

Outstanding questions:

- **Is it possible to receive more information on the financing system of the Public Prosecution Service?**

Answer

The financing of the Public Prosecution Service (Openbaar Ministerie, OM) in the Netherlands can be described as a hybrid system, combining elements of both lump-sum funding and output-based financing.

Part of the funding is based on output, whereby the budget allocated by the Ministry of Justice and Security to the Board of Procurators General is linked to production volumes across five operational areas:

1. the Central Processing Unit of the Public Prosecution Service (CVOM), primarily handling traffic cases;
2. minor offences and less serious crimes;
3. serious crimes;
4. undermining crime (organised and subversive crime);
5. appeals.

Of these, the area of organised crime (area 4) is currently financed through a lump-sum allocation, due to its heterogeneous and less predictable nature.

Expenditures that are not covered by the output-based system include:

- the budget for undermining crime (area 4);
- costs related to the basic infrastructure, such as ICT, housing, and certain overhead costs;
- specific expenditures, such as court-related costs, asset management (domeinen), and traffic enforcement resources.

The unit prices used in the output-based component are recalibrated every three years. This recalibration is based on analytical assessments, including time-use studies. The next recalibration will cover the period 2027–2029.

The production volumes underpinning the output-based financing are adjusted annually, partly on the basis of the Public Prosecution Service forecasting model (Prognosemodel Justitiële Ketens, PMJ), developed by the Research and Documentation Centre (WODC)

- **The Commission has received signals that the cameras used in consultation rooms may also be equipped with microphones. While these microphones are reportedly not used during lawyer-client meetings, they could theoretically be activated. Could you clarify whether this is the case?**

Answer

The consultation rooms used for conversations between lawyers and clients where visual supervision is in place are multifunctional. This means that the rooms are used for both lawyer

visits and personal visits. During visits by lawyers, no audio recordings are made, but during personal visits – which are subject to full supervision – they are. For this reason, there is a microphone in every room; however, it is switched off during visits by lawyers. A display in the consultation room allows the lawyer to verify which recording mode is in use.

- **The Commission asks how a “security risk” is defined in practice, on the basis of which a lawyer-client conversation may be interrupted. Are there specific criteria or guidelines in place?**

Answer

The Custodial Institutions Agency has established guidelines setting out when action may be taken during a conversation between a lawyer and a client if a security risk arises. These guidelines include examples of behaviour and/or actions that are not permitted under any circumstances during a lawyer’s visit, such as:

- pressure, coercion or threats directed at the lawyer;
 - intimidating body language towards the lawyer;
 - causing fear in the lawyer;
 - dangerous or escalating behaviour (e.g. lashing out or spitting);
 - gestures indicating violent acts (e.g. shooting gestures);
 - repeatedly holding up or crossing out written messages;
 - obfuscating and/or intimidating forms of communication.
- **In relation to question 9, the Commission asks how the NLs deals with the use of different definitions.**

Answer

During the meeting, the Commission – to our understanding – noted that the NRA Corruption is quite broad and covers many forms of corruption. The Commission then put forward the question how the Netherlands plans to deal with this broad scope. In response to this, we note the following:

The NRA Corruption was only published on 12 March 2026. This means that we are currently still reviewing its results. In the letter of June 2025 in which the anti-corruption policy was presented, the Dutch government already stated that the anti-corruption policy focuses on the biggest corruption risks for the Netherlands. The results of the NRA will allow us to further streamline this policy: to make the best possible use of the limited available resources, we will focus on the greatest risks.

- **In relation to question 15, the Commission asks about the response by public authorities to the rise of incidents of threats or violence against journalists.**

Answer

Criminal offences committed against journalists are treated with particular priority in the Netherlands. Journalists are granted a specific status within the police system, which allows cases involving journalists to be clearly identified and flagged.

Both the police and the Public Prosecution Service (Openbaar Ministerie, OM) give high priority to the investigation and prosecution of offences committed against journalists. In addition, the OM applies stricter sentencing demands compared to similar offences committed against other victims, reflecting the importance of protecting journalists and safeguarding press freedom.