



# Memorandum

**To** : Executive Board Erasmus University Rotterdam  
**From** : Mirjam Carp-den Baas LL.M. and Bart Van Mulken LL.M.  
**Reference** : JZ  
**Date** : May 27th 2020  
**Subject** : Short explanatory notes to the annual report legal protection 2019

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The annual report legal protection gives an overview of the performance of legal protection bodies during the year 2019 in responding to complaints, appeals and objections. The reasons for an increase or decrease in cases is not known to Legal Protection due to personal motives (GDPR) behind the complaints, appeals and objections.

### **General**

The number of cases dealt with in 2019 did not differ significantly from the number of cases in 2018, 2017 and 2016. What did change is the introduction of a new subject: processing time (behandeltermijn). In 2019 Legal Protection focused on dealing with cases within the stipulated time limit.

### **Advisory Committee for Notices of Objection (ACB)**

The number of objections did differ from previous years. The number of objections being settled or withdrawn did differ from previous years due to the new procedure in which the ACB deals with non-responding objectors. Such cases are now processed and resulted in an increase in recommendations of the committee and decrease in settlements/withdrawals.

### **Board of Appeal for Examinations (CBE)**

The total number of submitted cases in 2019 has shown a decrease since last year but not compared to 2017. However, it must be noted that no plausible explanation can be given for the increase in submitted cases in the year 2018 in relation to 2019 and 2017.

### **Committee for Scientific Integrity (CWI)**

In 2019 the number of cases stayed the same in relation to previous years. During 2019 the decision was made to incorporate Scientific Integrity (Committee) under the auspices of Legal Affairs / Legal Protection.

**Legal Protection Facility (LPF)**

Erasmus University Rotterdam (EUR) just like any higher education institution must have a legal protection facility (LPF) where students can lodge their appeals, objections, complaints and notices. The nature of complaints and notices mostly are operational i.e. *dirty toilet, leakages* and *refund of tuition fees*. As of September 1st 2017 LPF, is managed by Legal Affairs/Legal Protection.

Objections and appeals are passed on from LPF to the ACB or CBE. Complaints and notices are passed on to their respective administrative manager.

There were 73 cases from September 1<sup>st</sup> 2017 (4 months). In 2018 no complaints were logged. The total number of cases in 2019 did not differ from 2017 allowing student inflow.

**Disputes committee Iudicium Abeundi (GIA)**

This committee was established in 2018 and the case dealt with in 2019 was lodged in 2018.

**Board of Appeal for Non-Initial Programmes (GNIO)**

No different numbers compared to previous years.

**Complaints Committee**

In previous years complaints about the behaviour of an administrative body (Title 9.1 General Administrative Law Act) were not mentioned. As such no information is available.

**Complaints Committee Undesirable Conduct (formerly known as SIAG)**

The data shows that complaints of undesirable conduct increased in 2019. The jump in complaints could be explained by (1) the media coverage on the subject of transgressive behaviour (#me too), and (2) to make transgressive behaviour a subject of discussion within the Erasmus University. However, the increase could just as much be explained by a students' pattern of expectations, comprehension and familiarity in western manners and the use of alcohol and drugs. Explaining these numbers would be retrospective speculation. Perhaps, the confidants could shed some light on these numbers.

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