Summary

"Use, organisation and quality of scene of crime examination by the police in the Netherlands"

One of the core themes of the Safety and Security Programme 'Naar een veiliger samenleving' ('Towards a Safer Society') is the strengthening of investigation and enforcement. Improvement of the quality of criminal investigation is pursued, for example by strengthening crime detection or, more particularly, scene of crime examination (SCE) (in Dutch FTO). One of the activities carried out in this context is research on the basis of which the contribution of SCE to the detection and prosecution of criminal cases can be identified and improved. The Research and Documentation Centre (WODC) has asked IVA Tilburg Institute for Social Research to conduct this research. In the course of the research, the Vision Document of the Board of Chief Commissioners was published on the future of SCE. The results of the research, as well as its connection with the vision document, are described in this report. The main findings of the research are summarised here.

The following themes are dealt with in this study:

1. the availability and use of forensic expertise;
2. the usability and applicability of forensic investigation;
3. the conduct of scene of crime examination and developments within it.

Information on the above-mentioned subjects was collected through interviews (partly face-to-face, partly by telephone) with respondents from all police forces, the National Forensic Institute (NFI), the National Police Services Agency (KLPD), the Fiscal Investigation and Information Service and Economic Investigation Service (FIOD-ECD), the Royal Netherlands Military Constabulary (KMar) and the Public Prosecution Service (OM). In addition, factual information was requested (for example about the extent of SCE in terms of the number of FTEs and money) from the regional police forces and the aforementioned national services.

Availability and use

The total number of scene of crime examiners (TR) within the 25 police forces encompasses 673 FTEs. Approximately two thirds of them are directly involved in the examination at the scene of the crime (scene of crime examiners and professional specialists), the rest are in charge of management or have supporting functions. The share of scene of crime examiners in the total staffing of the police as well as in the total investigation staff is relatively limited (1.3% and 8.1%, respectively, on average).

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1 The investigation is limited to criminal investigations and scene of crime examinations aimed at discovering the truth, which can be used on the basis of an established fact.
The age structure among the scene of crime examiners is uneven: 67% of the staff are 46 years of age or older. Among the total police staff, this percentage is 35%. The relatively high age of scene of crime examiners creates problems in the short term (especially in keeping the continuous roster running) and in the near future (due to the departure of expertise).

The specialties available within scene of crime examination at the regional police forces were examined. Common specialties are fire investigation, document investigation, biological trace investigation and dactyloscopy and scratch, impression and shape mark investigation. The availability of road traffic and digital expertise within scene of crime examination depends on the way in which specialties are classified at the force in terms of organisation.

At present, the National Police Services Agency has one Scene of Crime Examination Coordinator. The aim is to be able to appoint four additional coordinators in the short term. In addition, the National Police Services Agency has several services ('specials'), which are aimed at supporting the police forces and the National Investigation Service in carrying out forensic investigation (for example in transporting DNA material). Approximately 235 persons work at these services. At present, the National Police Services Agency does not yet have a separate scene of crime examination department with its own scene of crime examiners.

At the Netherlands Forensic Institute (NFI) in 2004, 95 (76 FTEs) qualified (authorised to sign) forensic investigators were employed. Most of the people work in the categories environment, DNA and firearms investigation.

The Fiscal Investigation and Information Service and Economic Investigation Service has 47 qualified forensic investigators (43 FTEs). Because of a lack of capacity or lack of expertise, others (such as the NFI) are called upon regularly.

The Royal Netherlands Military Constabulary, which is undergoing a restructuring process, currently employs about fifteen forensic investigation staff, the majority of whom have been placed with the regional police forces by way of voluntary agreements.

In total, the scene of crime examination departments of (24) police regions were involved in approximately 85,000 cases in 2003. These mainly concern burglaries of homes or businesses (61%). The other cases for which they are deployed are quite varied. They involve, for example assault (2%) and (attempted) murder (0.6%). It proves difficult to classify investigations according to the nature of the work as well; no unambiguous records are kept of this. On the basis of an estimate made by 17 forces, a general picture emerges: 67% of the cases in which scene of crime examination is used are cases in which suspects have to be tracked down, 19% are actual search cases, 9% verification cases and 5% clear-cut cases.2

In 2004, the NFI conducted over 77,000 investigations for the police forces, a tripling compared to 2001. These were mainly general biological investigations, drugs investigations and toxicological investigations. Clear shifts can be observed with respect to the situation in 2001.

2. For a more detailed explanation of the distinction made, see section 2.8.
**Usability and applicability**

In the past, SCE was subordinated to the tactical part of the investigation process. In recent years, according to the police and Public Prosecution Service, it has been given an increasingly important role in the detection process. The improved DNA technology and new legislation in this area have given an impetus to the use of SCE across the board. To solve cases, it is often necessary to combine investigative techniques, whereby DNA testing and dactyloscopy appear to make the most important contribution to investigation and the gathering of evidence.

Both the Public Prosecutors and the police forces assess the quality of SCE as (very) good. With this assessment, however, they appear – unconsciously – to stress the importance they attach to SCE, rather than having actual insight into its quality, usability and yield. Because ‘poor’ scene of crime examination is easily hidden from view, and in many cases no feedback takes place from the tactical investigation department and the Public Prosecution Service to the scene of crime examination department, little or no objective information is available on the quality of the SCE conducted by the scene of crime examiners, its usability for the Public Prosecution Service and the ultimate yield.

According to the respondents, the quality – and with that, also the yield – of SCE can be improved further by better instructing the basic police, who are often the first to arrive at the crime scene, about how to ensure that a crime scene or specific traces are secured and about the way in which the scene of crime examiners can best be supported in their work. In addition, improvements in yield are possible by further shortening of the delivery times at the NFI, because this will increase the usability of the material collected and analysed. Lowering of the high quality standards maintained by the NFI for some of the investigations – for example, an indication (‘possibilities’) is sometimes already sufficient, and identification (‘certainties’) is superfluous – could help to facilitate this. Better coordination among the police, Public Prosecutions Service and NFI is requisite in this regard.

In the study, an attempt was made to obtain quantitative data on the yield of SCE. As stated earlier, not all police forces have insight into this. Where figures are indeed available, they concern lists of the number of traces and identifications, but it is not clear what the ultimate yield is of the efforts further on in the chain. Improvement of insight into the yield of SCE is desirable, because it can enhance the applicability and usability of scene of crime examination further on in the judicial chain. Matters that can make a contribution to this include the streamlining of procedures and a better, more uniform registration.

**Conduct of scene of crime examination and developments within it**

The growing and changing role of SCE in investigative work is evident as well from the way in which (the process of) scene of crime examination is organised at the police forces and the developments taking place at this level. The three main changes are: (1) job differentiation, (2) more mutual cooperation and (3) development of standards, protocols and guidelines.

Where a scene of crime examiner previously carried out all activities of the scene of crime examination alone, there are now increasingly more jobs within scene of crime examination which are excluding each other more and more. For instance, trace evidence collectors relieve scene of crime examiners of routine (bulk) work, among other things by searching for traces at a crime
scene. Trace evidence coordinators relate traces to other traces and also to other cases, and act as contacts for external parties such as the Public Prosecution Service. In addition, the implementation of some newly developed forensic techniques require the employment of ‘in-depth specialists’.

Most police forces see the use and need of (farther-reaching) cooperation with other police forces in the field of SCE: it increases the efficiency and effectiveness of the investigation process. The increased possibilities and expectations of SCE for investigation necessitate an increase of scale. The way in which shape is given to cooperation varies at present from simple forms of “neighbourly assistance” to the exchange of knowledge, materials and staff, organised at jurisdiction level. In practice, cooperation on an incidental basis appears to run well, but systematic cooperation – something most police forces strive for in future – encounters all kinds of problems. Those cases concern practical matters, such as working method and employment conditions, but the need to maintain autonomy also plays a part. In order to give shape to future cooperation between police forces, uniformisation is necessary (see also below).

There is also a need for better coordination within the police forces of forensic and tactical investigation, whereby the forensic investigators especially need better feedback of the results of the sequel to the criminal investigation. Ultimately, the two areas of expertise should constitute a more equal part of the investigation process as a whole, whereby forensic investigation – instead of the current supporting role – is given a more initiating role.

The most important forensic partner outside the investigation teams is the NFI. It was already stated above that there is mainly a need for shorter delivery times and that to enable this, better cooperation (“shorter lines”) are necessary between police, Public Prosecution Service and the NFI. Work is currently being done on this in different ways, for example through Forensic Cooperation in Investigation (FSO). Forensic cooperation in investigation means that the NFI, by means of a regional or jurisdictional branch, participates in the cooperative forensic activities among several police regions.

The third change (besides the aforementioned points: job differentiation and more mutual cooperation) is strongly related to the improvement of cooperation among the regional police forces and concerns the development of standards, protocols, guidelines and procedures. This is about wishes for the future, rather than the existence of uniformisation at present, for example in relation to flows of information and employment conditions. If there is to be farther-reaching cooperation, many practical problems will have to be resolved, such as the differences in employment conditions among the police forces, the administrative and financial processing of the reciprocal services provided and the organisational and logistic aspects involved in supra-regional cooperation.