DIRECTION AND SCOPE
for knowledge development and innovation

Strategic Knowledge and Innovation Agenda

SKIA
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For a large part of the 20th century, the Ministry of Justice was located at Het Plein in the centre of The Hague, in a grand building that is now used by the House of Representatives. There were wool carpets on the floors, cupboards full of paper files, wooden desks and bakelite telephones with dials. Those were the days when conmen tried to trick people with their stories (but not by phone, because that was too expensive). The criminal was usually present at the crime scene.

Since then a great deal has changed. Criminals now attempt to undermine the rule of law in new ways – online, for example. DNA research helps us to solve crimes, and scientific discoveries in the field of neurology, robotics and sensing are slowly entering the realm of justice.

We have entered a new era, you may say. That is certainly true, but in essence our mission is timeless. Our remit in the bakelite age was essentially the same as it is now: keeping the Netherlands safe, upholding the rule of law and making sure our migration policy is fair.

If we are to be successful as a Ministry, this timeless mission must keep pace with a changing world. Urgent questions must be asked. Should we get involved with blockchain technology? How do you protect civil liberties in a world of Big Data? What new opportunities are available for prevention, intervention and enforcement? How can we cooperate more effectively with our social partners?

This Strategic Knowledge and Innovation Agenda (SKIA) will help us find the answers to these questions. By talking to staff from all sections in the Security and Justice chain, we collected more than 400 questions that are relevant to the future of our work and form the basis of this SKIA. This is a hugely valuable exercise – first and foremost for us as a Ministry. If we know what questions people have, we will be in a better position to set up targeted research programmes and, wherever possible, to combine them.

But this SKIA also has an important external function. It shows our knowledge partners, from academics, through planning offices to start-ups, what we believe in, what important trends we identify and how we view the constantly changing future. And, who knows, they may even be able to help us refine our questions, so we can prepare ourselves even more effectively for that future.

I am looking forward to discussing the future with all those who feel they have a part to play in our important mission. Because, as I said earlier, whether we communicate using a phone with a dial, a push button phone or Whatsapp, our mission is timeless.

Siebe Riedstra
Secretary General
The Ministry of Security and Justice upholds the core values of the constitutional state: a safe and fair society. A good balance between security and fairness can be achieved by working in partnership with all those involved in the field of security and justice. From the police officer on the street and the public prosecutor in court to the policy worker in the Central Policy and Staff Department – all contribute to security and stability in the Netherlands. The rule of law is the basis for everything; without it there is no freedom and no security.

Issues in the areas of crime, security, punishment and migration are quite complex. The Ministry’s decisions affect people’s lives, sometimes dramatically. The dilemma between improving security on the one hand and upholding the values of the constitutional state on the other is always one that is carefully considered. In the field of security and justice, easy solutions are rare.

What’s more, the Ministry works in a changing society in which new technologies are emerging and where digitisation seems unstoppable. As a result, information is exchanged ever more quickly, citizens are working ever more effectively in networks – and new risks are emerging. This challenges us to organise our work as effectively as possible.

If the Ministry is to be able to carry out its tasks effectively in this changing environment, knowledge and innovation are essential. To understand the challenges of today and tomorrow – which may well require different solutions and different ways of working – we need to have a good understanding of social and technological trends.

The Ministry has recently been criticised for being too focused on the short term, not being sufficiently transparent and not actively seeking collaboration with external partners. This Strategic Knowledge and Innovation Agenda (SKIA) invites knowledge and innovation partners to join us in tackling this changing remit.

The SKIA poses questions about the future and encourages parties in our environment to consider these issues with us, so we can work together to promote security and fairness in this country. It is also designed to act as a tool to ensure that all parties involved – within the Ministry and externally – join forces in policy development and when defining strategic, research and innovation initiatives. In addition, the SKIA may help share the knowledge that has been acquired, the innovations that have been achieved and the evaluations of policy and interventions that have been undertaken.

Through the SKIA the Ministry provides direction and scope for knowledge development and innovation around the social challenges ahead of us. The SKIA gives guidance on collaboration with and between external knowledge and innovation partners. At the same time, it challenges them to contribute new knowledge and themes in order to help the Ministry achieve its social objectives. In a nutshell, the SKIA will help make the Ministry future-proof in many different ways.

This document is the result of a comprehensive review. During this process, the need for knowledge and innovation within our organisation was identified and translated into the five challenges of our strategic white paper, ‘Justice and Security in the 21st Century’. The 400 questions raised by the review together form the source material for this SKIA, which outlines the issues where the development of further knowledge and innovation is required.

The following sections outline the five strategic challenges. For each of these challenges we specify the main issues involved and the associated knowledge and innovation questions.
The rule of law and the constitutional state are the cornerstones of what we are here for: to ensure justice for all. How do we bring these abstract concepts to life for both citizens and administrators? The rule of law still prevails. But compliance with the rules cannot always be taken for granted anymore.

The Justice Challenge: to prove that the rule of law results in justice
Knowledge and innovation questions:

» What new opportunities are there for guaranteeing the legitimacy of the law, both now and in the future?

» What laws and regulations are effective in the face of social, technological and innovative trends?

» What do citizens and businesses find important in terms of the functioning of the constitutional state? What do the core values of the constitutional state (e.g. legality and legal protection) mean to them and what is the significance of security in today’s society?

» Do the opinions in this context reflect any major social dividing lines?

» What do trends such as new and unregulated forms of (online) dispute resolution and legal aid, alternatives to criminal law (e.g. administrative settlements) and the growing decentralisation of government mean for the core values of the constitutional state?

You would not always think so, but the level of confidence of Dutch citizens in their legal system, the police and the judicial system is relatively high. In fact, at the beginning of this year, the Netherlands Institute for Social Research (SCP) concluded that the judicial system was the only institution in which Dutch citizens had growing confidence.

There are however multiple ‘realities’. There is, for example, a great deal of dissatisfaction about inadequate enforcement of the law, which has a direct impact on citizens. People feel that ‘the authorities are quite capable of handing out traffic fines, but when it comes to preventing or solving crimes like burglaries, muggings, fraud and deception, they do not deliver.’

Inadequate enforcement of the law not only fuels the idea that the rule of law does not prevail, it also makes people think that flouting the law pays off. This makes people susceptible to cutting corners themselves on rules that are not convenient to them. The failure to adequately enforce the law must therefore be reduced, both in terms of public perception and in terms of actual compliance with the rules.

Knowledge and innovation questions:

» What are the trends in terms of infringement of the law (by citizens, authorities and states) and conflicts between parties? What are the reasons behind these trends and what is likely to happen over the next few years? What, for example, is the anticipated impact of new social and technological trends on regulatory compliance (e.g. cyber crime), access to the law (e.g. unregulated online dispute resolution) and legal protection (e.g. privacy, cyber security and uniformity of law)? What do these trends mean for the status of the law/criminal law?

» How effective is the enforcement of civil and criminal law? Is there any enforcement ‘deficit’? Are there any (unlawful) barriers in terms of access to the law, and what trends are anticipated in the future? How is this perceived by society?

» What new opportunities are there for encouraging citizens, authorities and states to comply spontaneously with rules and regulations? What are the best practices in this context?

» What new opportunities are there for prevention, intervention and law enforcement (e.g. early warning through the use of Big Data, Quantified Self, insights based on neuroscience, online sentencing, online support for victims)?
An ever more complex world with persistent ‘wicked’ problems calls for a multidisciplinary approach, for collaboration in networks, for an open relationship with the field and civil society organisations, and for more sharing of problem ownership. How can this be achieved?

The Governance Challenge: from the performance of statutory tasks to the tackling of wicked problems in collaborative networks

An ever more complex world with persistent ‘wicked’ problems calls for a multidisciplinary approach, for collaboration in networks, for an open relationship with the field and civil society organisations, and for more sharing of problem ownership. How can this be achieved?
Less government, more governance

The Ministry of Security and Justice wants to disengage from its natural tendency ‘to do everything itself’. Not only when it comes to reducing the number of difficult divorces, but also regarding issues such as integrating refugees effectively into society, or tackling parallel societies in which entire families, neighbourhoods and generations lead a separate, criminal existence.

These are persistent problems and systems that require the Ministry of Security and Justice to build a more open, more collaborative and more productive relationship with the field and civil society. The Ministry is looking for new players who are attuned to new areas. This means inviting third parties to move into new areas. This means inviting third parties to assume full or partial ownership of a problem. Moving to new areas. This means inviting third parties to move into new areas. This means inviting third parties to assume full or partial ownership of a problem. Moving to new areas. This means inviting third parties to assume full or partial ownership of a problem. Moving to new areas. This means inviting third parties to assume full or partial ownership of a problem. Moving to new areas. This means inviting third parties to assume full or partial ownership of a problem.

Knowledge and innovation questions:

» How can we benefit optimally from links between government, knowledge institutions, business and the public and the corresponding initiatives in order to achieve the Ministry of Security and Justice’s social objectives? To what extent must traditional government tasks, such as the administration of justice, continue to be organised by the government?

» What forms of collaboration are possible and what are the pros and cons?

» What do new forms of collaboration mean for the role of the Ministry of Security and Justice and its core values?

» How can responsibility be shared in collaborative partnerships (networks) whilst at the same time retaining these core values? What responsibility (in terms of systems) would the Ministry have in this context?

» In what areas does working with public/private partnerships deliver added value in terms of the achievement of social objectives? What governance relationships are effective in this context? What role would be appropriate for the Ministry of Security and Justice in these partnerships?

» How can the self-organising capacity of those involved in the policy areas of the Ministry of Security and Justice be strengthened? What new opportunities do social and technological trends (e.g. self-monitoring and self-governance) bring?

More collaboration in networks has consequences. If policy and implementation evolve into co-production and co-creation, third parties will have more influence over the actions of the Ministry of Security and Justice. This may cause tensions, for example, in the hierarchy that is necessary for effective governance and accountability. Moreover, the Ministry and organisations in its context quite often have a special role to play, one which requires independence, distance or control. Permitting the influence of third parties may be incompatible with this.

The governance challenge therefore requires the Ministry of Security and Justice to continuously ‘re-invent’ the nature of its role and position. There is no standard recipe for this, as there is no list of issues that by definition lend themselves (or not) to collaboration with society. The relationship between the Ministry and society varies according to the issue involved. In other words: focus on the issue and then consider what degree of governance is appropriate.

First identify the issue at stake; then decide who are the potential partners that could work with us, or who might already be involved in this field. And of course we should also define our own preferences and identify the political constraints within which we are operating. After that, look for connection. Not through an order or ordinance, but by aligning with the intrinsic motivation of others and identifying opportunities to generate mutual benefits.

A move towards more governance is crucial, on the one hand because the government simply cannot do everything itself, and on the other because there is considerable momentum from the bottom up. In all layers of society, people want to play a role themselves, to put their social engagement into practice. This means that the Ministry of Security and Justice must always strike a balance between pragmatism on the one hand, and rules, regulations, parameters and procedures on the other. This can be achieved without compromising the Ministry’s core values. However, governance does call for new links with society, in which those core values sometimes take on a different form and the roles are divided up differently.

The social objective is key

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Knowledge and innovation questions:

» What is the impact of new governance models on the role and function of the law, in view of the stronger position of victims, for example, or the changing role of advisers and the changing influence of media and politics?

» How do we guarantee the core values of the constitutional state in the face of social alternatives? How, for example, can the judiciary fulfil its role in upholding the rule of law with an ever smaller ‘market share’ and guarantee the recognisability and predictability of court rulings?

» What new opportunities are there for developing laws and regulations and legislative procedures for the benefit of governance (e.g. scope for experimentation and the right to challenge)?

» What demands do new governance models place on the organisation and leadership of the Ministry of Security and Justice, and on the conduct of its employees?

» What form should monitoring and funding take in order to encourage a focus on the Ministry’s social objectives?
The world around us is getting bigger, faster and more unpredictable. Big Data, the Internet of Things, self-organising communities – we are becoming a world in which ‘smart’ sets the tone. So should we be a smart ministry? And, if so, how do we become one?
Exploiting the opportunities of Smart Technology

Smart technology is a game changer. Huge quantities of data and real-time information are now available to us. Some aspects of the work of the police and the judiciary are being or could be automated. More and more organisations and processes are interlinked. These are powerful tools that help the Ministry of Security and Justice to identify more quickly and more precisely what is going on, enabling it to deploy capacity where and when it is needed with greater accuracy.

But smart thinking also requires a complete rethink of how these tools are deployed. Today we have more means at our disposal than ever to trace and catch criminals: digital cameras, sensors, drones etc. This enables us to meet society’s desire for security. But how do you protect civil liberties in that process?

Knowledge and innovation questions:

» What innovations could encourage the achievement of the Ministry of Security and Justice’s policy objectives? What opportunities, for example, do Big Data, blockchain, the Internet of Things, sensing and detection, robotics and AI, simulation models, online tools and social media, neurotechnology, DNA research and synthetic biology offer the Ministry in performing its tasks? And what opportunities do these innovations offer in terms of influencing the behaviour of citizens and businesses?

» What are the tricky issues, the ethical and constitutional objections surrounding the use of these innovations (e.g. privacy, upholding of the core values of the constitutional state, cyber security, safeguarding knowledge and expertise, ownership and use of information, data overload) and how can these be tackled?

» What is society’s view on the balance between ethical and constitutional objections to these innovations on the one hand and the use of these innovations to achieve policy objectives (e.g. combating terrorism or crime) on the other?

» What impact do innovations have on groups within society that do not have access to digital means?

From bureaucracy to a Smart Ministry

Disruptive smart technology also raises other questions. Entire business sectors, cities, healthcare and traffic systems are rapidly becoming smart. The Ministry of Security and Justice must keep pace with this trend. However, the Ministry must also retain an overview of the impact of advancing technological applications on justice and security.

In a world that is constantly evolving, and in which today’s latest innovation may be superseded tomorrow, it is difficult to know what route to take. Which technology do you embrace, and which should you steer clear of? Do you have sufficient vision and expertise to make the right decisions at the right time? This raises the question as to whether the Ministry of Security and Justice’s existing bureaucratic organisational structure is ready for new technological developments such as blockchain, high-tech hacks, encryption and Big Data.

Knowledge and innovation questions:

» What new technological trends can we expect and what new (positive and negative) social effects, opportunities and risks do these trends entail in terms of security and justice (e.g. cyber crime, privacy, terrorism)?

» What role should the government play in identifying and developing new technologies (e.g. promotion, facilitation, defining frameworks, certification)? How can we create more scope for experimentation to foster innovation? And to what extent do we need conditions, compliance, enforcement or quality assurance measures in this context?

» What is required to ensure the agility, flexibility and effectiveness of the Ministry of Security and Justice in a changing environment? How can innovation help maintain or improve the Ministry’s social effectiveness and impact, and what impact will innovation have on its staff and organisation?
Bureaucracy and the rule of law make for a stable and efficient society. However, they are increasingly being challenged by major incidents and disruptions in a society that is changing ever faster. This impacts on citizens. How do you guarantee resilience in an unstable world?
Relationships in Dutch society have become less strictly defined and more diverse. This has led to conflicts between different sets of values. The speed and scale of digital communications have a disorientating effect, and all sorts of issues tend to generate a heated public debate characterised by extreme views and emotions. Fear – of foreigners, terrorist attacks, loss of identity – plays a key role. Our resilience deserves serious attention.

Social resilience is the ability of a society to adapt to unexpected developments that disrupt national security. It presupposes a stable core. It implies that people ‘revert to type’ and that the disruptive impact is temporary.

The Ministry of Security and Justice can contribute to this resilience. If a disaster or other disruptive incident occurs, it is the Ministry’s job to respond to it directly, in a predictable and flexible manner. Predictability is key, and concerns government: restoring order, investigating issues, prosecuting criminals etc. But flexibility is hardly less important, and concerns governance: restoring the social fabric in conjunction with relevant public partners and civil society organisations.

Surely it is the Ministry of Security and Justice’s job to set a good example. For many citizens, the Ministry’s response to crimes such as bicycle theft, burglaries and phishing is crucial. If this response is effective, people will have confidence in the law, with positive effects on social stability and resilience.

Operational excellence therefore is crucial in this context. The ever more empowered and better informed citizen wants to be taken seriously in his relationship with the government, but also expects that government to deliver operational excellence. In this context, the Ministry’s institutions can learn a thing or two from ‘high-reliability organisations’. These are complex organisations, such as operating theatres, aircraft carriers and nuclear power plants, which simply cannot afford to make errors in view of the immense risks involved. Is it our strategic challenge to create a high-reliability environment for the Ministry’s institutions. If so, this will require corresponding laws and regulations, governance, funding and accountability. In particular, it calls for the removal of any divisions between the organisations, and for a key focus on solving the problem rather than on specific organisational interests.

For the Ministry of Security and Justice, resilience may also mean the need for a high level of adaptability. Perhaps, therefore, the Ministry must be an organisation of professionals who have the scope and flexibility to deliver customisation. And who can come up with at times unorthodox but nonetheless sensible and effective solutions.
Large-scale migration, international criminal networks, problems in distant fragile states – the days in which the Ministry’s work stopped at national borders are long gone. Today we must work together in multinational networks. What does this mean for our organisation? And how and with whom should we cooperate?

The Globalisation Challenge: to uphold the values of a national constitutional state in a connected world of mutual dependencies.
Knowledge and innovation questions:
» What is the nature and scope of transboundary phenomena such as hybrid threats, terrorism, cyber threats and migration? What mechanisms play a role in this context (including behavioural mechanisms, such as copycat behaviour)? Which groups are the most vulnerable in this context?

» How can transboundary phenomena be tackled? What are the best practices in this context?

» What does this mean for the role of our existing legal system? Is that system adequately equipped to tackle transboundary problems?

» What opportunities are there for further international collaboration, in the field of human trafficking, drugs-related and cyber crime, for example?

» What can we learn from laws, regulations and measures in other countries (e.g. in the field of youth protection or crime prevention)?

Justice and security in the Netherlands are increasingly interlinked with what is happening elsewhere in the world. Tensions in Turkey, or in other parts of the world, can lead to tensions in the Netherlands in a very short space of time. This can give rise in turn to more international tension. For example, the EU’s refugee deal with Turkey could become a topic of discussion once again, which could have an impact on the refugee issue in the Netherlands.

Global digital communication and the significant increase in international travel mean that we are living in a network of international dependencies. The fact that more and more Dutch people have family and friends in other countries is another important factor.

We want to prevent tensions in other countries disrupting our security and public order. We will have to combat the elusive, international criminal networks that, thanks to the global opportunities offered by digital communication, are active in the fields of terrorism, human trafficking, arms trade, and drugs-related and cyber crime. How can we do this?

Clearly, a fragmented government will not be in the best position to fight for international justice and security. We must remove institutional barriers.

We must strive for a world in which physical security and cyber security no longer come under different departments, where counterterrorism and crime-fighting are no longer separate domains thanks to better collaboration, and where countries have access to each other’s legal systems so global disputes can be resolved.

Moreover, where criminal networks emerge and thrive (often in fragile states), there must be effective institutions to counter them: independent courts, affordable lawyers, a reliable police force, and accessible procedures for resolving disputes. The Ministry of Security and Justice helps to achieve this, in conjunction with other national organisations and non-state actors.

This is because every response, to a terrorist threat, for example, requires cooperation at the local, national and international level. Every terrorist threat highlights the importance of sharing information. There is immense progress to be made in this regard.

Economic globalisation is also challenging the way we do things. Global business models such as Uber and Airbnb do not always fit readily into our national economic and legal system. How do you give them sufficient scope and, at the same time, prevent the emergence of international ‘enclaves’?

Knowledge and innovation questions:
» What examples of best practice are there in terms of effective cooperation with international state and non-state actors? How do we ensure that such partnerships have shared objectives and policy?

» What impact will cooperation with international state and private actors have on the role of the Ministry of Security and Justice and the protection of its core values?

» What tools and innovations could contribute to better international cooperation (e.g. in terms of the sharing of information)? What are the related advantages and disadvantages?

» How much trust does society have in certain international partnerships and what requirements does society have in terms of international cooperation?

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The aim of the Strategic Knowledge and Innovation Agenda (SKIA) is to provide direction to and scope for knowledge development and innovation based on strategic priorities. This will allow the Ministry of Security and Justice to make well-informed choices around the deployment of people and resources for a safe and fair society. The SKIA encourages internal and external collaboration and ensures that knowledge and innovation are used more effectively and more broadly in strategy and policy processes. This calls for activities that require dedication and commitment from both internal and external partners. In order to ensure that the SKIA has a positive impact on knowledge development and innovation within the Ministry at large, a number of different processes will be established.

Coordination of knowledge development, innovation and knowledge sharing
The Strategic Knowledge and Innovation Platform (SKIO) looks at ways of achieving greater collaboration in the field of research and innovation. This internal knowledge and innovation platform is comprised of representatives from the Ministry’s various units. The SKIO is a tool that helps the Ministry conduct research in a more collaborative way and make the results of its research available throughout the organisation. It is also responsible for updating and, in due course, revising the SKIA.

Linking research and innovation activities with the SKIA
The Research and Documentation Centre (WODC) is responsible for programming projects that help answer research questions derived from the SKIA. In this context, it also uses and builds on existing knowledge from previous research and long-term projects conducted around the Ministry’s key themes. Preference is given to innovation projects that tie in with the themes of the SKIA, which acts as a source of inspiration for innovation competitions. SKIA themes are also used in other knowledge and innovation programmes, such as the EU’s Horizon 2050 and the National Research Agenda

Matching supply and demand
During the process of creating the SKIA, 400 different knowledge and innovation questions were collected from within the organisation, and these were then condensed in the SKIA to a number of outlines. In the long term, the fruits of this work will be made available online in the form of an eSKIA, which will give external partners insights into specific knowledge and innovation questions. In addition, a knowledge and innovation market and/or knowledge and innovation week will be held from time to time.

The external perspective
If we are to continue asking the right questions, external reflection will be required. That is why we are involving strategic knowledge and innovation partners in prioritising knowledge-related initiatives and developing the knowledge and innovation that will be required in the long term. Specialised knowledge meetings between the boards of key knowledge organisations and the Ministry’s senior management team provide the opportunity to discuss major strategic issues deriving from the SKIA, the Ministry’s strategic agenda and new developments in society.
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