



Summary

Advisory report on the amendment to the Regulations on the requirements for accommodation space in penitentiary institutions

Council for the Administration of Criminal Justice and Protection of Juveniles (RSJ)

On 18 December 2024, the Advisory Division of the Council for the Administration of Criminal Justice and Protection of Juveniles in the Netherlands ('the RSJ') issued an advisory report on the amendment to the Regulations on the requirements for accommodation space in penitentiary institutions (*Regeling eisen verblijfsruimte penitentiaire inrichtingen*).

The RSJ recommends adjusting the accommodation requirements for those required to report to prison to serve their sentences ('self-reporting prisoners'). These are accommodation spaces allocated to prisoners who have been called up and reported to the institution, but for whom there is no room in an institution or unit with accommodation spaces that meet the standard requirements. In the short term, this measure can help reduce the capacity shortage of cells and personnel in penitentiary institutions. The RSJ concludes that any disadvantages for this group of prisoners are adequately compensated. Additionally, the RSJ holds a positive view of the personalised assessment and treatment of these self-reporting prisoners.

Requirements for self-reporting prisoners' accommodation spaces and compensatory conditions

Additional places will be created for self-reporting prisoners serving short sentences (maximum of two weeks) in buildings located on the site of the penitentiary institutions. Accommodation space requirements for these self-reporting prisoners differ in terms of the surface area, window, door, communication devices and sanitary facilities. To compensate for any disadvantages, prisoners can freely use the communal indoor areas from 7 a.m. to 10 p.m. During the evening and at night (from 10 p.m. to 7 a.m.), they stay in their cells, but toilet visits outside the cell are permitted. The RSJ recommends clarifying these rules for the use of the communal areas in the explanatory notes. Outdoor areas are accessible at times determined by the prison governor, which also depends on the daily schedule. Work and organised recreation are not part of the daily programme. The aim with this is to free up staff so they can be assigned elsewhere.

Personalised assessment and treatment

Only self-reporting prisoners who are serving short sentences and pose a low security risk are eligible for placement under these Regulations. Based on a personalised assessment, they receive greater freedom of movement and require less security while in prison.

The advisory report (in Dutch) can be consulted on the [RSJ website](#).

