatius and Saba since their foundation on 10 October 2010 in order to be able to answer the question about the extent to which the two forces function and *can* function, in both quantitative and qualitative terms, within the legislative and regulatory framework.

This aim was translated by the WODC into the following question:

To what extent do the Korps Politie Caribisch Nederland (Dutch Caribbean Police Force) and the Brandweerkorps Caribisch Nederland (Dutch Caribbean Fire Brigade) function, in both quantitative and qualitative terms, within the legislative and regulatory framework, or to what extent should they be capable of functioning within this framework?

Foot 1 The legal name of the two forces is ‘korps politie Bonaire, St Eustatius en Saba’ and ‘brandweerkorps Bonaire, St Eustatius en Saba’. However, KPCN and BKCN are generally used.

Survey approach

Extensive desk research was carried out in order to ascertain the formal framework for the structure and the functioning of BKCEN and KPCN. All the relevant legislation was collected for the two forces, and organisational and staffing reports for the DGPOL were requested as well as other relevant policy documents. It was then ascertained what formal stipulations applied. This produced a draft description of the formal framework that was commented on and supplemented by the supervisory committee. The DSP group then used the formal framework to identify which stakeholders were the most directly concerned with the work of one or both forces, or who were the best able, using the information they had, to assess the practical implementation of one or both forces. This produced an overview of the most relevant stakeholders who needed to be interviewed in the Dutch

Caribbean:

- 1 BKCEN
- 2 Koninklijke Marechaussee (KMar) (Royal Netherlands Marechaussee)
- 3 KPCN
- 4 Airport
- 5 Special municipality
- 6 Public Prosecutor's Office
- 7 BKCEN Participation Board
- 8 KPCN Participation Board
- 9 BES political representation
- 10 Council of Law Enforcement
- 11 Criminal Investigation Department (RST)
- 12 Trade unions

Then, on the basis of the formal framework, separate questionnaires were drawn up for the various respondent groups. These questionnaires were drawn up after comments by the supervisory committee and were distributed among the target respondents. The researchers prepared for the interviews by studying several recently published reports that focused on aspects of the two forces. From 20 October 2014 to 31 October 2014 a total of 36 respondents were interviewed face-to-face in the Caribbean. The one exception to this was the interview with the Council of Law Enforcement, which took place in The Netherlands.

Once the researchers had returned to The Netherlands, the interviews were analysed. On the basis of this analysis a draft report was drawn up. The staffing figures had not yet been processed in this report. This first draft was discussed during the second meeting of the supervisory committee. After the meeting with the committee another five interviews were held in The Netherlands with employees of the DGPOL, Haaglanden Safety region, National Coordinator for Counterterrorism and Security (NCTV) and the National Police (NP).

On the basis of the comments by the committee and the interviews with the above stakeholders the second draft report was drawn up. This draft was discussed during the third meeting with the supervisory committee, then the DSP group drew up the final report.

Scope and limitations of the evaluation

The study related to two forces. Six topics were studied within one force and seven topics were studied within the other force. Given the underlying requirement of the Ministry of Security and Justice, in this evaluation the topics were not investigated in detail but rather studied in such a way that an integrated general picture of the organisational structure of both forces could be drawn up.

As stated above, the evaluation included interviews with over forty people within a large number of (parts of) organisations. Although this number is considerable, both forces have more parties with which they collaborate or which they deploy. These other actors were not interviewed as part of the study. The reason for this is that they are less involved in the primary work process of the fire brigade and a choice had to be made because of the research resources available. The difference between 'more' or 'less' involved is, to a certain extent, arbitrary. Given the fact that the parties with which both forces collaborate were all interviewed, it is likely that the conclusions of the study would not have been significantly different if the group of interviewed stakeholders had been larger.

The study results were to a large extent based on interviews. In addition, previous evaluations were studied in which parts of the current evaluation were covered. Some of what came up in the interviews could thus be cross-validated. However, some of the topics were not studied earlier or not described in other sources, as a result of which no cross-validation could be carried out.

Fire brigade in the Dutch Caribbean

As part of the evaluation the study looked at what legal and other stipulations apply to six aspects of the fire brigade and how these are carried out in practice. This provides answers to the following research questions:

- What is the legislative and regulatory framework for the structure and the functioning of the BKN?
- What is the current situation of the BKN relating to the aspects:
 - a organisational structure
 - b personnel
 - c planning cycle
 - d ICT information systems
 - e finance
 - f collaboration.

Organisational structure

The evaluation shows that the organisational structure of the fire brigade is consistent with that which is set out in the legislation and regulations. On all three islands there is a fire station and within it there are three prescribed units that are operational. As regards equipment too the force has the prescribed items. However the study shows that the fire station on St. Eustatius is in a poor condition and that the aircraft fire-fighting unit on Saba does not have a crash tender in the formal sense of the word.

Personnel

Staffing levels are not fully up to strength as regards numbers. Nor does BKCN use volunteers. With the legislation that is still in force the personnel are both authorised and competent. However, the personnel were trained before 10-10-10 by both certified bodies and the NBBE (now IFV) and by twinning bodies from The Netherlands with no formal certification. For this reason various interviewees were of the opinion that when the BES fire brigade personnel regulation (OEBO-BES) is formally introduced – probably on 1 January 2016 – only a minority of the personnel will meet the competence and entry requirements that are summarised in the appendix to the regulation referred to.

Together with the Institute of Physical Safety (IFV) a project was launched to equate old diplomas with the formally required diplomas, including any further training for existing personnel. This project is largely completed for the executive personnel and the equivalence just needs to be formally ratified by the mandated fire brigade manager. There is still a lot to be done for the managerial functions.

In addition to the training requirements, requirements are also set out in the draft OEBO BES for the physical condition of the personnel. It is expected that without additional training a lot of the personnel will not pass the tests for this. At the moment an externally contracted implementation manager has drawn up a training and competency policy plan that is intended not only to make up the training backlogs but also to set up a project for increasing physical fitness.

Planning cycle

The planning cycle for the fire brigade is restricted to the drawing-up of a draft management document once every four years and of a draft annual plan every year. The evaluation shows that the Commander General draws up the annual plan every year. He has also drawn up a draft management plan once to date. However, this plan has never been ratified – because of other priorities – by the mandated fire brigade manager.

In addition the force plays a role in the planning cycles of the special municipalities. The evaluation shows that the force on all the islands is involved in the drawing-up of the ABC maps, the risk profile, the policy plan and the disaster and crisis plan. This input is appreciated by the special municipalities.

ICT information systems

As regards ICT a distinction has to be drawn between the basic facilities consisting of a network and office applications and the specific business process system AG5. The evaluation shows that the basic ICT facilities are in order and a clear improvement on the situation before 10-10-10. However, the reliability of the connection remains a point of attention – as is the case incidentally for all other government departments within the Dutch Caribbean – and this regularly breaks down in Rincon and on the Windward Islands. As a result the daily reports cannot always be drawn up.

The AG5 system works to the satisfaction of the force and provides an opportunity to record and report on the exercises and the mobilisation in a structured way. Although the equipment management module is available, it is not yet being used because the equipment managers have not yet had any training in the use of the module.

Finance

The initial budget as included in the development plan was not realistic. In 2013 KPMG calculated that the force needed almost double this amount to be able to carry out its primary task. The evaluation shows that the figures that were budgeted by KPMG for 2014 are realistic. The largest unforeseen expenditure items for that year consisted of increasing labour costs as a result of a new Collective Labour Agreement (CAO) and costs that arose from absenteeism.

Collaboration

The force collaborates with various parties on various dossiers. The main collaboration partner is the special municipality. The Commander General holds structural discussions every four months with the Governor and the local commander on every island.

The results of prevention inspections are usually also discussed with the Governor. In addition, the fire brigade advises during the issuing of permits. It does this, depending on the topic, for both the Governor and the deputies.

In the BES Safety Act the safety partners (including the fire brigade) are called upon to conclude a collaboration covenant covering a joint control centre function, the provision and exchange of information and multi-disciplinary exercises. This covenant has as yet not been concluded. So the control centre is still monodisciplinary, although multi-disciplinary exercises are held with some regularity. In addition to the fire brigade, the police, the health service and the special municipality take part in these exercises. Training is also carried out with several private parties. On St. Eustatius training sessions are held every week with NuStar, even though the BKCEN cannot be deployed for NuStar if an incident should occur.

Conclusions and improvement opportunities

- To what extent does the BKCEN have the tasks, powers, human resources and other resources to function, in both quantitative and qualitative terms, within the legislative and regulatory framework?
- What improvement opportunities do those involved envisage for the future for the BKCEN?

Despite the fact that the BKCEN's personnel structure and size to a large extent meet the formal requirements, the evaluation shows that both the fire brigade and its stakeholders believe that the current staffing level is (too) low. On the one hand this is evidenced by the fact that illness absenteeism and the scheduling of employees for training and education can be dealt with only by having other employees work additional hours. On the other hand this is evidenced by the fact that the force barely achieves its prevention and preparation tasks.

In addition, various parties mentioned during the study that the question as to whether the staffing is in order is not the same as the question as to whether the fire brigade is at the desired standard and/or whether the BKCEN has the equipment it needs. These questions should ideally be answered as the result of the islands' risk profiles and the role assigned to the fire brigade in crisis management plans. Only once the administrators have defined the risks for which the fire brigade has to be prepared can it be determined whether the organisational structure of the fire brigade is up to handling the tasks it is set to handle. To date this exercise has not yet been carried out for the BKCEN, and the special municipality, the mandated fire brigade manager and the NCTV have different opinions about which of them should determine how ambitious this should be.

Separate from the question about the how ambitious the standard should be, in the evaluation the interviewed stakeholders made various suggestions for improvement. These, in no particular order, were:

- Implementation of a capacity calculation for the basic staffing of the BKCEN to make clear what minimum staffing level is required to be able to staff the statutory units properly without the need for structural overtime being worked.
- Expansion of the personnel to include a prevention officer who is responsible for policy development for the tasks of prevention and preparation.
- The personnel report does not give a staffing level for commanders on the Windward Islands, although according to the fire brigade structure and the BES Fire Brigade Decree every basic fire brigade unit should be managed by a trained commander.
- The force does not have a career development policy. As a result people can stay for over ten years in an entry-level (crew A) role and not develop to a higher rank, although they actually carry out that work. In order to guarantee job motivation and satisfaction the force could draw up a career development policy.
- The fire brigade could benefit from the deployment of volunteers, especially in Rincon on Bonaire and The Bottom on Saba. The two posts are not manned or are understaffed, which does not benefit fire safety. This option is a real one as volunteers have no tasks in aircraft fire-fighting and they could be scheduled using an on-call service.
- The actions of the fire brigade are to some extent not standardised because of an incomplete legislation process. This sometimes makes the implementation of the tasks difficult. For example, the fire brigade can often not carry out tests objectively when a permit is requested, as no local fire safety regulation has been drawn up. Removing the backlogs in the legislation process would help the fire brigade to carry out its tasks.
- The RCN service provision could be improved; the P&O services in particular still do not adequately meet the requirements of the force.

Police Force in the Dutch Caribbean

As part of the evaluation the study looked at what legal and other stipulations apply to seven aspects of the police force and how these look in practice. This provides answers to the following research questions:

- What is the legislative and regulatory framework for the structure and the functioning of the KPCN?
- What is the current situation of the KPCN relating to the aspects:
 - a organisational structure

- b personnel
 - c planning cycle
 - d ICT information systems
 - e finance
 - f collaboration
 - g joint police service
- To what extent does the KPCN meet the conditions for making a contribution to the joint police service of Curacao, St Martin and The Netherlands (the six criteria that the Political Steering Committee for Constitutional Change set for the coming into force of the joint police service)?

Organisational structure

The evaluation shows that the organisational structure does not fully comply with the initial development plan. Although the various organisational components can be found in the formal structure of the KPCN, the components are sometimes so basic that the targeted functionality cannot be expected. This is true in particular of the section on (problem-oriented) detection and the provision of information. But for other functions too the staffing level is so low that the situation can be described as vulnerable.

Personnel

The law and the additional work and policy agreements set various requirements for the quality of the personnel. On 10-10-10 many of the personnel were employees of the former Dutch Antilles Police Force. Most of them did not meet the quality requirements that had been agreed for the KPCN. The study shows that the force drew up a multi-year educational programme. In the meantime 70% of the personnel in basic policing have participated in an MBO4 training project so that they now meet the statutory requirements. A start has also been made on further training of the management functions. Despite these positive developments the study shows that even now nowhere near all the employees meet the training and competency requirements. This divergence can be found at every level of the organisation. At the level of the immediate managers there is also the problem that within the organisational culture of the KPCN it is not the norm to tackle each other directly about achievement of tasks and responsibilities. Managers' coaching skills are also insufficient for supporting new employees or applying recently learnt professional skills in practice. As a result the learning capacity of the organisation is not put to optimum use.

Planning cycle

The law obliges the Chief of Police to draw up a draft management plan once every four years and to draw up a draft annual plan every year. The draft annual plan is drawn up every year. However, a draft management plan has to date never been drawn up because, according to the interviewees, other things had greater priority.

ICT facilities

The use of ActPol was prescribed for KPCN as a business process system. Initially the system was used only to a limited extent and there was still a lot of duplicate registration in separate Word and Excel documents. The reason for this was not only lack of familiarity but also the presence of various bugs. Most of these bugs have now been fixed and the evaluation shows that the Basic Law Enforcement Service now uses the system consistently when it records incidents or changes things. However, this is not yet the case for the detection department, which uses a separate

investigation system, called Summ-IT, which is made available by the criminal investigation department.

As of 1 January 2015 a new investigation module has been added to ActPol that largely follows the format of Summ-IT. It is expected that, once the major bugs have been fixed in this module, the KPCN detection departments too will use ActPol.

The study provides indications that the registration discipline overall at KPCN is lower than in an average Dutch police force. The Public Prosecutor's Office signals that a lot of (detection) information can be found only in the heads of the police officers.

Finance

At the launch of the KPCN on 10 October 2010 the annual costs of the force were budgeted at almost € 7 million. This amount was insufficient in practice to cover the costs and in 2013 KPMG drew up a cost estimate for 2014 in which almost double this amount was budgeted. The evaluation showed that the Chief of Police believed the current budget for 2014 to be realistic but that there was under-implementation and over-implementation for various items. Under-implementation occurred in training and equipment, among other things. The under-implementation in training was caused by a KPCN capacity shortage as a result of which it was unable to send people for training. At the same time the KPCN was faced in 2014 with several TGOs (Large Scale Investigation Teams). There was money left over for the equipment item as the contracting for the purchase and management of new vehicles had to be suspended.

Collaboration

Legislation and additional regulations prescribe various forms of collaboration and coordination. The evaluation shows that the KPCN consistently met its obligations. This applies to the large and small triangle, the Chief of Police consultation for the three countries and the criminal investigation policy group.

A special form of collaboration is derived from article 5 of the BES Safety Act, which stipulates that soldiers from the KMar can be deployed under the authority of the Chief of Police within the KPCN. The study shows that this possibility is used often and in a structural manner. On the Windward Islands the KMar provides the team leaders and three FTEs for the Basic Law Enforcement Service per island, and on Bonaire the KMar provides 5 FTEs for investigation and 1.5 FTEs for the provision of information. The actions of the KMar are highly valued by both the KPCN and its chain partners and they are regarded as being crucial to the functioning of the force.

Joint police service and the criminal investigation department

In the plans relating to the dissolving of the Dutch Antilles an explicit choice was made for the structure of a joint police service that would be deployed for and from the police forces of Curacao, St Martin and the Dutch Caribbean. The Police Kingdom Act stipulated that the forces of the countries have to meet several criteria before the criminal investigation department can be replaced by a joint police service. The evaluation shows that the KPCN meets none of these criteria, which were drawn up by the Political Steering Committee for Constitutional Changes.

Also, the evaluation shows that the provisions in the Police Kingdom Act are declared inapplicable with an amendment. Only when the mandatory review of all three police forces (of the Dutch Caribbean, Curacao and Sint Maarten) show that they meet the aforementioned criteria, the provisions for the joint police service are effectuated again.

The result of the absence of a joint police service is that the KPCN has to call on other parties for assistance. Often it is the criminal investigation department that has remained operational to date. The evaluation shows that this situation is not seen as a major problem by either the KPCN or the safety partners. However, the mandated police force manager states that such a service is desirable in the long term. The criminal investigation department has too narrow a mandate to be able to meet all the requirements of the KPCN.

Conclusions and improvement possibilities

- To what extent does KPCN have the tasks, powers, human resources and means to function, in both quantitative and qualitative terms, within the legislative and regulatory framework?
- What improvement possibilities do those involved envisage for the future for the KPCN?

The evaluation shows that the KPCN achieves the general standard of 75% staffing but that certain parts are understaffed. It also shows that the organisation to a large extent follows the format referred to in the development plans, with the exception of a few functionalities. Although major steps have been taken since 10-10-10, some of the personnel do not yet meet the required training and competence requirements. This problem applies at every level.

However, the evaluation shows that most stakeholders believe that determining whether the KPCN meets the formal structural organisational requirements does not automatically provide an answer to the question as to whether the policing is at a desirable standard. For example, according to Dutch criteria the KPCN would lag behind in policing in The Netherlands. The question that should be answered, according to most interviewees, is how ambitious a standard the mandated police force manager should aim at for policing. When answering this question it would be logical to include the criminality factor, as the KPCN's priorities can be determined using this as a basis. Then a decision can be taken as to whether the current organisational structure and personnel are in line with the targeted policing. The mandated police force manager states that a decision about how ambitious this should be should not be taken until the force is at full strength as regards both personnel and quality so that the impact is clear.

Separate from the answer to the question about how ambitious the desired standard should be and how tasks should be prioritised, in the evaluation the interviewed stakeholders made various suggestions for improvement. These, in no particular order, were:

- Developing a vision of a plan for personnel development. The reason for this is that the quality of the current personnel does not meet the formal requirements and that the special context of the force raises extra obstacles to quality improvement.
- Once a decision has been taken about how ambitious the standard of policing should be – in part on the basis of the criminal policy – some thought could be given to the position of the KPCN as an independent organisation. Various stakeholders wondered if the force benefits from its current position or whether it would instead benefit from a form of integration with one

or more partners from the safety chain (such as the National Police, KMar or the criminal investigation department).

- The teams on the Windward Islands would benefit from having a detective who is stationed on Saba and St. Eustatius. At the moment, whenever a case comes up, investigative capacity has to be flown in from Bonaire. This does not take a long time, but the officer also often leaves quickly so little continuity is guaranteed.
- The decompartmentalisation discussion potentially has a lot to offer for the KPCN. What matters is that this discussion be properly guided and that a systematic approach be chosen.
- RCN's service provision can improve; the P&O services in particular still do not sufficiently meet the requirements of the force.
- Admission to the force depends in part on successfully passing various tests and inspections. The fact that these tests and inspections are held in The Netherlands constitutes a major barrier for non-native Dutch speakers and results in a high failure rate in recruitment and selection. With the exception of the Dutch language test, the possibility of taking the tests in Papiamentu and English too could be considered.



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