



Report

Aggression, threats and harassment among lawyers



**i&o
research**

www.ioresearch.nl

Colophon

Published

I&O Research
Piet Heinkade
55
1019 GM Amsterdam

Report number

2022/definitive

Date

August 2022

Client

Dutch Bar Association

Authors

Charlotte van Miltenburg
Gwendolyn van Straaten
Jaap Bouwmeester

Reprinting from this publication is permitted, provided the source is clearly stated.



Summary

Research objective

This survey was carried out to gain insight into the extent to which lawyers face various forms of pressure, threats, intimidation and other aggressive behaviour when practising their profession. In addition, the study provides a picture of the awareness of existing measures and facilities among the target group and the extent to which lawyers experience support in taking care of their own safety.

Implementation of the study

The target group of this study consists of lawyers working in the Netherlands. It concerns lawyers in all areas of law. The survey was conducted as follows: in May 2022, all approximately 18,000 lawyers in the Netherlands were approached by the Dutch Bar Association via an online newsletter to participate in a survey. 1,099 lawyers responded. A weighting was then applied to age, gender, office size and district.

As a result, the group of lawyers who participated in the survey is representative of all lawyers in the Netherlands on those characteristics.

Main findings of the survey

Half of lawyers experienced aggression last year

Half of lawyers (50%) experienced at least one form of aggression in the past 12 months. Four in 10 (40%) even experienced multiple incidents. The most common form of aggression was verbal aggression (41%). This was followed by intimidation (34%), threats (18%) and physical aggression (4%).

Jurisdiction and office size greatest influence on likelihood of incident

The results of this survey show that aggression occurs in all jurisdictions, districts, offices and job types (partners, lawyers, trainee lawyers), but that the jurisdiction and size of the office in particular play a role in the likelihood of experiencing an incident. The probability of experiencing an incident is highest for lawyers working in insolvency law, criminal law, personal injury law and personal and family law. Lawyers working at firms with fewer than nine lawyers are more likely to have experienced an incident of aggression in the past year than lawyers working at firms with more than nine lawyers.

A third of incidents are perceived as serious by lawyers

Among lawyers who experienced an incident, more than a third (37%) perceived the incident as serious. In particular, lawyers who experienced threats rated the incident as serious (63%).

Source of aggression often own client

In half of the cases (50%), the aggression comes from the lawyer's (former or current) client. This is mainly in the form of verbal aggression. In a third (33%) of the incidents, the aggression comes from the other party, mainly in the form of threats.



Small proportion of lawyers report incident

The majority of lawyers who experienced an incident also discussed it (86%). Lawyers mainly discuss it with colleagues/office mates (74%). Three quarters of lawyers (76%) are satisfied with how they were able to discuss the incident.

Five per cent of incidents are reported, either by the person involved or by the organisation. More than a third (37%) are dissatisfied with the way they were treated by the police. The main reason for lawyers not discussing the incident or not reporting it is that they do not consider the incident serious enough for this, followed by the idea that such incidents belong to the job.

Seven in 10 lawyers experience negative impact after incident

Seven in 10 lawyers (68%) who have experienced an incident also experience adverse consequences. Especially lawyers who have experienced some form of threat experience negative consequences (83%). The most frequently mentioned adverse consequence is a decrease in job satisfaction (49%). Also, one in five lawyers (21%) are considering quitting their profession due to experiencing an incident or incidents.

A third of lawyers who needed aftercare are not satisfied about it

Of the lawyers who needed aftercare after an incident, more than half (57%) were satisfied with this aftercare. In contrast, three in 10 (30%) have the experience that there was little or no response to this. Overall, over half (54%) of all lawyers feel that the firm responds adequately to incidents, a smaller proportion (36%) feel that aftercare is well organised.

Quarter of lawyers inadequately briefed by firm

Lawyers can be supported in various ways to become more resilient to aggression. Currently, a quarter (23%) of lawyers feel that they have not received enough information and training at their firm about dealing with aggression, threats and intimidation. A larger proportion (39%) disagrees with this statement. One in ten lawyers (9%) feel that they have been made sufficiently resilient against aggression by the NOvA. Half (49%) disagree with this statement.

Need for information on emergency button

The NOvA currently offers several facilities for lawyers to become more resilient. Lawyers are currently mostly familiar with the resilience training (47%). More than three in ten are familiar with the safety scan and the emergency number (35% and 31% respectively). The proportion of lawyers who actually use these facilities is much lower. The emergency button, a facility introduced in late 2021, is the least known among lawyers (17%). The need to know more about the emergency button (41%) is, however, the highest compared to the other facilities.

Law firms also take their own measures to enhance their security. The most common ways this has been done are by: (1) taking physical measures, (2) checking at the door and working by appointment, (3) taking measures aimed at high-risk clients, (4) increasing their resilience and (5) having a safety scan done.



Risk of aggression especially affecting exercise of profession

For four in 10 lawyers (39%), the risk of encountering aggression affects the way they practise their profession. For a quarter, the risk of aggression affects their personal life (26%). Lawyers working at a firm of 17 lawyers or more are least likely to say that the risk of aggression affects their work or personal life (47%). For lawyers who have a sole proprietorship, the risk of experiencing an incident affects the way they practise their profession more (13% compared to 4% at law firms of 17 lawyers or more).



Table of contents

Summary	3
1 Introduction	7
2 To what extent do lawyers face aggression?	11
3 Expression and severity of incidents	16
4 Discussion, declaration and consequences	24
5 Aftercare, response and action organisation	29
6 Influence of risk on aggression and violence	39



1 Introduction

Reason

Several incidents make it clear that lawyers can face significant risks when practising their profession. Together with the Ministry of Justice and Security, the Dutch Bar Association (NOvA) is working to increase the safety and resilience of the legal profession and to raise awareness of potential risks.

A quartermaster has been appointed at the NOvA to give concrete substance to this. Meanwhile, numerous measures have already been taken and initiatives launched. For example, in October 2019, the Contact Point for Professional Groups was set up for lawyers experiencing threats. There is also the telephone helpline LawCare, and security scans and resilience training for lawyers were started in 2021. The Taskforce to Protect Against Undermining was also set up by the end of 2021. To gain a good understanding of the nature and extent of pressure and threats experienced by lawyers, the NOvA commissioned this underlying research.

Objective

The aim of the study is to gain insight into the extent to which lawyers face various forms of pressure, threats, intimidation and other aggressive behaviour when practising their profession. As an extension of this, the study provides a picture of the awareness of existing measures and facilities among the target group and the extent to which lawyers experience support in taking care of their own safety.

Based on the insights obtained, the NOvA wants to raise awareness on the subject and enter into discussions with lawyers interested in discussing the issues and solutions on sub-topics. Furthermore, the research results can be used by the NOvA to determine its own positioning around this topic.

Target

The study population consists of lawyers working in the Netherlands. They are lawyers in all 36 areas of law.

Research questions

In this study, we answer the following research questions:

- 1 To what extent do lawyers face threats, intimidation and other forms of improper pressure and aggressive behaviour in their professional practice?
- 2 What is the context and trigger of the threats?
- 3 What is known about the perpetrators, their background and motives?
- 4 What is the impact of the threats?
- 5 How do lawyers perceive the existing support and protection measures?
- 6 What ideas and suggestions for (improving) help, support and protection are there among lawyers?



Implementation of the study

Questionnaire

In consultation with the NOvA, we developed a questionnaire. This questionnaire is aligned as much as possible with the questionnaire used by I&O Research for the Integrity and Security Monitor, which was last conducted in the first quarter of 2022¹. By using a similar questionnaire, the results of different professional groups can be compared. By the way, comparability does not only come from question wording, see the heading '[comparability with other surveys](#)' (p. 10).

The lawyers who participated answered questions about their experiences of incidents of aggression and violence while practising their profession. Furthermore, they could give their opinions on the policies of the organisation they belong to and how the organisation dealt with any incidents and aftercare. Finally, we also asked lawyers about their needs and ideas when it comes to increasing safety.

Implementation of data collection

Invitation and reminder

The Dutch Bar Association has a file containing the contact details of all approximately 18,000 lawyers. A newsletter is regularly sent to this file via the NOvA, the so-called order message. The request for participation in this survey was made via an 'order notice special': an extra newsletter in which attention was specifically drawn to participation in this survey. This way, the importance of this survey was emphasised and all lawyers were encouraged to participate. The invitation also explicitly stated that the survey was intended for *all* lawyers and therefore not exclusively for those who experience aggression or violence.

Survey invitations were sent out on 9 May 2022. After one week, the NOvA sent a reminder. This message reiterated that all lawyers could participate in this survey. On 30 May, we closed the data collection.

Response

A total of 1,099 lawyers completed the questionnaire. This represents a response rate of six per cent. This response rate is lower than surveys on aggression and violence among political office holders and government employees, but is in line with other surveys the NOvA commissions among lawyers. The response rate achieved is also similar to other surveys conducted through an external (member) database, as in the case of a survey on aggression against journalists², where the response rate was eight per cent.

¹ <https://www.rijksoverheid.nl/documenten/rapporten/2022/06/01/report-monitor-integrity-and-security-2022>

² <https://www.ioeresearch.co.uk/actual/aggression-and-threat-targeting-journalists-is-increasing/>



Representativeness and weighting

Despite the response rate of six per cent, a number of over a thousand is statistically large enough to make reliable statements. Moreover, this number allows for breakdowns by, for example, region, office size and jurisdiction.

Apart from the size of the response, it is obviously also important that the response is a representative reflection of the overall population of lawyers.

To assess this, we looked at the composition of the response by office size, district, jurisdiction, position and the personal characteristics age and gender. This shows some slight deviations between the realised response rate and the composition of the population. To correct these differences and to be able to make statements about the total group of lawyers in the Netherlands, a weighting was applied to age, gender, office size and district ([see appendix A](#)). This makes the response on those characteristics representative of all lawyers in the Netherlands.

Of course, it is conceivable that lawyers who have experienced aggression and violence are more likely to complete the questionnaire on this topic. This could result in 'selectivity' in the response and thus lead to an overestimation of the issue. This is an issue for all victimisation surveys. As long as the response rate is not 100 per cent, selectivity can never be completely ruled out. To minimise the chances of this happening, we stressed in the invitations to the survey that the participation of all lawyers is very important, even if one has not experienced aggression and/or violence. Furthermore, the communication surrounding the survey emphasised that the answers given will be treated with extreme care and will be processed anonymously (see below). All in all, all measures have been taken to paint the most reliable picture possible on the incidence of aggression and violence among lawyers. We therefore see in the composition of the response a proportionate representation of the groups of lawyers (e.g. specific areas of law) at above-average risk. There is therefore no evidence of high selectivity.

Anonymity

Participation in the survey was anonymous. In practice, this meant that I&O Research had no insight into personal data, e-mail addresses, office names or phone numbers, etc. In addition, we ensured that the completed surveys did not contain any information that - when combined - could lead to identification of the filler. Therefore, questions on background characteristics such as age and office size were categorised in advance so that tracking based on the combination of those characteristics was not possible. It was also stressed in open-ended questions not to mention personal data. When cleaning up the database, it was checked whether these personal or other traceable data were indeed not present. When they were, they were removed. Anonymity was also guaranteed from the NOvA. They had no insight into which lawyers completed the survey.

The NOvA also used the questionnaire to call for participation in follow-up surveys (on the use of PGP phones, payments and the crown witness scheme). Lawyers wishing to participate in this could fill in their name, e-mail address and telephone number accompanied by the following text: *'You hereby give I&O Research permission to share only your name and e-mail address with the NOvA via a secure server. I&O Research will therefore not share your other answers to this questionnaire with the NOvA. We will delete your data at the end of the survey.'*



84 lawyers (8%) were willing to cooperate in an interview about the use of PGP phones and other identity-enhancing communications by lawyers, 134 (12%) in an interview about payments, and 38 (4%) about the crown witness scheme. The contact details of these lawyers were shared with the NOvA via a secure server. Responses to these questions were not further reported in the chapters.

Comparability with other studies

The outcomes of this study are comparable to studies on aggression and violence in other occupational groups due to its design and questioning³. Comparability was ensured by:

- the integral approach where a personal invitation by e-mail to all 'members' of the target group was sent.
- a similar invitation text.
- similar reminders.
- identical questions related to victimisation.

³ These include political office holders, government employees and journalists. Outcomes of these surveys can be found at <https://www.rijksoverheid.nl/documents/reports/2022/06/01/report-monitor-integrity-and-safety-2022> and <https://www.ioresearch.nl/actual/aggression-and-threats-directing-journalists-is-increasing/> respectively.



2 To what extent do lawyers face aggression?

In this chapter, we discuss the extent to which lawyers in the Netherlands had experienced various forms of aggression in the 12 months prior to the survey. The survey ran through May 2022.

Half of lawyers face one or more forms of aggression

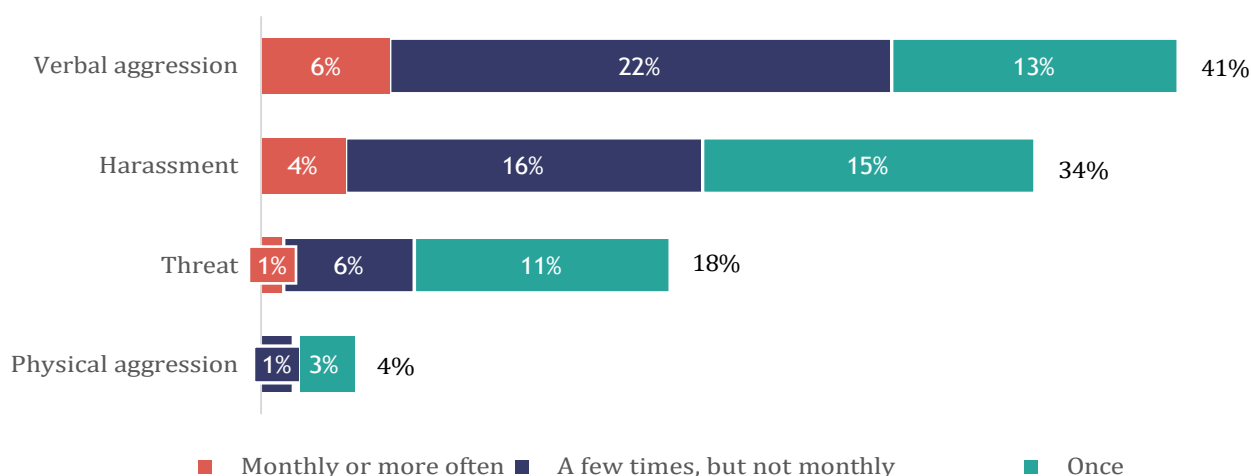
We asked lawyers how often they faced four different forms of aggression in the past 12 months: verbal aggression, intimidation, threats and physical aggression. The box below shows the explanations given to the lawyers in this regard.

Forms of aggression and violence

It appears that verbal aggression is the most common form of aggression. In total, 41 per cent experienced this. (Converted to all the lawyers in the Netherlands, this amounts to more than 7,400 lawyers (figure 2.1). This is followed by intimidation, 34 per cent of lawyers experienced this in the past year (6,150 lawyers). Physical aggression also occurred (4 per cent, more than 700 lawyers), but to a lesser extent than the other forms. Lawyers also specifically indicated how often they faced these forms of aggression. Since 1 per cent of 1,099 lawyers experienced verbal aggression monthly or more often, 22 per cent (over 2,300 lawyers) 'signal'. For example, verbal aggression monthly, stating often and 1 per cent (over 700 lawyers) 'signal'.

Figure 2.1 - Experience of aggression, harassment and threats

Base: lawyers (n=1,099)



Putting the answers to this question side by side, we see that half of all lawyers in the Netherlands, in the year prior to the questionnaire, had experienced at least one form of aggression (table 2.1). Of these, 10 per cent actually experienced one incident and the remaining 40 per cent experienced several.

Table 2.1 - Experience of aggression, harassment and threats

Base: lawyers (n=1,099)

	%
No time	50%
Once	10%
Several times	40%

50%
of lawyers made in
experienced at least one
incident in the past year

Majority of lawyers believe aggression has increased

As this is a first measurement (baseline measurement) in this target group, we cannot yet determine whether aggression among lawyers is increasing or decreasing. We therefore also asked the lawyers whether they think aggression and violence in their profession has increased or decreased over the past five years. More than half of lawyers believe that aggression and violence against their profession has increased over the past five years (55%). Only one per cent think it has decreased, the remaining lawyers take a neutral position (13%) or do not know (31%).

Areas of law in which aggression occurs

The Dutch legal profession distinguishes 36 areas of law ([see Annex B](#)). The five largest areas of law are: labour law, law of persons and family law, general practice, corporate law, criminal law and law of obligations. Lawyers can be registered with the NOvA in several areas of law, with a maximum of four. In the questionnaire, we asked about all these four areas of law. More than half (56%) of the lawyers work in multiple areas of law (see table 2.2).

Table 2.2 - Working in number of jurisdictions

Base: lawyers (n=1,099)

Number of jurisdictions	%
1	44
2	33
3	13
4	9

We then asked lawyers working in multiple jurisdictions in which one they spend most of their time. To understand the jurisdictions in which incidents occur to a greater or lesser extent, we asked lawyers who had experienced an incident which jurisdiction the incident related to.

Now, it is the case that there are many more cases in one area of law and therefore more lawyers active in it than in other areas of law. This is particularly true of the law of persons and family law and criminal law. More than a quarter of all time is spent on those two areas of law by all lawyers combined (table 2.3, column 'most time'). Not surprisingly, it is precisely in these areas of law that numerically many incidents also occur. To determine in which jurisdiction the likelihood of encountering aggression and violence is highest, we related the above incidence figures to the size of the jurisdictions. That



we did on the basis of time spent within the relevant jurisdictions. Based on this analysis, jurisdictions with above-average, average and relatively low incidence can be distinguished. This shows that the (adjusted) probability of experiencing an incident is highest for lawyers working in insolvency law, criminal law, personal injury law and personal and family law.

Table 2.3 - Areas of law most likely to experience an incident

Base: lawyers (n=1,099)

		Most time*	Last time**	Factor
Areas of law with relatively high number of incidents	1. Insolvency law	5%	9%	1,71
	2. Criminal Law	13%	19%	1,51
	3. Personal injury law	3%	4%	1,30
	4. Law of persons and family law	13%	17%	1,27
Areas of law with an average number of incidents	5. Tenancy law	5%	5%	1,06
	6. General practice	9%	9%	0,97
	7. Contract law	6%	5%	0,77
Areas of law with relative fewer incidents	8. Asylum and refugee law	2%	1%	0,76
	9. Environmental law	3%	2%	0,71
	10. Real estate law	3%	2%	0,65
	11. Employment law	10%	6%	0,63
	12. Civil procedural law	5%	3%	0,57
	13. Corporate law	8%	4%	0,48

* Percentage of lawyers who spend most of their time working in this area of law.

** Percentage of lawyers who experienced the most recent incident in this jurisdiction.

Readings: five per cent (rounded to no decimal places) of all lawyers spend most of their time working in insolvency law. Nine per cent (rounded to no decimal places) of incidents take place in insolvency law. The ratio between these two percentages yields the factor (last column). A factor greater than 1 means that the probability of experiencing an incident in this area of law is above average, given the number of lawyers who spend most of their time working in this area of law.

Office size

Besides the jurisdiction in which lawyers are active, office size also plays a role in the likelihood of encountering aggression and violence. Additional analysis⁴ shows that jurisdiction and office size together are important explanatory background characteristics for the occurrence of aggression and violence.

Lawyers working at smaller law firms (up to nine lawyers) are more likely to experience aggression than lawyers working at firms of nine lawyers or more (table 2.4, column '% at least one form of aggression'). This is also true for all forms of aggression separately, with the exception of threat: in medium-sized law firms (9-16 lawyers), threat is as common as in small firms.

⁴ This was a multivariate regression analysis that included both office size and the jurisdiction in which one works most of the time. Both variables had a statistically significant overall Wald score.



Table 2.4 - Percentage of lawyers who experienced verbal aggression, intimidation, threats and physical aggression (asked separately), broken down by office size.

Base: lawyers (n=1,099)

	Verbal aggression	Harassment	Threat	Physical aggression	% at least one form of aggression
Sole proprietorship (n=283)	48%	45%	23%	6%	58%
2 lawyers (n=141)	48%	36%	23%	5%	57%
3-4 lawyers (n=174)	46%	42%	20%	6%	58%
5-8 lawyers (n=201)	48%	41%	22%	4%	59%
9-16 lawyers (n=123)	44%	27%	19%	6%	47%
17 or more lawyers* (n=177)	38%	25%	12%	2%	37%

Reading note: Of the lawyers working in an office with two lawyers, 48 per cent indicated that they had experienced verbal aggression in the year prior to the questionnaire. 36 per cent of them report having experienced harassment. Overall, 57 per cent of lawyers working in an office with two lawyers have experienced at least one form of aggression.

* Due to an insufficient number of participants for law firms of 17-32, 33-64 and 65 or more lawyers individually, these have been aggregated for further analysis.

District of

Although the occurrence of aggression and violence among lawyers working in different districts varies between 41 and 60 per cent (table 2.5, column '% at least one form of aggression'), there are no significant differences. It is therefore concluded that aggression and violence occur in all judicial regions of the Netherlands, both in more and less urban areas.

Table 2.5 - Percentage of lawyers who experienced verbal aggression, intimidation, threats and physical aggression (separately), broken down by district.

Base: all lawyers (n=1,099)

	Verbal aggression	Harassment	Threat	Physical aggression	% at least one form of aggression
Northern Netherlands (n=58)	51%	37%	24%	10%	60%
Limburg (n=63)	50%	43%	27%	2%	57%
Gelderland (n=105)	49%	45%	26%	8%	57%
East Brabant (n=79)	44%	37%	21%	4%	56%
The Hague (n=120)	43%	38%	17%	2%	54%
Central Netherlands (n=141)	40%	38%	18%	3%	53%
Zeeland-West Brabant (n=90)	42%	41%	17%	5%	51%
Rotterdam (n=136)	39%	30%	21%	3%	47%
North Holland (n=59)	44%	30%	11%	3%	46%
Amsterdam (n=209)	32%	27%	15%	5%	41%
Overijssel (n=39)*	n=25	n=19	n=8	n=3	

Reading note: 51 per cent of lawyers from the Northern Netherlands experienced verbal aggression in the year prior to the questionnaire. 37 per cent of lawyers from this region experienced harassment. In total, 60 per cent of lawyers from the Northern Netherlands experienced at least one form of aggression.

* The number of participating lawyers from the district of Overijssel (n=39) is statistically too low to show in percentages in the table.



Function

Aggression occurs in all sections of the legal profession. For instance, four in ten trainee lawyers (40%) experienced an incident of aggression (table 2.6, column '% at least one form of aggression'). Among their colleagues in other positions, this percentage is even higher (51%).

Table 2.6 - Percentage of lawyers who experienced verbal aggression, intimidation, threats and physical aggression (asked separately), broken down by position

Base: all lawyers (n=1,099)

	Verbal aggression	Harassment	Threat	Physical aggression	% at least one form of aggression
Lawyer-partner (n=553)	43%	36%	22%	3%	51%
Lawyer (n=436)	41%	36%	17%	5%	51%
Trainee lawyer (n=83)	34%	23%	13%	4%	40%

Reading note: 34 per cent of trainee lawyers experienced verbal aggression in the year prior to the questionnaire; 23 per cent of these trainees experienced harassment. Overall, 40 per cent of trainee lawyers experienced at least one form of aggression.

Gender

Female lawyers (56%) were more likely than their male colleagues (44%) to experience verbal aggression, physical aggression and harassment. Threats were equally common among men and women (18%) (table 2.7).

Table 2.7 - Experience of verbal aggression, harassment, threats and physical aggression, by gender

Base: all lawyers identifying as male or female

	Total	Verbal aggression	Harassment	Threat	Physical aggression
Women	56%	46%	39%	18%	6%
Men	44%	36%	30%	18%	3%

* Respondents could also choose gender other than male or female in the questionnaire. One respondent chose this answer. Consequently, this category is not shown in the table.

Age

In terms of age, we see that aggression is least common among lawyers aged 50 or older. In particular, verbal aggression and intimidation show the greatest differences with younger lawyers. Threats are most common among 40-49-year-olds.

Table 2.8 - Experience of aggression and violence in the past year, by age

Base: all lawyers (n=1,099)

	Total	Verbal aggression	Harassment	Threat	Physical aggression
39 years or younger (n=280)	52%	45%	36%	17%	4%
40-49 years (n=276)	53%	44%	37%	24%	5%
50 years or older (n=543)	43%	36%	30%	15%	3%



3 Expression and severity of incidents

To understand the nature, manifestation and severity of incidents, lawyers who experienced aggression and violence in the past year were asked a number of questions about the most recent incident. An incident is in some cases more than one moment of contact. It may also involve a series of successive situations in which there was contact in several ways and/or at several times.

Aggression especially over phone

Expressions of aggression and violence were mainly made over the phone (50%). This was followed by expressions via e-mail (35%) and during personal contact (34%). Other ways of expression mentioned by lawyers include 'by text message and WhatsApp', 'via fake reviews' and 'in session'. Trainee lawyers (68%) are more likely to experience telephone aggression compared to lawyers (50%) and partners (45%).

Table 3.1 - Form of expression* of the most recent incident

Base: lawyers who have experienced an incident (n=567)

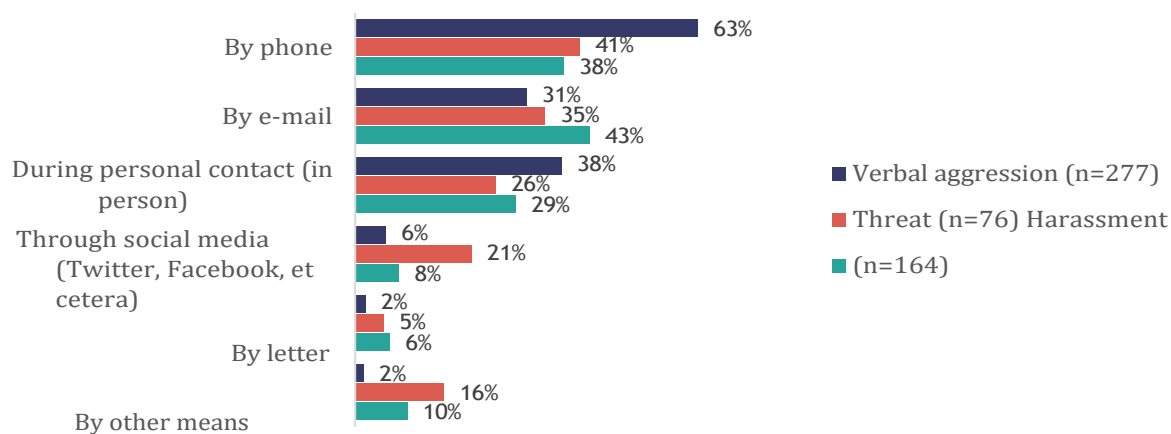
	Total
By phone	50%
By e-mail	35%
In person	34%
Through social media (Twitter, Facebook, et cetera)	9%
By letter	4%
In a different way	8%

* Respondents could choose multiple answers because in some cases an incident is a succession of multiple events. The total therefore adds up above 100 per cent.

Verbal aggression, compared to threat and intimidation, is more often expressed by phone or in person (Figure 3.1). Intimidation is more often than verbal aggression and threat via e-mail, and threats are made particularly through social media.

Figure 3.1 - Form of expression* of the most recent incident, by type of incident**

Base: lawyers who have experienced an incident (n=567)



* Respondents could choose multiple answers, therefore the total adds up above 100 per cent.

** This question was not asked for incidents of physical aggression as this is by definition in-person.

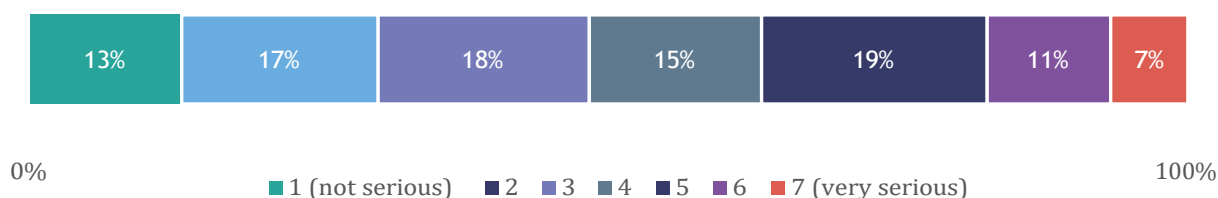


One in three incidents 'serious'

The perceived severity of incidents (asked on a scale of 1 (not serious) to 7 (very serious)) varied. One in eight lawyers (13%) rated their incident as not serious, one in 14 (7%) as very serious (Figure 3.2).

Figure 3.2 - Perceived severity of most recent incident

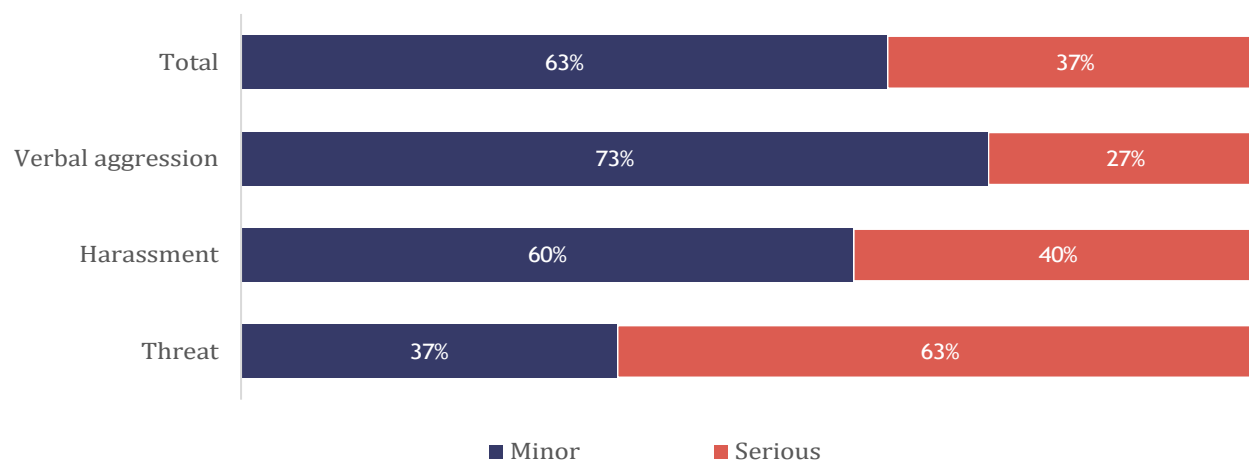
Base: lawyers who have experienced an incident (n=567)



Converted to a two-category scale, almost two-thirds of incidents (63%) were rated as 'less serious', i.e. a score of 1, 2, 3 or 4 on the scale from not serious (1) to very serious (7). In contrast, more than a third of incidents (37%) were perceived as serious. Threats were most often perceived as serious (63%), followed by intimidation (40%, Figure 3.3). Five out of eight incidents of physical aggression were reported as serious.

Figure 3.3 - Perceived severity of incidents, in two categories

Base: lawyers who have experienced an incident (n=567)



* The number of incidents of physical aggression (eight) is too low to break down further

Examples of incidents with perceived severity

In the box on the next page, we give some examples of incidents that lawyers described in the open-ended response box. Of each of the four types of aggression we distinguish in this survey, we give an example of an incident rated between 1 and 4 (less serious) and one rated between 5 and 7 (serious).



Examples of incidents rated as less serious (with perceived severity shown in brackets)

Verbal aggression

- "Case did not go as client wanted, he expressed his dissatisfaction (frustration I think) by shouting at me and hurling curses at me (swearing) and demanding that I take certain actions immediately." (2)

Harassment

- "The other party informed me that it wanted to visit my private address (stating address)." (2)
- "Speaking out that if I did or did not do something, the consequences would soon become clear." (3)

Threat

- "Threatening to "expose" me on social media, threatening that I should pay attention and should remain silent, otherwise something would happen." (4)

Physical aggression

- "Client was not satisfied with the news that he will remain in custody. He freaked out and I am pregnant, so I hid behind the door. He hit himself and his surroundings, the door etc. I couldn't reach the emergency button." (4)

Examples of incidents rated as serious (severity shown in brackets)

Verbal aggression

- "Verbal expressions such as 'I'll destroy your career', 'I'm coming to get €2,000,000 from you'." (6)

Harassment

- "Pressured to fulfil requests with references to my residential address, incessant calling and shouting through the phone by counterpart to intimidate me." (7)
- "Person concerned clearly indicated that he did like the adviser in question (myself) to would catch." (5)

Threat

- "By email, it was clearly stated that if I continued to work - representation of client's interests - both me and my husband would regret this. The perpetrator had found out where my husband works through social media and other channels and indicated that he would wait for my husband." (7)

Physical aggression

- "Client got a less positive opinion from me than he expected. He got up screaming and swearing, kicked the wall, walked to the door (the connecting door locks and cannot be opened from outside), when I slammed that connecting door shut, he spit against the door and went out cursing and ranting." (5)



Target of aggression often the person

In the majority of cases, the aggression expressed is directed at a lawyer personally (67%) or at him or her in office as a lawyer (53%). There are no differences in this between verbal aggression, intimidation or threats (table 3.2). When intimidation is involved, a quarter (24%) of the expressions are (also) directed at family or friends. This is more than for the other types of aggression. Among the eight incidents of physical aggression, in two cases this was directed at the lawyer personally, in three cases at the person in office as a lawyer, once directed at the lawyer as a representative of the legal profession and twice did not know.

Table 3.2 - Target of aggression, by type of incident* (multiple responses possible)

Base: lawyers who have experienced an incident (n=567)

	Total (n=567)	Verbal aggression (n=277)	Harassment (n=164)	Threat (n=76)	Physical aggression* (n=8)
On me personally	67%	66%	75%	65%	n=2
On my family/friends	8%	5%	24%	4%	
On me in my position as a lawyer	53%	56%	52%	51%	n=3
On me as a representative/ part of my office	14%	12%	16%	12%	
On me as a representative/ part of the legal profession in general	11%	12%	12%	11%	n=1
On me as a representative/ part of a specific group**	3%	1%	8%	2%	

* The number of incidents of physical aggression (eight) is statistically too low to show in percentages in the table.

** For example, based on gender, political party, ethnicity, sexual preference.

Trainee lawyers are more likely than lawyers and partners to say that aggression is directed at them as representatives of the firm (27% versus 11% and 13%). The same is true for lawyers working at firms with nine lawyers or more (23% versus 10% for law firms with fewer than nine lawyers).

The targeting of aggression also differs on person characteristics. Male lawyers are more likely than their female colleagues to say aggression is directed at them personally (72% versus 63%). In contrast, women are more likely than men to say that aggression is directed at them in office as lawyers (60% versus 46%). Women are also more likely to say they face aggression because they represent a particular group (gender, ethnicity, sexual orientation) (5% versus 1%).

Background of aggression often frustration and emotion

Lawyers who experienced aggression, threats or intimidation were asked to estimate what prompted the expressions of aggression and violence. Lawyers who experienced an incident thought aggression was mainly 'expressions of rising emotions' (31%, table 3.3) or 'expressions of dissatisfaction with a particular situation' (23%). For incidents of verbal aggression, the trigger was more often rising emotions or frustration (37%) than for intimidation (23%) and threats (27%). The trigger for intimidation was more often 'to achieve a certain goal' (35%) than for verbal aggression (14%) and threat (15%).



Table 3.3 - Reason for aggression, by type of incident*

Base: lawyers who have experienced an incident (n=567)

	Total (n=567)	Verbal aggression (n=277)	Harassment (n=164)	Threat (n=76)	Physical aggression* (n=8)
Mainly an expression of mounting emotions/frustration	31%	37%	23%	27%	n=6
Especially an expression of dissatisfaction with a particular situation, the course of events	23%	28%	20%	16%	n=1
Used deliberately to achieve a particular goal	22%	14%	35%	24%	
Especially a manifestation of undirected, unpredictable aggression	15%	14%	13%	27%	n=1
Something else	5%	6%	3%	1%	
That is not clear to me	4%	3%	6%	6%	

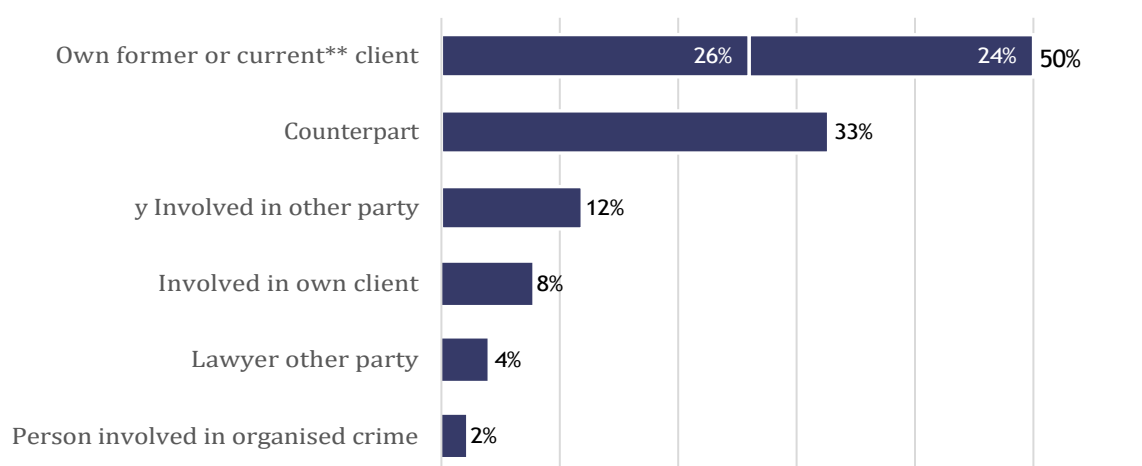
* The number of incidents of physical aggression (eight) is too low to show in percentages in the table.

Source of aggression often own client

Aggression came in half of the cases from one's own current or former client (50%, figure 3.4) or someone involved with that client (8%). A third of cases involved the other party (33%). In two per cent of cases of aggressive behaviour, according to the lawyers it happened to, it was expressed by someone from organised crime.

Figure 3.4 - Source of aggression*

Base: lawyers who have experienced an incident (n=567) (multiple responses possible)



* Clients and counterparties and those involved therein may be individuals or parties. This is not specified.

** 26 per cent of the incidents were uttered by a former client, 24 per cent by a current one. This makes that in 50 per cent of cases, one's own client is the source of the aggression.

Verbal aggression is mainly expressed by one's own current (32%, table 3.4) or former client (29%), while threats come mainly from the opposing party (37%). Threats by the opposing party's lawyer do not occur, but they do occasionally use verbal aggression (4%) and intimidation (6%). Intimidation is expressed in five per cent of cases, according to the lawyers involved, by a person (presumably) involved in organised crime.



Table 3.4 - Source of aggression*, by type of aggression

Base: lawyers who have experienced an incident (n=567) (multiple responses possible)

	Verbal aggression (n=277)	Threat (n=76)	Harassment (n=164)	Physical aggression n** (n=8)
Counterparty	31%	47%	30%	n=1
Own former client	29%	23%	21%	n=3
Own current client	32%	10%	19%	n=3
Parties concerned by other party	10%	13%	14%	
Involvement of own client	10%	4%	8%	
Lawyer opposing party	4%	0%	6%	
Person involved in organised crime	0%	3%	5%	
Someone else	10%	12%	9%	
Perpetrator is unknown	4%	8%	6%	n=1

* Clients and counterparties and those involved therein may be individuals or parties. This is not specified.

** The number of incidents of physical aggression (eight) is too low to show in percentages in the table.

At law firms of 17 lawyers or more, the perpetrator is less often one's own current (12%) or former client (16%) than at smaller firms (percentages range between 24% and 33% for current client and between 23% and 38% for former client). In addition, in 20% of incidents at firms of this size, the answer option 'someone else' is chosen. With regularity, it is indicated here that the perpetrator is a bankrupt or an affected party thereof (terms from insolvency law). This is consistent with the finding that lawyers in insolvency law mainly work at large firms (60%). Among sole practitioners, the source of the aggression is the opposing party's lawyer in nine per cent of cases, compared to only one per cent in firms of 17 lawyers or more.

Table 3.5 - Source of aggression, by office size

Base: lawyers who have experienced an incident (n=567) (multiple responses possible)

	1 lawyer (n=283)	2 lawyers (n=141)	3-4 lawyers (n=174)	5-8 lawyers (n=201)	9-16 lawyers (n=123)	17 or more lawyers* (n=177)
Counterparty	41%	26%	31%	27%	33%	32%
Own former client	23%	29%	38%	31%	26%	16%
Own current client	28%	33%	24%	26%	29%	12%
Parties concerned by other party	15%	4%	10%	7%	8%	19%
Involvement of own client	9%	9%	7%	4%	5%	10%
Lawyer opposing party	9%	6%	1%	2%	7%	1%
Person involved in organised crime	3%	2%	2%	2%	0%	2%
Someone else	8%	8%	3%	15%	8%	20%
Perpetrator is unknown	2%	0%	3%	6%	3%	12%



Comparison with other studies

Studies on the prevalence of aggression and violence have been conducted in several professional groups: political office holders⁵, government employees⁵ and journalists⁶. The prevalence of aggression and violence against lawyers can be compared with these. For example, 49 per cent of political office holders recently experienced an incident, and 33 per cent of government employees. This makes aggression and violence among lawyers about as common as among political office holders and more common than among government employees. A study on aggression against journalists was also conducted in 2021. Here, a prevalence of 82 per cent was found, higher than among lawyers. Among both political office holders (45 per cent) and lawyers (41 per cent), verbal aggression is the most common form and physical aggression (3 per cent and 4 per cent respectively) the least common.

Table 3.6 - experience of aggression, harassment and threats, by occupational group

	Lawyers	Political office holders	Government employees	Journalists
Verbal aggression	41%	45%	30%	66%
Harassment	34%	24%	13%	51%
Threat	18%			
Physical aggression	4%	3%	2%	17%
Total victimisation	50%	49%	33%	82%

Besides victimisation, the targeting of aggression can also be compared. It is notable that among political office holders (58%) and government employees (84%), by far the most expressions of aggression are directed at 'the organisation', while among lawyers this concerns only 14 per cent of incidents. Much more often among lawyers, aggression is directed at the person (personally (67%) or in office as a lawyer (53%)). This can (partly) be explained by the mostly personal and long-term working relationship lawyers enter into with clients.

Regarding the severity of these incidents, we see that, on average, lawyers are more likely to rate the incidents experienced as serious (37%) than political office holders (29%) and government employees (30%). We did not ask journalists about perceived seriousness in the last survey.

Table 3.7 - perceived severity of incidents, by occupational group

	Lawyers	Political office holders	Government employees
Less severe (score 1-4)	63%	71%	70%
Severe (score 5-7)	37%	29%	30%

⁵ <https://www.rijksoverheid.nl/documents/reports/2022/06/01/report-monitor-integrity-and-security-2022>

⁶ <https://www.ioresearch.co.uk/actual/aggression-and-threat-targeting-journalists-is-increasing/>



According to lawyers, the reason for the aggression is most often rising emotions and frustration (31%). This is also the case for political office holders (33%), but just as often for them it is an expression of dissatisfaction with a particular situation (32%). This is less common among lawyers (23%).

Table 3.8 - source of aggression, by occupational group*

	Lawyers	Political office holders
Mainly an expression of mounting emotions and frustration	31%	33%
Especially an expression of dissatisfaction with a particular situation, the course of events	23%	32%
Used deliberately to achieve a particular goal	22%	23%
Especially a manifestation of undirected, unpredictable aggression	15%	5%

* Government employees were not asked this question



4 Discussion, declaration and consequences

Large majority of incidents discussed

Almost nine in 10 lawyers (86%) who were confronted with aggression or violence discussed the incident with someone else. This is usually a colleague or office mate.

Whether lawyers discuss the incident depends partly on the seriousness of an incident. Those who perceived the incident as (very) serious discuss the incident in 94 per cent of cases (table 4.1). Less serious incidents are discussed less frequently, in 81 per cent of cases. Serious incidents are more often discussed with or reported to the NOvA emergency number (7 per cent), the local dean (19 per cent) and the police (21 per cent).

Table 4.1 - Discussing incidents by severity of incident*

Base: lawyers who have experienced an incident (n=567) (multiple responses possible)

	Total (n=567)	Less serious (n=354)	Severe (n=213)
Colleagues/office mates	74%	74%	75%
Local blanket	10%	5%	19%
Police	10%	3%	21%
My pattern*	9%	9%	10%
NOvA Emergency number / contact point for professional groups	3%	1%	7%
Office trustee	1%	1%	1%
Specialisation association**	n=4		
Helpline LawCare**	n=1		
With someone else	12%	8%	20%

* The patron is a point of contact only for trainee lawyers.

** The number of lawyers who discussed the incident with the speciality association or LawCare helpline is too low to show in percentages in the table.

The decision to discuss or not discuss also depends on office size. Among lawyers without direct colleagues (sole proprietorships), an incident is more often left undiscussed (26%) than among lawyers working in an office with several lawyers (between 10 and 13%). Lawyers working independently are more likely to discuss an incident with their partner, other family members or colleagues outside their own firm. Furthermore, lawyers aged 50 or older also more often choose not to discuss the incident (20% do not). This group of lawyers also works alone more often.

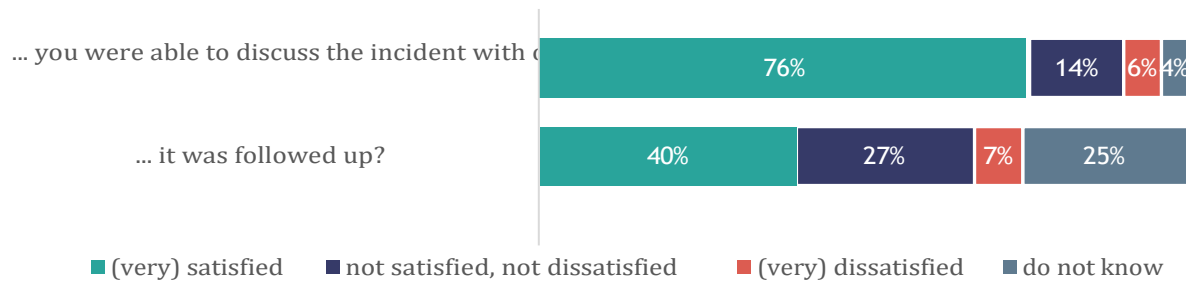
Majority of lawyers satisfied with discussing incident

Three quarters (76 per cent) of lawyers who discussed the incident were satisfied with the way they were able to do so. Six per cent are dissatisfied (figure 4.1). An almost equal proportion (7%) is dissatisfied with the follow-up given to discussing the incident. What is striking is the large proportion who say they cannot give an opinion on the follow-up given to the conversation (25% do not know). Lawyers who experienced a serious incident are less satisfied with the way in which they were able to discuss the incident.



Figure 4.1 - To what extent are you satisfied with the way...

Base: lawyers who discussed the most recent incident (n=476)



Report in five per cent incidents

Five per cent of incidents were reported, mostly by the lawyer himself (4 per cent). In one per cent of incidents, the firm filed a report. Reports are particularly made in serious incidents (7%, compared to 3% for less serious incidents). Verbal aggression and intimidation were reported the least often, in two and three per cent of cases respectively. In the case of threats, it was more common, in 15 per cent of cases. For physical aggression, two out of eight utterances were reported.

Table 4.2 - Percentage of reports by type and severity of incident (% reported)

Base: lawyers who have experienced an incident (n=567)

2022	
Type of incident	
Threat	15%
Harassment	3%
Verbal aggression	2%
Physical aggression	2 of 8
Perception of severity incident	
Seriously	7%
Less serious	3%
Total	5%



Half of those who reported a crime are satisfied with the way they were treated by the police (47%). More than a third are dissatisfied (37%). The rest are neutral (7%) or do not know (9%).

Reasons not to discuss: 'aggression is part of the job'

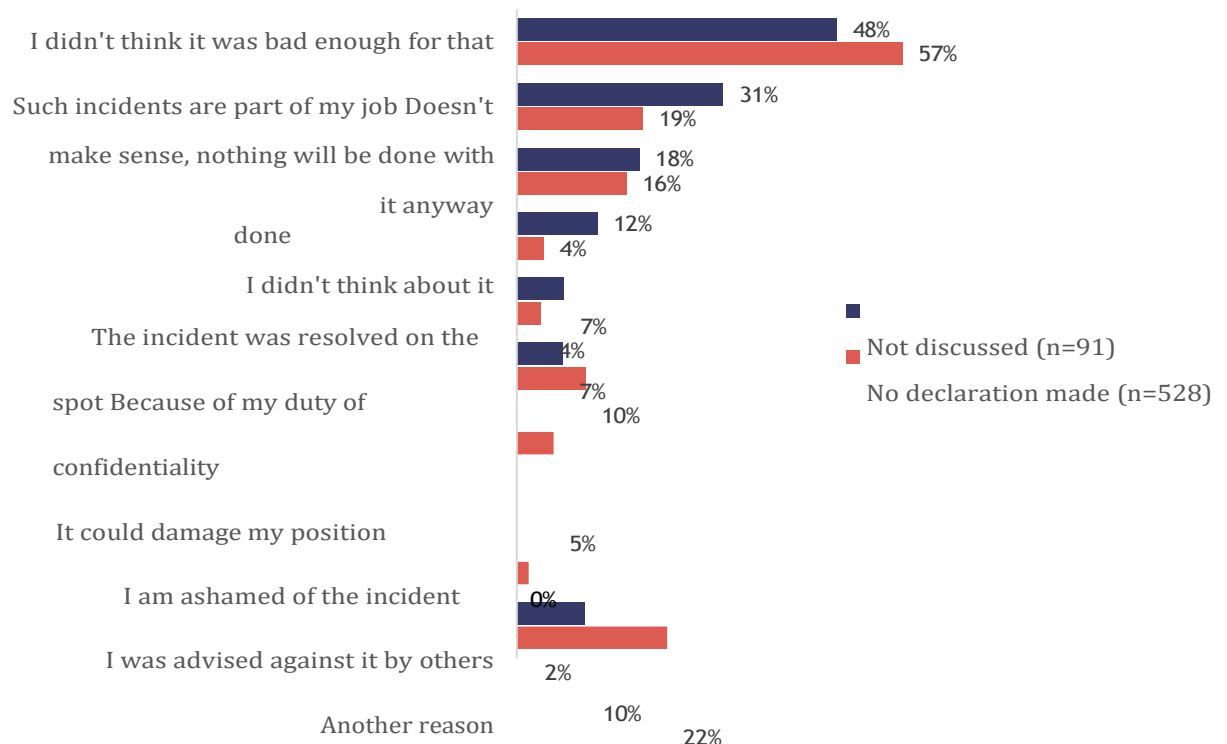
Lawyers have various reasons for not discussing an incident, but mainly indicate that they do not consider it serious enough (48%, figure 4.2) or because they think such incidents are part of the job (31%).

Reasons for not discussing an incident differ between less serious and serious incidents. The main reason for not discussing a less serious incident is because it was 'not bad enough' in the eyes of the lawyers concerned (53%). Serious incidents are also not discussed in all cases. The main reason for not doing so is that lawyers think there is no point because nothing will be done about it anyway (47%). The seriousness of the incident weighs most heavily in the consideration of not reporting it.



Figure 4.2 - Reasons for not discussing the incident and for not reporting it

Base: lawyers who did not discuss the most recent incident (n=91) / did not report it (n=528)



Lawyers also give other reasons for not going to the police (see box below). These reasons mainly have to do with the offender's actions not being punishable and the expectation that a situation would then escalate further. Other expected consequences also deter lawyers from reporting.

Examples of reasons for not filing a declaration

- "It was not a criminal offence. It was just intimidating."
- "No offence so not reportable."
- "Not wanting to throw oil on the fire."
- "To press charges would escalate the matter."
- "Hard to prove and a little bit because I don't want my work in any way to have a negative impact on my private life, on my children."
- "Consequences for my career if reported, harassment."

Seven in 10 lawyers experience adverse consequences after incident

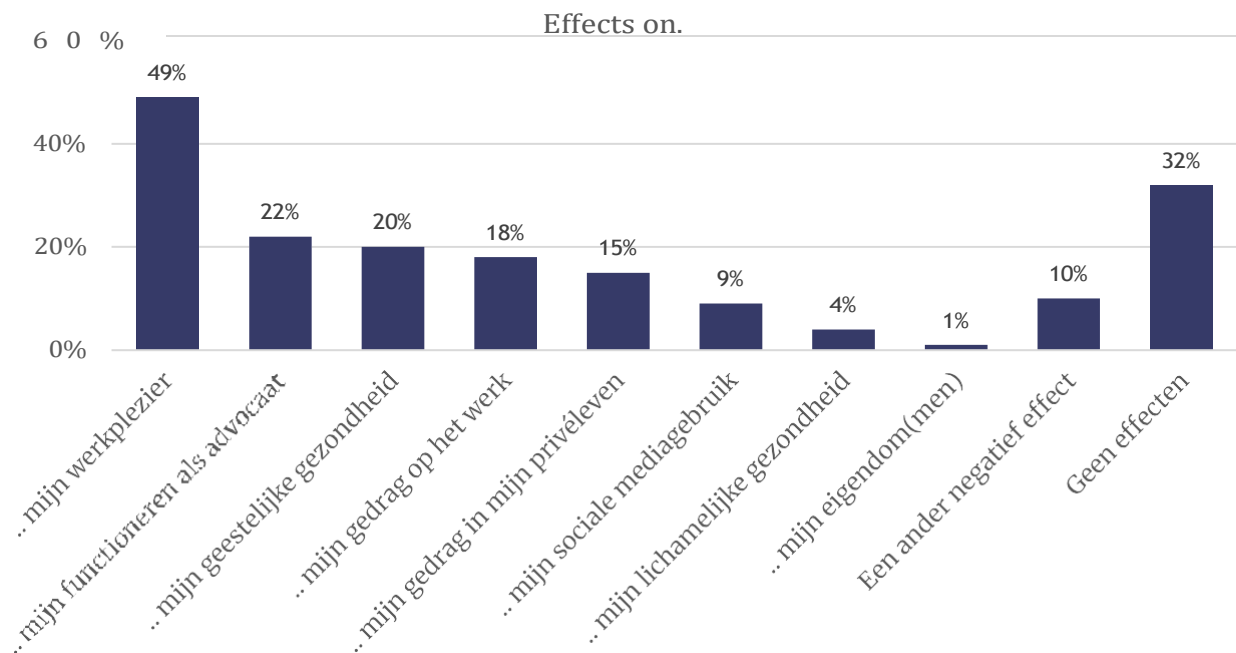
Seven in 10 lawyers who experienced aggression, intimidation or threats experienced adverse effects from this (68%). The most frequently mentioned negative effect concerns a decrease in job satisfaction. This applies to half of those affected (49%, figure 4.3). This is followed by effects on functioning as a lawyer/the way the lawyer practices his or her profession (22%). One in five (20%) notice effects on his or her mental health.

The severity of the incident affects the extent to which lawyers experience negative consequences. Almost all lawyers who experienced a serious incident experienced negative consequences from it (95%), compared to about half in less serious incidents (52%).



Figure 4.3 - Negative effects after the incident

Base: lawyers who have experienced an incident (n=567)



Nature of incident affecting adverse effects

The nature of the incident also influences its effects. Based on the most recent incident, lawyers who faced threats are more likely to experience negative effects (83%) than lawyers who faced verbal aggression (61%). Intimidation (72%) is in between.

Table 4.3 - Negative effects after the incident, by severity of incident

Base: lawyers who have experienced an incident (n=567) (multiple responses possible)

Effects on...	Verbal aggression (n=277)	Threat (n=76)	Harassment (n=164)	Physical aggression* (n=8)
.. my job satisfaction	49%	55%	50%	n=5
... my functioning as a lawyer	16%	37%	24%	n=2
.. my mental health	16%	26%	25%	n=2
.. my behaviour at work	14%	32%	19%	n=1
.. my behaviour in my private life	6%	28%	22%	
... my social media use	4%	28%	7%	
.. my physical health	1%	9%	6%	n=1
.. my property(s)	0%	4%	1%	
Another negative effect	6%	15%	10%	
No effects	39%	17%	28%	n=1

* The number of incidents of physical aggression (eight) is too low to show in percentages in the table.

Finally, it is notable that trainee lawyers are less likely than lawyers and partners to indicate that an incident has a negative effect on them. This may be due to the nature of the incidents they experience: trainee lawyers are less likely than the others to experience threats and intimidation, types of aggression that are more likely than verbal to lead to negative effects.



Impact on pursuit of profession

We asked those lawyers who say the incident has had an effect on the way they practice to explain what that effect is. In this, a number of themes can be detected: lawyers are stricter in taking on clients, become more cautious in their expressions (which is an impediment to assisting the client), are busy 'hedging' themselves against possible aggression, and enjoy their work less.

Caution

- "As a result of the incident, I now sometimes feel constrained as a lawyer to fully stand up for my clients' rights, as this might also put myself and my family at risk, especially as I keep office at home."
- "More cautious, thinking about actions to be deployed, choice of words, feeling hampered not more in the interest of clients to be able to do what is needed."
- "Caution, no calls in unsafe locations, no office mates involved in relation to threat etc."

Cover

- "I am becoming more and more cautious. I start putting more and more in writing, excluding risks, recording exonerations."
- "Even better cover in terms of file, always someone present at an appointment, and get back to work. This is the reality of my profession. The Bar Association does little about this, although I don't know specifically what you could do either. Hotline for stalking behaviour?"
- "You have to be more observant in word and writing each time and sometimes hedge more against your clients and loved ones of those clients then just do your work substantively."

Taking on clients

- "As a result, I tend to take on fewer cases and am less likely to accept a case before I know someone well."
- "I now select more strictly at the gate when taking a case or not. If the client is very rude to me, I put the case down earlier. As a matter of fact, in the case of the incident, I also put the case down."
- "I have become more cautious in terms of accepting certain things anyway. Also the family no longer wants that."

One in five lawyers considering quitting

One in five (21%) lawyers who have experienced an incident sometimes consider quitting the profession as a result of aggression and violence. One per cent think this often, three per cent regularly and 17 per cent sometimes. Among lawyers who experienced a serious incident, this is even almost two in five (37%) .



5 Aftercare, response and action organisation

This section examines the extent to which lawyers received aftercare following an incident of aggression and how the firm acts and acts in the event of aggression.

Majority involved do not need counselling/aftercare after incident

Two thirds of lawyers (63%) who experienced an incident indicated that they did not receive any aftercare following the incident and that it was not necessary. This is especially true for lawyers who have experienced verbal aggression (70%). Among lawyers who have experienced intimidation, six in 10 (60%) did not feel it was necessary, while for threats, the figure was 45%. Of the eight lawyers who had experienced physical aggression, three did not consider aftercare necessary.

Over half of lawyers who needed aftercare satisfied with this

Of the lawyers who did need aftercare, over half said they received sufficient guidance (57%, table 5.1). About one in seven (14%) say there was attention or guidance, but it was not sufficient. Three in ten (30%) feel there was little or no response.

Lawyers who have faced verbal aggression are most satisfied with the counselling and aftercare they received. Two in three (61%) received sufficient guidance. At the same time, more than a third (35%) of these lawyers also feel that there was little or no response to the incident. Five of the eight lawyers who experienced physical aggression needed aftercare. Four of the five felt they received sufficient counselling after this incident.

Table 5.1 - Did you receive counselling/aftercare, or was the incident addressed in any other way?

Base: lawyers who experienced aggression in the past 12 months and needed aftercare

	Total (n=196)	Verbal aggression (n=69)	Threat (n=41)	Harassment (n=64)	Physical aggression (n=5)
Yes, there is sufficient guidance/attention <u>been</u>	57%	61%	48%	55%	n=4
Yes, there has been guidance/attention, but <u>which was insufficient</u>	14%	4%	22%	20%	n=1
No, there was little or no response to it	30%	35%	29%	25%	-

Over half satisfied with firm's response to incidents, a third satisfied with aftercare Over half of lawyers (54%) feel that their own law firm responds adequately to incidents. A third (36%) feel that the aftercare of aggression and violence at their office is well regulated. Lawyers who have experienced an incident are more satisfied on these two points than those who have not experienced an incident (figures 5.1 and 5.2). Thus, over two-thirds (64%) feel that the office responds adequately to incidents. Almost half feel that aftercare is well organised (48%).



Lawyers who have not experienced an incident have less insight into how aggression is handled within their office. Among lawyers who have not experienced an incident, three in ten (30%) do not know whether their office responds adequately, compared to seven per cent of lawyers who did experience an incident. Regarding aftercare, four in ten (40 per cent) have no idea about this, compared to one in ten (12 per cent) lawyers who did experience an incident.

Figure 5.1 - I feel my office responds appropriately to threats, intimidation and aggression

Base: lawyers (n=1,099)

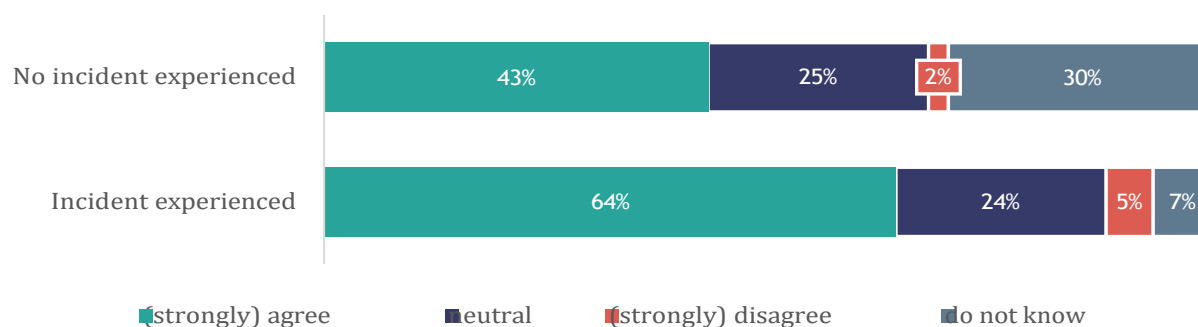
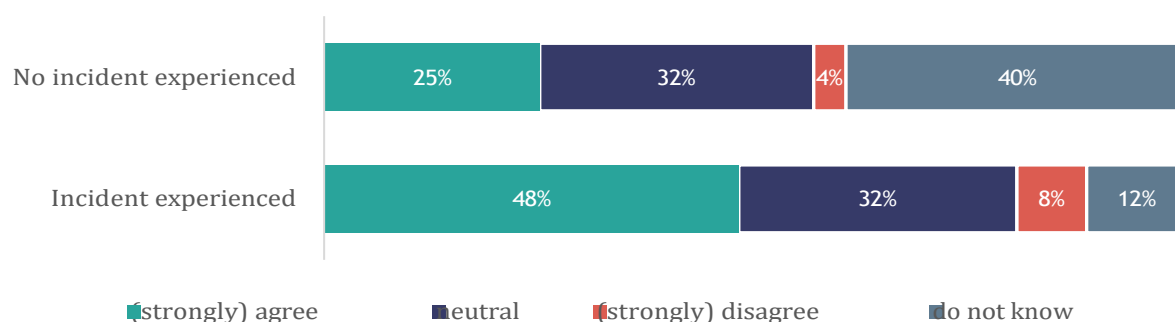


Figure 5.2 - Aftercare following an incident of aggression and violence is well organised by my office

Base: lawyers (n=1,099)



Lawyers working at large firms less positive about response and aftercare

Lawyers working at firms of 17 lawyers or more are less satisfied with their firm's response to incidents and how aftercare is arranged than lawyers working at firms with fewer lawyers.

Lawyers working at these larger law firms (17 lawyers or more) seem to have less insight into the firm's response to threats, intimidation and aggression and whether aftercare is properly arranged. Three in 10 (30%) do not know how the firm responds, over a third (37%) have no idea how aftercare is arranged.

Lawyers with sole proprietorships were also asked to what extent they feel they respond adequately to incidents and whether aftercare is well organised by them. These lawyers, compared to other lawyers, take a more neutral stance (37% and 45% respectively).



Figure 5.3 - I feel my office responds appropriately to threats, intimidation and aggression against lawyers
Base: lawyers (n=1,099)

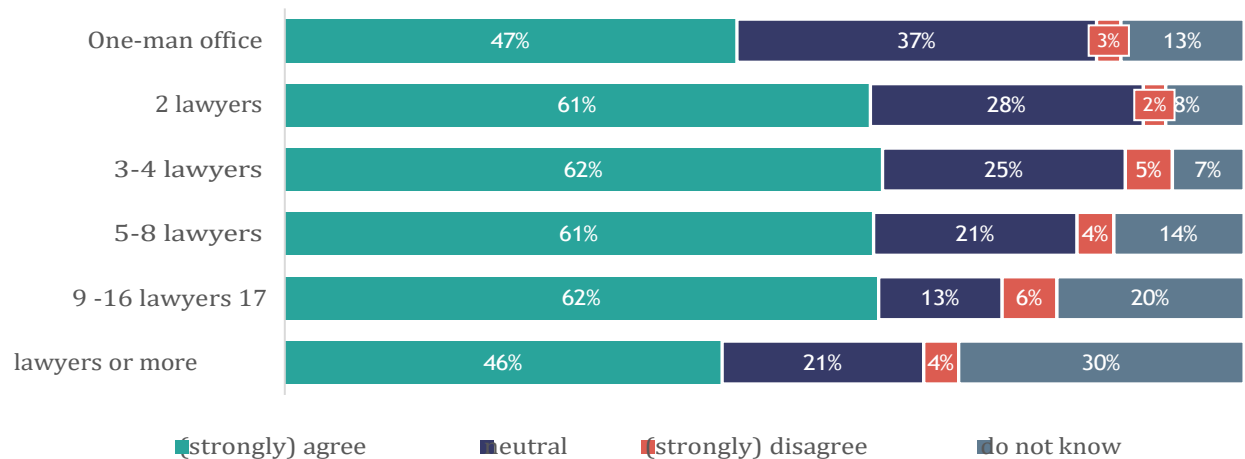
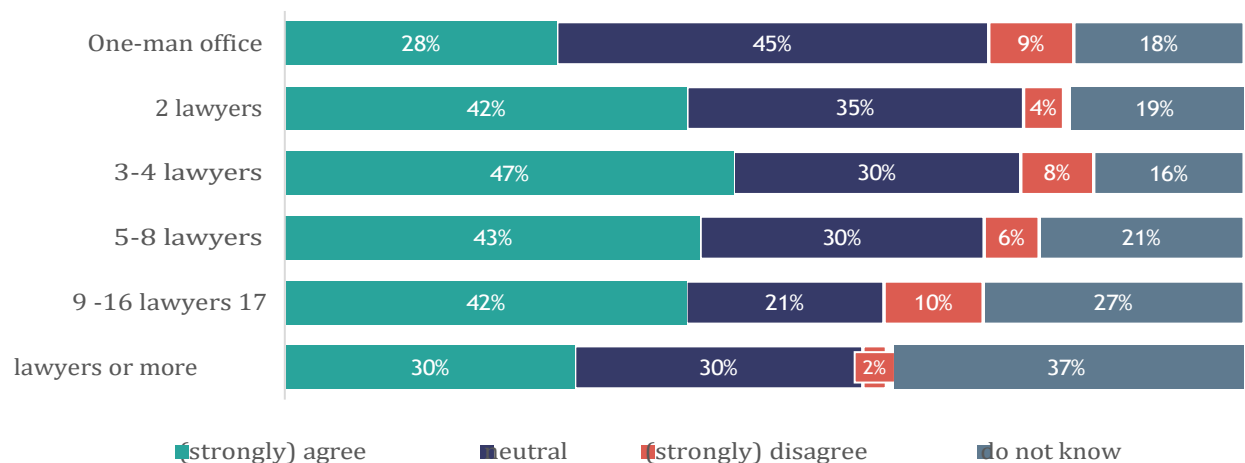


Figure 5.4 - The aftercare following an incident of aggression and violence is well organised by my office by office size

base: lawyers (n=1,099)

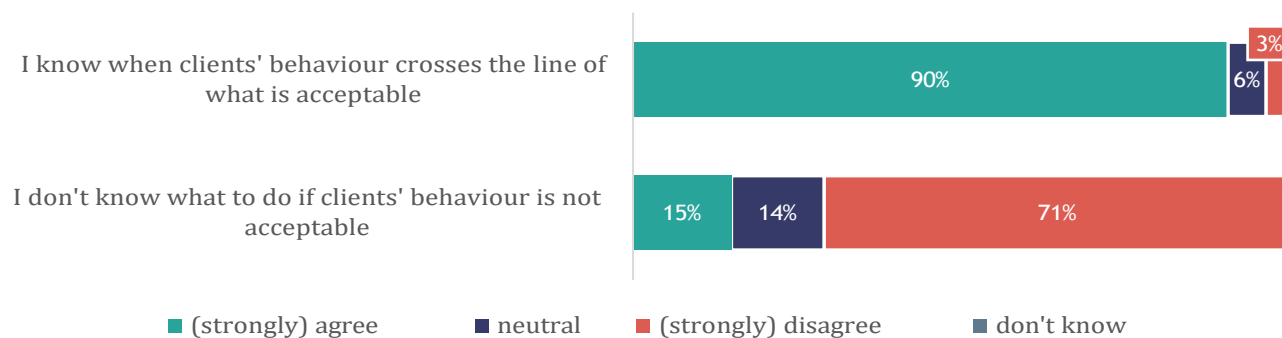


Majority know when clients' behaviour is not acceptable

Nine in ten (90%) lawyers have a clear picture for themselves when client behaviour crosses the line of what is acceptable (Figure 5.5). Almost one in six (15%) do not know what to do when clients show unacceptable behaviour. Seven in ten say they do know (71% disagree).

Figure 5.5 - Attitude towards client behaviour

Base: lawyers (n=1,099)



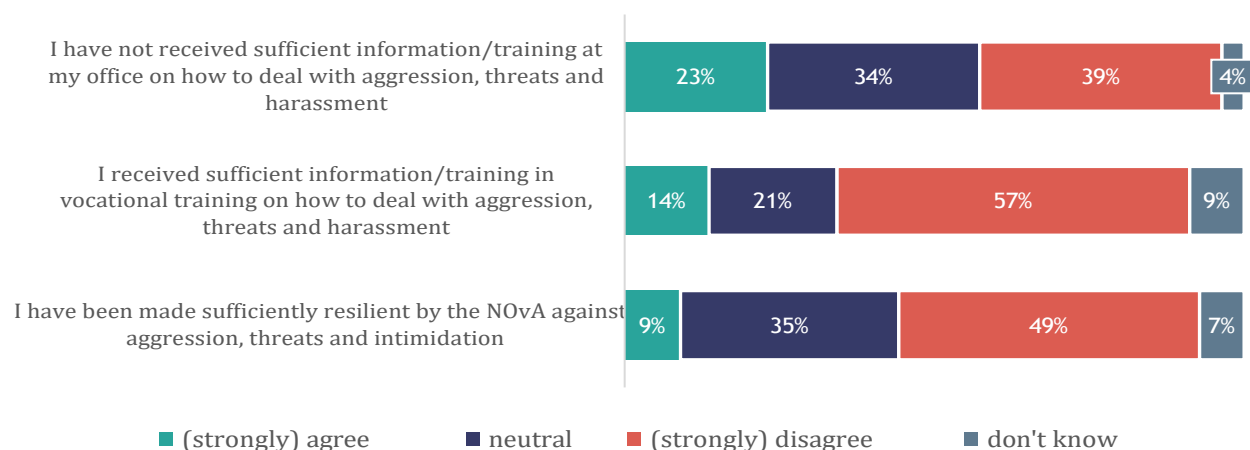
Small proportion of lawyers feel they have been made sufficiently resilient by the NOvA To

better deal with aggression, violence and intimidation, lawyers can receive support in various ways. This can include training courses at their office, during their professional training or through support from the NOvA. Over a fifth (23%) believe that they have not received enough information or training in this area by their firm. Four in ten (39%) disagree with this and thus feel that the office offers sufficient information.

One in seven (14%) say they have had sufficient training during their professional training in this area. One in ten (9%) mention the NOvA's efforts to make lawyers more resilient in this regard.

Figure 5.6 - attitudes towards information and training on dealing with aggression

base: all lawyers (n=1,099)



Experiencing an incident has limited influence on attitude towards prevention and information

Lawyers who have not experienced an incident hardly differ from lawyers who have experienced an incident (or several) in their attitude towards prevention, information and training and in their own knowledge of their client's behaviour (table 5.2).

Table 5.2 - Attitude towards prevention, information and training

Base: Lawyers (1,099), percentage (totally) agree with statement

	Incident experienced (n=567)	No incident experienced (n=532)
I know when clients' behaviour crosses the line of what is acceptable	90%	91%
I don't know what to do if clients' behaviour is not acceptable	16%	15%
I have not received sufficient information/training at my office on how to deal with aggression, threats and harassment	22%	24%
I received sufficient information/training in vocational training on how to deal with aggression, threats and harassment	14%	13%
I have been made sufficiently resilient by the NOvA against aggression, threats and intimidation	10%	8%

In one area, these lawyers differ slightly. Lawyers who have experienced an incident seem less likely to know what to do when their clients' behaviour is unacceptable. A higher proportion of lawyers who have not experienced an incident disagree with the statement '*I **don't** know what to do when clients' behaviour is unacceptable*' (75%) compared to lawyers who have experienced an incident (66%). Lawyers who did experience an incident were also more likely to give a neutral answer (18% versus 10% of lawyers who did not experience an incident).

Trainee lawyers less aware of what to do in case of unacceptable behaviour client

Trainee lawyers have more difficulty recognising unacceptable client behaviour and are also less aware of what to do when this behaviour crosses the line than lawyers and partner lawyers. However, eight in ten (82%) still know when client behaviour crosses the line of what is acceptable. Among lawyers (93%) and lawyer-partners, nine in ten (91%) know this. Six in ten (60%) trainee lawyers

know what to do when a client's behaviour crosses the line, compared to three quarters of lawyers (75%) and seven in 10 lawyer-partners (70%).⁷

Lawyer trainees are also less satisfied with the information and training provided in the office than lawyers and lawyer-partners. One-third of trainee lawyers (33%) feel they did not receive enough information, compared to two in five lawyers (22%) and lawyer-partners (21%).

Lawyer trainees do rate information and training in professional training more positively. Over a quarter feel (27%) that they have received sufficient information and training on how to deal with aggression, threats and intimidation. Among lawyers and lawyer-partners this is one in ten (10%).

⁷ Percentages based on the percentage who (completely) disagree with the statement: *I don't know what I can do when client behaviour is not acceptable.*



Most need more information on emergency button for lawyers

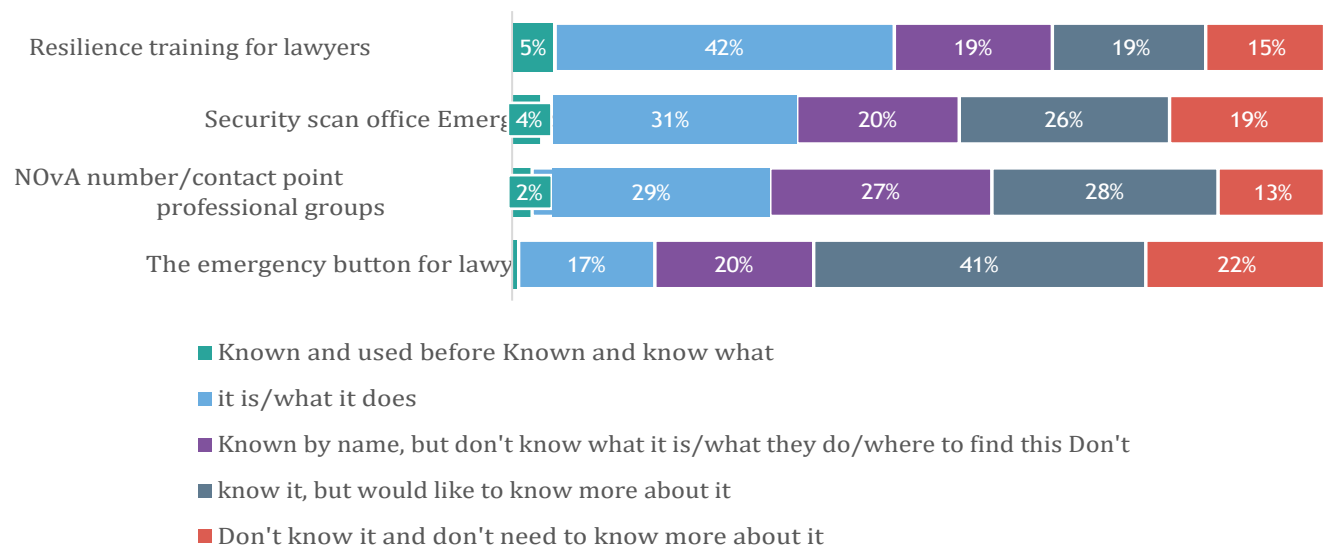
The tables above show that one in ten lawyers (10%) feel that they have been made sufficiently resilient against aggression, threats and intimidation by the NOvA. The NOvA offers a number of facilities for this purpose. Figure 5.6 lists these facilities. It shows that awareness of the facilities among lawyers varies. Lawyers are especially familiar with the defensibility training offered by the NOvA. Almost half (47%) know what this entails (Figure 5.7). Five per cent have also used this. Two in five (42%) have not used this but know what it is.

The emergency button is least known among lawyers, two-thirds (63%) do not know about this facility. Two in five (41%) would like to know more about this, this percentage is higher than for the other facilities. This low familiarity may be because this is a relatively new facility, made available to lawyers at the end of 2021.

A third of lawyers (34% and 31% respectively) are familiar with the office safety scan and the NOvA emergency number/contact point for professional groups. Over a quarter (26% and 28% respectively) do not know about these facilities, but would like to know more about them.

Figure 5.7 - Do you know the following facilities offered by the NOvA to increase lawyers' resilience?

Base: lawyers (n=1,099)



Lawyers who have experienced incidents more familiar with NOvA facilities Lawyers who have experienced an incident are generally more familiar with the facilities offered by the NOvA, compared to lawyers who have not experienced an incident. This applies to both the 'preventive' facilities (resilience scan and the safety scan) and the 'acute' facilities (emergency number and emergency button).

For example, one in 10 (9 per cent) of lawyers who have experienced an incident have participated in resilience training, compared to two per cent of lawyers who have not experienced an incident. Six per cent of the of lawyers who have experienced an incident have had an office safety scan done, versus one per cent of lawyers who have not experienced an incident.



Five per cent of lawyers who encountered aggression in the past year called the emergency number and two per cent used the emergency button. This lower usage may be because this is a relatively new facility, made available to lawyers by the end of 2021.

Measures taken increase security

Lawyers were asked the open question whether they themselves or their firm had taken measures to increase security. Half (51%) of the lawyers gave a substantive answer to this. We plotted these answers against office size in order to find out whether there are differences between office sizes and measures taken by lawyers. The answers show that lawyers working at different office sizes take similar measures to increase their security and that of their office. The text box shows the different measures taken by lawyers and/or their office.

Physical measures

- "Cameras, alarm and door security." (sole proprietor)
- "My office is now situated in a multi-tenant business building so there are always people there." (sole proprietor)
- "Anti-burglary strip / twist lock on inner door to office space." (two lawyers) "Shielded offices, multiple locks for entry. View of front door, alarm etc." (three or four lawyers)
- "Emergency button secretariat/ door that closes in case of danger." (five to eight lawyers)
- "Emergency button at reception, doors only passable with digital key." (Seventeen lawyers or more)

'Check at the door' and working by appointment

- "We lock the front door during the day and only open to known/expected clients by appointment." (sole proprietor)
- "Door locked, screening on opening." (three or four lawyers)
- "The office is not just accessible and all the rooms are visible." (five to eight lawyers)

Policy aimed at (future) 'high-risk' clients

- "Not letting clients who are verbally aggressive at times come to the office anymore. If a appointment in the office does become necessary, make sure the colleague is also in the office." (two lawyers)
- "Separated entrance for clients with reception. Risk calls are never made alone. Office colleagues inform each other of where they are." (three or four lawyers)



Increasing resilience

- "Resilience training from the NOvA I attended." (sole proprietor)
- "Course done and the tips given there were already applied (sitting by the door, not putting things on the table, preparing for interview and thinking of what could go wrong etc.)." (sole trader)
- "All staff take resilience courses. We also talk about it." (two lawyers) "We have a camera hanging in the office and our staff/trainees have taken the NOvA's resilience training." (five to eight lawyers)
- "Meetings discussing resilience, instructions reception/security." (seventeen lawyers or more)

Have a security scan done

- "We had the safety scan carried out and got several improvements out of it. We have also been in contact with police and the Dean when appropriate and have instructed our colleagues etc." (three or four lawyers)
- "Security scan NOvA, lockable dividing door to reception". (nine to 16 lawyers)

Lawyers were asked the following open question: 'Do you have any ideas for measures your firm, the NOvA or the government can take to prevent threats, intimidation and aggression?' This drew a variety of responses. The box below lists some of the ideas.

Ideas measures from the NOvA

- "Anonymous ability to report threat? Better cooperation NOvA with police/agencies?"
- "Regulate security and crack down on aggressors, including professional colleagues and other professionals, and offices that fail to correct abuses. NOvA should adopt a more realistic policy."
- "The lawyer is increasingly seen as an extension of the government, which threat and aggression. Latest law is the obligation under the Wwft to report own clients if black money is suspected. It would be to the credit of the NOvA if they stood firm in upholding professional secrecy as one of the foundations of the rule of law."
- "Providing even more information/education on the (emergency) assistance and resources provided by the NOvA offers in this area."
- "Resilience training at multiple locations around the country and also make it available to other office staff, possibly with a contribution. Offer NOvA courses (also for other staff) on how to recognise aggression, how to perceive escalation, how to de-escalate, etc."



Ideas measures in the office

- "At the office, a better access system could be installed with an additional lock."
- "I would love a course to be held in the office on this topic. How to recognise threats, intimidation and aggression and how to deal with them."
- "Training on de-escalating conversation techniques for lawyers. In home visits of psychiatric clients, making it possible for the lawyer not to have to go alone and perhaps to bring an office colleague for a fee?"

Ideas measures from the government

- "From a government perspective, perhaps a general campaign could be launched to highlight threats, intimidation and aggression against professionals. This applies not only to the legal profession but also to other professions. In a general sense, there is a hardening in society where respect and decency are often lacking."
- "More open appreciation of work lawyers do, not just after an incident but structurally."

Other ideas

- "There should be a tool to put a stop to people who have behaved in a cross-border manner, without taking much time. A restraining order or the like, something like the restraining order in domestic violence cases. As a lawyer, complaints can be filed against you, but there is no tool for the lawyer to have cross-border clients, opposing parties etc. called to order other than police intervention."
- "Give legal responders the same status as regular protected responders (ambulance personnel/firefighters/police) and ensure quick sessions in response to incidents."
- "I think there should be tougher sanctions on harassment. Threats are already punishable, but the police cannot do much if there is no real threat. Then you do sit with a great sense of insecurity, and you often look over your shoulder, but there is nothing you can do."
- "In the training and separate course: non-verbal communication. By behaving differently, you can partly prevent such behaviour and also nip it in the bud."
- "Incorporating this into vocational training. There, it is not addressed to little. For example, on one of the Skills training days, provide a resilience training, as was also offered by the NOvA."



6 Impact of risk on aggression and violence

The previous chapters mainly dealt with the nature of incidents of aggression and violence and their effect on lawyers who experienced them.

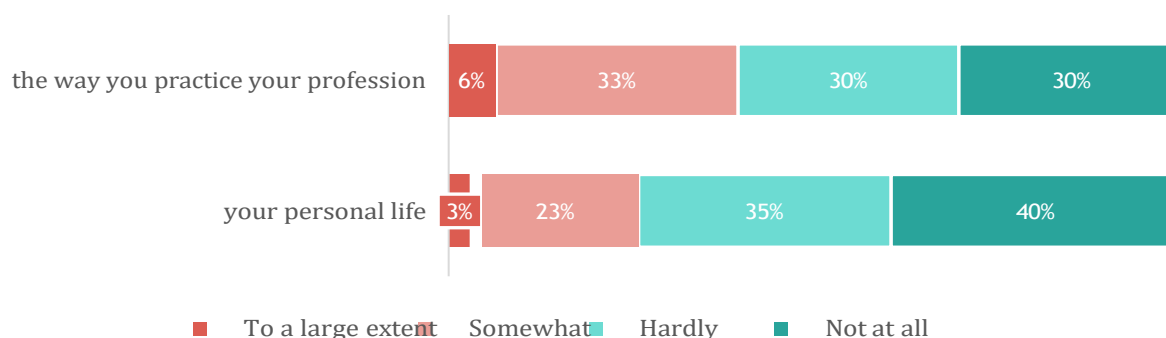
However, the risk of experiencing an incident (again) may also affect the way lawyers practise their profession or their personal privacy. All lawyers (i.e. both lawyers who have experienced an incident in the past year and lawyers who have not experienced an incident in the past year) were therefore asked to what extent *the risk of experiencing* aggression and violence affects them.

Risk of aggression more likely to affect profession than personal life

The risk of encountering threats, aggression or violence affects the way they practise their profession for four in 10 (40 per cent) lawyers, regardless of whether they experienced an incident. Six per cent say this is true to a large extent. For almost a quarter (23%), the risk of threat, intimidation or aggression affects their personal lives to some extent. For three per cent, this risk affects their personal life to a great extent.

Figure 6.1 - To what extent does the risk of encountering threats, intimidation or aggression affect the way you carry out your profession? And your personal life?

Base: lawyers (n=1,099)



Lawyers for whom the risk of encountering threats, intimidation or aggression affects the way they practise their profession were able to explain. The text box contains some quotes from the lawyers.

- "I am even more aware of social detriment risk that comes with being a lawyer. There is a complaint culture, where people threaten to complain even though there is no basis for it. This is downright irritating and should be addressed. It is tantamount to blackmail and intimidation. Furthermore, I am cautious on social media."
- "It affects communication, you put restrictions on yourself."
- "I have become extra alert to verbal communication c.q. dissatisfied clients, or unworthy clients."
- "I am more selective when taking on cases. If I know in advance that I will be dealing with a very aggressive opponent, I refer to the legal counter for another lawyer. I am a sole proprietor, woman and have home office, so I cannot and do not want too many of those kinds of aggressors acting on the person."



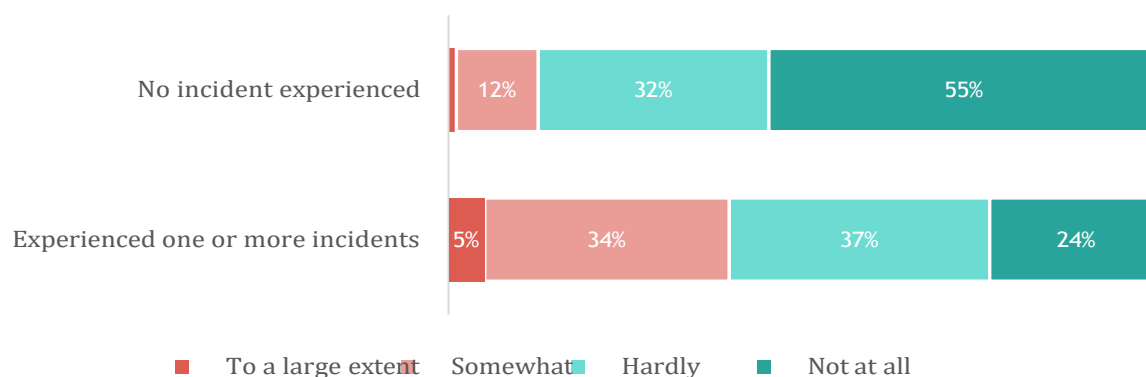
Lawyers who have experienced incident more influenced by risk of new incident

Four in 10 (39 per cent) lawyers who have experienced an incident say that the risk of experiencing an incident (again) affects their personal lives. Chapter [four](#) (Discussing, reporting and consequences, p. 26) discussed that actually experiencing an incident affected 15 per cent of lawyers' personal lives. Thus, the risk of coming into contact with it again seems to be of greater influence.

Of the lawyers who did not experience an incident in the past 12 months, 13 per cent say that the risk of an incident affects their personal lives.

Figure 6.2 - To what extent does the risk of encountering threats, harassment or aggression affect your personal life?

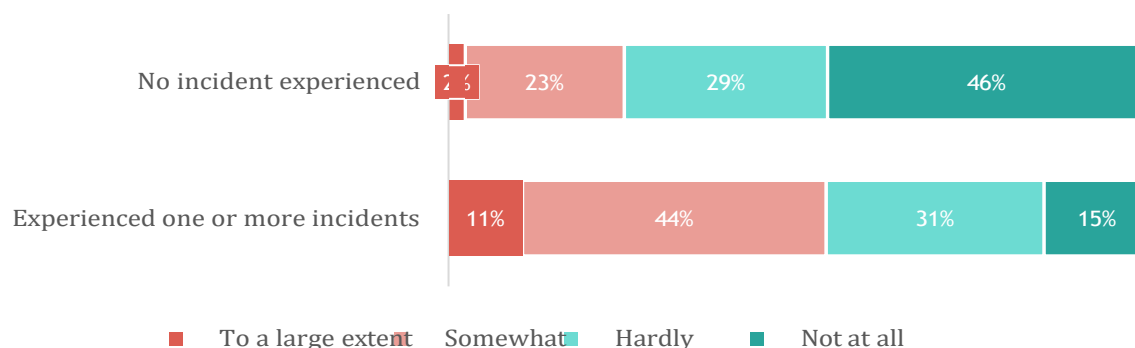
base: lawyers (n=1,099)



A similar pattern can be seen when it comes to the extent to which lawyers are affected in the practice of their profession by the risk of aggression. A quarter (25%) of lawyers who have not experienced aggression in the past year indicate that the risk of encountering it does affect their professional practice. Among lawyers who did experience an incident in the past year, more than half (55%) say that the risk of coming into contact with it (again) affects their professional practice. Actually experiencing an incident affected professional practice for 18 per cent.

Figure 6.3 - To what extent does the risk of encountering threats, intimidation or aggression influence the way you carry out your profession?

base: lawyers (n=1,099)



Lawyers working at larger firms less affected by risk of incident Lawyers working at larger firms (17 lawyers or more) are less affected in their work and personal lives by the risk of experiencing an incident. Almost half (47%) are not affected by this in their personal lives. For four in 10 (43%), victimisation risk does not affect the way they practise their profession. Lawyers working independently (13%) and at a firm of three to four lawyers (12%) are more strongly affected in their work, than lawyers working at firms of 17 lawyers or more (4%).



A Weighting

	Response composition (n=1,099)	Population (all lawyers in the Netherlands)	Response after weighing (n=1.099)
Gender			
man	50%	54%	54%
woman	48%	46%	46%
unknown	0%		0%
Would rather not say	2%		
Office size			
One-man office	26%	18%	18%
2 lawyers	13%	9%	9%
3-4 lawyers	16%	13%	13%
5-8 lawyers	18%	14%	14%
9-16 lawyers	11%	12%	12%
17-32 lawyers	7%	10%	13%
33-64 lawyers	3%	8%	8%
65 or more lawyers	5%	15%	13%
District of			
Amsterdam	19%	33%	33%
The Hague	11%	11%	11%
Gelderland	6%	7%	7%
Limburg	13%	4%	4%
Central Netherlands	5%	10%	10%
North Holland	5%	4%	4%
Northern Netherlands	7%	4%	6%
East Brabant	10%	6%	6%
Overijssel	4%	4%	4%
Rotterdam	12%	11%	11%
Zeeland-West Brabant	8%	5%	5%
Function			
Lawyer	92%	83%	85%
Trainee lawyer	8%	17%	15%
Age			
29 years or younger	7%	20%	15%
30-39 years	18%	28%	33%
40-49 years	25%	24%	24%
50-64 years	41%	25%	24%
65-74 years	8%	3%	4%
75 years and over	1%	0%	0%



B Overview of jurisdictions

Jurisdiction	
1	Procurement law
2	Agricultural law
3	General practice
4	Civil service law
5	Employment law
6	Asylum and refugee law
7	Tax law
8	Administrative law
9	Civil procedural law
10	Cassation
11	Economic planning law
12	Inheritance law
13	Financial law
14	Health law
15	Rental law
16	Information law
17	Insolvency law
18	Intellectual property law
19	Personal injury law
20	Environmental law
21	Corporate law
22	Education law
23	Expropriation law
24	Law of persons and family law
25	Privacy law
26	Psychiatric patient law
27	Victims' rights
28	Social security law
29	Sports law
30	Criminal law
31	Transport and commercial law
32	Disciplinary law
33	Real estate law
34	Law of obligations
35	Insurance law
36	Immigration law





I&O Research Enschede

Zuiderval 70
PO Box 563
7500 AN Enschede
T (053) 200 52 00
E info@ioresearch.nl
Chamber of Commerce
number 08198802

I&O Research Amsterdam —

Piet Heinkade 55
1019 GM Amsterdam
T (020) 308 48 00
E info@ioresearch.nl