Ministry of Justice and Security

The Netherlands

Towards an Effective Legislation and Its Implementation

Practical Experience in Methodically Designing Collaboration in the Dutch Criminal Justice System

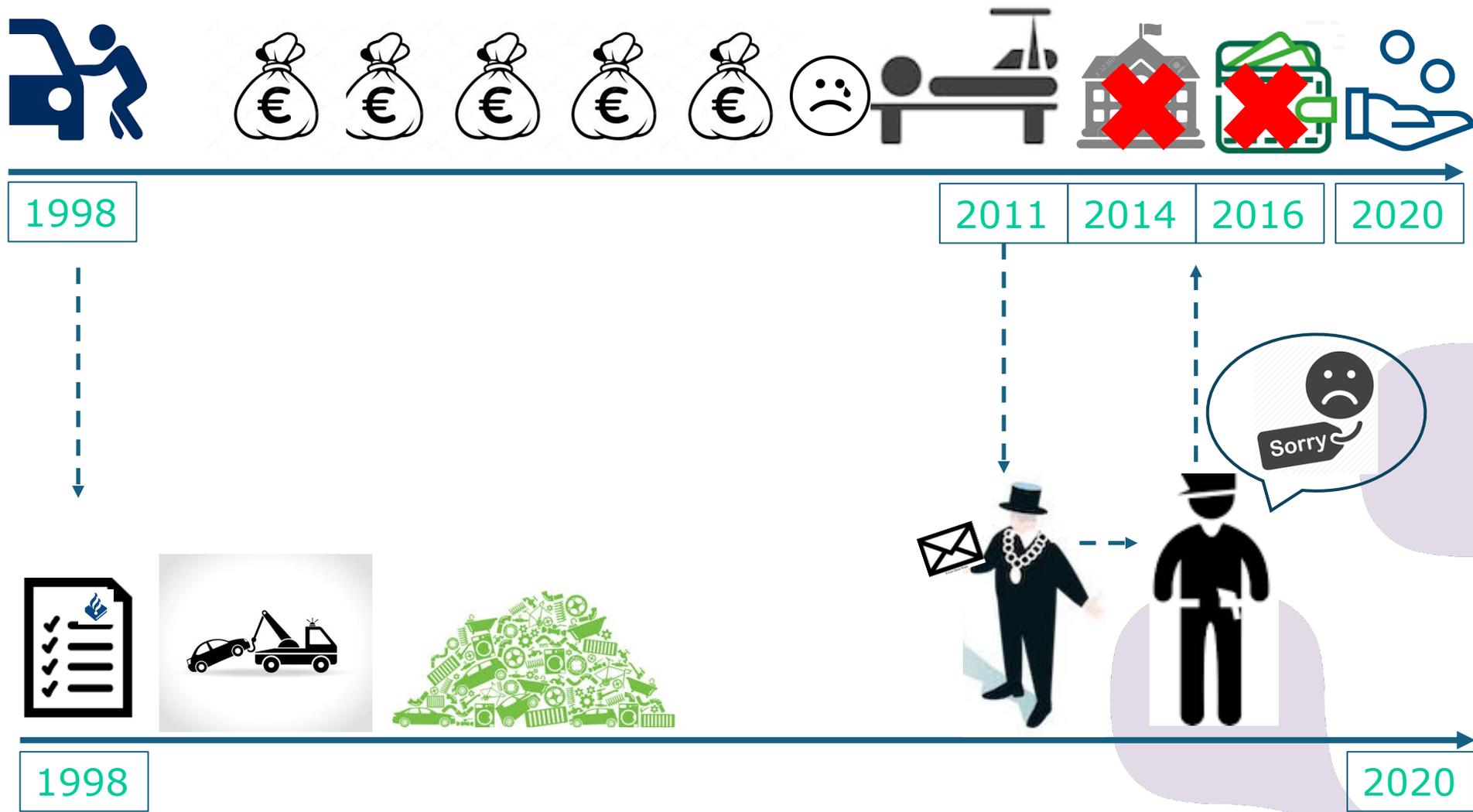Department
Criminal Justice Chain

Towards an Effective Legislation and Its Implementation: Practical Experience in Methodically Designing Collaboration in the Dutch Criminal Justice System

Abstract

Changes in a Criminal Justice System (CJS) are necessary to ensure that the CJS meets the needs of our contemporary society. Therefore, change missions are a recurring phenomenon. Digital transformation is such a change mission. To contribute to the success of this mission a focus is required on digital technologies that enable collaboration between people, is people-centric, by creating interoperability, integration, and open platforms for collaborative multi-users in order to co-create services and products. This focus requires a comprehensive view on a CJS, including the relationships between organizations involved, their discretionary powers and their responsibilities.

   The Service-oriented Approach to Governmental Ecosystems (SAGE) framework intends to help in obtaining and formalizing a comprehensive view on a CJS – supporting a meaningful collaboration between organizations in the CJS by revealing dependencies between organizations, responsibilities, risks and benefits. Applying SAGE in three real-life cases demonstrated promising results, such as testing a law on its evaluability, making goals and responsibilities more explicit, and how to practically align multi-party and multi-disciplinary expectations of management and professionals. Next to using SAGE in more and diverse cases of law implementation, it would be interesting to use it in earlier stages of drafting laws and regulations.

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How George lost his car and was in deep trouble for more than 20 years

Agenda

1. Issues in the Criminal Justice System

2. What is the Service-oriented Approach to Governmental Ecosystems (SAGE*)?

3. Applying SAGE in 3 projects: how?

4. Conclusions & the Future

SAGE takes **human responsibility** and **shared meanings** as the cornerstone of its organization designs

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* SAGE was developed by a multi-disciplinary multi-party team from the Dutch Criminal Justice System.

1. Issues in the Criminal Justice System

- operational issues
  - unclarity in authorities (who has authority to discern elementary measures in a verdict?)
  - unclarity in dependencies (effects of own change at KPs (audio-PV))
  - non-closed loops (who is monitoring missing promises or results?)
- transformational issues
  - late discovery of white spots in responsibilities and coordination

  ⇒ costly redo's, late project result delivery, technical debt

- solution: solid analysis of responsibilities and dependencies, starting from the law and its intentions and results ⇒ timely signaling white spots

- therefore, we developed **SAGE**
  - *Service-oriented Approach to Governmental Ecosystems*
  - … and by applying it to 3 projects, we discovered that it worked

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timely, fairly and effectively doing justice in the Netherlands

including

protecting people, preventing crime, tracking down, prosecuting and trying suspects, putting convicted criminals in prison, helping prisoners return to society and providing support for crime victims

by

collaboration of a network of 300+ (semi-) autonomous and collaborating organizations within the rule of law (separation of powers)

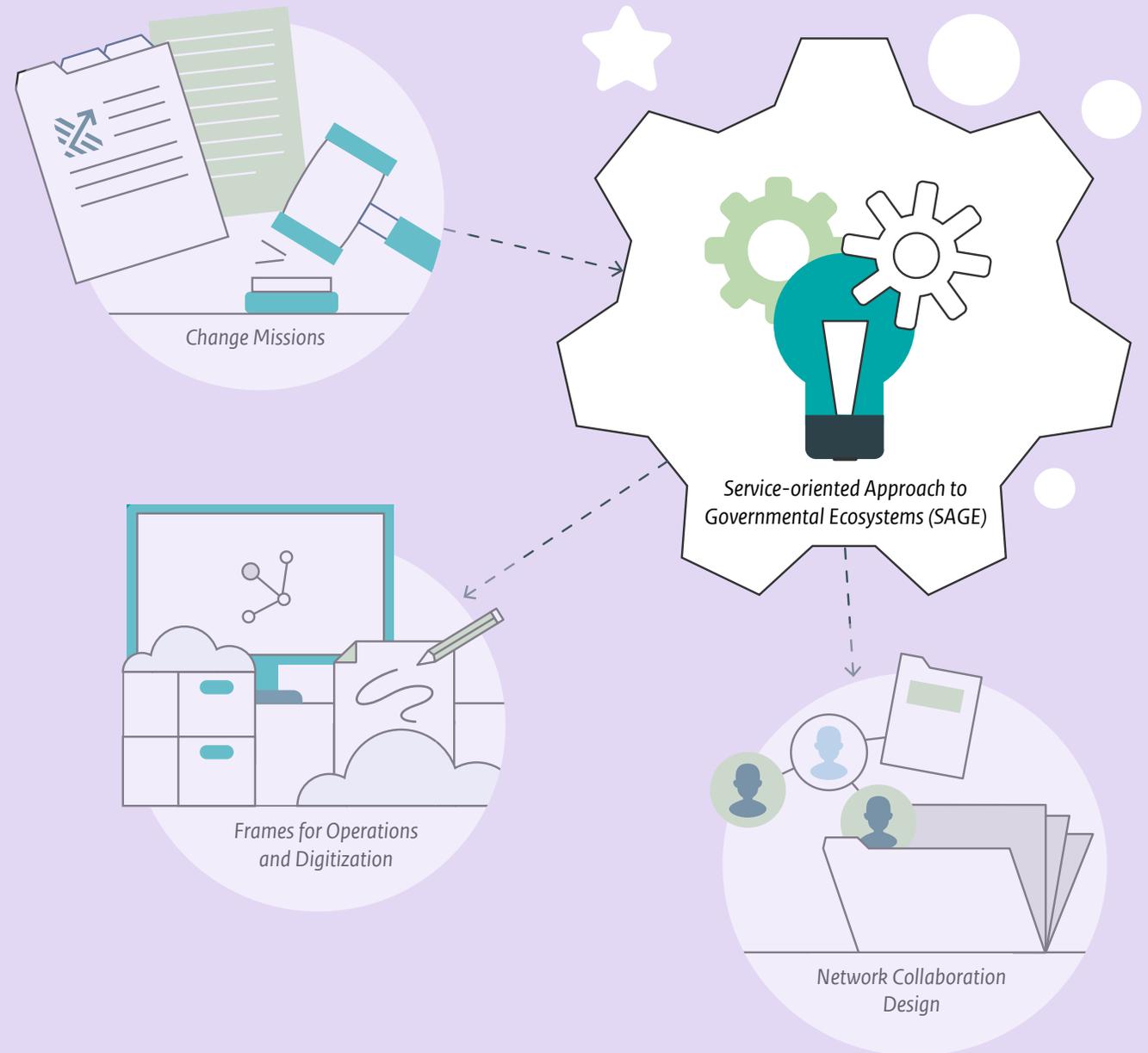# 2. What is SAGE?

Change Missions – examples

- new legislation and policies
- adaptations and revisions because of parliamentary motions or jurisprudence
- chain implementation test
- start of a programme or project

Frames for Operation and Digitization

- agreements for future operations
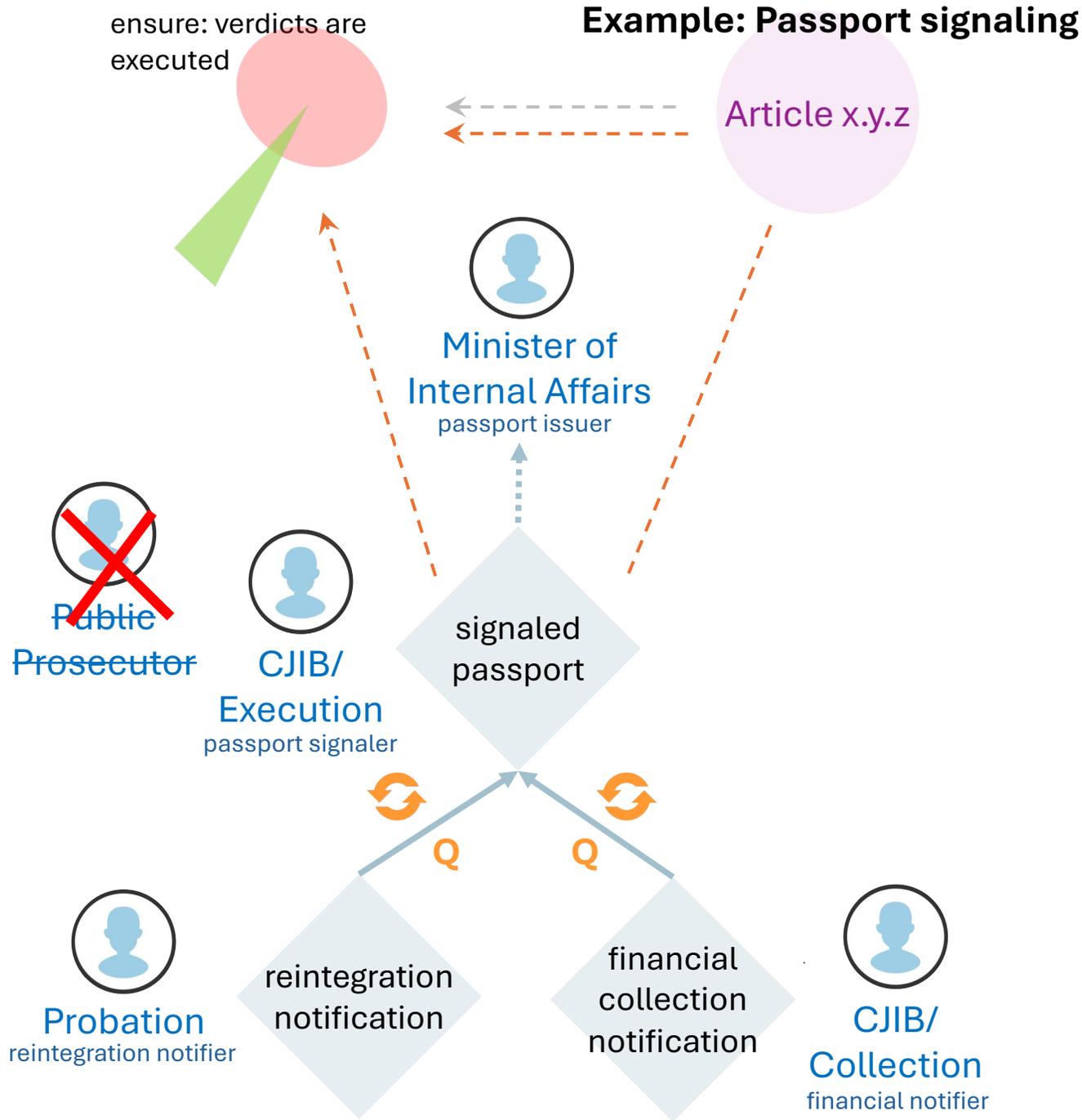- choices in evolvability and degree of digitization

Let's illustrate a core part of SAGE : its top-down Network Collaboration Design

SAGE: solid analysis of responsibilities and dependencies, starting from the law and its intentions and results

Change Missions

Service-oriented Approach to Governmental Ecosystems (SAGE)

Frames for Operations and Digitization
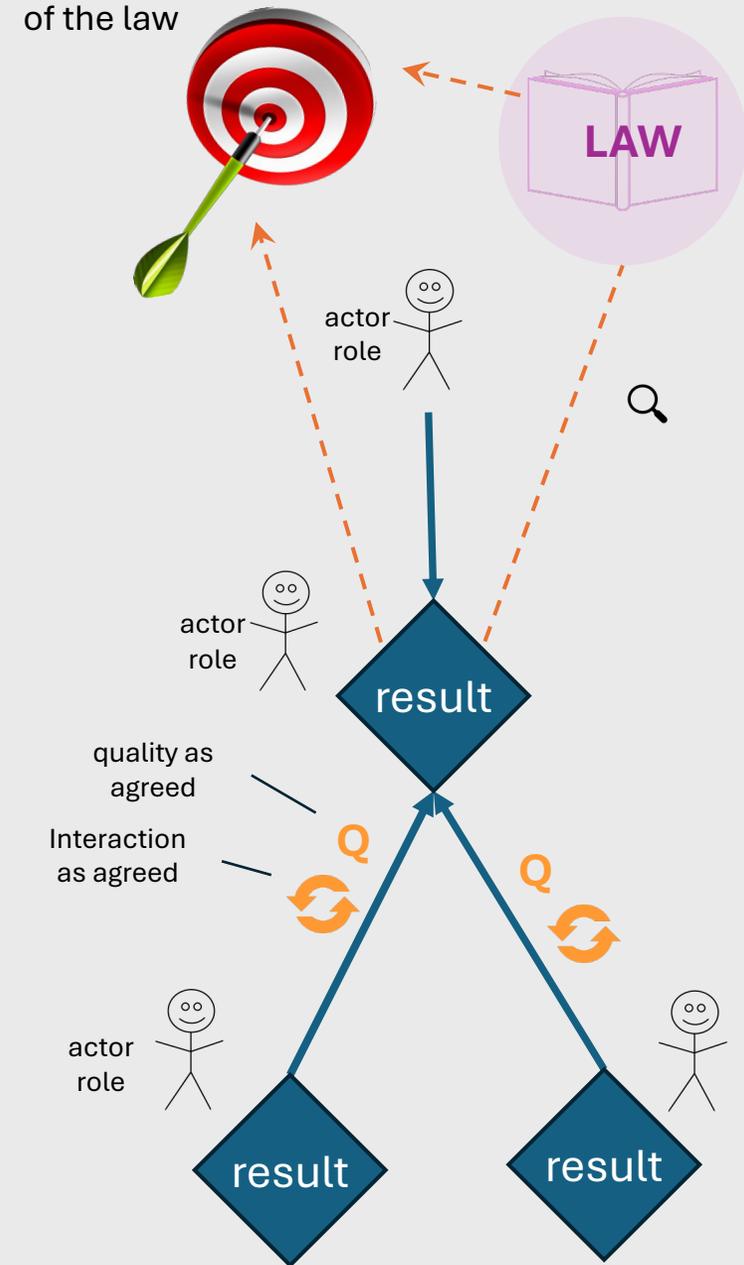
Network Collaboration Design

Application

1. "Start with the End in Mind" (Covey): intentions of the law?

2. define results and powers

3. construct dependencies ⇒ chain / network

4. assign responsibilities

5. apply standard collaboration pattern ("closing the loops")

6. check qualities

7. will this network achieve its goal? (policy theory)

Example: Passport signaling

ensure: verdicts are executed

Article x.y.z

Minister of Internal Affairs
passport issuer

Public Prosecutor

CJIB/ Execution
passport signaler

signaled passport

Q   Q

Probation
reintegration notifier

reintegration notification

financial collection notification

CJIB/ Collection
financial notifier

goal / intentions of the law

LAW

actor role

result

quality as agreed

Interaction as agreed

Q   Q

actor role

actor role

result

result

3. Applying SAGE in 3 projects: how?

- **Duration:** 3 weeks, 3 months, 6 months (depending on the task)

- **Team:** multidisciplinary and multiparty; 5 – 10 people with expertise on the subject, law, business, Enterprise Architecture, SAGE and process facilitation

- **Execution:** typically, in bi-weekly sprints with a physical meeting each week and a digital meeting every two weeks

- **Action:** in several iterations the relevant SAGE elements were applied to the case until all results, responsibilities and dependencies were defined; when needed senior management of the involved parties resolved issues relating to the assignment of responsibilities

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Evaluation of the cases

Passport Signaling
Conditional release on parole of convicts (KSA-vi)
Responsibility Shift DJI-CJIB (RS-DJI-CJIB)

- All 3 projects delivered very useful results within the planned time

- With 1 SAGE-expert and a process facilitator, a team can be effective in applying SAGE

- Feedback from people involved:
  - SAGE provides a solid foundation for a clear and complete analysis of the chain
  - SAGE enables to focus on the performance and the interest of the chain as a whole
  - SAGE structures the design process in practical steps
    1. Deriving responsibilities systematically based on law & regulations
    2. Evaluation of options to assign responsibilities to parties
    3. Consideration on digitalization
  - SAGE helps to determine precisely the information required by the involved parties for operation

4. Conclusions & the Future
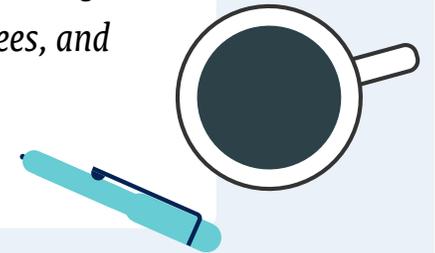
Conclusion

- SAGE appears to be an effective instrument providing integral support for analysis and design of (chain) cooperation

- Application in the Criminal Justice System demonstrated promising results, e.g.

  - ✓ testing a law on its evaluability
  - ✓ making goals and responsibilities more explicit
  - ✓ practically aligning multi-party and multi-disciplinary expectations of management and professionals

SAGE takes **human responsibility** and **shared meanings** as the cornerstone of its organization designs

SAGE connects law, policy and implementation. Investing upfront, via a clear identification of responsibilities with its associated services, leads to a better way of working in the chain and better ICT systems for our employees, and thus to a better execution of our social mission.

Ilse Verkerk, Director CJIB/Execution

Call to action

- apply SAGE in other contexts?

- not only better implementation, but even better laws?

- integrate with similar approaches?

- …?

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Questions?

Suggestions?

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