

Press release

Assen, February 18, 2021

The Public Prosecution Service requests inadmissibility against the 68-year-old suspect in the Ruinerwold case

The public prosecutors in the Ruinerwold case have asked the Northern Netherlands court to declare the Public Prosecution Service inadmissible in the prosecution of the 68-year-old suspect who is currently still in detention. Continuing to prosecute would violate Article 6 ECHR, the right to a fair trial.

Stroke

The suspect suffered a stroke in 2016, as a result of which he became paralyzed on one side, his eyesight has been affected and he now suffers from global aphasia where both language comprehension and language production are very poor, experts say. Suspect is unable to speak. The understanding of both written and spoken language also appears to be seriously impaired. The suspect can type a few letters or words, but cannot write or type words himself.

During research, various tools were used to improve communication, such as a speech computer, various apps for aphasia patients, pictograms, and instruction cards. These tools turned out to be of little use, other tools confused the suspect and images were not recognized. There is no prospect of recovery or improvement of cognitive abilities, according to reports released by medical experts.

Fair trial

Under Article 6 of the European Convention on Human Rights, every suspect has the right to a fair trial. "Looking at the conclusions of the experts and the additions given at the hearing and looking at what we ourselves observed during the descent, it is impossible that the suspect will be able to follow the substantive criminal proceedings and participate in it. This goes to the heart of a fair trial; the right to defend yourself against allegations, assisted or not by legal counsel. That is what Van D. cannot do," said the officers.

Inadmissible

"And that means that we as public prosecutors, as representatives of the Public Prosecution Service, cannot ask the court anything other than to declare the Public Prosecution inadmissible in the prosecution." According to the officers, this means that there is no longer any ground for pre-trial detention.

Responsible way

“We have been asked several times from your court, from the defense of the co-suspect, but also from the press whether the suspect had already been heard by the police. We have always indicated that we first had to have more insight into the medical condition and the possibilities and impossibilities to communicate with van D., before we could decide whether and in what way an interrogation could take place in a responsible manner. Carefulness was and is our priority.”

“We eventually gained that insight from the report delivered by the Pieter Baan Center on 21 October 2020, from the descent that took place on 13 and 14 January 2021 and from last week's hearing where the experts were heard. And this shows that our doubts about the possibilities of communication with van D., about the possibilities of interviewing him, were justified.”

Vulnerability

The officers understand that the conclusion is particularly hard for the oldest four children - who had escaped from the community. “We are well aware of this. In all their vulnerability, they have stated at length about terrible things they endured in their youth and young adulthood. About the way they grew up, the terrible secrets they carried with them and the consequences that this has for them to this day.”

"Doing nothing was not an option"

Despite the course of the case, intervention by the police and the Public Prosecution Service was necessary: “We had to intervene on October 14, 2019; a young man had reported to the police who said he was staying in a farm against his will in poor conditions; he gave the impression that he had escaped something bad. On the spot it becomes clear how well the family is indeed hidden; initially the police cannot even find them. Only when the young man tells that there is a hidden door is the family found.”

“We couldn't close the door behind us, leave the children to their own devices and hope for the best. From the point of view of truth-finding, an investigation had to be done into the situation found. But also from concerns about the well-being of the family, action had to be taken. And that's what we did,” said the officers.

Freedom of choice

“By acting, we ensured that the oldest children could and dare to speak about the existence of their younger brothers and sisters. The secret and the concerns with which they have been walking around for all these years has been broken and they are now in regular contact with the young people again.”

“We got the younger children out of what was then an unsafe, bizarre situation. And over the course of the investigation, we gave them something they didn't have before. An actual existence in our society through their registration in the personal register, but more importantly: freedom of choice.”

“In the past eighteen months, the children have got to know our society, have been able to participate in it and have received spiritual and medical care. If, now that they have been able to taste the alternative, they nevertheless choose to want to live in seclusion with their father again, to exercise their faith - that is a right that they have become accustomed to as adults. That is their choice.”