



NEDERLANDSE ORDE VAN ADVOCATEN

ANNUAL REPORT 2023

PREFACE

Advocates: guardians of the rule of law!

"The Constitution guarantees fundamental rights and democracy based on the rule of law." Since 2022, this premise has been at the forefront of our Constitution. It is the declaration of what the Netherlands wants to be: a State in which the fundamental rights of all people are paramount and only democratically enacted laws are allowed to restrict our fundamental rights. But giving voice to an ambition does not make it a reality. A constitution on its own does not make a constitutional system. Laws, judges and advocates on their own do not make a democracy based on the rule of law. A parliament and elections do not make a democracy. A democracy based on the rule of law is what we make together, day after day.

Within our society, the importance of fundamental rights for all, the importance of access to the independent courts for all and the importance of countering the concentration of power are increasingly being talked about in relativistic terms. The Netherlands Bar (NOVA), as a public-law professional organisation, is keeping a close eye on this. Advocates know the power of words and know that relativistic language can erode the meaning of



those words. And advocates know better than anyone else that law expressed in hollow words is not law. That is why the NOvA is working every day on our democratic rule of law.

In 2023, the NOvA continued to advocate this rule of law, the protection of basic fundamental rights and an independent legal profession that guarantees access to justice. The NOvA's activities are guided not only by concern for the rule of law, but also by a day-to-day commitment to the core values of confidentiality, independence, partiality, competence and integrity, and are always in the interest of litigants.

For instance, when testing the election programmes against the rule of law in the run-up to the 2023 elections, the importance of the rule of law and its inseparable requirement of the proper administration of justice were brought to the attention of the political parties and society.

The proper administration of justice requires, for instance, an independent legal profession where confidentiality is considered a critical asset. In 2023, the NOvA stressed the importance of free and confidential communication between advocates and their clients, partly in the context of the proposed amendment to the Custodial Institutions (Framework) Act, and the Council of State listened. The NOvA also argued before the Supreme Court for the principled interpretation of legal professional privilege. That Court recently ruled in favour of a greater involvement by the delegated judges in the filtering of privileged information requested by investigative services and the Netherlands Public Prosecution Service.



THE NOVA IS WORKING EVERY DAY ON OUR DEMOCRATIC RULE OF LAW

The proper administration of justice also requires a government funded legal aid system that is firmly anchored in society. In 2023, the NOvA not only stressed the importance of a solid financial position for legal aid advocates, but also worked for a future-proof government funded legal aid system with proper perspectives and a focus on cooperation and solidarity within the Bar. In specific current issues, such as the childcare allowance affair, the NOvA also made some recommendations, which were eventually adopted by the State Secretary in charge of the matter.

Similarly, the proper administration of justice requires advocates who are resilient. Aggression, intimidation and threats from third parties have become a frequent phenomenon within the legal profession. Resilience in the face of this comes in many shapes and sizes.

For instance, in 2023, the NOvA not only continued its safety and resilience programme for advocates, including the emergency line and resilience training courses, but also introduced the independent confidant for lawyers. Each of these are valuable facilities that are unfortunately proving to be essential these days.

With a few broad brush strokes, I have indicated the outlines of the NOvA's efforts around the positioning of advocates within the legal system. The special position of advocates as guardians of the rule of law also entails certain responsibilities. In 2023, the NOvA played its part with regard to promoting competence, training advocates and ensuring proper practice of the profession through education, self-regulation and other measures.

Supporting independent and effective supervision is another effort that is key to an honest, independent and competent legal profession. After all, advocates are not only guardians of the rule of law but also part of it. This means that we need to take a critical look at ourselves in the mirror of the rule of law every day, with an awareness of the important role we have to play in it.

In line with our efforts in 2023, I also express my strong confidence for 2024 that we will continue to shape the democratic rule of law every day as the NOvA, in and with the Bar. It is of great importance for us to be and remain not only engaged within the Bar but also constantly open to the rapidly changing environment around us, which will let us share our thoughts and concerns freely, in a spirit of critical goodwill and always in the interest of litigants.



ADVOCATES HAVE A SPECIAL POSITION AS GUARDIANS OF THE RULE OF LAW

Robert Crinice le Roy

President of the Netherlands Bar (NOvA)



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43

new intervention facilitators and reviewers



1,068

trainee advocates



114

subsidies for vocational training for advocates



9

advocates disbarred



5

confidential advocates



9,750

requests received by Information Centre



1,794

advocate's pass apps



39

legislative opinions



19

emergency buttons issued



18,513

advocates



19

requests under the Open Government Act



26

requests for help received by LawCare



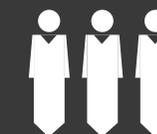
1,069

participants in resilience training



5,543

law firms



57

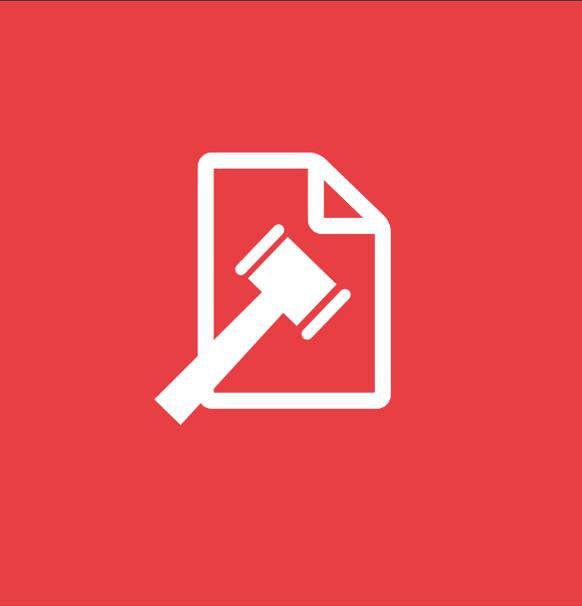
NOvA staff members

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Views and policies



PROTECTION OF RIGHTS AND FREEDOMS IN A DEMOCRACY UNDER THE RULE OF LAW



In a democratic state under the rule of law, an independent legal profession plays an essential role in the legal protection of citizens' rights and freedoms. Everyone in the Netherlands should be able to stand up for their rights and have unfettered access to justice. In the interest of proper administration of justice, advocates ensure their clients receive legal protection. Advocates adhere to their core values in the exercise of their profession: integrity, confidentiality, independence, partiality and competence. To ensure confidentiality for the litigant, advocates are subject to professional secrecy and legal professional privilege. From a rule of law perspective, the NOvA champions this.

Rule of law

Rule of law in election programmes

In the run-up to the House of Representatives' elections on 22 November 2023, the NOVA **called the attention** of the programme committees in the political parties to **funded legal aid, confidentiality and security of advocates**, in the interests of the proper administration of justice.

This appeal was followed in the autumn by a broad **screening of the election programmes against constitutional standards**. While most of the political parties' plans gained a positive assessment, ten of the eighteen party programmes we examined **contained** proposals that failed to meet the **minimum standards** of the rule of law. This is worrying when it comes to safeguarding the fundamental rights and freedoms of all citizens, the certainty of a fair trial and effective access to justice for all. In 2024, the NOVA will also test the coalition agreement against the rule of law yardstick.



Willem van Schendel († 8 February 2024), chairman of the Committee on the Rule of Law in Election Programmes, handed the report 'The party programmes for the 2023 elections; in compliance with the rule of law?' to **President of NOVA Robert Crinle Roy**.
"It is important for voters to be able to learn about the views of political parties that affect the rule of law."



THE NOVA TESTED PROPOSALS AGAINST CONSTITUTIONAL STANDARDS



JEROEN SOETEMAN
Orde van Advocaten

NOVA board member Jeroen Soeteman said on **Op1** on the workload of judges and public prosecutors: *"Politicians in recent years have not paid enough attention to the importance of the rule of law."*

DE PARTIJPROGRAMMA'S
VOOR DE VERKIEZINGEN 2023
RECHTSSTATELIJK?

RAPPORT VAN DE COMMISSIE
RECHTSSTATELIJKHEID IN VERKIEZINGSPROGRAMMA'S



Confidentiality

Rule of law alternative to restrictive detention orders

To combat subversive crime stemming from detention situations, the Minister for Legal Protection wants to amend the **Custodial Institutions (Framework) Act (Pbw)**. For instance, he wants to introduce visual surveillance during an advocate's visit to a detainee in the maximum security prison or an intensive supervision unit. He also suggests that an accused person should be allowed to be assisted by a maximum of two advocates.

In early 2023, **the NOvA communicated** that these proposed measures would exert serious pressure on the free and confidential exchange between advocates and clients. The NOvA's **legislative opinion** shows insufficient justification for the usefulness and need for visual surveillance of detainees and their advocates, as well as for a limit on the number of advocates providing legal aid to these accused persons. Those generic measures are based on incidents and severely restrict the right to legal aid and free communications with an advocate.



NOvA board member Jeroen Soeteman responded to the plans of the Minister for Legal Protection on **EenVandaag**. *"A suspect or accused person should always be able to speak freely with his/her advocate. It's not about hiding anything, but about the government not listening in on what you're discussing. That contact should remain confidential."*



NOVA CHAMPIONS CONFIDENTIAL COMMUNICATION BETWEEN ADVOCATES AND CLIENTS

The NOvA was supported by the **Council of State**, which also **emphasised** that great caution should be exercised when introducing generic legislation and measures that interfered with human rights and the right to legal aid. In mid-2023, the NOvA therefore called on the House of Representatives to opt for **assessments on a case-by-case basis** when it came to restricting detainees' rights. The **opinion** by the Council for the Administration of Criminal Justice and Protection of Juveniles was in line with this.

According to the NOvA, the amendment decree that regulates the effect of the Pbw bill would lead to even more drastic breaches of the confidentiality between clients and advocates, including in relation to camera surveillance. The NOvA therefore recommended the use of a **preliminary scrutiny procedure**, so that the Parliament can also comment on the practical implementation of the bill.



Views and policies Rule of law / Confidentiality



NOvA board member Jeroen Soeteman responded on **EenVandaag** to the release of advocate Inez Weski from pre-trial detention, the safety of advocates and the Minister for Legal Protection's proposals such as visual surveillance: *"That generic measure goes far too far, striking at the confidentiality of all advocates, instead of being the exception to the exception."*

Based on the **NOvA's position paper**, on 4 October 2023 NOvA board member Jeroen Soeteman provided a critical introduction during the **round-table discussion** in the House of Representatives on the 'amendment to the Custodial Institutions (Framework) Act in connection with additional measures against organised crime during detention'. A reflection on the amendment of the Custodial Institutions (Framework) Act from the perspective of the legal profession also appeared in the **journal Sancties**.

The NOvA recognises that it may be necessary to take measures to prevent an outlier category of detainees from committing criminal offences while being detained, but does have some **points to note**. At the same time, the NOvA is not closing its eyes to the pressure that can be exerted on advocates and is therefore actively committed to increasing the **resilience of advocates**. This should reduce the likelihood of continued criminal activity by detainees through advocates, without curtailing their fundamental rights.

Number recognition also at AIVD and MIVD

Anyone seeking recourse to the law should always be able to consult freely and confidentially with their advocates. It is therefore essential for telephone conversations between clients and advocates to remain confidential. The system of number recognition automatically recognises **the telephone numbers** of advocates that are subject to legal professional privilege and does not tap them. Advocates are responsible for entering and updating their landline and mobile recognised telephone numbers subject to legal professional privilege in My Bar (*Mijn Orde*).

The number recognition system has been operational within the National Police and the Custodial Institutions Agency for several years. In September 2023, the NOvA and the AIVD/MIVD signed the **Covenant on Number Recognition of Protected Telephone Lines**, which is expected to come into force in the second quarter of 2024. This will allow the intelligence and security services to flag 'on the front end' even faster that the conversation is between a client and his/her advocate. In that case, the recorded calls with confidential information holders must be listened to within 14 days. If processing of the data is in fact deemed necessary, immediate judicial authorisation is required. If processing proves unnecessary, the data is automatically destroyed. This reduces the statutory retention period from one year to two weeks.



Legal professional privilege

Preliminary questions on legal professional privilege

Partly after efforts by the NOvA, which had previously argued that privileged information could not be assessed for admissibility in the criminal proceedings by an officer holding confidential information but **only by the delegated judge**, in early 2023 the Netherlands Public Prosecution Service announced a new way of dealing with privileged material. The Netherlands Public Prosecution Service proposed that there would no longer be a distinction between privileged material found during a search and material revealed during the exercise of special investigative powers. **According to the NOvA**, this was an improvement in itself, but it **did not provide enough protection** because there was still a risk of privileged material ending up with investigative authorities.

In the context of **preliminary questions**, the 's-Hertogenbosch Court of Appeal ruled in May 2023 that the State's explanations on the handling of privileged information **did not offer sufficient guarantees** to prevent legal professional privilege from being compromised. Since this fundamental legal principle in the exercise of investigative powers by the Netherlands Public Prosecution Service may be relevant in many criminal cases, the Court of Appeal saw reasons for referring **questions** to the Supreme Court for a preliminary ruling.

In view of its statutory duty, the NOvA asked the Supreme Court to allow it to file **written comments**. In them, the NOvA argued for a **prin-**



THE NOVA ARGUES FOR A PRINCIPLED EXPLANATION OF LEGAL PROFESSIONAL PRIVILEGE

principled explanation of legal professional privilege. Despite the serious importance of confidentiality between advocates and clients, in practice this generally applicable and fundamental principle of law has been under grave pressure for years. The **NOvA considers** it necessary that the investigative and prosecution practice should adapt in order to safeguard legal professional privilege. Litigants should be able to exchange information with their advocates in full confidence, without fear of that information coming out. Without confidentiality, adequate legal aid and the proper administration of justice are compromised.

Because of inadequate safeguards in the legislation regarding legal professional privilege, the Advocate General **advised** in late 2023 that the Supreme Court should rule that the delegated judge has a role to



Views and policies *Rule of law / Confidentiality*

play in more cases than the law prescribes. In its ruling of 12 March 2024, the Supreme Court ruled that investigative services and the Netherlands Public Prosecution Service must do what is necessary to prevent infringements of legal professional privilege. The Supreme Court also confirmed that the delegated judge should have a greater role and responsibility in filtering the privileged data that is asked for. This is in line with positions previously taken by the NOvA.

Confidentiality

Bill amending the Wwft breaches professional secrecy

In April 2023, the NOvA urged the House of Representatives to reconsider the **Money Laundering Action Plan Bill**. It states that one advocate must exchange data with another advocate in exceptional, high-risk cases. **According to the NOvA**, this would only add value in some situations; the bill disproportionately increases burdens and its benefits do not justify a breach of advocates' professional secrecy.

Professional secrecy and legal professional privilege in cross-border tax structures

In late 2022, the European Court of Justice ruled that the notification requirement under the European DAC6 Directive violated the right to respect communications between advocates and their clients. Advo-

cates can invoke **professional secrecy and legal professional privilege in such cases**. After consulting the Ministry of Finance and the Tax Administration, the NOvA **obtained clarity** about the implications of the European DAC6 Directive for the Dutch legal profession in early 2023.



NOvA board member Jan Broekhuizen: *"The bill amending the Wwft disproportionately increases burdens and does not justify a breach of advocates' professional secrecy."*



Access to justice

Easy access to properly funded legal aid is an indispensable component of a properly functioning rule of law. To that end, the NOvA has campaigned continuously in recent years for access to justice, a sustainable system of funded legal aid and reasonable remuneration for legal aid advocates.



THE NOVA'S COMMITMENT TO A SUSTAINABLE SYSTEM OF GOVERNMENT FUNDED LEGAL AID

The NOvA's commitment to a sustainable system of government funded legal aid 2013-2023

Review of government funded legal aid system called off

In early 2023, in his **eighth progress report**, Mr Weerwind, Minister for Legal Protection, announced that he would not be undertaking a far-reaching revision of the system of **government funded legal aid**. Instead, he is looking at possible improvements within the current system. There will also be no compulsory passage through the first

” THE NOVA CHAMPIONS THE PROPER ADMINISTRATION OF JUSTICE

line before litigants can turn to an advocate or mediator. The NOvA has never been in favour of that obligation and welcomes **this decision**. The NOvA is also positive about other parts of the eighth progress report. For instance, there will be no legal aid packages and the personal contribution by litigants will not be increased. Also, the Minister's promised increase in the **travelling allowance for legal aid advocates**, for which the NOvA has been fighting for years, became a reality on 1 July 2023. At the same time, the allowance for legal aid in follow-up interrogations was changed.

Emergency investment and future-proof indexation of rates

In the spring of 2023, the NOvA was less positive about the Minis-



Views and policies *Access to justice*



ter for Legal Protection's **plan for the government funded legal aid system**. According to the NOvA, the Minister was focusing mainly on combating symptoms. For instance, he called for more attention to the government funded legal aid system in education, extended the vocational training subsidy scheme and announced a simplification of some specialisation requirements for advocates. However, the NOvA noted that this did not address the source of the problem: the fact that an increasing number of legal aid advocates were no longer able to maintain a legal aid practice because of a lack of finance.

The NOvA believes the government's priority should be to strengthen the poor financial position of the government funded legal aid system. **Research shows** that not enough income and lack of prospects are the main reasons for legal aid advocates quitting the profession, or for students not entering it at all. The result is a restriction in litigants' ability to get legal aid from a legal aid advocate. The NOvA sees the achievement of appropriate fees as an essential part of the government's task to ensure good and accessible legal aid.

In 2023 and 2024, advocates and mediators in the government funded legal aid system were at risk of being barely compensated for high inflation. The NOvA has therefore repeatedly highlighted the **lagging indexation** and necessary periodic review of fees in this system. Although the Minister reported in his **ninth progress report** that he will be initiating a large-scale review in 2025, this is too little and too late, according to the NOvA. Instead, **the NOvA called for an emergency investment** with 10 per cent indexation as well as an urgent

adjustment of the indexation formula. The same applies to the **fees for asylum advocates**.



NOvA board member **Sanne van Oers**:
"The government funded legal aid system deserves more. The emergency investment is badly needed for legal aid advocates to continue their work. It is an important step to safeguard access to justice for people with low budget."

In the autumn of 2023, the House of Representatives passed a widely supported motion asking the government to make an **emergency investment in the government funded legal aid system**. The Minister for Legal Protection announced an **interim indexation** after the NOvA had explained once again to the Minister and the House of Representatives what the **government funded legal aid system needed**. That one-time compensation of 4.62 per cent was **paid** to legal aid advocates in December.

As this was not the necessary emergency investment that had been asked for, the NOvA regards the interim indexation as a **first necessary step**. On the programme **NOS Radio 1 Journaal** (from 2:12:06), NOvA board member Sanne van Oers called the compensation not enough to ease the pressure on the government funded legal aid sys-



Views and policies Access to justice

tem or guarantee legal aid for all. According to the NOvA, the funding of the government funded legal aid system needs to be improved fundamentally in the near future. Another motion passed by the House of Representatives offers starting points in this respect. This motion calls on the government to improve the funding system in order to make it easier to adjust the level of legal aid advocates' fees on an interim basis and to ensure adequate funding in the budget for this purpose.

Advocates handling cases in “community courts” are receiving an allowance for this from 1 January 2024. In addition, the Minister for Legal Protection wants to investigate whether the advance payment scheme for legal aid advocates can be revived and wants to abolish the administrative cost recovery measure. This is stated in the **tenth progress report** on the renewal of the government funded legal aid system. According to the NOvA, these are **positive developments**.

Social law firm of the future



The NOvA is reflecting on a future-proof government funded legal aid system. What do we need to keep the profession attractive and to run a healthy practice? Some 50 advocates and stakeholders shared their thoughts at the **Innovation Breakfast** on 12 October 2023 at the NOvA. They were also inspired by several stories of (legal aid) advocates, including **Esmée Verschuren**.

Cooperation within the Bar

Since 2021, the NOvA has encouraged cooperation among firms with and without a legal aid practice within the Bar. This is leading to a stronger legal profession, including the government funded legal aid system, and greater mutual solidarity. Praktizijns-Sociëteit will continue implementing the ideas of the NOvA project **Cooperation within the Bar** from 2023 and will **further develop** cooperation among firms with and without a legal aid practice. That cooperation is shaped through a business package for legal aid advocates, discounted subscriptions to professional literature and in-depth courses. The **involvement of Praktizijn**, co-funded for this project by major law firms, marks an important step towards even more long-term cooperation within the Bar.

Social passport for the legal profession

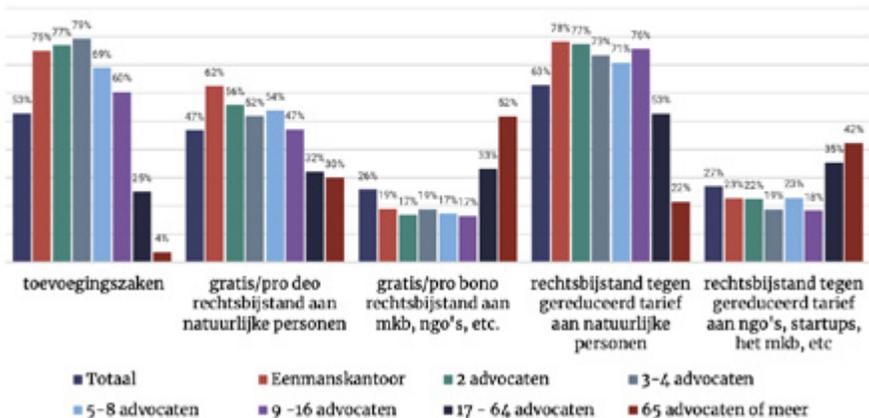
To chart the **social passport** for the legal profession, the NOvA surveyed how socially active the Bar was in 2023. This **survey** showed that the social contribution of the Bar is **very diverse**. Although the **survey showed** that the Bar was positive about cooperation among legal aid advocates and firms without legal aid practice, almost half of the advocates thought that there was room for improvement. The question whether law firms who do not assist citizens in funded legal aid cases should contribute financially to the government funded legal aid system was answered predominantly in the negative by both advocates with and advocates without a legal aid practice. Advocates have varying views on a mandatory social contribution by the legal profession as advocated by politicians.



Views and policies Access to justice

Toevoegingszaken, gratis rechtsbijstand en rechtsbijstand tegen een gereduceerd tarief

Figuur 1 – Hoeveel procent van de respondenten verleende in het afgelopen jaar de volgende vorm van rechtsbijstand? Percentage advocaten dat in 2022 minimaal één uur de vorm van rechtsbijstand verleende, uitgesplitst naar kantoor grootte



Samenwerking met toevoegingskantoren

Een derde van de advocaten (35%) werkte in 2022 zelf op een of meerdere manieren samen met toevoegingskantoren. Verder geeft bijna vier op de tien (38%) aan dat het kantoor waarvoor hij of zij werkt, samenwerkte met toevoegingskantoren.

Figuur 3 – Percentage advocaten dat in 2022 zelf samenwerkte met toevoegingskantoren en het percentage advocaten dat aangeeft dat zijn kantoor samenwerkte met toevoegingskantoren.



Up-to-date legal aid

In March 2023, the Ministry of Justice and Security organised the working conference 'Up-to-date legal aid' on the future of the system of government funded legal aid. Here, the NOVA made a contribution on the topic of the social passport. NOVA board member Sanne van Oers called for **greater cooperation** in the interests of litigants: *"Retain the government funded legal aid system; avoid making access to justice a rarity for people and placing too many hurdles in their path."*

Legal Aid for Self Reliance Scheme

Factual and legal complexity is not all that determines the need for an advocate's help. More tailored work can be provided by paying attention to contextual and individual personal factors. This is apparent from the **evaluation** of the Legal Aid for Self Reliance Scheme (*Regeling adviestoevoeging zelfredzaamheid*; Ratz) **presented** by the Legal Aid Board, the Legal Service Counter and the NOVA to the Minister for Legal Protection. People who are denied legal aid due to perceived self-reliance or an underestimation of the (legal) complexity can still

Views and policies Access to justice



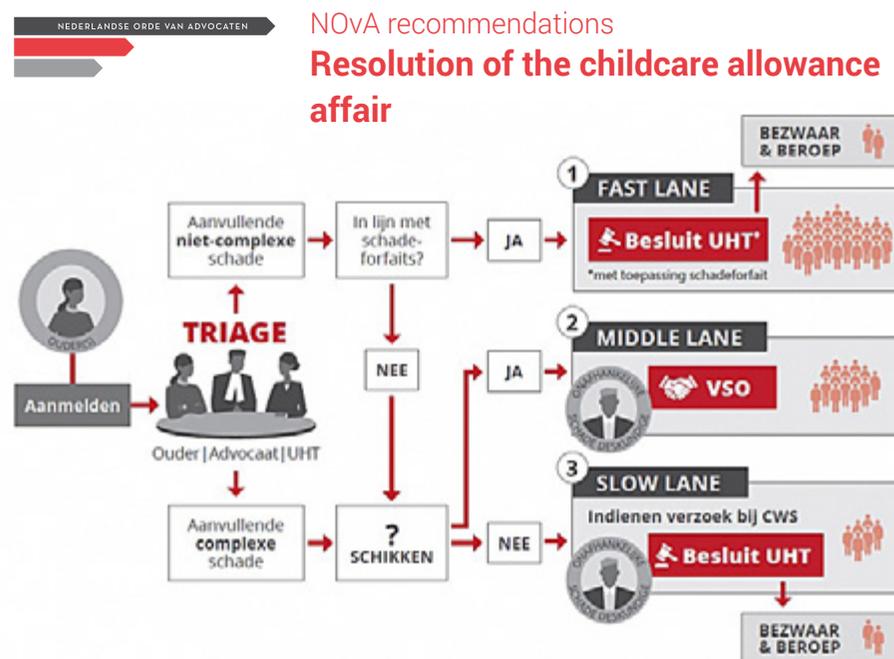
Presentation of the Ratz evaluation by the Legal Aid Board, the Legal Service Counter and the NOVA to the Minister for Legal Protection.

get help from legal service providers, such as advocates, through the Ratz.

Resolution of the childcare allowance affair

After the NOVA had **pressed** in 2022 for improvements to the resolution process for advocates of parents victimised by the childcare allowance affair, the NOVA sounded the alarm again in 2023. The NOVA provided **written input** for the House of Representatives' consideration of the Progress Report on Allowance Resolution. The NOVA also made **recommendations** to remove the bottlenecks (see *infographic*) experienced by advocates of affected parents. It took a long time for these recommendations to lead to policy adjustments.

The NOVA raised concerns about this, saying the resolution process would get increasingly bogged down. Eventually, the State Secretary for Benefits and Customs adopted the NOVA's recommendations. By the end of 2023, two pilots had been launched to forge faster routes to compensate loss, facilitate the use of damage experts and better coordinate the (timely) delivery of files.



Views and policies *Access to justice*



NOvA board member Sanne van Oers on **Nieuwsuur**:
"Advocates have been making concrete suggestions for a long time on how to improve the resolution process, but nothing is done about it. That's a missed opportunity."

Legal aid for Groningen victims

The Legal Aid Act (Wrb) is being used improperly for the legal protection of victims in Groningen gas extraction cases. This was the **reaction of the NOvA** to the 'Legal Aid and Related Costs Subsidy Scheme (Groningen) Temporary Act' of the Minister for Legal Protection. It allows any victim to rely on the Wrb, even though that Act is meant for people with low budget. An additional problem is that advocates handling mining cases mainly work outside the system of government funded legal aid.

The legal aid scheme for mining damages also falls short from the perspective of *equality of arms*. The government itself has turned it into a complicated legal procedure, engaging many advocates and experts, while citizens are litigating on a legal aid basis with very limited options. To avoid inequality in legal protection in gas extraction cases, the NOvA recommended setting up a separate fund so that



THE NOVA RECOMMENDED THAT A SEPARATE FUND SHOULD BE SET UP

specialist (legal aid) advocates can provide high-quality services at market-based rates. The subsidy scheme eventually came into force in mid-2023. Advocates participating in the scheme receive a **basic fee**.



Sanne van Oers spelled out the **NOvA's position on De Nieuws BV on Radio 1**:
"Groningen residents affected by gas extraction should all receive free legal aid. But the government should foot the bill, not the legal aid advocates."



Views and policies **Access to justice**

Contingency pay experiment extended

Since the start of the contingency pay experiment in 2014, advocates in personal injury and loss of dependency cases have been allowed to work with contingency pay, on certain conditions. The premise is to provide greater access to justice for a specific group of litigants dealing with personal injury or loss of dependency claims. These are litigants who are not eligible for funded legal aid under the Legal Aid Act, but who still cannot afford the cost of legal aid themselves. The experiment of contingency pay in personal injury and loss of dependency cases was extended by five years in 2019 and was due to end on 1 January 2024.

After a **preliminary evaluation**, the board of representatives decided at the end of December 2023 to **extend the experiment** by another two years. During that period, it would examine the types of cases involved, the risks faced by litigants and what happened to those litigants who fell just outside the target group.

Free choice of advocate with legal aid insurance

The **right to a free choice of advocate** means that a person with legal aid insurance can choose who he wants to represent his interests in case of a legal dispute. This could be an advocate employed by the legal expenses insurer or an external advocate. In either case, the insurer should in principle reimburse the legal aid expenses. For the NOVA, access to justice is paramount. It may be in the interest of the litigant to be advised by a specialist advocate at the earliest possible stage and not just once the court proceedings are actually under way. This does **not always happen as a matter of course** in practice.



ACCESS TO JUSTICE IS PARAMOUNT

Following consultations between the Ministry of Justice and Security, the Dutch Association of Insurers and the NOVA, **the Research and Data Centre (WODC) is launching a study** into safeguarding access to legal aid.





Views and policies Resilience, safety and protection against subversion

Resilience, safety and protection against subversion

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AWARENESS
OF THE RISKS
AND IMPROVING
RESILIENCE

In the context of the proper administration of justice, advocates must be able to do their work in a safe environment and without fear. However, NOvA research has shown that half of all advocates have experienced some form of aggression. At the same time, the risk of subversion is increasing and with it the pressure on the independence of advocates who are at risk of being affected. To counteract this, the NOvA, with financial support from the Ministry of Justice and Security, set up the **Protection against Subversion Task Force** in 2021. With this, the NOvA wants to strengthen the rule of law, increase awareness of the risks that might be associated with professional practice, and strengthen the resilience and safety of advocates.

Monitoring advocates and keeping them safe

Minister of Justice and Security Dilan Yeşilgöz-Zegerius paid a **visit to the NOvA** on 13 April 2023. She spoke with President of NOvA Robert Crince le Roy, NOvA board member Jeroen Soeteman and chairman of the local bar presidents' consultative panel Peter Hanenberg about the role of the legal profession and that of the government in connection with the safety of advocates, their clients and their environment. The Minister indicated that advocates should be able



to do their jobs safely. This was prompted by the study **Surveillance and protection. Lessons from three security situations** of the Dutch Safety Board, which the Minister **debated** with the House of Repre-

Views and policies Resilience, safety and protection against subversion



sentatives. This report is about the security surrounding and the murder of the brother, advocate and confidant of the crown witness in the Marengo trial.



Rotterdam mayor Ahmed Aboutaleb and NOVA board member Jeroen Soeteman jointly opened the study afternoon in Rotterdam on **Strengthening each other in tackling subversive crime.**

Safety and resilience programme

To enhance the safety and resilience of advocates, the NOVA offers a broad **safety and resilience programme**, free of charge. **NOS Nieuws**, **Algemeen Dagblad** and others focused on this last year.

Resilience training

The **resilience training course** offers advocates concrete tools to help them deal with aggression, intimidation and threats in their daily practice. The training course is given by an expert advocate, supported by a security expert who shares practical safety tips. The emphasis is on de-escalation and on dealing with stressful situations and with behaviour and emotions such as aggression or anger.



Trainer Sanne Schuurman on the NOVA's resilience training.

In 2023, 692 advocates took part in 45 resilience training courses across the country. On request, **training courses** are delivered in-house or customised in cooperation with local bars and specialist advocates' associations (in 2023 with the NVJSA). In addition, the resilience training course was provided for 377 trainee advocates for the first time last year, alongside their vocational training. Advocates can use the training certificate for their annual CCV (central supervision regulation) declaration (5 continuous training credits for non-legal education).

Year	Resilience training	Participants
2023 (standard/in-house)	45	692
2023 (trainee advocates)	14	377
2022	26	317
2021	17	176
Total	102	1,562

Views and policies Resilience, safety and protection against subversion



Minister for Legal Protection Franc Weerwind and President of NOvA Robert Crince le Roy took part in a resilience training course in November 2023. They experienced first-hand how advocates experience these training courses and were briefed afterwards by resilience trainers Sanne Schuurman (right) and Onno Pouw (left).

thing that is discussed remains confidential. The **Confidential Advocate** operates independently of the NOvA.



The Confidential Advocates team: Maarten Meulemeesters, Janneke Gerbers, Geertjan van Oosten, Noa de Leon, Charles van der Voort

Confidential Advocate

Advocates who are confronted with subversive crime, or who deal with other cases that put them at risk of losing their independence, have been able to call the Confidential Advocate since 4 December 2023. With the six-month **pilot**, the NOvA is aiming to support advocates who are put under pressure. The **team of confidential advocates** consists of five experienced advocates who use expertise, training and their own experiences to help think about possible next steps, provide practical tips and, above all, offer a listening ear. Every-



In response to the Marengo trial, the radio programme **Spraakmakers** discussed the statement: 'The pressure on criminal advocates is too high.' NOvA board member Jeroen Soeteman responded and announced the launch of the Confidential Advocate.



Views and policies Resilience, safety and protection against subversion

Since 2019, advocates experiencing threats have been able to make confidential calls to a special emergency number provided by the NOvA, which can be found on My Bar (*Mijn Orde*). If necessary, a threat that is reported is forwarded to the National Coordinator for Counterterrorism and Security (*Nationaal Coördinator Terrorismebestrijding en Veiligheid*; NCTV). The advocate will then be called back as soon as possible by an NCTV official or a local representative from the Public Prosecutor’s Office or the police about how to proceed. The **emergency line** receives one or two calls a week.

Emergency button

The NOvA offers an emergency button to advocates who are or feel threatened and who call the emergency number. This then puts them through directly to an emergency control centre. The control centre listens in, knows the (GPS) position of the person carrying the button and can call the police to provide immediate assistance. If the threat is targeted on the advocate’s personal situation, an emergency button can also be issued to their partner. 19 emergency buttons were issued in 2023.

Safety scan

The **safety scan** allows advocates to have their office or homes checked for vulnerabilities from a security point of view. A specialised and certified company extensively examines the property for physical vulnerabilities including locks, windows, access control and cameras. Any security measures needed are then recommended to the advocate in question. In 2023, eight law firms had a safety scan carried out.

Year	Safety scans
2023	8
2022	119
2021	132
Total	259

LawCare

Advocates dealing with personal problems such as stress - whether privately or at work - can talk things over completely anonymously and confidentially with the **LawCare Team**. The helpline (085 - 0640182) is staffed by **eleven current and former advocates** who volunteer to help their fellow professionals. In 2023, the LawCare Team received 26 calls.

Year	Number of requests for help
2023	26
2022	31
2021	33
2020	17
2019	22

Resilience programme in 2024

The entire safety and resilience package will continue to be available to advocates free of charge in 2024. One innovation is the provision of a tool that allows advocates to check which public registers their (private) address details appear in and how to shield this data. To understand how much aggression, threats and intimidation against

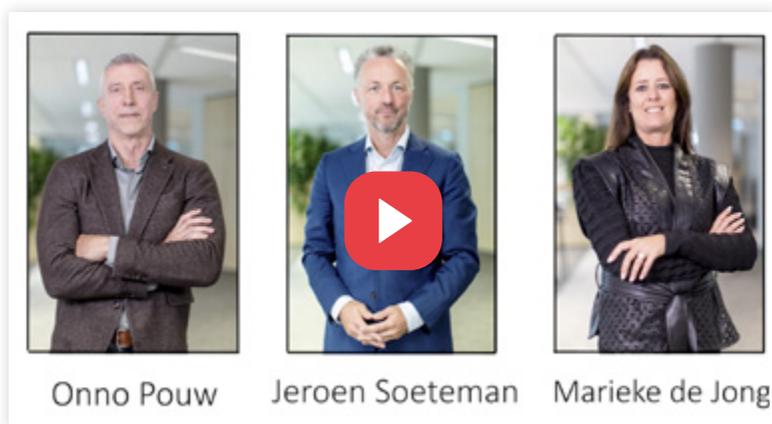


Views and policies Resilience, safety and protection against subversion

advocates are increasing or decreasing, the **Bar-wide survey** from two years ago will be repeated in 2024.

Resilience education

Last year, a **NOVUM broadcast** was dedicated to advocates' resilience. Interviews with advocates about **how they dealt with lack of safety** and what they were doing **about it** were also published in the NOVA section of the Dutch Lawyers Magazine. In 2024, the NOVA will launch a broad **resilience campaign** to raise awareness of all resilience-building initiatives among the legal profession.



Investigation into regulation on collaborators of justice

Leiden University conducted a research commissioned by the NOVA concerning the risks for lawyers that are accompanied by the expansion of the **regulation on collaborators of justice**. The NOVA endorses the **researchers' recommendation** that safety should be a guiding

principle in the use of key witnesses. In actual cases, key witnesses should be used only when it is clear that and how the safety of all involved, including advocates, can be safeguarded. Until then, there can be no question of any expansion of the regulation on collaborators of justice. The NOVA discussed this with the Minister of Justice and Security, the Bar and stakeholders during the Gerbrandy debate. In 2024, we will learn the results of **studies** into the use of PGP phones and other identity-concealing devices by advocates and into payments to advocates.

Gerbrandy debate: regulation on collaborators of justice and confidentiality



On 23 October 2023, as tradition would have it, Sociëteit De Witte in The Hague was again the backdrop of the annual **Gerbrandy debate**. Minister Dilan Yeşilgöz indicated in her **speech** that she wanted to improve and expand the regulation on collaborators of justice.

Views and policies Resilience, safety and protection against subversion



Watch the recap of the Gerbrandy debate, which was opened by NOvA board member Susan Kaak.

Blocking the business address in the trade register

After previously allowing **residential addresses** to be blocked in the Business Register, since the end of 2022 it has also been possible to block **visiting addresses in the Trade Register**. Advocates can simply resort to this in case of an actual threat, or when a threat is likely as a result of their professional practice. This stems from the **covenant** that the NOvA concluded with the Chamber of Commerce in early 2023. Being an advocate, as shown on [Zoekeenadvocaat.nl](https://www.zoekeenadvocaat.nl), is a sufficient ground for blocking one's business address, without having to provide any reason or other substantiation. A similar covenant is expected to be signed with The Netherlands' Cadastre, Land Registry and Mapping Agency in 2024.

Manifesto against aggression and violence

"This is where we draw the line!" That message was delivered by several political parties and professional organisations in a **manifesto against aggression and violence**. The NOvA has also **signed** this manifesto. In it, society is urged not to let the abnormal become normal. The signatories call on the government to set up a partnership where employees and employers of public service professions can go for advice and help.

Jan Crijns (professor of criminal law and criminal procedure at Leiden University), Songül Mutluer (PvdA MP) and criminal advocate Sander Janssen debated the regulation on collaborators of justice and the safety of advocates and key witnesses.

In conclusion, Taru Spronken (Advocate General to the Supreme Court), Marianne Lochs (lecturer in criminal law and criminal procedure at Leiden University), Karin de Lange (advocate and president of the NVJSA) and Peter Hanenberg (chair of the local bar presidents' consultative panel) debated confidentiality, one of the core values of the legal profession.

Diversity and inclusion

The NOVA **emphasises** the importance of equal opportunity, diversity and inclusion. It does so from a social point of view, but also because embracing these principles enriches the legal profession itself. Via the **Diversity and Inclusion platform**, the NOVA is working with the Bar to put this into practice. The platform is made up of about 30 advocates from different backgrounds working at law firms of all sizes. Together with the NOVA, they are exploring ways to promote diversity and inclusion in the legal profession.



NOVA board member Jan Broekhuizen opened the diversity meeting 'Room for the Other'.

Diversity Day 2023

On the eve of Diversity Day, the NOVA organised the meeting **Room for the Other** (also see the **photo recap**). After an introduction by NOVA board member Jan Broekhuizen on the importance of diversity in the legal profession, advocate and professor Omar Salah argued that



diversity is not 'solving a problem' but an issue that needs constant attention. Around Diversity Day on 4 October 2023, a dilemma was also devoted to the topic in the DilemmApp.

IBA gender (dis)parity study



In 2021, the International Bar Association and the LexisNexis Rule of Law Foundation launched an **international gender (dis)parity study**. The project aims to uncover, identify and address the root causes of the lack of gender parity at the highest levels across the global legal profession. A total of 16 jurisdictions are being studied and the **report on the Netherlands** was published in 2023. One of the **study results** showed an under-representation of women holding senior positions in Dutch law firms.



02

Quality promotion



SAFEGUARDING
THE QUALITY OF THE
LEGAL PROFESSION



Every advocate must ensure that he/she provides high-quality services: for the litigant, but also in the interest of the profession itself. The NOvA promotes the quality of advocates and safeguards the quality of the legal profession as a whole. This is achieved by, among other things, mandatory vocational training for new trainee advocates (see Training section), mandatory registration of areas of law, the associated competence requirements (training credits) and quality reviews.



Quality promotion

Quality reviews

To maintain their competence - one of the core values of the legal profession - advocates are required to comply with the **quality reviews**. They can choose one of three forms of structured feedback for this purpose: intervision, peer review or structured intercollegiate consultations (*gestructureerd intercollegiaal overleg*; GIO). An evaluation carried out in 2023 showed that the quality reviews meet the intended objectives of enhancing quality and competence but that on some points there is room for **solving bottlenecks and easing the regulatory burden**.

'Pro rata scheme' for long-term illness or pregnancy

On 20 December 2023, the board of representatives adopted the **Bye-Law Amending Quality Reviews**. As a result, from 1 January 2024, a 'pro rata scheme' applies to absences because of long-term illness (from six months) or pregnancy (from four months). This amendment to Article 4.7 of the Legal Profession Bye-Law (*Verordening op de advocatuur*; Voda) means that the number of hours an advocate is required to participate in the quality reviews is reduced proportionately by two hours for every three months in which the practice is not conducted in the calendar year. This results in savings of costs and time for advocates who rely on this Bye-Law. This already applied to the number of **training credits**.

'Same area of law' no longer a requirement for intervision and GIO

In addition, the general council adopted the **Regulation Amending Quality Reviews 2023**, which amended Articles 13a and 13b of the

Legal Profession Regulations (Roda). From 1 January 2024, the 'areas of law' requirement for intervision and GIO has been dropped. This means that the various participants in these forms of quality reviews no longer have to work in the same area of law.

Combining intervision and GIO allowed

By amending the explanatory notes to Articles 4.3a and 4.3b of the Voda, the general council has made it possible to combine intervision and GIO. However, it is not and will not be possible to combine intervision or GIO with peer review. A broader interpretation by the general council of Articles 13a and 13b of the Roda also allows professionals to be admitted to intervision and GIO from 2024. The evaluation also showed that GIO is sometimes completed somewhat liberally. In 2024, the general council will examine how to introduce more structure to this.

Double use of training credits

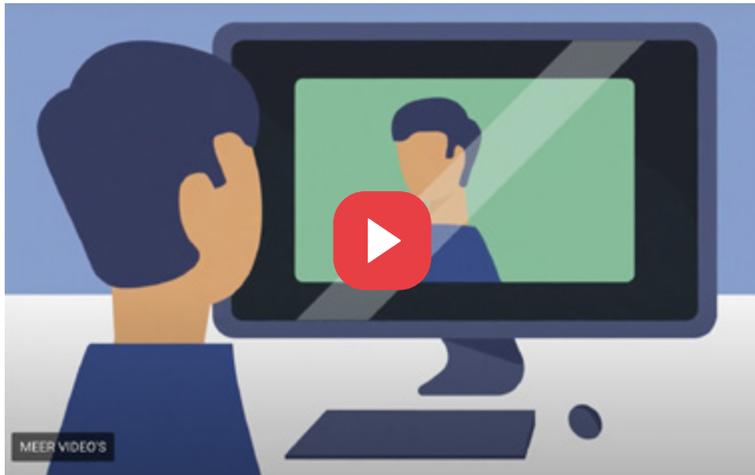
When it comes to the professional competence of advocates, from 2024 training credits may be **used twice for the register of areas of law**, if these training credits relate to multiple registrations of areas of law. For this purpose, the explanatory note to **Article 4.4 of the Voda** has been amended.

Self-assessment for advocates

To promote the quality of the legal profession, the NOVA offers a digital **self-assessment tool**. This gives advocates the opportunity to reflect on their own actions as professionals entirely voluntarily,

Quality promotion

confidentially and free of charge. By doing the **self-assessment**, an advocate can obtain one training credit each year.

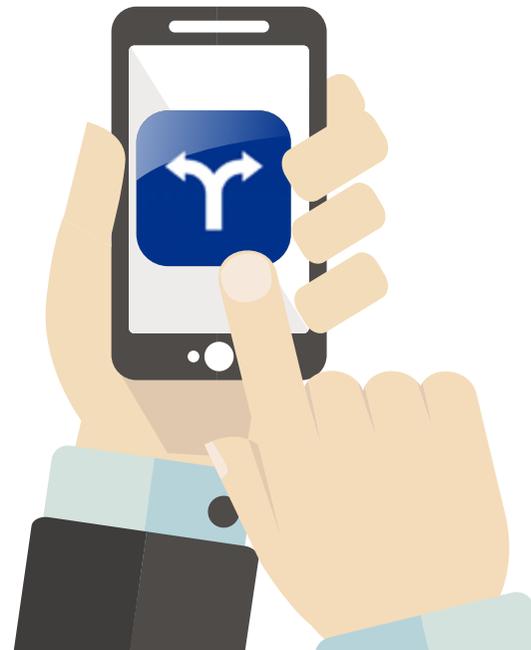


Professional ethics in the DilemmApp

With the **DilemmApp**, the NOVA brings professional ethics and integrity to the attention of the Bar in an accessible and inspiring way. In the past year, participating advocates were presented with a **stimulating dilemma** every other week, for which they had to weigh up conflicting interests. In 2023, 18 dilemmas were published in the DilemmApp, each accompanied by a concluding comment from the NOVA examining the various response options. Each issue of the Dutch Lawyers Magazine shares a dilemma from the app, advocates' responses to it and the NOVA's concluding remarks widely with members of the Bar.



PROFESSIONAL ETHICS AND INTEGRITY IN THE DILEMMAPP



03

Vocational training



BASIS FOR
COMPETENCE
AND QUALITY



The vocational training for advocates and the continuous training requirement provide the basis for legal competence and contribute to the quality of the legal profession.



Training

Vocational training for advocates

The **Vocational training for advocates** is the professional training programme of the Netherlands Bar. The two-year vocational training programme focuses on practical skills, ethics and the application of legal knowledge. The core values of the legal profession are explicitly embedded in the training.

Education providers

The NOVA establishes the curriculum and the regulation on training and examination. For developing, organising and implementing the vocational training programme, the NOVA has appointed the CPO-Kyden combination as the implementing organisation. The implementing organisation provides the central element of the vocational training programme. The decentralised element is run by the implementing organisation and the accredited providers **The Law Firm School** and **De Brauw Blackstone Westbroek**.

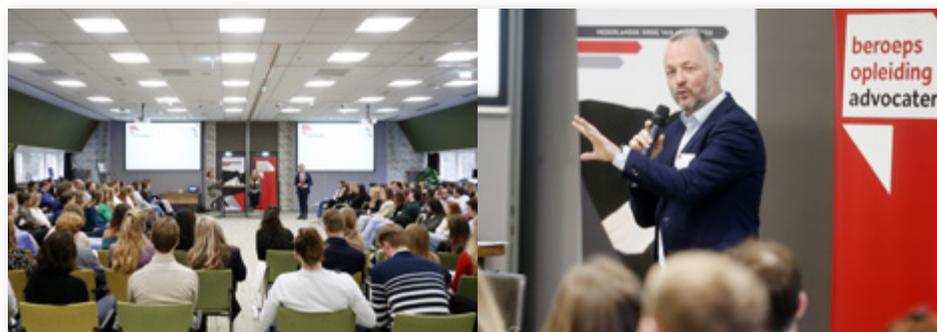
Trainee advocates

The vocational training is mandatory for all new advocates and aims to develop independent and competent professionals. As a result they can contribute optimally to the quality of the legal profession. A total of 1,068 trainee advocates started their vocational training in 2023.

Year	Number of trainee advocates
2023	1,068
2022	1,056
2021	1,068
2020	894
2019	918

The start of vocational training

576 new trainee advocates started the vocational training for advocates in March 2023 and 492 in **September 2023**. After being welcomed at Woudschoten by NOVA board member Jeroen Soeteman and others, they took the course Ethics 1: Introduction to the legal profession. Over two days, they were introduced to the core values of the legal profession, the code of conduct, financial integrity and the role of the advocate in society. An informative meeting for the principals of the starting trainee advocates was held during the same period.





Training



Certificate award ceremony at the NOvA

On **20 April** and 28 September 2023, over 400 trainee advocates were presented with their coveted vocational training certificates at a festive gathering at the NOvA's home, the Monarch in The Hague. Beforehand, they were congratulated by NOvA board member Jeroen Soeteman and were inspired by guest speakers from the legal profession at the start of their careers as advocates. At the spring meeting (**photo recap**) this was advocate Sander Janssen and at the autumn meeting (**photo recap**) it was advocate Royce de Vries.

Vocational training advisory committee and examination board

The **advisory committee for the vocational training for advocates** advises the general council of the NOvA on the vocational training programme and its quality and execution. The **examination board for the vocational training for advocates** determines the tests, the case for the integrative days, the standardisation method and the individual test results, monitors the quality of the organisation of the tests and handles reassessment requests following test results.

Subsidy scheme for vocational training for legal aid advocates 2023

After evident success in 2021 and 2022, the **Subsidy Scheme for Vocational Training of Legal Aid Advocates** was extended again in 2023, partly at the NOvA's request. This also allowed legal aid firms to apply for a subsidy from the Legal Aid Board last year to cover the total cost of vocational training for new trainee advocates. The subsidy scheme was used a total of 350 times in the first two years and 114 times in 2023. As the subsidy cap of EUR 2,280,000 has not yet been exhausted, there is still room for subsidy applications in 2024.

Cassation committee

The **cassation committee** is responsible for conducting examinations and aptitude tests on behalf of the general council for advocates seeking admission to the cassation bar in civil cases.

Chair of the Legal Profession

The Chair of the Legal Profession Foundation (*Stichting Leerstoel Advocatuur*) set up by the general council of the NOvA has had an **endowed Chair of the Legal Profession** (0.4 ftes) at the University of Amsterdam for several decades. The Chair is embedded within the Amsterdam Centre on the Legal Professions and Access to Justice (**ACLPA**) at the Faculty of Law. The remit will focus on two themes in the coming years: the professional responsibility of advocates and the legal profession in relation to access to justice. A new Endowed Professor of the Legal Profession will be appointed in 2024.

04

Practising law



SOUND PRACTICE
OF THE LEGAL
PROFESSION



In addition to the proper practice of the (legal) profession, advocates must also run a sound and reliable practice. This is necessary to ensure trust in the profession.



Practice

Advocate's pass (app)

The **advocate's pass** is a personal authentication tool that advocates use to log in (in combination with a card reader) to secure online applications of the NOVA, such as My Bar and the advocate's pass portal, and the Council for the Judiciary. The advocate's pass also gives access to judicial institutions and custodial institutions. Since the end of 2021, advocates have been able to opt for an advocate's pass app combined with a chip-free physical card.

In 2023, significantly more advocate's passes and advocate's pass apps were issued (+2,689) than in the previous year. This increase is largely due to the regular, periodic updating of the advocate's pass and apps. The **price increase** of the advocate's pass and app from 1 January 2024 also played a role, leading more advocates to buy their new pass/app early, in 2023. Although significantly more (+578) advocate's pass apps were issued in 2023 than in 2022, the relative share of apps in 2023 (27%) decreased slightly (-3%) compared to the previous year.

Advocate's pass (app) 2023	App	Pass	Total
Initial application (new advocates)	442	1,158	1,600
Replacement (lost/stolen)	12	51	63
Regular renewal	1,340	3,726	5,066
Total	1,794	4,935	6,729
Share	27%	73%	

My Bar

By logging in to **My Bar** (*Mijn Orde*), advocates can update their personal data in their bar registration, such as address details, areas of specialisation, recognised telephone numbers subject to legal professional privilege, etc. Office managers can also change the firm's details in My Bar. Some of this information is accessible to litigants at **zoekenadvocaat.nl**.

The number of 'self-service' changes in 2023 was 15,826. Almost all data categories show a decreasing trend. This is partly explained by the fact that much of the data in the bar registration is now correct for many advocates.

Year	Total number of 'self-service' changes	Of which areas of law	Of which protected telephone lines	Of which lower financial contribution
2023	15,826	2,383	941	452
2022	19,050	2,628	959	471
2021	18,674	3,515	1,071	403
2020	29,205	11,238	1,067	742



Practice

Advocates retain access to the land register

Because of NOVA's insistence, **advocates retain** 'search by name' access at the Land Registry, which had **announced** a restriction on access after a data breach. However, advocates must specify in each application the **legitimate interest** they have in accessing Land Registry data. In order to make access for advocates to the land register as user-friendly as possible, a link has been made to the NOVA's bar registration. Also, advocates do not have to share case or client information with the Land Registry; just ticking one of the legitimate interests is enough. However, the Land Registry does require advocates to log in with eHerkenning from 1 July 2024 at the latest.

Alternative business structures for advocates

The general council has noted the report **Alternative business structures for lawyers** of the Research and Data Centre, which was presented to the Minister for Legal Protection on 24 October 2023. The NOVA is including the report in its analysis of possible alternative business structures that could contribute to structurally affordable services. Before deciding on a possible amendment of regulations on **business structures**, the NOVA wants to gain more knowledge and experience with the **experiment involving legal expenses insurers**. In this experiment, advocates employed by participating legal expenses insurers are also allowed to act for uninsured litigants. The NOVA's priority here is to retain existing safeguards for proper professional practice in line with the core values of the legal profession - such as independence.

Wwft and UBO

Under the Dutch Money Laundering and Terrorist Financing (Prevention) Act (Wwft), advocates are required to identify and verify their clients if they wish to provide certain services and report any proposed or completed unusual transactions. The NOVA maintains a **Wwft file** on this subject with information and tools. For example, the **Wwft and UBO Register Manual** provides advocates and law firms with tools to effectively comply with their obligations under the Wwft. The Dutch Lawyers Magazine published two articles on the **advocate as gatekeeper against money laundering and recognising corruption and bribery**. Furthermore, the NOVA has informed the Bar over the past year about decisions by the **European Commission** and the current situation regarding the **UBO register**.

Sanctions regulations

In the **Sanctions Regulations file**, the NOVA updated advocates on current and practical information on the national and international sanctions rules following Russia's invasion of Ukraine.

05

Legislative advice



ADVICE ON BILLS
INVOLVING THE
LEGAL PROFESSION



The NOvA provides legislative advice to the legislature for legislative bills that involve the proper administration of justice, access to justice and the core values of the legal profession. This is prepared by advisory committees on legislation for each area of law.



Legislative advice

Advisory committees on legislation

The NOvA has 17 **advisory committees on legislation**, composed mainly of advocates, which advise the general council on bills in the following areas of law:

- Employment law advisory committee
- Tax law advisory committee
- Administrative law advisory committee
- Advisory committee on civil procedure
- Advisory committee on family and juvenile law
- Tenancy law advisory committee
- Insolvency law advisory committee
- Intellectual property advisory committee
- Competition advisory committee
- Mediation advisory committee
- Pension law advisory committee
- Advisory committee on the rule of law
- Criminal law advisory committee
- Insurance law advisory committee
- Immigration law advisory committee
- Advisory committee on the Money Laundering and Terrorist Financing (Prevention) Act (Wwft)
- Combined committee on company law (in cooperation with the Royal Dutch Association of Civil-law Notaries)

Legal database

Based on its advisory committees' legislative opinions, in 2023 the NOvA issued a total of 39 opinions on bills presented to the Senate, the House of Representatives and/or ministries.

Year	Legislative opinions
2023	39
2022	32
2021	43
2020	62
2019	40



Legislative advice

All legislative opinions are available in the NOvA's **legal database**. These included (see also the 'Views and policies' chapter):

Decree on handling loss compensation claims by administrative bodies of central government

From : NOvA / administrative law advisory committee
To : Minister for Legal Protection and Minister of the Interior and Kingdom Relations
Date : 22 November 2023

Opinion: Central government administrative bodies will be allowed to charge EUR 300 for a loss compensation request in future, according to a bill. The NOvA does not object to the introduction of a flat fee, but asks the legislator to apply a reduced fee for people for whom such a fee is an insurmountable barrier.

Bill to include in the Constitution a provision on the family

From : NOvA / advisory committee on family and juvenile law
To : Ministry of General Affairs, Ministry of the Interior and Kingdom Relations and the House of Representatives
Date : 13 July 2023

Opinion: In principle, the NOvA welcomes the proposal to include a child's secure accommodation in the Constitution. The NOvA is also in favour of protecting the family and enshrining this in the Constitution. According to the NOvA, however, the bill is now torn between two ideas, because it is unclear exactly

which right the proposed Article 10a of the Constitution is intended to protect; it falls short in both cases.

Bill amending the DNA Testing (Convicted Persons) Act

From : NOvA / criminal law advisory committee
To : Minister of Justice and Security
Date : 13 June 2023

Opinion: The bill allows cell material for DNA testing to be taken from suspects as early as the investigation stage, which is currently only possible once someone has been convicted of a serious crime. According to the NOvA, this infringes the rights of citizens who are ultimately not convicted. First, let a judge test the severity of the accusation. Also, a suspect should always be able to consult an advocate first.

Decree on Enforcement of Criminal Decisions

From : NOvA / criminal law advisory committee
To : Minister for Legal Protection
Date : 8 May 2023

Opinion: The suspension of a sentence allows a detainee to attend a personal event, care for a seriously ill life partner, child or parent, or deal with urgent circumstances of a business nature. The NOvA sees added value in the proposed wider scheme. Juvenile foreign nationals would also be eligible when leaving the Netherlands for their mother country. However, the NOvA does ask for further clarification on the granting

Legislative advice



of sentence suspensions and the determination of their duration.

Bills modernising partnerships

From : Combined committee on company law

To : Ministry of Justice and Security and Ministry of Finance

Date : 9 February 2023

Opinion: The bills provide a new legal framework for partnerships (professional partnership, general partnership and limited partnership). The NOvA welcomes a system where partnerships can have legal personality. However, the NOvA does recommend introducing an objective distinction between silent and open partnerships.

Temporary Act on reception of displaced persons from Ukraine

From : NOvA / immigration law advisory committee

To : Minister for Migration

Date : 12 January 2023

Opinion: The NOvA believes there should be a statutory basis for displaced persons from Ukraine and supports the bill to turn the temporary regulations into a formal Act. The NOvA also supports the Minister of Justice and Security's proposal to delegate reception to municipal authorities temporarily.

06

Bar registration



18,513
ADVOCATES
REGISTERED



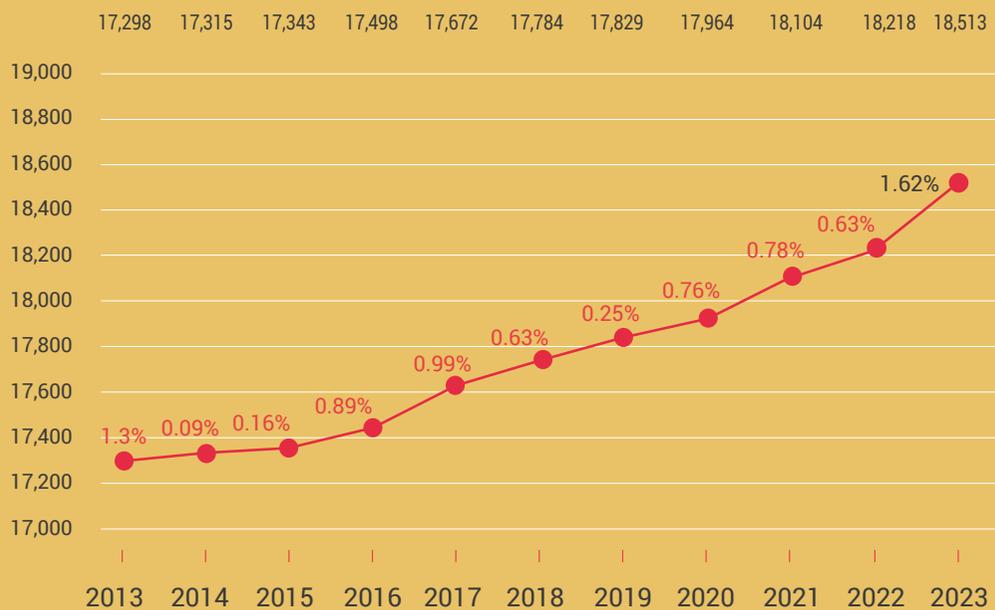
On 1 January 2024, 18,513 advocates were registered with the Bar, 295 more than in the previous year. In recent years, the Bar experienced a slight growth rate of less than 1%, which rose to 1.62% in 2023. Seven of the eleven judicial districts saw an increase in the number of advocates; a slight decrease was seen in four judicial districts.

As in previous years, Amsterdam grew the most at 3.65% (+227), followed by The Hague (+45). After a decrease in 2022, Gelderland (+22) and North Holland (+13) also showed significant growth in the past year. The largest relative decrease in the number of advocates occurred in Overijssel (-1.22%), taking over the bottom spot from Limburg. The largest absolute decline was in the Central Netherlands (-14).



Growth of the Bar

Growth of the Bar in the last 10 years



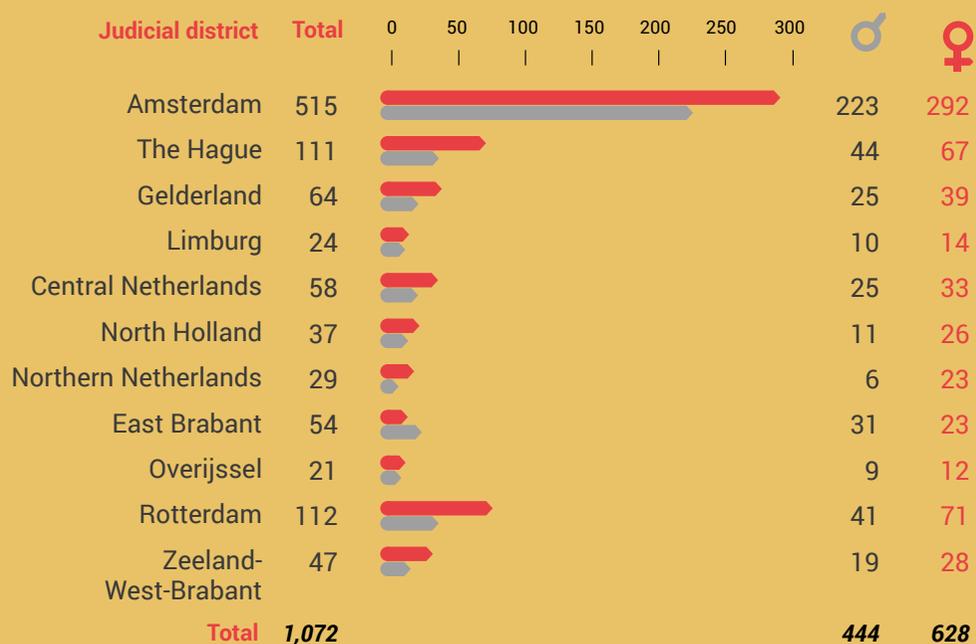
Growth of the Bar 2023

Judicial district	Number of advocates as of 1 January 2023	Number of advocates as of 1 January 2024	Difference (number)	Difference (percentage)
Amsterdam	6,225	6,452	227	3.65%
The Hague	1,948	1,993	45	2.31%
Gelderland	1,173	1,195	22	1.88%
Limburg	739	733	-6	-0.81%
Central Netherlands	1,788	1,774	-14	-0.78%
North Holland	796	809	13	1.63%
Northern Netherlands	751	753	2	0.27%
East Brabant	1,145	1,156	11	0.96%
Overijssel	657	649	-8	-1.22%
Rotterdam	2,034	2,031	-3	-0.15%
Zeeland-West-Brabant	962	968	6	0.62%
Total	18,218	18,513	295	1.62%

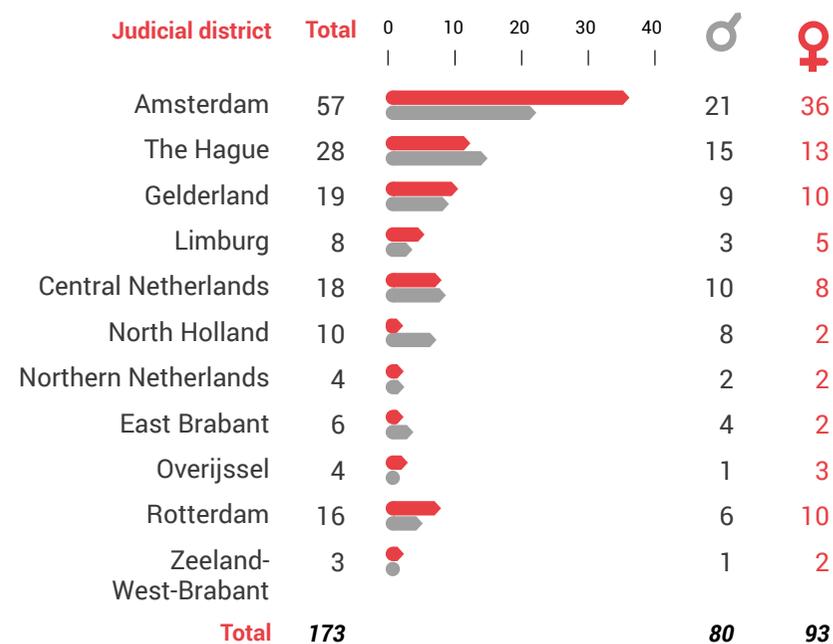


Sworn-in advocates

Newly sworn-in advocates in 2023



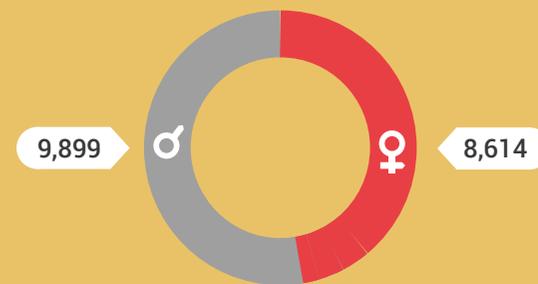
Re-sworn-in advocates in 2023



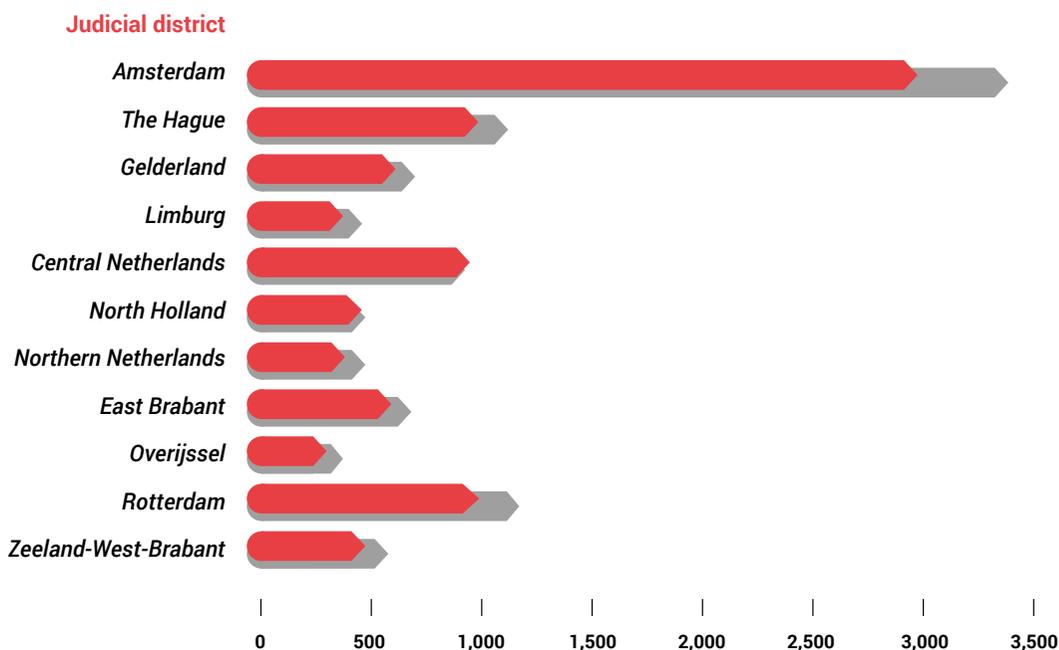
Bar registration

Ratio of men/women within the Bar

by judicial district as of 1 January 2024



Total number of advocates 2023 ▶ 18,513



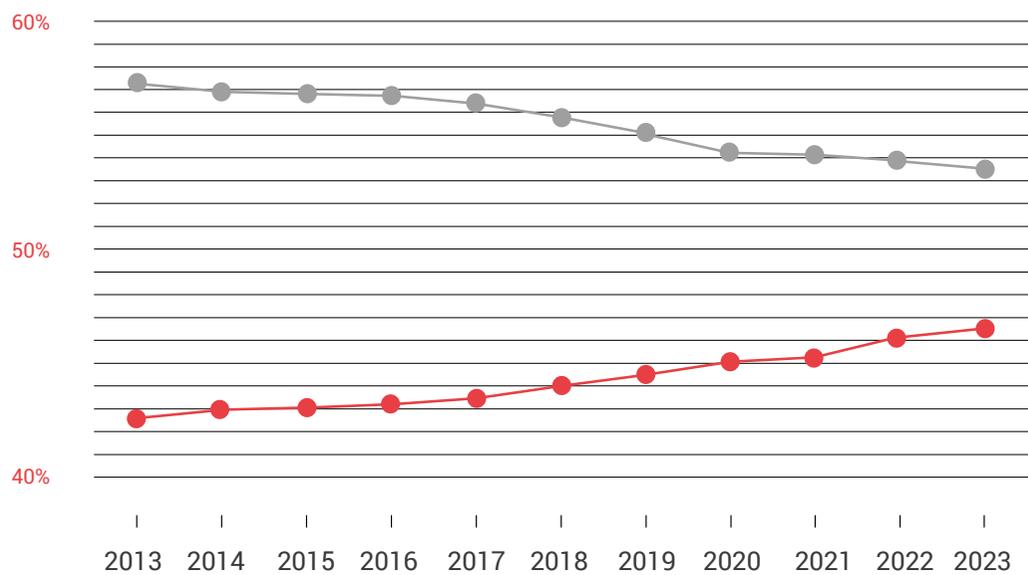
♂	%	♀	%	Total
3,473	53.8%	2,979	46.2%	6,452
1,037	52.0%	956	48.0%	1,993
644	53.9%	551	46.1%	1,195
401	54.7%	332	45.3%	733
884	49.8%	890	50.2%	1,774
408	50.4%	401	49.6%	809
410	54.4%	343	45.6%	753
635	54.9%	521	45.1%	1,156
357	55.0%	292	45.0%	649
1,117	55.0%	914	45.0%	2,031
533	55.1%	435	44.9%	968
9,899	53.5%	8,614	46.5%	18,513



Ratio of men/women within the Bar

in the last 10 years

Ratio of men/women as a percentage



♂	♀	Year
57.34%	42.66%	2013
56.99%	43.01%	2014
56.88%	43.12%	2015
56.77%	43.23%	2016
56.36%	43.64%	2017
55.96%	44.04%	2018
55.34%	44.66%	2019
54.76%	45.24%	2020
54.43%	45.57%	2021
53.90%	46.10%	2022
53.50%	46.50%	2023

Age structure of the Bar

as of 1 January 2024

Average age 2013 - 2023



Men

Age	2023	2024	Growth	%
<30	1,124	1,217	93	8.3%
30-34	1,198	1,232	34	2.8%
35-39	1,222	1,140	-82	-6.7%
40-44	1,112	1,123	11	1.0%
45-49	1,264	1,252	-12	-0.9%
50-54	1,186	1,150	-36	-3.0%
55-59	1,163	1,158	-5	-0.4%
60-67	1,158	1,219	61	5.3%
68+	395	408	13	3.3%
Total	9,822	9,899	77	0.8%

Women

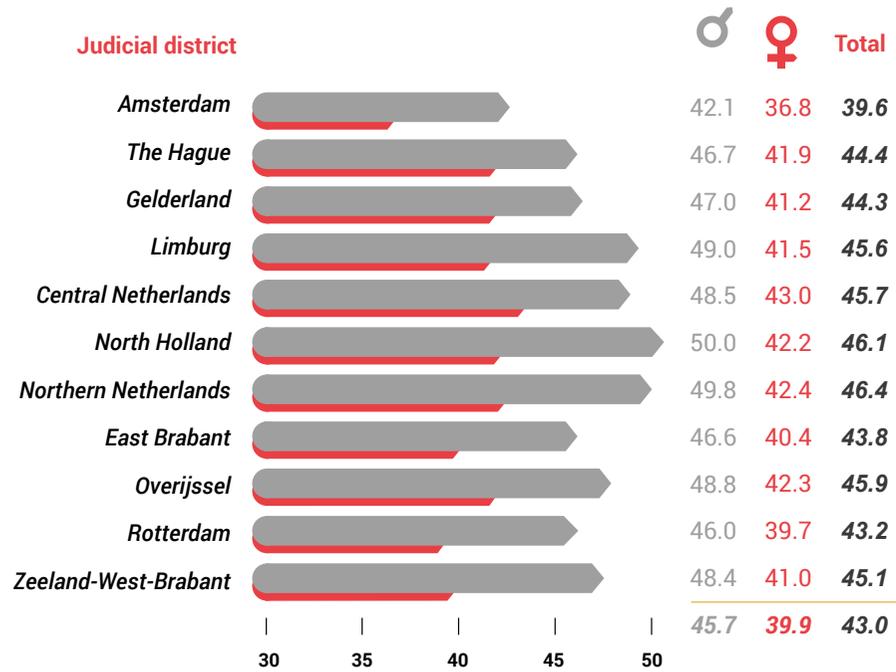
Age	2023	2024	Growth	%
<30	1,863	1,958	95	5.1%
30-34	1,496	1,565	69	4.6%
35-39	1,191	1,189	-2	-0.2%
40-44	1,082	1,058	-24	-2.2%
45-49	920	943	23	2.5%
50-54	768	797	29	3.8%
55-59	582	577	-5	-0.9%
60-67	427	452	25	5.9%
68+	67	75	8	11.9%
Total	8,396	8,614	218	2.6%

Total

Age	2023	2024	Growth	%
<30	2,987	3,175	188	6.3%
30-34	2,694	2,797	103	3.8%
35-39	2,413	2,329	-84	-3.5%
40-44	2,194	2,181	-13	-0.6%
45-49	2,184	2,195	11	0.5%
50-54	1,854	1,947	93	5.0%
55-59	1,745	1,735	-10	-0.6%
60-67	1,585	1,671	86	5.4%
68+	462	483	21	4.5%
Total	18,218	18,513	295	1.6%

Age structure by judicial district

as of 1 January 2024



Judicial district	<30	30-34	35-39	40-44	45-49	50-54	55-59	60-67	68+	Final total
Amsterdam	1,607	1,284	802	682	637	520	430	378	112	6,452
The Hague	268	263	265	214	278	249	199	203	54	1,993
Gelderland	157	148	176	146	145	144	123	125	31	1,195
Limburg	93	79	72	120	91	73	94	82	29	733
Central Netherlands	194	224	202	210	229	250	214	193	58	1,774
North Holland	91	84	94	95	129	84	99	107	26	809
Northern Netherlands	90	73	86	88	106	81	89	109	31	753
East Brabant	158	168	152	152	151	117	113	108	37	1,156
Overijssel	64	75	74	95	88	83	78	71	21	649
Rotterdam	340	276	275	260	219	225	203	176	57	2,031
Zeeland-West-Brabant	113	123	131	119	122	121	93	119	27	968
Final total	3,175	2,797	2,329	2,181	2,195	1,947	1,735	1,671	483	18,513

Law firms and firm size

Number of advocates per firm

Firm size	2023	2024	Growth	%
1	3,292	3,297	5	0.20%
2	1,692	1,623	-69	-4.10%
3-4	2,198	2,139	-59	-2.70%
5-8	2,679	2,640	-39	-1.50%
9-16	2,182	2,369	187	8.60%
17-32	1,908	1,998	90	4.70%
33-64	1,435	1,571	136	9.50%
65 and more	2,832	2,876	44	1.60%
Final total	18,218	18,513	295	1.60%

Number of firms by judicial district



Number of firms

Firm size	2023	2024	Growth	%
1	3,278	3,297	19	0.6%
2	848	815	-33	-3.9%
3-4	645	633	-12	-1.9%
5-8	436	430	-6	-1.4%
9-16	193	209	16	8.3%
17-32	87	89	2	2.3%
33-64	33	35	2	6.1%
65 and more	22	21	-1	-4.5%
<i>Firm closed down</i>	0	14	14	0.0%
Final total	5,542	5,543	1	0.0%



07 Supervision



INDEPENDENT,
TRANSPARENT,
UNIFORM, PREVENTIVE
AND EFFECTIVE



Independent, transparent, uniform, preventive and effective supervision contributes to a high-quality legal profession. The local bar presidents are responsible for supervising the advocates in their judicial districts. The supervisory board of the NOvA (see chapter on administrative organisation) focuses on system supervision and oversees the way in which the bar presidents exercise supervision and handle complaints.



Supervision

Supervision by the bar president

The presidents of the **11 local bars** oversee the advocates in their judicial districts. Together they form the **local bar presidents' consultative panel** (*dekenberaad*), in which they consult with each other on how to exercise their supervisory duties and powers and handle complaints.

For more information, see the **local bar presidents' consultative panel's annual plan 2023** and its **annual report 2023**.

Support for DTA and FTA

The **Supervision of the Legal Profession by the Bar President unit** (*Dekenaal toezicht Advocatuur*; DTA) of the NOvA was set up to promote the professionalisation of the local bar presidents' consultative panel. The NOvA's **Financial Supervision of the Legal Profession unit** (*Financieel Toezicht Advocatuur*; FTA) conducts financial investigations under the Money Laundering and Terrorist Financing (Prevention) Act (Wwft) at advocates and law firms on behalf of and under the responsibility of the local bar presidents.

National regulator for the legal profession

Following the NOvA's positive assessment of the final evaluation report on the Act on the position and supervision of the legal profession (**Wpta**), in 2022 the NOvA **endorsed** the **proposal** by the Minister for Legal Protection for a single national regulator for the legal profession. Under this proposal, supervision would be centralised at the Independent Supervisor of the Legal Profession instead of being exercised by local bar presidents for each judicial district individually.



SUPERVISION WITHIN THE PROFESSION, INDEPENDENT OF THE GOVERNMENT

At the same time, supervision would continue to be organised within the profession, **independent of the government**, so as to ensure the confidentiality of the advocate-client relationship. The NOvA believes that the Minister's proposal pays due attention to the legal profession's core values and independent position within the rule of law. The general council therefore sees the arrival of the national regulator as a strengthening of supervision and a safeguard for ensuring public trust in the legal profession.

In March 2023, the NOvA presented its **vision** on future supervision to the Minister for Legal Protection. To ensure the quality of supervision, the general council **proposed** a board consisting of advocates and non-advocates, **independently** positioned in relation to the State and other NOvA bodies. The cost of future supervision, as now, will be

Supervision

borne by the profession. The general council believes that the strongest shoulders should bear the heaviest burden in this regard. The general council's views on the review of supervision were fuelled by discussions with various groups within the legal profession, including local bar presidents, legal aid advocates, large firms, the supervisory board and the advisory board. A core team of the board of representatives also made a recommendation to the general council.

In mid-2023, the Minister for Legal Protection sent his **plans** for the further strengthening of supervision of the legal profession to the House of Representatives. The Minister by and large followed the position of the general council, which **supported** the Minister in his choice to continue organising the supervision of the legal profession completely independent of the State. This is another step towards independent, transparent, uniform, preventive and effective supervision of the legal profession. The bill will most likely be discussed by the House of Representatives and the Senate in 2024. The NOVA will continue to **monitor** this **file** closely.



08

Disciplinary law



COMPLIANCE
WITH THE CODE
OF CONDUCT



Disciplinary law is aimed at ensuring that advocates comply with the code of conduct of their profession. The legal profession as a professional group bears the full costs for the Disciplinary Boards and the Disciplinary Court.



Disciplinary law

Disciplinary rules

For the annual report of the joint disciplinary tribunals, supported by the **Foundation for the Support of Disciplinary Tribunals for the Legal Profession** (*Stichting Ondersteuning Tuchtcolleges Advocatuur*; SOTA), please visit the websites of the **Disciplinary Court** and the **Disciplinary Boards**.

Advocates who have been suspended or disbarred from the bar register

Once every two months, the NOVA publishes a **list** of advocates who have been irrevocably disbarred from the bar register or unconditionally suspended by the disciplinary judge.

Year	Disbarred*	Unconditionally suspended*
2023	9	19
2022	9	16
2021	9	18
2020	8	26
2019	11	20

** Note: these numbers are based on the date the ruling became final. This includes advocates who were no longer included on the bar register at the time when they were suspended or disbarred. Because advocates can have multiple measures imposed on them, the number of advocates who were disbarred from the bar register or suspended does not equal the number of disbarments and suspensions.*

Disciplinary law rulings available at zoek.eenadvocaat.nl

Via the NOVA's search engine **Zoek een advocaat** (Find an advocate), a litigant can find an advocate who can help with a legal dispute. The information shown about the advocate selected will include a reference to any suspension or removal, and a link to the full text of the ruling handed down by the Disciplinary Court or Disciplinary Board.

Disciplinary Law Updates

All disciplinary rulings can be found in the NOVA **Disciplinary Law Updates database** by date, subject and/or disciplinary tribunal. The NOVA publishes the fortnightly **newsletter Disciplinary Law Updates** to inform advocates about current and interesting disciplinary cases. In addition, the **disciplinary justice committee** authors the section 'From the disciplinary judge' on the NOVA pages of the Dutch Lawyers Magazine.

Disciplinary law knowledge centre

Local bar presidents and staff can contact the NOVA's **disciplinary law knowledge centre** if they have any questions about the code of conduct (and its enforcement) and disciplinary matters.

09 Legal affairs



RULES AND REGULATIONS FOR THE LEGAL PROFESSION



The NOvA sets the rules and regulations for the legal profession and publishes them at regelgeving.advocatenorde.nl.

Legal affairs



Regulations

The NOVA's regulations were **amended and came into force** with effect from 1 January 2023. The following regulations were adopted in 2023:

- **Decision amending course and examination regulations 2023 (Wijzigingsbesluit OER 2023)**, (9 January 2023)
- **Regulation amending attendance fees 2023** (3 February 2023)
- **NOVA mandate, power of attorney and authorisation decision** (5 June 2023)
- **Decision on training and examination fees for the vocational training for advocates 1 March 2024** (4 September 2023)
- **Decision on subsidy cap 2024** (6 November 2023)
- **Regulation Amending Quality Reviews 2023 Decision amending course and examination regulations 2023 (Wijzigingsbesluit OER 2023)** (11 December 2023)
- **Decision on financial contributions 2024** (20 December 2023)
- **Bye-Law Amending Quality Reviews 2023** (20 December 2023)
- **Personal Injury and Loss of Dependency Cases Experiment (Extension) Amendment Bye-Law 2023** (20 December 2023)

Advisory committee on regulation

The **advisory committee on regulation's** task is to advise the general council, upon request, on the legislative quality of proposed regulations of the Netherlands Bar. Last year, the regulations advisory committee issued opinions on the Bye-Law Amending Quality Reviews 2023 and the Personal Injury and Loss of Dependency Cases Experiment (Extension) Amendment Bye-Law 2023.



Vademecum on the legal profession

In addition to the digital version at regelgeving.advocatenorde.nl [in Dutch], the **vademecum on the legal profession** was, as usual, published in book form in 2023.

This annual publication by the NOVA in cooperation with Boom Publishers contains the most important and most recent laws and regulations, including the Act on Advocates, the Legal Profession Bye-law (Voda), the Legal Profession Regulations (Roda), code of conduct and policy rules.

Administrative decisions

The general council's duties include taking administrative decisions.

Primary administrative decisions	2023	2022
Financial contribution, category I	15,100	14,809
Financial contribution, category II	4,442	4,502
Exemption due to secondment	114	105
Exemption due to practising outside the Netherlands	115	110
Application of hardship clause for vocational training for advocates	1	1
Approval of shorter internship	-	1
Disbarment based on Section 8c (1) (c) of the Act on Advocates	4	7
Training institution accreditation	10	18
Extension of training institution accreditation	-	3
Revocation of training institution accreditation	8	4

Legal affairs



Registration based on Section 16h of the Act on Advocates	16	12
Investigation based on Section 2 (4) of the Act on Advocates (Morgenbesser)	8	5
Recognition of EU professional qualification	3	6
Freedom of information requests (based on the new law; WOO)	19	15
Requests based on Government Information Reuse Act	-	2
Appointment of intervision facilitators	32	78
Appointment of reviewers for peer reviews	11	17
Requests based on Article 4.11 (2) Voda	2	1
Requests based on Article 4.14 (2) Voda	-	1
Review requests based on Section 4:6 General Administrative Law Act	1	2
GDPR requests	-	5
Recognition of foreign bar	-	2
Civil cassation exams passed	2	6
Tests of competence civil cassation passed	5	7
Total	19,893	19,719

Objection and (administrative) appeal

Where appropriate, decisions are open to objection or (administrative) appeal under the General Administrative Law Act.

Objections to financial contribution	2023	2022
Valid	126	100
Unfounded	19	23
Manifestly unfounded	5	-
Withdrawn	40	45
Inadmissible	11	27

Unfounded/inadmissible	-	1
Manifestly inadmissible	1	-
Total	202	196

Other objections	2023	2022
Valid	2	-
Unfounded	2	10
Partly valid/partly unfounded	2	-
Inadmissible	1	2
Partly unfounded/inadmissible	1	1
Manifestly inadmissible	-	1
Total	8	14

Administrative appeal	2023	2022
Unfounded	5	3
Withdrawn	2	2
Inadmissible	-	8
Total	7	13

Appeals to District Court	2023	2022
Partly inadmissible, partly valid	-	1
Valid	-	5
Withdrawn	2	2
Inadmissible	1	2
Unfounded	2	5
Total	5	15

Legal affairs



Request for preliminary relief District Court	2023	2022
Withdrawn	3	2
Dismissed	2	-
Total	5	2

Appeals to Council of State	2023	2022
Unfounded	2	-
Valid	-	2
Withdrawn	1	1
Dismissed	-	6
Total	3	9

Complaints about the NOVA

The NOVA seeks to operate as diligently as possible. Anyone who nevertheless feels that they have not been treated fairly may **file a complaint** against the conduct of an administrative body of the NOVA (or anyone working under its responsibility). One written complaint was filed in 2023.

10

Communication and information



UP-TO-DATE AND
ADEQUATE
INFORMATION
TO THE BAR



With a wide range of communication tools, the NOVA ensures that it provides up-to-date and adequate information to the Bar.

Communication and information



Website

On the NOvA website, visitors can find the latest **news from the NOvA** (and the option to **subscribe**), positions taken by the NOvA **and developments in current files**. Other important sections include **Find an advocate**, containing the details of all advocates practising in the Netherlands, current **laws and regulations** and the **legal database of legislative opinions**.

In 2023, the website advocatenorde.nl had nearly 300,000 visitors, with zoekenaadvocaat.nl registering more than 400,000 visitors. In 2024, the NOvA will be launching a completely revamped website.

	Visitors 2023	Visitors 2022	Difference (%)
advocatenorde.nl	285,000	243,000	+17%
zoekenaadvocaat.nl	405,000	334,000	+21%



Dutch Lawyers Magazine

The **Dutch Lawyers Magazine** is a publication by the Netherlands Bar which is published 10 times a year. The content of the Current, Profession & People and Legal sections is compiled by an **independent editorial board**. The exception is the section From the NOvA, which is provided by the office of the Netherlands Bar. Advocates can indicate via My Bar whether they

would like to receive the magazine in printed or **digital** format. Currently, 35% of subscribers (6,452 advocates) read the magazine online and 65% of the Bar (11,995 advocates) receive their copy by post. Advocates can also subscribe to the weekly email newsletter.



Ordebericht

The *Ordebericht* is the NOvA's digital newsletter that is sent out fortnightly by email. It contains a summary of the latest news from and about the NOvA for advocates. 19 editions were sent to the entire Bar in 2023.

Newsletter 'Alert on government funded legal aid' (*Signalering gefinancierde rechtsbijstand*)

With its fortnightly digital newsletter 'Signalering gefinancierde rechtsbijstand', the NOvA keeps avocates who work on an assignment basis up to date on current developments in government funded legal aid. In addition to news from the NOvA, it also includes relevant reports from organisations such as the Legal Aid Board, news articles from the media, and case law. 13 editions of the newsletter were sent out in 2023.

Communication and information

NOvUM

In the web video series **NOvUM**, guests from and around the legal profession discuss current events and the practice of law. A NOvUM broadcast was released last year on the **resilience of advocates**.

All NOvUM broadcasts can be viewed on **YouTube** and are also available as podcasts on **Spotify**, **Apple Podcasts** or **Google Podcasts**.

Events

Meetings of the NOvA sometimes take place at external locations, but often in the Monarch's own meeting and event rooms in The Hague. The NOvA also makes the auditorium available free of charge for law firms and professional and specialist associations.

These are some of the events that the NOvA organised in 2023:

- **Certificate award ceremony** for the vocational training for advocates
(20 April and 28 September)
- **Diversity Day: Room for the Other**
(2 October)
- **Innovation Breakfast: legal aid firm of the future**
(12 October)
- **Gerbrandy debate: regulation on collaborators of justice and confidentiality**
(23 October)



NOvA board member Susan Kaak opened the Gerbrandy debate on the regulation on collaborators of justice and the core value of confidentiality.



Communication and information

Social media

As regards social media, the NOVA is active on **Facebook** and **Instagram** for public communications and **LinkedIn** and **X** for professional communications. Through these social media channels, the NOVA shares all current news and engages in online conversations with advocates and other interested parties.

Information Centre for advocates

The **Information Centre for advocates** provides information to advocates on the regulations governing the legal profession, answers advocates' questions on the use of the NOVA's online applications and identifies developments in the legal profession that may be reason for action within the NOVA's office. In 2023, the Information Centre handled 9,750 phone calls and emails.

Information requests	2023	2022	2021
By telephone	3,390	3,757	4,271
By email	6,360	5,928	6,346
Total	9,750	9,685	10,617

Frequently asked questions included vocational training and traineeships, the regulations governing the legal profession (such as training credits and quality reviews) and the advocate's pass and app. The FAQs on the website are continually updated in **response to signals** and questions received from advocates. Also, the most frequently asked questions and the corresponding answers are shared more widely with the Bar via a section in the Dutch Lawyers Magazine.



Jessica

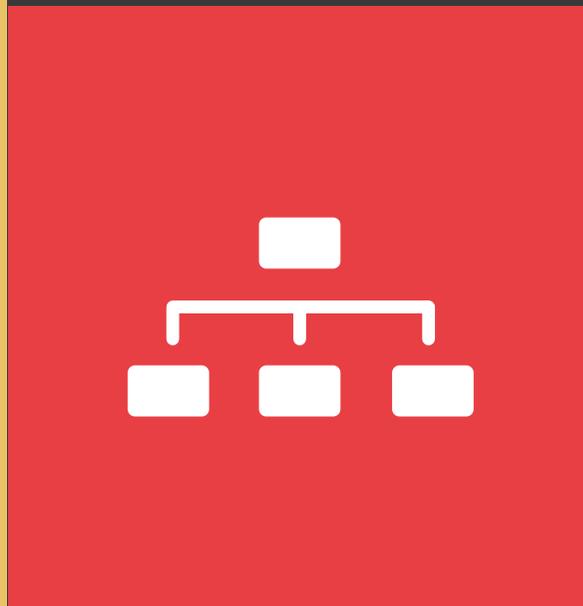
Our colleague Jessica passed away on 26 November 2023 as a result of a violent incident. She worked as a communications officer at the NOVA's office for more than 20 years. All colleagues will always remember Jessica for her cheerful personality and positive energy.



11 Administrative organisation



ALL ADVOCATES
TOGETHER FORM
THE NOVA



The Netherlands Bar (NOvA) is the public law professional organisation of the legal profession. All advocates in the Netherlands collectively form the NOvA. The general council, the board of representatives, the advisory board and the supervisory board are administrative bodies of the NOvA.

Administrative organisation

General council

The **general council** is tasked with the **NOvA's management**. The general council promotes the proper practice of law by advocates in the interests of the proper administration of justice.

Composition and areas of focus

The general council operates as a collegial board, but each board member is responsible for one or more focus areas in preparation of one or more policy areas. In 2023, the general council was composed of:



- Robert Crince le Roy (President of the Netherlands Bar): general representation of the Bar and rule of law issues
- Susan Kaak (Vice President): Home of the NOvA
- Jeroen Soeteman: the advocate of the future
- Sanne van Oers: the advocate in society
- Jan Broekhuizen: the advocate in practice

The vacancy for a new board member, focusing on advocates as a human being, will be filled in 2024.

Cooperation within and outside the NOvA

Over the past year, the general council has explicitly invested in optimising cooperation between the various administrative bodies within and outside the NOvA. This involves both improving cooperation among the NOvA's governing bodies and strengthening relations with local bars, local bar presidents and partners in the chain. For instance, the general council has been paying working visits to one of the councils of the local bars almost every month since last year. Periodic alert and resilience meetings and meetings in the context of the Act on the position and supervision of the legal profession are also held with the local bar presidents to coordinate current files.

Future-proof administrative organisation

In recent years, the size and complexity of the files have expanded significantly. The ongoing commitment to the government funded legal aid system to ensure access to justice, the greatly increased

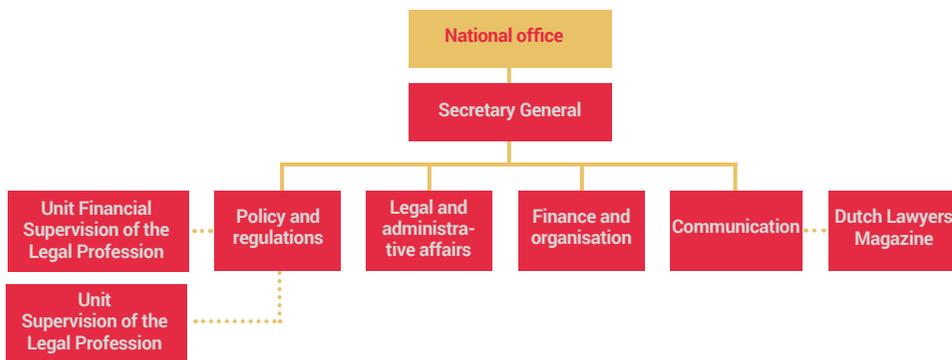


Administrative organisation

focus on resilience and safety, and core values such as advocate independence and client confidentiality, which are under pressure, demand a great deal of commitment from the board members and staff of the office of the NOvA. In order to make the organisation future-proof, the general council explicitly committed to increasing administrative and support capacity in 2023. For instance, the office organisation was further professionalised and cooperation between the board and office was intensified. Together with two board members becoming **Vice Presidents** from 1 January 2024, this ensures a more decisive and effective board and an office optimally equipped to meet the challenges facing the legal profession and the NOvA over the coming years.

National office

The **Policy & Regulation, Legal & Administrative Affairs, Finance & Organisation** and **Communication** departments of the **national office of the NOvA** support the general council in the preparation and implementation of policy.



The **(Financial) Supervision of the Legal Profession** units fall under the NOvA as regards employment law, but support the local presidents in their supervisory activities. The **Dutch Lawyers Magazine** has an editorial board independent of the NOvA.



Secretary General

The national office was headed in 2023 by Wouter van Tellingen, as deputy for Secretary General Raffi van den Berg. At the end of 2023, Wouter van Tellingen was formally appointed as the **new Secretary General**.

Office staff

At the end of 2023, the NOvA's national office employed 57 staff (47 FTE). Of the staff, 70% were women and 30% were men.

Year	Number of FTEs	Number of employees	Female	Male
2023	47	57	70%	30%
2022	48	58	75%	25%
2021	48	58	71%	29%
2020	48	60	72%	28%
2019	50	63	69%	31%



Administrative organisation

Financial contribution

The NOVA acts independently from the government as a professional association under public law and receives no funding from the government. In order to pay for the NOVA's performance of its statutory duties, all advocates registered with the Bar make an annual **financial contribution** to the NOVA.

The necessary increase in the **2023 financial contribution** was limited to 7%, despite the fact that the 2023 budget factored in price indexation of 10%. For advocates in category 1, the financial contribution was EUR 1,038. Advocates who have been registered with the Bar for a total of more than three years and earn a gross income of EUR 40,000 or less may be eligible for paying a **reduced financial contribution** to the NOVA (category 2). For advocates in this category, the financial contribution was EUR 339.

Advocates who are sworn in during the year pay a proportionate share of the financial contribution. In 2024, the financial contribution remains **the same** as for 2023.

Financial contribution (year and explanation)	Category 1	Category 2
2024	EUR 1,038	EUR 339
2023	EUR 1,038	EUR 339
2022	EUR 970	EUR 317
2021	EUR 1,005	EUR 329
2020	EUR 973	EUR 319

Board of representatives

Advocates in the judicial districts elect the members of the **board of representatives**. The board of representatives adopts bye-laws, makes decisions mandated by law or regulations, elects the members of the general council and appoints member-advocates to the Disciplinary Boards and the Disciplinary Court.

At the end of 2023, the full board of representatives had 51 members and 32 deputy members (4 vacancies). In 2023, the board of representatives met four times formally and two times in a smaller, more informal setting.

On 29 June 2023, following positive advice from the Finance Committee, the board of representatives approved the NOVA's **annual financial report 2022** and granted a discharge to the general council. In addition, over the past year, the measures adopted by the board of representatives included the **Bye-Law Amending Quality Reviews**, the **Personal Injury and Loss of Dependency Cases Experiment (Extension) Amendment Bye-Law** and the **Decision on Financial Contribution 2024**.

Advisory council

The **advisory council** advises the general council on the social positioning and main points of policy of the NOVA, as well as on draft proposals for bye-laws.

Administrative organisation

On 29 June 2023, the board of representatives **appointed** two new members of the advisory board: Raymond Vlecken (also chair) and Tom Mulder. Arnold Croiset van Uchelen, a member since 2015 and interim chair from 1 January to 30 June 2023, retired at the end of August 2023.



In 2023, the advisory board comprised:

- **Raymond Vlecken** (right), chair from 1 July 2023
- **Judith Swinkels** (2nd left)
- **Tom Mulder** (2nd right), from 1 July 2023
- **Arnold Croiset van Uchelen** (left), to 31 August 2023

In 2023, the advisory board met three times and issued opinions on the Bye-Law Amending Quality Reviews 2023 and the Personal Injury and Loss of Dependency Cases Experiment (Extension) Amendment Bye-Law.

Supervisory board

The **supervisory board**, as a body of the NOvA, supervises how local bar presidents exercise supervision and handle complaints.

The supervisory board consists of three members and is chaired by the president of the NOvA's general council. The two other members are appointed by royal decree, on the recommendation of the Minister of Justice and Security. Aart Jan de Geus was **appointed Crown member** of the supervisory board with effect from 1 January 2023.



In 2023, the supervisory board comprised:

- **Robert Crince le Roy**, President (right)
- **Roelie van Wijk-Russchen**, Crown-appointed member (centre)
- **Aart Jan de Geus**, Crown-appointed member (left)

Administrative organisation

In 2023, the supervisory board published the **seventh progress report** on strengthening the supervision of the legal profession. For more information about its activities, see the supervisory board's **Work Plan 2023 and Annual Report 2023**.

International

The NOVA is active in various **international associations**, including the Council of Bars and Law Societies of Europe and the International Bar Association.

Council of Bars and Law Societies of Europe

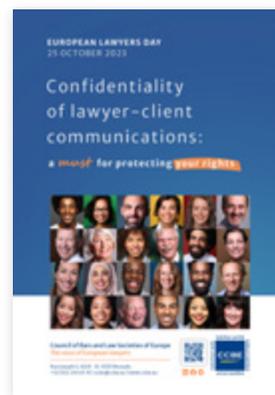
The NOVA is primarily involved in the **Council of Bars and Law Societies of Europe** (CCBE). The CCBE is committed at the European level to the proper administration of justice for the benefit of litigants and the role of the legal profession in that regard. The CCBE also promotes the importance of an independent legal profession within the rule of law. For more information, please refer to the **CCBE's Annual Report 2023**.

The NOVA focuses mainly on issues which are of importance to the Dutch legal profession and tie in with the strategic themes formulated by the general council. To this end, the NOVA actively participates in a number of committees and working groups. The **Dutch delegation to the CCBE**, with Susan Kaak (board member) as head of delegation, represents the NOVA in Brussels and other European cities. In 2023, the NOVA took part in two *plenary sessions* and four *standing committees* of the CCBE. In 2023, the NOVA's contributions included



NOVA board member and head of the Netherlands' delegation to the CCBE Susan Kaak and (from January 2024) the new CCBE President Pierre-Dominique Schupp from Switzerland.

those to the **Rule of Law Report** and the European Commission's **EU Justice Scoreboard**, and it collaborated on the CCBE report **Corporate Social Responsibility and the legal profession**. For more information, see the **International file**.



European Lawyers Day

The annual CCBE **European Lawyers Day** was dedicated to advocate-client confidentiality on 25 October 2023. In the Netherlands, the NOVA **drew attention** to this important core value of the legal profession, by letting European advocates shine their light on this and in a **video** with Jeroen Soeteman, member of the general council.

International Bar Association

The **International Bar Association** (IBA) is the organisation for international legal practitioners and bar associations. The NOVA takes part in the *Annual Conference*, the *Bar Leaders' Conference* and the

Administrative organisation



Jeroen Soeteman explains the theme of European Lawyers Day: "Confidential communication is necessary to safeguard the rule of law."

council meetings and is a member of the Bar Issues Committee. In 2023, the NOvA endorsed the study on **gender (dis)parity in the Dutch legal profession** as part of the **IBA Gender Project**.

NOvA networking reception in Paris



On 31 October 2023, some 100 national and international advocates gathered for the NOvA's networking reception at the IBA annual conference in Paris. At the residence of the Dutch ambassador, ambassador Jan Versteeg and President of the NOvA Robert Crince le Roy addressed the attendees on the historical relationship between France and the Netherlands,

also with regard to the legal profession, and on the role of the contemporary legal profession within the democratic rule of law.



President of the NOvA Robert Crince le Roy took part in the European Presidents' Conference.

European Presidents' Conference

The **European Presidents' Conference (EPC)** is the annual conference of European presidents of bar associations. Hosted by the Austrian Bar Association in Vienna, the conference focuses on the rule of law. In 2023, the President took part in this, with the NOvA also preparing the annual national report for the Netherlands.

International Conference of Legal Regulators

The **International Conference of Legal Regulators (ICLR)** aims to bring together legal regulators from around the world, share knowledge and best practices, and find solutions to common challenges. In 2023, the NOvA attended the annual conference in Dublin.

Bilateral meetings

The NOvA is also in close contact with bars in neighbouring coun-

Administrative organisation

tries. For example, the general council has annual consultations with the board of the Flemish Bar (OVb). During the last visit in June 2023, topical issues such as funded legal aid, supervision, quality, safety/ resilience and international cooperation within the CCBE and the IBA were discussed. In addition, the general council maintains good bilateral contacts with the Dutch- and French-speaking Brussels bars, the Bar Council and the Law Society in the UK, the DAV and BRAK in Germany, the Paris Bar in France and others.



NOVA general council visiting the board of board members of the Order of Flemish Bar Associations.





National Bar Day

The NOVA organised a National Bar Day for the fourth successive time on 22 September 2023. An informal meeting was hosted at Geofort Herwijnen between staff and boards of national and local bar associations, members of the board of representatives, supervisory board and advisory board. After a welcome address by President Robert Crince le Roy, NRC journalist Folkert Jensma entertained the audience with a **plea** about the interplay between the partisan client interest, the public interest and the legitimate interest of the client. More than 150 participants subsequently exchanged views on topical issues such as resilience, diversity & inclusion and sustainability in numerous topical workshops. After a dazzling magic show, the closing drinks and barbecue provided ample opportunity to chat and get further acquainted.



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