

1. Audit of the regime of visual supervision of lawyer-client conversations in high-security prisons.

- We are informed that Auditdienst Rijk will carry out an audit of the regime of visual supervision of lawyer-client conversations in high-security prisons. Can you share the status of this audit?

The Custodial Institutions Agency has commissioned an audit of the visual monitoring system, as anchored in the Penitentiary Principles Act (Penitentiaire Beginselenwet) and in effect as of 1 November 2025. This audit will be carried out by both the Ministry of Justice and Security's internal audit service and the Auditdienst Rijk, as an independent external auditor. Both parties are currently conducting a preliminary investigation, including a site visit. The Custodial Institutions Agency expects to be informed by 1 July 2026 at the latest under what conditions and according to what timeline the audits will be performed.

- Is there an official reaction by the government on the refusal of lawyers to comply with the rules in high-security prisons (e.g.: [Groep strafrechtadvocaten houdt zich niet langer aan strenge EBI-regels](#))

On 26 November 2025, the Dutch parliament was informed about the actions initiated by the Custodial Institutions Agency to address the objections raised by a group of criminal defense lawyers.¹ Furthermore, the Custodial Institutions Agency is in an ongoing dialogue with the Dutch Bar Association, the Dutch Association of Criminal Defence Lawyers (NVSA), and the Dutch Association of Young Criminal Defence Lawyers (NVJSA) regarding the new measures and the concerns among a group of criminal defense lawyers. On 12 February 2026, the Dutch parliament was provided with further information on this matter.² Following these discussions, the Custodial Institutions Agency has implemented a number of adjustments in the implementation of visual monitoring, specifically regarding the information sheet for lawyers with clients in high-security prisons. The Dutch Bar Association, the Dutch Association of Criminal Defence Lawyers (NVSA), and the Dutch Association of Young Criminal Defence Lawyers will be informed about this shortly. A copy of this letter will be shared with the Dutch parliament.

2. Decisions on certain criminal cases without the involvement of a judge

- Do you have any information about the publication and/or results of the pending studies by the Procurator General at the Supreme Court and the WODC into penal orders [strafbeschikkingen].

Both studies are expected to be published during the final week of May 2026.

The report issued by the Procurator General at the Supreme Court examines inter alia the measures undertaken by the Public Prosecution Service following the report published by the Procurator General in 2022 concerning penal orders. The investigation further examines the intensified use of penal orders for property crimes by the Public Prosecution Service since 1 February 2025.

¹ https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2025Z20517&did=2025D48316.

² <https://www.rijksoverheid.nl/documenten/kamerstukken/2026/02/12/tk-aanpassing-visueel-toezicht>.

The report of the WODC focuses on the experiences of parties involved in penal orders proceedings.

The government intends to issue a public response to both studies simultaneously and as soon as practicable.

3. Structured dialogue between state powers on the rule of law

- Do you have more information about the planning of such a dialogue? Is there a concrete date we can refer to?

The next Rule of Law Dialogue will be held on the 7th of September 2026, as part of the start of the so-called Rule of Law Week.

4. WODC study on demonstrations

(<https://www.wodc.nl/actueel/nieuws/2025/12/11/aanpassing-wetten-rond-demonstratierecht-niet-nodig-en-niet-effectief>)

- We understand that a more detailed government reply is scheduled for May 2026. Do you have an update in this respect?

The reply of the government on the WODC study is indeed scheduled before this Summer, at the beginning of July the latest.

A letter outlining the government's policy intentions following the coalition agreement is expected next week. This concerns several issues that were also identified in the WODC study.

The broader policy response had previously been postponed until before the summer recess following a commitment by the Prime Minister. However, as the parliamentary committee debate has now been postponed until after the summer recess, the government currently expects to send the policy response letter closer to that debate.

This will allow the government to also include:

- the response to the Ombudsman report published on 1 June 2026;
- a more elaborate response to the WODC report;
- progress made in ongoing trajectories;
- and relevant recent developments.

5. Legal professional privilege

- In your written input (answers to questions asked on 19 March), you stated "Procedures for handling material subject to legal privilege are discussed in the second supplementary act (Tweede aanvullingswet), which will be published for consultation in the spring of 2026.". Has the consultation been launched and any updates in this respect?

Procedures regarding the handling of material subject to legal professional privilege are currently being further clarified and codified through the second supplementary act (Tweede aanvullingswet) into the new Code of Criminal Procedure.

The draft legislation, which was published for consultation in May 2026, contains a specific section on the exercise of investigative powers in situations involving functional legal privilege (“functioneel verschoningsrecht”). The proposal incorporates recent case law of the Dutch Supreme Court, including its March 2024 judgment concerning legal privilege, and aims to provide a clearer statutory framework for the handling, filtering and protection of privileged material in criminal investigations.

The second supplementary act is currently in public consultation.

6. Statistics on corruption / bribery cases

- In previous years, you included in the written input statistics on the number of corruption/bribery cases concluded in first and second instance courts. See the following quote from the 2025 Chapter: “*In 2024, 29 persons were indicted by the prosecution on charges of corruption (41 in 2023) [61]. **Additionally, in 2024, courts imposed final convictions in 8 cases in first instance and in 30 cases in second instance [62].** [...] In 2024, the NIID investigated 15 cases of information leakage and 20 cases of corruption in the authorities [70]. [Footnotes] [61] Only data linked to bribery cases. There are no data available on the number of investigations. **[62] This concerns cases in which breaches of one or several corruption crimes have been proven. The number on final convictions only refers to the number of cases in which convictions were handed down, not to the number of defendants convicted in each case.** Dutch Government (2025), written input, pp. 13-14. [...] [70] Public Prosecution Service (2025b), p. 64.”*
- Some of the data we hope to find in the annual report of the Public Prosecution Service. However, in particular for the part in bold we hope you can provide the necessary data.

As far as we can see, the requested figures were already included in the written input for the 2026 Rule of Law Report. We understood the question referred to the number of corruption/bribery cases concluded in 2025.

The following information was provided in our submission:

“*To answer this question, data was obtained on the number of final judgements regarding corruption offenses articles 177, 178, 328ter and 363 of the Dutch Criminal Code. The figures presented here are preliminary data for 2025. For reasons of confidentiality, these figures have been rounded to the nearest number of five in order to prevent cases from being traceable to individual offenders. In first instance, there have been 15 corruption cases in 2025 (until 1 December) in which the rulings are final (source: PSK, 05-01-2026). In second instance, 5 corruption cases have been brought to trial in 2025 and resulted in a final verdict (source: InfoRM, 06-01-2026).”*