



Dissatisfied about police action?

**We can solve
this together**

« waakzaam en dienstbaar »

You are dissatisfied about the behaviour of a member of the police force. You have submitted a complaint about it. Or perhaps you are considering doing so. In that case it would be useful to read through the information in this folder.

It is important to you that the police do their work meticulously and properly. The police has a stake in maintaining a good relationship with you. This is why complaints about the police are always handled carefully.

Why does a complaint first have to be submitted to the police?

The law stipulates that complaints should first be submitted to the organization that caused them. This provides an opportunity for you and the police staff-member involved to explain why certain action was taken. Experience has taught us that in this phase a discussion between the complainant and the staff-member concerned often leads to a positive result for both parties.

What can you expect?

We will contact you within five working days after receiving your complaint. The complaints handler is a staff-member of the police. He/she will adopt a neutral position and keep an eye on both your interests and those of the police staff-member. The complaints handler will discuss with you what you want to achieve with your complaint and exactly what your complaint is.

During this discussion, the complaints handler will also examine whether your complaint is covered by legislation and in keeping with the objective of the complaints procedure. This is because in certain cases the complaints procedure is inappropriate; for instance, if you disagree with being fined or if the complaint is about an incident that needs assessing by a court. In that case the complaints handler explains what are the correct

procedures that you could consider taking.

Initial phase of the complaints procedure

You may be satisfied after the initial contact with the complaints handler and you may not want your complaint being dealt with any further. In that case the procedure ends. By way of completion, you will receive a letter confirming this and the file will be closed.

Mediation

Are you not satisfied? In that case the complaints handler estimates whether a mediation meeting between you and the staff-member about whom you are complaining could help to solve the complaint. The complaints handler will ask you to cooperate in such a meeting. Whatever you decide with the complaints handler is subsequently put to the police staff-member concerned. The latter is then given an opportunity to respond. If you agree on a mediation meeting, it will be organised by the complaints handler. He will make an appointment for this meeting between you and the police staff-member concerned. The complaints handler will also attend this meeting, as facilitator.

The first phase can have one of three outcomes:

1. You are satisfied and you feel that handling of your complaint can be finalised. You will receive written confirmation of this and the file will be closed.
2. You are not satisfied, but do not want to pursue handling of the complaint any further. In this case too you will receive a letter of

confirmation and the file will be closed.

3. You are not satisfied and you want a decision from the Commissioner of Police. In that case your complaint will go on for handling in the second phase.

Second phase of complaints procedure

If you are not satisfied after completion of the first phase, your complaint can now be put before the Commissioner of Police for assessment. The Commissioner of Police obtains advice from an external complaints committee whose members have no affiliation with the police organisation. The Commissioner of Police has ultimate responsibility for the police in matters that gave rise to your complaint.

The complaints committee has its own procedures and provides the Commissioner of Police with independent advice. Part of these procedures is organising a hearing. This is where both parties – you and the police staff-member concerned – can explain their viewpoint on the police action about which you are dissatisfied. On the grounds of the complaint investigation and the results of the hearing, the complaints committee draws up advice for the Commissioner of Police.

Assessment of your complaint

The Commissioner of Police forms a picture of individual aspects of the complaint and makes a decision on it. This decision is formed based on the responses the Commissioner of Police received from the complaints



committee, the Public Prosecutor and the mayor. It could be:

- Founded: your complaint is justified;
- Unfounded: your complaint is not justified;
- No assessment: a decision is not possible;
- Inadmissible: your complaint does not fulfil the requirements stipulated by law.

You receive the Commission of Police's decision in a letter which explains how it was reached. The staff-member involved and his/her superior are also informed about the outcome.

How long will it take?

We will contact you within five days of receiving your complaint. The first phase of a complaints procedure is completed within ten weeks after receiving your complaint. This period will be extended by a further four weeks if you ask the complaints committee to issue advice. The total handling time may be extended again by another four

weeks up to a maximum of eighteen weeks.

Do you disagree with the outcome?

If you disagree with the Commissioner of Police's decision, you can approach the National Ombudsman. Information about that procedure can be found on the website, www.nationaleombudsman.nl.

You can also call telephone number 0800-335 55 55 (free of charge) or send a letter to :
National Ombudsman
Postbus 93122
2509 AC Den Haag.

Information about laws and legislation relating to the complaints procedure can be found on the website, www.politie.nl.

You can also request information from the complaints coordinator of the police unit concerned, who can be reached on telephone number 0900-8844.

Submitting a complaint

You can submit a complaint in one of the following ways:

- electronically, via the digital complaints form: www.politie.nl > Contact > Klacht indienen
- by sending a letter to the Commissioner of Police of the police unit. Consult the internet for the correct address, or call telephone number 0900-8844.

Police contact details

In order to contact the police by telephone, call:

0900-8844 for police in your neighbourhood

0900-1844 for the text telephone for deaf persons

0031-343578844 from abroad

