

FRANET

**Victim Support Services in the EU:
An overview and assessment of
victims' rights in practice**

The Netherlands, 2014

FRANET contractor: Art.1, Dutch Knowledge Centre on Discrimination
Authors: Nieuwboer, J., Walz, G.

DISCLAIMER: This document was commissioned under contract as background material for a comparative analysis by the European Union Agency for Fundamental Rights (FRA) for the project 'Victim Support Services in the EU: An overview and assessment of victims' rights in practice'. The information and views contained in the document do not necessarily reflect the views or the official position of the FRA. The document is made publicly available for transparency and information purposes only and does not constitute legal advice or legal opinion.

Part A:

The information presented in this phase is primarily based on analysis of the country specific reports received in phases 1 and 2 of the project; the general overview of the situation of victim support in Member States (phase 1) and the more in depth exploration of the situation, including promising practices which offer support to victims of crime in different ways (phase 2). Information has also been taken from secondary sources such as the 2009 APAV study on Victims in Europe.¹ While phase 2 of the project was divided into two parts, focusing firstly on generic victim support services and secondly on specialised areas of victim support, this third phase of the project, comprised of Parts A and B, will focus principally on the structure or lack thereof of generic victim support services; although a limited number of questions relate to specialised areas of victim support. For this part, please provide detailed, concise answers. For guidance purposes, sample answers are often provided, which primarily draw on information provided in country-specific reports from phases 1 & 2 of the project. When returning your report to the FRA, please ensure that all sample answers have been deleted, as these are for guidance purposes only and should not form part of your response. In addition, in cases where your country is one of the examples provided, please review and revise the information as necessary, as the information provided may be outdated.

2.1 Scenarios

In the following situations, please describe the referral system (from police to victim support organisation) in the current victim support structure in your country; including whether police routinely refer the victim to a support service; where is the victim referred and who deals with the case in the end (as a guideline, keep to 2 or 3 sentences (maximum) per question within each scenario. Please choose either 'Yes' or 'No' for questions a. and c of each scenario, in addition to questions 6-13 and provide comments in the 'Description' field. For questions b and d, please provide your comments directly in the 'Description' field).

	Scenario	Questions	Yes	No	Description (max 1-3 sentences)
1	A female who has been beaten by her partner and calls the police	a. Do the police routinely refer the victim to a support service?	x		The police refer the victim to a Support Centre for Domestic Violence (<i>Steunpunt Huiselijk Geweld</i>), there are about forty - 45 of these Centres throughout the Netherlands.
		b. If yes, please name the service(s)	X	-	Support Centre for Domestic Violence (<i>Steunpunt Huiselijk Geweld</i>)
		c. Do the police routinely contact this service on behalf of the victim?		X	The police leave it to the victim or bystanders to give information to and actually apply to the Support Centre for Domestic Violence. ² However, the police may consider the situation to be risky and together with the mayor it may be decided that the offender is placed outside his or her home for ten days.

¹ Aa, S. van der et al. (2009), *Project victims in Europe – Implementation of the EU Framework Decision on the standing of victims in the criminal proceedings in the Member States of the European Union*, Lisbon (see http://www.apav.pt/vine/images/report_vine_eng.pdf).

² Telephone conversation with the police in April 2013.

		d. Which support service would in the end deal with such a case?	-	-	Support Centre for Domestic Violence. However, if legal issues are involved they will contact VSN to give support in this respect. ³
2	A teacher reports the sexual abuse of a child to the police	a. Do the police routinely refer the victim to a support service?	X		The police routinely refer the victim to the Advice and Registration Centre for Child Abuse (<i>Advies- en Meldpunten Kindermishandeling</i>)
		b. If yes, please name the service(s)	-	-	Advice and Registration Centre for Child Abuse (<i>Advies- en Meldpunten Kindermishandeling</i>). There are about thirty of these Centres throughout the Netherlands.
		c. Do the police contact this service on behalf of the victim?	X		The police contact the Child and Registration Centre for Child Abuse (<i>Advies- en Meldpunten Kindermishandeling</i>) on behalf of the victim.
		d. Which support service would in the end deal with such a case?	-	-	Advice and Registration Centre for Child Abuse (<i>Advies- en Meldpunten Kindermishandeling</i>), however, if third parties have abused the child, VSN is involved. The same goes for serious crimes against morality in which several children have been abused. ⁴
3	A person calls the police following a burglary in their apartment	a. Do the police routinely refer the victim to a support service?	X		The police routinely refer the victim to VSN.
		b. If yes, please name the service(s)	-	-	VSN
		c. Do the police contact this service on behalf of the victim?	X		The police contact this service on behalf of the victim.
		d. Which support service would in the end deal with such a case?	-	-	VSN ⁵

³ E-mail correspondence on 19 March 2013 and telephone interview in March 2013 with VSN.

⁴ E-mail correspondence on 19 March 2013 and telephone interview in March 2013 with VSN.

⁵ E-mail correspondence on 19 March 2013 and telephone interview in March 2013 with VSN.

4	A person is the victim of a racist attack by a gang of youths	a. Do the police routinely refer the victim to a support service?	X		The police routinely refer the victim to VSN in the case of hate crimes.
		b. If yes, please name the service(s)	-	-	VSN
		c. Do the police contact this service on behalf of the victim?	X		The police contact this service on behalf of the victim.
		d. Which support service would in the end deal with such a case?	-	-	VSN
5	An elderly person is mugged on the way home from collecting their monthly pension and is in urgent need of financial assistance	a. Do the police routinely refer the victim to a support service?	X		The police routinely refer the victim to VSN.
		b. If yes, please name the service(s)	-	-	VSN
		c. Do the police contact this service on behalf of the victim?	X		The police contact this service on behalf of the victim.
		d. Which support service would in the end deal with such a case?	-	-	VSN, which will help the person to get money (if not otherwise possible from relatives or friends) from a private fund, the Pieter van Vollenhoven Fund (<i>Pieter van Vollenhoven Fonds</i>) within a few days, or from municipal funds (there are some small funds with various practices in various municipalities for people in dire need). ⁶
6a	In relation to how police deal with victims, are there special measures in place for victims with a disability? If yes, describe them. If your answer is no, please provide a justification/explanation.	X		There is a special room to hear victims with a mental disability, there are sign language interpreters for deaf victims and the police will visit a victim at home if he cannot access the police office. ⁷	

⁶ E-mail correspondence on 19 March 2013 and telephone interview in March 2013 with VSN.

⁷ E-mail correspondence with Letters from Citizens (Burgerbrieven), 14 May 2013.

6b	In relation to how victim support services deal with victims, are there special measures in place for victims with a disability? If yes, describe them. If your answer is no, please provide a justification/explanation.		X	VSN tries to make its premises accessible for people with a physical disability, in other respects it tries to reach practical solutions with the help of relatives and friends. ⁸
7a	In relation to how police deal with victims, are there special measures in place for victims who are migrants with illegal residency status? ⁹ If yes, describe them. If no, please provide a justification/explanation.	X		In the event of human trafficking, migrants with illegal residence status who report this to the police are regarded as migrants who, at the same time, apply for a residence permit. The victim is given the opportunity to think about reporting human trafficking for three months. In this period of time, the victims are regarded as migrants with a legal residence status. The victim is entitled to housing and support. Once human trafficking has been reported, a temporary residence permit for, in principle, one year, but in any case for the course of the legal proceedings, will be granted within 24 hours. When the legal proceedings are finished, the victim should leave the country. ¹⁰
7b	In relation to how victim support services deal with victims, are there special measures in place for victims who are migrants with illegal residency status? ¹¹ If yes, describe them. If no, please provide a justification/explanation.		X	All victims are regarded as equal by VSN; the residence status does not play a part at all. ¹²
7c	Are migrants with illegal residency status excluded from accessing support from victim support organisations in practice?		X	They are not excluded, but they may feel barriers to approach VSN, as they do not want to make public that they are in The Netherlands. ¹³
8	Is access to victim support services dependent on a victim making a formal complaint to competent authorities (e.g. the police)?		X	No, victims can call VSN themselves five days a week. They can also approach VSN through their website. ¹⁴

⁸ E-mail correspondence on 19 March 2013 and telephone interview in March 2013 with VSN.

⁹ Please note that the usual FRA terminology (used in all official FRA publications) for migrants with illegal residency status is 'migrants in an irregular situation.' For the purposes of these guidelines however, reference will be made to 'migrants with illegal residency status.'

¹⁰ B9 Informatie (2013), *Vreemdelingencirculaire*, website, available at: www.b9-regeling.info/vreemdelingencirculaire.pdf.

¹¹ Please note that the usual FRA terminology (used in all official FRA publications) for migrants with illegal residency status is 'migrants in an irregular situation.' For the purposes of these guidelines however, reference will be made to 'migrants with illegal residency status.'

¹² E-mail correspondence on 19 March 2013 and telephone interview in March 2013 with VSN.

¹³ E-mail correspondence on 19 March 2013 and telephone interview in March 2013 with VSN.

¹⁴ E-mail correspondence on 19 March 2013 and telephone interview in March 2013 with VSN.

9	In practice, do victim support services afford preferential treatment to victims who have agreed to cooperate with a police investigation into the crime they have experienced (e.g. by dealing with them more rapidly than victims who are not cooperating with a police investigation)?		X	Everyone is supported as much as needed and as soon as possible on an equal footing. ¹⁵
10a	In reference to part 'c' of questions 1-5, in the event that police contact victim support services on the victim's behalf, is there an automatic transfer of the victim's data? ¹⁶	X		The police have a list of crimes (about seventy) in the so-called Basic Provision on Enforcement (<i>Basis Voorziening Handhaving</i>) the data of which are automatically transferred to VSN, who then contact the victim to find out whether they want support by approaching them actively.
10b	If the answer to 10a above is yes, is the police obliged to obtain the victim's permission/consent for the data transfer?		X	Until mid 2011 the police would ask the victim's consent, but this resulted in the wrong questioning and mistakes in the registration of the answers, so that the transfer of data is automatic, now, without the consent of the victim. ¹⁷
10c	Is there a legal basis for the communication/transfer of the victim's data? What is it?	X		The legal basis is the Act on Police Data (<i>Wet Politiegegevens</i>), article 18, first paragraph, in conjunction with the Decision on Police Data (<i>Besluit Politiegegevens</i>), article 4:2, opening sentence and under b and i, and in conjunction with article 10, first paragraph, under e of the Act on Youth Care (<i>Wet op de Jeugzorg</i>).

2.2 Institutional aspects: role of state in victim support structure

In the following section, please complete/verify the information requested in the following tables, placing your country in the appropriate category, or, where information is provided, checking the accuracy of the information and revising as necessary (i.e. by moving your country name from the incorrect column to the correct column along with a justification).

2.2.1 Models of generic victim support

Generic victim support organisations are for the present purposes defined as “**not limited to helping a particular type of victim of crime**”. With the above definition in mind, please:

a) Review the list and short description of structure of generic victim support organisations operational in your country provided for in Annex 2 and edit as necessary, ensuring that all significant victim support providers (especially those operating at national level) are mentioned. **Countries listed in Annex 2 shaded in green (and in category 'A' below) have been identified (on the basis of country reports submitted for phases 1 & 2 of the project) as not having any generic**

¹⁵ E-mail correspondence on 19 March 2013 and telephone interview in March 2013 with VSN.

¹⁶ For example, personal data (name, address etc.) as well as any relevant details relating to the incident being transferred rather than having to be supplied again by the victim.

¹⁷ E-mail correspondence on 19 March 2013 and telephone interview in March 2013 with VSN.

victim support organisations. These countries should provide a short list (in Annex 2) of the main organisation(s) providing victim support **in one of the two specialised areas of victim support focused on in the phase 2 country report (see annex 3 for a list).** As a default, please select the area ‘Domestic violence and stalking’.

b) Place your country in one of the following categories (A, B, C, D or E) and provide an explanation about why your country should be placed in that group. For each group, one example has been provided for guidance purposes. If your country is one of the examples provided, please review and revise the information as necessary, placing your country in a different group if the information provided is incorrect. **Please delete all examples from your response and insert your country name in only ONE column.** (Note: only country codes are listed. For full country names, please refer to Annex 1).

A: No generic victim support provider exists	B: At least one generic victim support service provider exists at national level. The main provider or structure is state run and state funded	C: At least one generic victim support service provider exists at national level. The main provider or structure is non-governmental run but relies strongly on state funding	D: At least one generic victim support service provider exists at national level. The main provider or structure is non-governmental run and does not rely strongly on state funding	E (OTHER) – if you cannot place your country in any of the other categories, please describe
		NL		
Explanation/justification:	Explanation/justification:	Explanation/justification:	Explanation/justification:	Explanation/justification:
•		The main organisation providing victim support in the Netherlands is the organisation Victim Support Netherlands (VSN); a national NGO that offers legal, practical and emotional support and advice to victims of various kinds. In 2011, 80 % of the VSN funds were provided by the federal government, 14 % was provided by local authorities and the remainder of the funds came from different sources.		

2.2.2 Public coordination of victim support services

Please answer the following questions by completing the tables. Two examples have been provided (for questions 1 & 2) for guidance purposes. **Please delete all examples from your response and insert your country name in only ONE column.** If your country is one of the examples provided, please review and revise

the information as necessary. Please provide references to the full name of the Ministry or body in question in both English and the national language (Note: only country codes are listed. For full country names, please refer to Annex 1).

- Please specify (by placing an 'X' in the relevant columns) which ministry or ministries have a role in victim support provision. In addition, please provide a short explanation in the comments field.

	Ministry of Justice	Ministry of Health	Ministry of Labour/ Social Affairs	Ministry of Interior/	Any other	COMMENTS
NL	X		X		Ministry of the Environment and Infrastructure; Ministry of Public Health, Welfare and Sports	The Ministry of Security and Justice (<i>Ministerie voor Veiligheid en Justitie</i>) may provide funds to victim support services and actually pays a large amount of money to VSN. Part of this money comes from the Ministry of the Environment and Infrastructure (<i>Ministerie voor Milieu en Infrastructuur</i>), as VSN also deals with victims of traffic accidents. The Ministry of Labour/Social Affairs (<i>Ministerie voor Sociale Zaken en Werkgelegenheid</i>) and the Ministry of Public Health, Welfare and Sports (<i>Ministerie van Volksgezondheid, Welzijn en Sport</i>) pay a sum of money to CoMensha, the victim support organisation in the area of human trafficking, and a sum of money for the helpline Sexual Abuse.

- Please provide a short description of which body (e.g. ministry, office for victims of crime, commission or any other body) has the overall or principal coordinating role in organising victim support services at national and federal level. If no one ministry or body has such a role, please provide an explanation/ justification.

NL	<p>The Unit of Prevention and Victim Policy (<i>Afdeling Preventie en Slachtofferbeleid</i>) within the Ministry of Security and Justice (<i>Ministerie voor Veiligheid en Justitie</i>) has primary responsibility for victim support.¹⁸ The main organisation supporting victims in the Netherlands is Victim Support Netherlands (VSN).¹⁹ Victim support is regularly discussed within the tripartite consultations between the PPS, the police and local authorities as well as in the Juridical District Council (<i>Arrondissementaal Justitieel Beraad, AJB</i>). The AJB is where several judicial organisations and the police strategize on how to improve achievements in the judicial chain.</p>
<ul style="list-style-type: none"> • What is the legal basis for the type of victim support model that exists in your country (e.g. is it stipulated somewhere in a legal instrument that victim support services be state-run; state-funded etc.?) 	
	<p>It is only mentioned that the Ministry of Security and Justice may provide funds to victim support services (Act on Subsidies by the Ministry of Justice – <i>Wet Justitie Subsidies</i>, Article 9). In practice, victim support services are funded by the Minister of Security and Justice every year.</p>

¹⁸Overheid.nl, 'Afdeling Preventie en Slachtofferbeleid', website, available at:

http://almanak.overheid.nl/12235/Veiligheid_en_Justitie/Directie_SanctieenPreventiebeleid/Afdeling_Preventie_en_Slachtofferbeleid.

¹⁹ Slachtofferhulp Nederland (Victim Support Netherlands, VSN) (2013), *Over ons*, website, available at: www.slachtofferhulp.nl/Over-Ons.

2.2.3 Funding:

Please answer the following questions by completing the tables. Please note that countries that do not have generic victim support service providers (i.e. that fall within category 'A' under question 2.2.2) should not answer questions c & e. For questions g-k, if your country does not have a generic victim support structure in place, please respond to the question with respect to a specialised area of victim support. **Please select one of the two specialised areas of victim support you focused on in your phase 2 country report to the FRA (see annex 3 for a list). As a default, please select the area 'Domestic violence and stalking'.** If you choose to take another area, provide a short justification for why you have chosen that area.

Important for all: Whether you answer questions g-k with respect to an organisation providing generic victim support or an organisation providing specialised victim support, please choose the biggest organisation (in terms of the organisation that receives most funding, helps most victims nationwide etc.).

For the year 2012, please specify the exact amount of funding:	Amount (in EURO)
a Budgeted by the state for compensation	€ 24,239,000 for the Violent Offences Compensation Fund ²⁰
b Paid out by the state for compensation	€ 14,000,000 ²¹
c Budgeted by the state for generic victim support services (i.e. services not restricted to a particular category or categories of victims)	€ 22,619,000 for VSN ²²
d Budgeted by the state for specialised victim support services (i.e. services restricted to a particular category or categories of victims; such as child victims or victims of human trafficking). In addition, please name the specialised victim support services that received state funding.	€ 1.000,000 for Comensha, budgeted by the Ministry of Security and Justice. ²³
e Paid out by the state for generic victim support services (i.e. services not restricted to a particular category or categories of victims).	€ 22,000,000 ²⁴

²⁰ The Netherlands, House of Representatives (*Tweede Kamer der Staten-Generaal*) (2011/12), Parliamentary documents (Kamerstukken) II 2011/2012, 33000 VI, number 2, p. 52.

²¹ Violent Offences Compensation Fund (*Schadefonds Geweldsmisdrijven*) (2013), *Cijfers jaarverslag 2012*, Rijswijk: Violent Offences Compensation Fund, available at: <https://schadefonds.nl/images/pdf/2012%20in%20cijfers.pdf>.

²² The Netherlands, House of Representatives (*Tweede Kamer der Staten-Generaal*) (2011/12), Parliamentary documents (Kamerstukken) II 2011/2012, 33000 VI, number 2, p. 52.

²³ The Netherlands, House of Representatives (*Tweede Kamer der Staten-Generaal*) (2011/12), Parliamentary documents (Kamerstukken) II 2011/12, 33 280 XV, number 2, p. 20.

²⁴ E-mail correspondence on 19 March 2013 and telephone interview in March 2013 with VSN.

f Paid out by the state for specialised victim support services (i.e. services restricted to a particular category or categories of victims; such as child victims or victims of human trafficking). In addition, please name the specialised victim support services that received state funding.			€1,433.908 for Comensha ²⁵
Reimbursement by the state of expenses incurred	Yes	No	Comments
g Are there any victim support organisations that request money from victims who benefit from services? If yes, please name one such organisation and specify (under comments) whether there is a standard fee or whether this is decided on a case by case basis.		X	
h With respect to your chosen organisation, is the organisation reimbursed by the state for expenses incurred through the provision of support to victims? If yes, please specify the criteria for reimbursement (e.g. per victim?). i If the answer to h is 'yes', please specify whether the organisation is reimbursed regardless of the victim's nationality (yes or no) and provide a short explanation in the comments field. More specifically, is a difference made between reimbursement for support provided to a) country nationals; b) EU country nationals and c) third country nationals?		X	NA
j Further to question i, is the organisation reimbursed for providing support to victims with illegal residency status? Please provide a short explanation under 'comments'.	X		No distinction is made between victims with illegal residency status or otherwise.
k Are there any factors that would discourage the victim support organisation in practice from supporting third country nationals? Please specify under comments.		X	No distinction is made between various victims. ²⁶

2.2.4 Capacity:

For the year 2012, please specify the number of victims of crime that:	No of persons:
a Applied for compensation from state sources.	5,601 plus 704 for compensation in addition to

²⁵ E-mail correspondence on 24 April 2013 with Comensha. The difference with the budgeted amount under d is accounted for by the fact that there is more funding than from the Ministry of Security and Justice only.

²⁶ E-mail correspondence on 19 March 2013 and telephone interview in March 2013 with VSN.

b Received compensation from state sources.	compensation they received earlier on. ²⁷ 5,356 ²⁸ 220,346 victims were contacted by generic victim support services. ²⁹
c Approached generic victim support services (i.e. services not restricted to a particular category or categories of victims)	
d Approached specialised victim support services (i.e. services not restricted to a particular category or categories of victims)	1,711 ³⁰

2.2.5 Official/academic studies on victims

Have any official or academic studies been published in your country in the last 5 years on the following (note: please provide a full reference for the study (following the FRA style guidelines) and provide a link if available online):

	Yes	No	Reference	Short description of the study's objectives and findings (2-3 sentences)
Studies on under reporting of crime?	X		1. Statistics Netherlands (<i>Centraal Bureau voor de Statistiek</i>) (2012), <i>Integrale Veiligheidsmonitor 2011: Landelijke rapportage</i> , The Hague: Statistics Netherlands, available at www.cbs.nl/NR/rdonlyres/8E28C12B-892B-479E-9CCD-39B9122494A7/0/2012integr	1. Fourth edition of the Dutch integral safety monitor, a victim survey that assesses among other things the reporting behaviour of Dutch citizens and the crime experienced by Dutch citizens. This edition covers the year 2011. In 2011 35 percent of all experienced crimes were reported to the police. Most important reasons not to report crime: there is little point in reporting crime and the criminal incident was not important enough.

²⁷ Violent Offences Compensation Fund (*Schadefonds Geweldsmisdrijven*) (2013), *Cijfers jaarverslag 2012*, Rijswijk: Violent Offences Compensation Fund, available online at: <https://schadefonds.nl/images/pdf/2012%20in%20cijfers.pdf>.

²⁸ Violent Offences Compensation Fund (*Schadefonds Geweldsmisdrijven*) (2013), *Cijfers jaarverslag 2012*, Rijswijk: Violent Offences Compensation Fund, available online at: <https://schadefonds.nl/images/pdf/2012%20in%20cijfers.pdf>.

²⁹ E-mail correspondence on 19 March 2013 and telephone interview in March 2013 with VSN.

³⁰ E-mail correspondence on 24 April 2013 with Comensha.

		<p>aveiligheidsmonitor2011pub.pdf</p> <p>2. Statistics Netherlands (<i>Centraal Bureau voor de Statistiek</i>) (2011), <i>Integrale Veiligheidsmonitor 2010: Landelijke rapportage</i>, The Hague: Statistics Netherlands, available at http://www.cbs.nl/NR/rdonlyres/2391A4D8-15F3-4344-A6E7-A6E744B1D465/0/2010w40pub.pdf</p> <p>3. Statistics Netherlands (<i>Centraal Bureau voor de Statistiek</i>) (2010), <i>Integrale Veiligheidsmonitor 2009: Landelijke rapportage</i>, The Hague: Statistics Netherlands, available at http://www.cbs.nl/NR/rdonlyres/90D122AD-C7AB-4D2D-B190-FE97A72298F6/0/2009integraleveiligheidsmonitorlandelijke-rapportage.pdf</p> <p>4. Statistics Netherlands (<i>Centraal Bureau voor de Statistiek</i>) (2009), <i>Integrale Veiligheidsmonitor 2008: Landelijke rapportage</i>, The Hague: Statistics Netherlands, available at:</p>	<p>2. Third edition of the Dutch integral safety monitor, a victim survey that assesses among other things the reporting behaviour of Dutch citizens and the crime experienced by Dutch citizens. This edition covers the year 2010. In 2010 35 percent of all experienced crimes were reported to the police. Most important reasons not to report crime: there is little point in reporting crime and the criminal incident was not important enough.</p> <p>3. Second edition of the Dutch integral safety monitor, a victim survey that assesses among other things the reporting behaviour of Dutch citizens and the crime experienced by Dutch citizens. This edition covers the year 2009. In 2009 35 percent of all experienced crimes were reported to the police. Most important reasons not to report crime: there is little point in reporting crime and the criminal incident was not important enough.</p> <p>4. First edition of the Dutch integral safety monitor, a victim survey that assesses among other things the reporting behaviour of Dutch citizens and the crime experienced by Dutch citizens. This edition covers the year 2008. Data were collected in autumn 2008. In 2008 36 percent of all experienced crimes were reported to the police. Most important reasons not to report crime: there is little point in reporting</p>
--	--	--	--

		<p>www.cbs.nl/NR/rdonlyres/DD316B79-27F4-4370-A0D4-BE0514248B4B/0/2008integraleveiligheidsmonitorlandelijk.pdf</p> <p>5. Statistics Netherlands (<i>Centraal Bureau voor de Statistiek</i>) (2008), <i>Veiligheidsmonitor 2008 Rijk</i>, The Hague: Statistics Netherlands , available at http://www.cbs.nl/NR/rdonlyres/5DFF3890-4655-42FF-B5E0-04D29F4E5DEF/0/2008veiligheidsmonitorrijkrapportpub.pdf</p>	<p>crime and the criminal incident was not important enough.</p> <p>5.Third and last edition of the safety monitor, a victims survey of the Dutch central government. This monitor is replaced by the integral safety monitor. It surveys among other things the reporting behaviour of Dutch citizens and the crime experienced by Dutch citizens. This edition covers the year 2008. Data were collected in spring 2008. In 2008 around 35 percent (exact figure not given) of all experienced crime were reported to the police. Most important reasons not to report crime: there is little point in reporting crime and the criminal incident was not important enough.</p>
Other national studies related to victims of crime (specify)	X	<p>1. Wijk, A. van, Leiden, I. van, and Ferwerda, H.(2013), <i>Over leven na de moord. De gevolgen van moord en doodslag voor de nabestaanden van de slachtoffers en de ondersteuning door Slachtofferhulp Nederland</i>, The Hague: Ministry of Justice - Research and Documentation Centre, available at www.wodc.nl/images/1596a-volledige-tekst_tcm44-487550.pdf</p>	<p>1. A study on the impact of murder and manslaughter on the surviving relatives of victims and an evaluation of the support received from Victim Assistance Netherlands. 62 surviving relatives of 42 crime and manslaughter victims were followed for two or three years after the crime. Data was collected by interviews and a questionnaire. The study showed that the crimes had serious psychological, emotional, physical, practical, social and legal effects. The satisfaction of the support received from Victim Assistance Netherlands was high.</p>

		<p>2. Lens, K., Klerx, F., Bosma, A., Van der Aa, and Van den Bosch (2012), <i>Aard, omvang en handhaving van beschermingsbevelen in Nederland. Deel 1: Wettelijk kader en handhaving</i>, Tilburg: Intervict, University of Tilburg, available at www.wodc.nl/images/2183-volledige-tekst-deel-i_tcm44-457610.pdf</p> <p>3. Wijk, A. van, Leiden, I. van, Ferwerda, H. (2013), <i>Casemanagement levensdelicten: Een evaluatie van het project 'Voorzieningen voor nabestaanden van slachtoffers van levensdelicten' van Slachtofferhulp Nederland over de periode 2008 to 2010</i>, The Hague: Ministry of Justice Research and Documentation Centre, available at: www.wodc.nl/images/1596-volledige-tekst_tcm44-487564.pdf</p> <p>4. Geurts, T. and Schrama, W.M. (2012), <i>Civiel schadeverhaal door</i></p>	<p>2. This study reviews the prevalent legislation on civil, administrative, and criminal protection orders in the Netherlands and how their enforcement works out in theory and in practice. Study is based on legal desk research and semi-structured interviews with stakeholders in (law) enforcement agencies. It concludes that in the past few years, the many provisions which have been created to form the basis of a protection order (especially within criminal law) have made it hard to get a clear picture of the situation.</p> <p>3. An evaluation of the 'Service for surviving relatives of victims of homicide crimes' project provided by Victim Support Netherlands from 2008 until 2010. This evaluation focuses on the organisational aspects of the project. It concludes that the strength of the service lies in the case managers who run the project.</p> <p>4. The central issue of this research concerns civil litigation as a means for</p>
--	--	---	---

		<p><i>slachtoffers van strafbare feitende rol van de civiele procedure: gebruik, knelpunten en oplossingsrichtingen</i>, The Hague: Ministry of Justice Research and Documentation Centre, available at: www.wodc.nl/images/cahier-2012-11-samenvatting_tcm44-453354.pdf</p> <p>5. Timmermans, M., Tromp, E. & Homburg, G. (2011), <i>Justitiële slachtofferondersteuning verbeterd? Een evaluatie van de pilot Vernieuwd slachtofferloket</i>, Amsterdam: Regioplan Beleidsonderzoek, available at: http://wodc.nl/images/volledige-tekst_tcm44-398436.pdf</p> <p>6. Timmermans, M, Tillaart, J. van den & Homburg, G. (2011), <i>Eerste meting slachtoffermonitor: Ervaringen van slachtoffers met justitiële slachtofferondersteuning:</i></p>	<p>crime victims to get compensated by the offender. The research focused on the year 2010 and pertained to cases dealt with by the civil court division dealing with claims of at least €5,000. In 2010, an estimated 483 civil lawsuits have been dealt with by the district courts in which a crime victim claimed damage compensation from the offender. This study identified several problems in relation to civil litigation: victims of unknown offenders will not be able to file a civil lawsuit, the high costs and the long duration of a civil procedure and problems with legal aid and access to justice.</p> <p>5. Evaluation study of a Victim Support Helpdesk project pilot project that was launched in 2008 and early 2009 in four police districts. This study could not establish whether the innovation implemented in this project have resulted in improved efficiency or improved quality.</p> <p>6. This study presents the results of a questionnaire that was sent to a sample of victims of crime who reported to the police in the period from 1 April 2011 to 16 May 2011. Respondents were positive about some aspects of the support given by the police and very negative about other aspects. 82 percent of respondents were</p>
--	--	---	---

		<p><i>Deel 1: politie</i>, Amsterdam: Regioplan Beleidsonderzoek, available at: http://wodc.nl/images/1833b-volledige-tekst_tcm44-483373.pdf</p> <p>7. Klerx-van Mierlo, F., Pemberton, A. & Lodwijks, I.A.J. (2011), <i>Vervolg kwaliteitsmeting slachtofferzorg</i>, Tilburg: Intervict, University of Tilburg, available at: http://wodc.nl/images/1833a-volledige-tekst_tcm44-349196.pdf</p> <p>8. Wijers, M. & De Boer, M. (2010), <i>Een keer is genoeg: Verkennend onderzoek naar secundaire victimisatie van slachtoffers als getuigen in het strafproces</i>, The Hague: Ministry of Justice Research and Documentation Centre, available at:</p>	<p>positive about the general way in which police officers behaved towards them, 45 percent were negative about the action of the police officers with regard to restoring a sense of security and the repairing of damages.</p> <p>7. This study aims to further the development of a victim assistance monitor (a questionnaire). Three objectives were at heart of the study: improving comprehensibility, Reducing non-response, developing 'building blocks' for the implementation of the monitor. This study resulted in an advice which contains the following elements: reduction of the length of the questionnaire, where possible and where necessary; periodical execution by an external organization; and a mixed-mode approach, including telephone contacts and a negative consent procedure.</p> <p>8. This study explores how police, public prosecutors and the judiciary deal with victims seriously in their position as witnesses and, in particular, to learn whether it can be said that victims routinely experience an aggravation of their suffering as a result of their participation in criminal proceedings (secondary victimisation). This study was carried out by a literature study and a total of twenty-one interviews that were conducted with police, prosecutors, investigating judges and trial judges. The study identified four different types of secondary victimisation:</p>
--	--	--	---

		<p>http://wodc.nl/images/volledi-ge-tekst_tcm44-264510.pdf</p> <p>9. Intomart (2010), <i>Slachtofferschap van huiselijk geweld: Aard, omvang, omstandigheden en hulpzoekgedrag</i>, The Hague: Ministry of Justice - Research and Documentation Centre, available at: www.wodc.nl/images/volledi-ge-tekst_tcm44-305888.pdf</p> <p>10. Heim, M., Hoogeveen, C., De Jong, B.J., Slump, G.J., Vogelvang, B. and Van Burik, A. (2010), <i>Evaluatie slachtoffer-</i></p>	<p>negative psychological effects on the victim's self-esteem, faith in the future, trust in the legal system, and faith in a just world; an increase in the frequency of posttraumatic stress reactions to the original trauma caused by the crime; the hindering of the process of recovery; and the experience of a second, new trauma, resulting from the trial.</p> <p>9. Goal of this study was to obtain general information about victims of domestic violence in the Netherlands. It consisted of a survey that looked in detail at which types of domestic violence victims are faced with, the attributes that can be used to describe victims of domestic violence and how the help-seeking behaviour displayed by victims of domestic violence can be characterised. It found among other things that half of those interviewed had at one time experienced at least one incident within the domestic sphere. Of those interviewed, 23 percent had been confronted with at least one incident in the last five years.</p> <p>10. Study into the national implementation of victim-offender interviews in the Netherlands. In 2007 the option of victim-offender interviews was implemented nationwide for both victims and juvenile offenders, and was transferred to the project "Slachtoffer in Beeld". It found among other things that although the victim-offender interview was initially intended for the victim, most of the</p>
--	--	--	---

		<p><i>dadergesprekken. Een onderzoek naar de landelijke implementatie van slachtoffer-dadergesprekken</i>, Woerden: Van Montfoort Collegio, available at: www.wodc.nl/images/volledige-tekst_tcm44-331137.pdf</p> <p>11. Kunst, M.J.J. (2010), <i>The Burden of Interpersonal Violence. Examining the psychosocial aftermath of victimisation</i>. Tilburg: University of Tilburg, available at http://arno.uvt.nl/show.cgi?fid=105988.</p> <p>12. Tromp, E., Osenbruggen, A. van, and Homburg, G. (2009), <i>Informatieverstrekking aan slachtoffers van misdrijvevaluatie van het proces van informatieverstrekking aan slachtoffers over de executiefase van tbs en jeugd</i>, Amsterdam: Regioplan Beleidsonderzoek, available at: http://www.wodc.nl/images/1681_volledige_tekst_tcm44-201195.pdf</p>	<p>registrations (84%) come from the offender. It has proved more difficult to set up this facility for victims than initially anticipated.</p> <p>11.This study is a PhD thesis that maps the psychosocial impact of violent victimisation. The thesis comprises nine studies. The most striking conclusion that can be drawn from this thesis is that victims of violence who have applied for state compensation still appear to suffer from severe PTSD symptom levels many years after victimisation.</p> <p>12.Study conducted among victims of crimes committed by mentally violent disturbed offenders who are held under a special hospital order (tbs). Since 2005 it is possible for these victims to obtain information from the public prosecution service about the detention, prolongation, release and termination of the hospital order. The study identifies strong and weak links in the information process. All interviewed victims assessed the possibility to obtain information as positive.</p> <p>13. A study on the consequences of crime for the victims. Study made use of existing international literature, the Dutch victim surveys carried out in the period from 1997 to 2004 by Statistics Netherlands and 17 interviews with victims. This main</p>
--	--	--	---

		<p>13. Lamet, W., & Wittebrood, K. (2008), <i>Nooit meer dezelfde: Gevolgen van misdrijven voor slachtoffers</i>, The Hague: Sociaal en Cultureel Planbureau, available at http://wodc.nl/images/volledige-tekst_tcm44-166569.pdf</p> <p>14. Jansen, M., Koffijberg, J. & Homburg, G. (2008), <i>Doorverwijzing door slachtofferhulp</i>, Amsterdam: Regioplan Beleidsonderzoek, available at: http://www.wodc.nl/images/volledige-tekst_tcm44-124293.pdf</p> <p>15. Statistics Netherlands (<i>Centraal Bureau voor de Statistiek</i>) (2013), <i>Integrale Veiligheidsmonitor 2012</i>, The Hague: Statistics Netherlands , available at: www.cbs.nl/NR/rdonlyres/F27A063A-EBF9-4A08-A8D7-</p>	<p>conclusion of this study is that offences which are serious in legal terms do not always have serious consequences, and offences which are not serious in legal terms sometimes do have serious consequence.</p> <p>14.Exploratory study into the referral patterns from Slachtofferhulp Nederland to other service and aid organisations. The immediate cause of this study was formed by data from previous studies, which showed that against the wishes of part of the victims themselves, they had not been referred to specialised services. This idea was not recognised by the discussion partners in this study; they do not think desired referrals fail to occur. What causes this discrepancy does not become clear in this study.</p> <p>15.Fifth edition of the Dutch integral safety monitor, a victim survey that assesses among other things the reporting behaviour of Dutch citizens and the crime experienced by Dutch citizens. This edition covers the year 2012 and uses a different method from previous editions. In 2012 20 percent of the inhabitants of the Netherlands of 15 years and older were victim of one of the following crimes: violence, vandalism or crime against property.</p> <p>16. In this comprehensive report, the most important results of three partial studies of domestic violence in the Netherlands have</p>
--	--	--	---

		12BC79DB7B47/0/2013Veiligheidsmonitor2012pub.pdf.	been summarised, integrated and valued. More than 9% of the Dutch population had been a victim of obvious domestic violence in the preceding five years. Approximately 40% reported one or several unpleasant incidents in the family environment. Nearly 75% of the cases of obvious domestic violence concerned physical violence (65%) and sexual violence (8%). It is estimated that, in the Netherlands, every year at least 200,000 persons fall victim to incidents of domestic violence or obvious domestic violence committed by 100,000 to 110,000 suspects of domestic violence.
		16. Van der Veen, H.C.J. & Bogaerts, S. (2010), <i>Huiselijk geweld in Nederland. Overkoepelend synthesesrapport van het vangst-, hervangst-, slachtoffer- en daderonderzoek 2007-2010</i> , The Hague: Boom Juridische uitgevers, available at: http://wodc.nl/images/ob288-volledige-tekst_tcm44-322380.pdf	

2.3 Victim Helplines

Please complete the information in the following table, providing details on whether the country has a national victim support helpline, who funds it, operates it etc. Where the answer is 'no', please provide a short justification or explanation of the situation in the comments field. For example, for question 3, if the helpline does not operate 24 hours a day, 7 days a week, place an X in the 'No' column and specify the operating hours under 'Comments'. Where 'Yes' or 'No' answers are not applicable (i.e. questions 9-15), please answer the question directly in the 'Comments' field. Please provide information for 2012. Where this is not possible, please provide a justification and give data for the latest year possible.

		Yes	No	Comments
1	Is there a helpline? If yes, please provide the name of the helpline and the contact details for the helpline (including the name of the body who runs it, contact phone number etc.) under 'Comments'.	X		<ul style="list-style-type: none"> Children's telephone (<i>Kindertelefoon</i>); National Office Children's Telephone (<i>Landelijkbureau@kindertelefoon</i>), +31 30 2983482 (not willing to co-operate with

2	Does it operate 24/7? (If no, specify the days and times of operation under 'Comments').		X	<p>study by providing further details).</p> <ul style="list-style-type: none"> • Helpline sexual abuse (<i>Hulplijn Seksueel Misbruik</i>), run by VSN, which co-operates with a number of other organizations, + 31 30 2340116. • Corelation (<i>Stichting Korrelatie</i>), kantoor@korrelatie.nl, (not willing to co-operate with study by providing further details). • Sensor, info@sensoor.nl, +31 346 590098 • Operates between 14,00 hrs and 20.00 hrs.³¹ • Operates Mo/Fri between 9.00 hrs and 17.00 hrs.³² • Operates Mo/Fri between 9.00 hrs and 18,00 hrs (telephone calls), 9.00 hrs and 17.30 hrs (chat) and 24/7 (e-mail) ³³ • Operates 24/7 (telephone) and e-mail; 9.30 hrs-12.30 hrs, 14.00 hrs-17.00 hrs and 19.30 hrs – 22.30 hrs (chat).³⁴
3	Does it operate nationwide? (If no, name the city or federal state in which it operates).	X		

³¹ Kindertelefoon.nl (2013), *De organisatie Kindertelefoon*, website, available at: www.kindertelefoon.nl/13-18/volwassenen.php.

³² Hulplijn Seksueel Misbruik (2013), *Hulplijn Seksueel Misbruik*, website, available at: www.hulplijnseksueelmisbruik.nl.

³³ Korrelatie (2013), *Contact*, website, available at: www.korrelatie.nl/contact.

³⁴ Sensor (2013), *Contact opnemen met Sensor*, website, available at: www.sensoor.nl/contact.html.

4	Is the helpline free of charge?	X		<ul style="list-style-type: none"> • Free of charge.³⁵ • Local fee.³⁶ • Telephone calls cost € 0.15 cents a minute.³⁷ • Local fee or € 0.05 cents a minute.³⁸ • Children (eight- eighteen years old) with problems in general (at home, at school , sexual abuse etc.).³⁹
5	Does the helpline target all victims of crime? If no, please specify (under comments) which categories of victims can approach the helpline.		X	<ul style="list-style-type: none"> • Victims of sexual abuse or violence; irrespective of when it happened and irrespective of, for example, age.⁴⁰ • The target group is anyone with psychological or social problems.⁴¹ • The target group is anyone in need to vent his or her feelings, talk about worries or problems.⁴²
6	Is the helpline state run (if no, describe the non-state actor(s) who runs it under 'Comments')		X	<ul style="list-style-type: none"> • No details available. • VSN, co-operating with some other organisations, subsidized by the state.⁴³ • No details available. • No details available.

³⁵ Kindertelefoon.nl (2013), *De organisatie Kindertelefoon*, website, available at: www.kindertelefoon.nl/13-18/volwassenen.php.

³⁶ Hulplijn Seksueel Misbruik (2013), *Hulplijn Seksueel Misbruik*, website, available at: www.hulplijnseksueelmisbruik.nl.

³⁷ Korrelatie (2013), *Contact*, website, available at: www.korrelatie.nl/contact.

³⁸ Sensoor (2013), *Contact opnemen met Sensoor*, website, available at: www.sensoor.nl/contact.html.

³⁹ Kindertelefoon.nl (2013), *De organisatie Kindertelefoon*, website, available at: www.kindertelefoon.nl/13-18/volwassenen.php.

⁴⁰ E-mail correspondence on 26 March 2013 with VSN.

⁴¹ Korrelatie (2013), *Contact*, website, available at: www.korrelatie.nl/contact.

⁴² Sensoor (2013), *Contact opnemen met Sensoor*, website, available at: www.sensoor.nl/contact.html.

⁴³ E-mail correspondence on 26 March 2013 with VSN.

7	Is the helpline funded by the state?	X		<ul style="list-style-type: none"> • No details available. • Yes, but it only started as from 1 October 2012.⁴⁴ • No details available. • € 307,475 in 2011.⁴⁵
8	Is the international EU victim support telephone number 116-006 available? ⁴⁶ If no, provide a justification and/or specify whether plans to implement this are underway.		X	It has been available as from 25 June 2010.
Comments				
9	Please give a brief description (1-2 sentences) of the services provided by the helpline.	<p>1. The Children's Telephone deals with all problems children are faced with, both at home and at school, but also in the event of sexual abuse.⁴⁷</p> <p>2. The Helpline Sexual Abuse helps victims who do not know where they can get the help they need, they listen to their stories and help them to clarify their questions. As soon as these are clear, the helpline tells victims where they can find the best support available.⁴⁸</p> <p>3. The helpline gives information in the field of psychological and social problems.⁴⁹</p> <p>4. The helpline listens to people talking about their feelings, worries and problems and refers them to specific support if necessary.⁵⁰</p>		

⁴⁴ E-mail correspondence on 26 March 2013 with VSN.

⁴⁵ Sensoor (2012), *Jaarbericht 2011*, Utrecht: Sensoor, available at: www.sensoor.nl/component/docman/cat_view/8-jaarverslagen.html?Itemid=417

⁴⁶ In 2010 the EU introduced an EU harmonised phone number (116 006) designated for use by victims of crime who need assistance in EU countries.

⁴⁷ Kindertelefoon.nl (2013), *De organisatie Kindertelefoon*, website, available at: www.kindertelefoon.nl/13-18/volwassenen.php.

⁴⁸ E-mail correspondence with VSN.

⁴⁹ Korrelatie (2013), *Wat doet Korrelatie?*, website, available at: www.korrelatie.nl/over-korrelatie.

⁵⁰ Sensoor (2012), *Jaarbericht 2011*, Utrecht: Sensoor, available at: www.sensoor.nl/component/docman/cat_view/8-jaarverslagen.html?Itemid=417.

10	What was the operational budget (in EUR) for the helpline in 2012? Please specify under 'Comments'	<ul style="list-style-type: none"> • No details available. 1. In 2012 there was a structural budget for two full-time staff members (€ 30,000).⁵¹ • No details available. • €463,693 in 2011. ⁵² <p>EUR 5 million</p>
11	How many people were employed to run the helpline in 2012?	<ol style="list-style-type: none"> 1. No details available. 2. Ten staff members and two managers.⁵³ 3. No details available. 4. 1,100 volunteers in 2011.⁵⁴
12	What form(s) does the helpline take? E.g. just phone-line; email, web forum, walk-ins	<ul style="list-style-type: none"> • Phone-line and chat.⁵⁵ • Phone-line and e-mail (advice to phone as well).⁵⁶ • Phone-line, chat and e-mail.⁵⁷ • Phone-line, chat and e-mail.⁵⁸
13	Of the possible ways to access the helpline, what is the most frequently used by persons contacting the helpline?	<ul style="list-style-type: none"> • No details available. • Phone-line.⁵⁹ • No details available. • Phone-line.⁶⁰
14	Who operates the helpline? (e.g. Professional staff such as psychologists or lawyers; volunteers etc.)	<ol style="list-style-type: none"> 1. No details available. 2. Various forms of education, but staff members received special training.⁶¹ 3. Psychologists and social workers.⁶²

⁵¹ E-mail correspondence on 26 March 2013 with VSN.

⁵² Sensoor (2012), *Jaarbericht 2011*, Utrecht: Sensoor, available at: www.sensoor.nl/component/docman/cat_view/8-jaarverslagen.html?Itemid=417

⁵³ E-mail correspondence on 26 March 2013 with VSN.

⁵⁴ Sensoor (2012), *Jaarbericht 2011*, Utrecht: Sensoor, available at: www.sensoor.nl/component/docman/cat_view/8-jaarverslagen.html?Itemid=417

⁵⁵ Kindertelefoon.nl (2013), *De organisatie Kindertelefoon*, website, available at: www.kindertelefoon.nl/13-18/volwassenen.php.

⁵⁶ E-mail correspondence on 26 March 2013 with VSN.

⁵⁷ Korrelatie (2013), *Wat doet Korrelatie?*, website, available at: www.korrelatie.nl/over-korrelatie.

⁵⁸ Sensoor (2012), *Jaarbericht 2011*, Utrecht: Sensoor, available at: www.sensoor.nl/component/docman/cat_view/8-jaarverslagen.html?Itemid=417.

⁵⁹ E-mail correspondence on 26 March 2013 with VSN.

⁶⁰ Sensoor (2012), *Jaarbericht 2011*, Utrecht: Sensoor, available at: http://www.sensoor.nl/component/docman/cat_view/8-jaarverslagen.html?Itemid=417

⁶¹ E-mail correspondence on 26 March 2013 with VSN.

⁶² Korrelatie (2013), *Wat doet Korrelatie?*, website, available at: www.korrelatie.nl/over-korrelatie.

		4. Volunteers, 1,100 in 2011. ⁶³
15	Please specify the number of times the helpline was contacted in applic. If this information is not available, please provide a reason under 'comments'.	<ol style="list-style-type: none"> 1. No details available (not willing to cooperate). 2. 400 times in the period 1 October – 31 December 2012⁶⁴ 3. No details available (not willing to cooperate). 4. 294,135 times in 2011.⁶⁵

⁶³ Sensor (2012), *Jaarbericht 2011*, Utrecht: Sensor, available at: www.sensor.nl/component/docman/cat_view/8-jaarverslagen.html?Itemid=417

⁶⁴ E-mail correspondence on 26 March 2013 with VSN.

⁶⁵ Sensor (2012), *Jaarbericht 2011*, Utrecht: Sensor, available at: www.sensor.nl/component/docman/cat_view/8-jaarverslagen.html?Itemid=417

2.4 Obligation of police to provide information

		Yes	No	Comments (max 2-3 sentences)
1	Are police legally obliged to provide all victims with information concerning victim support services? If yes, what is the legal basis for this obligation (e.g. name of the law)?	X		The police should inform the victims of victim support services. No details available about the legal basis. ⁶⁶
2	Are police legally obliged to provide all victims with information concerning compensation? If yes, what is the legal basis for this obligation (e.g. name of the law)?	X		Article 51a, paragraph 4, Code on Criminal Proceedings in conjunction with paragraph 3. At the request of the victim the police and the PPS inform him or her of the possibilities of obtaining compensation. ⁶⁷
3	Are police legally obliged to provide all victims with information concerning their rights and role in criminal proceedings? If yes, what is the legal basis for this obligation (e.g. name of the law)?	X		The police have to inform the victims about the proceedings and the transfer of the case to the PPS. No details about the legal basis available.
4	Are victims who do not understand or speak the language provided with free of charge interpretation in the language of their choice (e.g. during any interviews or questioning of the victim by the police)	X		This depends on the seriousness of the crime. In the case of homicide or rape, the police provide free of charge interpreters in the language of the choice of the victims, especially when it is their initiative to hear the victim. In the case of for example domestic violence, the victim has to take his or her own interpreter with him or her. ⁶⁸

⁶⁶ E-mail correspondence with Letters from Citizens (*Bürgerbriefen*), 14 May 2013.

⁶⁷ E-mail correspondence with Letters from Citizens (*Bürgerbriefen*), 14 May 2013.

⁶⁸ Telephone interview with the police in July 2013.

5	Are victims notified about their right to receive information about:			
	(a) any decision not to proceed with or to end an investigation or not to prosecute the offender;	X		Article 51a, third paragraph, Code on Criminal Proceedings. The police and the PPS inform the victim in writing.
	(b) the time and place of the trial, and the nature of the charges.	X		Article 51a, third paragraph, Code on Criminal Proceedings. The PPS informs the victim in writing.
	(c) any final judgment in a trial			Article 51a, third paragraph, Code on Criminal Proceedings. The PPS informs the victim in writing.

2.5 Training of practitioners on dealing with victims of crime

Please complete the information in the following table, selecting either 'yes' or 'no' and providing a short explanation in the comments field. Where 'Yes' or 'No' answers are not applicable, 'NA' has been inserted. In these instances, please answer the question directly in the 'comments' field.

With respect with how to deal with victims of crime, Is systematic training of the following categories of professionals who come into contact with victims of crime carried out (if yes, please indicate under 'comments' the nature of the training and whether it is on dealing with all victims or just certain categories of victims (e.g. victims of domestic violence):				
		Yes	No	Comments (max 2-3 sentences)
1	Police	X		The police are trained (but not on a structural basis, only at their request) by VSN. ⁶⁹ Request is made by the police authorities.

⁶⁹ E-mail correspondence on 19 March 2013 with VSN.

2	Prosecutors		X	During their training there is a focus on how to deal with all parties involved in criminal proceedings (ethics and general attitude). No specialized training. ⁷⁰
3	Judges		X	The position of victims and the way they are treated is dealt with by means of various forms of training by the Centre of Education for the Judiciary (Studiecentrum Rechtspleging, SSR). There is a special course for judges called "Treatment of Victims during the hearing". A psychologist and a trainer employed by VSN are involved. A project team provides information on the role of victims on a regular basis. ⁷¹
4	Court staff		X	The position of victims and the way they are treated is dealt with by means of various forms of training by the Centre of Education for the Judiciary (Studiecentrum Rechtspleging, SSR). ⁷²
5	Are Victim Support Organisations involved in this training? If yes, how are they involved? (e.g. they provide input through lectures; they fund the training; they organise and run the training themselves etc.)		X	VSN provides training, mostly not on a structural basis, but at the request of mainly the police. The input is provided through training, workshops and presentations. VSN has tried to provide training to the judiciary in the course of their studies for a while, but this has not come into effect yet, apart from one

⁷⁰ Telephone interview in April 2013 with the Government (*Rijksoverheid*).

⁷¹ E-mail correspondence on 18 April 2013 with the Council for the Judiciary (*Raad voor de Rechtspraak*).

⁷² E-mail correspondence on 18 April 2013 with the Council for the Judiciary (*Raad voor de Rechtspraak*).

				training in which VSN is involved (see under 3). ⁷³
6	Is systematic training of victim support staff carried out on how to deal with victims of crime? If yes, please indicate the nature of the training,	X		Volunteers receive training during a few days before they start their work (theoretical knowledge and role plays), followed by more in depth training depending on their position within VSN. ⁷⁴
7	Please briefly list any other category of officials coming into contact with victims that receive systematic training on how to deal with victims of crime (e.g. lawyers, restorative justice services etc.)	NA	NA	According to VSN, no other category of officials are systematically trained. ⁷⁵

2.6 Rights of victims in criminal proceedings

- Please complete the information in the following tables, choosing 'Yes' or 'No' and providing a short explanation or justification for each answer. In cases where your country has already been placed in a particular category as an example, check that the category your country has been placed in (i.e. 'Yes' or 'No') is accurate and revise if necessary.

2.6.1 Definition of victim

Please provide a definition of the term victim in your country:

	Description	Explanation (max word count 200)
1	What is the main or generic legal definition of the term 'victim' (as provided for in national legislation)?	A victim is the one who has suffered damage to his property or other damage as a direct result of a punishable act. Equal to the victim is the legal person which has suffered damage to its property or other damage as a direct result of a punishable act (Article 51a, first paragraph, of the Code on Criminal Proceedings).

⁷³ E-mail correspondence with VSN; Training and Study Centre for the Judiciary (Studiecentrum Rechtspleging) (2013), *Opleidingsperiode Basis*, website, available at: www.ssr.nl/index.php?mact=ItemAdmin,cntnt01,FE_showitemdetails,0&cntnt01itemid=141&cntnt01categoryid=1&cntnt01returnid=817&hl=nl_NL.

⁷⁴ Slachtofferhulp Nederland (*Victim Support The Netherlands*) (2013), *Training voor vrijwilligers*, website, available at: www.slachtofferhulp.nl/Werken-bij/Vrijwilligerswerk-slachtofferhulp-nederland/Training-vrijwilligers

⁷⁵ Telephone interview in March 2013 with VSN.

2	Is there a separate definition of 'vulnerable victims' (as separate from the main or generic definition of 'victim')?	No.
3	Are parents, children, other family members, same sex partner & first responders included under the main definition of the term victim? If not, are they included as 'indirect' victims or similar?	Surviving relatives may have the right to be heard during a trial if they are the spouse of deceased, the registered partner, life companion of if they are blood relations in a straight line or if they are blood relatives to the fourth degree in the collateral line.(Article 51e, fourth paragraph, Code on Criminal Proceedings).

2.6.2. Decision not to prosecute

With regard to victims' rights to review a decision not to prosecute, please answer the following:

	Yes	No	Comments (Max word count 80 words)
If the prosecutor decides to discontinue a case, does the victim have the right to file for a review of the decision not to prosecute?	X		The victim may turn to the Court of Appeal to review the decision (Articles 12, 12a u/i I and 13 and 13 a of the Code on Criminal Proceedings)
Who undertakes this review?			The court. If the court upholds the decision of the Public Prosecutor, this is final and not subject to any remedy.
Does the victim have the right to institute private prosecution in cases where the prosecutor drops charges? If yes, under what circumstances?		X	Only the prosecutor can prosecute. ⁷⁶
Does the prosecutor's office have a dedicated hotline or mechanism whereby victims can inquire about the progress of a case?		X	Victims can approach the prosecutor's office to make enquiries about their case, using the general telephone number of the office. ⁷⁷ Besides, there are Victims Desks at the courts which provide information from the police, the PPS and VSN. In the event of homicide or manslaughter

⁷⁶ The Netherlands, House of Representatives (*Tweede Kamer der Staten-Generaal*) (2004/05), Parliamentary documents (*Kamerstukken*) 2004-2005, 30 143, number 3, pp. 7 and 8.

⁷⁷ Telephone interview in April 2013 with the Government (*Rijksoverheid*).

		special officers deal with the surviving relatives: a family detective (police), a case coordinator (PPS) and a case manager (VSN). An electronic information systems is being considered. ⁷⁸
--	--	--

2.6.3. Right to be heard

Please complete the information in the following tables, choosing 'Yes' or 'No' and providing a short explanation or justification for each answer. Some examples have been provided.

	Yes	No	Comments (Max word count 80 words)
Do victims have a right to be heard during criminal proceedings?	X		Yes, but only in the case of a crime which is, according to the law, punishable with detention in jail for eight years or more, or in the case of some other severe crimes: child pornography (Article 240b Penal Code), sexual acts, among others with incompetent persons or persons under the age of sixteen (Article 247 of the Penal Code), seduction of a person known to be under the age of eighteen by gifts or promises of money and goods, to perform sexual acts (Article 248a of the Penal Code), sexual acts with someone who prostitutes himself or herself to a third person and has reached the age of sixteen, but not of eighteen yet, against payment (Article 248b of the Penal Code), performing sexual acts with one's children or other persons over whom they have authority (Articles 249 and 250 of the Penal Code), violent acts, among which rape and holding someone hostage (Article 285 of the Penal Code), structural intrusion of someone's private life (Article 285b of the Penal Code), assault, whether or not on purpose (Articles 300 and 301 of the Penal Code), fighting in concert, which is done on purpose (Article 306 of the Penal Code), causing someone's death or someone being injured (Articles 307 and 308 of the Penal Code), extortion or blackmail (Article 318 of the Penal Code) and causing road accidents with death as a

⁷⁸ E-mail correspondence on 19 March 2013 with VSN.

<p>Do victims have a right to supply evidence during criminal proceedings?</p>	<p>X</p>	<p>result or heavy injury as a result (Article 6 of the Act on Road Traffic) (this list is provided by Article 51a, first paragraph, of the Code on Criminal Proceedings).</p> <p>The victim may supply documents which he finds relevant to the PPS, but it is up to the PPS to allow them (Article 51b, paragraphs 1 u/i 4). If the PPS disallows them, the PPS needs a written power-of-attorney from the court. In practice, the victim may always supply a written statement.⁷⁹</p>
<p>Is there a right for vulnerable victims to be questioned & testify in court in a protected manner – e.g. are screens in place when victims testify/video link available or other measures to separate victim from accused? Please specify whether this applies to all victims or just certain categories of victims (please specify):</p>	<p>X</p>	<p>All victims may choose to take a seat behind the offender to avoid eye contact, or sit where the audience is seated behind a glass wall, or, if they wish, be protected by a screen (Model rules on a suitable environment for victims – Modelreglement inzake passende verblijfsomgeving slachtoffers, p. 11). In some cases it is possible to make a statement by means of videoconferencing if the confrontation with the offended is deemed to cause injury to the victim (for example, in the case of children, certainly when there has been sexual abuse. Sometimes the court decides to deal with the case behind closed doors.⁸⁰</p>

2.6.4 Rights of victims at trial

The International Criminal Court (ICC) has created a special unit for victims and witness to provide support before, during and after the trial. Services are delivered by professionals who are often salaried employees of the court, and includes persons with expertise in trauma, including trauma from sexual violence. When providing testimony victims may also have support from family members, psychologists or legal representatives. These specialists are also able to advise prosecutors on appropriate security arrangements for victims and the court must take measures to protect the safety, physical and psychological well-being, dignity and privacy of victims. The statute allows for identities not to be made public, testimony to be provided by electronic means and the hearing to be confidential. The statute also calls for the court to establish principles relating to “reparations to victims, including restitution, compensation and rehabilitation” and to establish a trust fund which “works for victims by mobilizing people, funding opportunities for the benefit of victims and implementing court-ordered reparations awards.”

⁷⁹ E-mail correspondence on 19 March 2013 with VSN.

⁸⁰ E-mail correspondence on 19 March 2013 with VSN.

With the example of the ICC special victims' unit in mind, please answer the following questions, choosing 'yes' or 'no' and providing a short description. If the answer is no, please provide a justification. Where 'Yes' or 'No' answers are not applicable (i.e. questions 2-4), 'NA' has been inserted. In these cases, please answer the question directly in the 'Description/justification' field.

		Yes	No	Description/justification (max 1-3 sentences)
1	Looking at your own criminal court system, is there a special unit or service for victims of crime providing support?	X		There is a case co-ordinator in the case of serious crimes who supports victims throughout the criminal proceedings. ⁸¹
2	Is there a separate waiting area for victims at court?	X		There is a special room (Model rules on a suitable environment for victims – <i>Modelreglement inzake passende verblijfsomgeving slachtoffers</i> , p. 9). This room is supposed to be available at all courts, but it is questionable whether this is really the case, according to VSN officials. ⁸²
3	Is special seating reserved for victims at trial?	X		There usually is a place reserved for victims, behind the offender (Model rules on a suitable environment for victims – <i>Modelreglement inzake passende verblijfsomgeving slachtoffers</i> , p. 11).
4	What other services are available?	NA	NA	An usher sees to it that victims get all the information necessary at the trial and that they are protected in accordance with their wishes, from beginning to end (Model rules on a suitable environment for victims –

⁸¹ Public Prosecution Service (Openbaar Ministerie) (2010), *Aanwijzing slachtofferzorg (2010A029) (Victim Support Instruction)*, p.2, available at: www.om.nl/onderwerpen/huiselijk-geweld@155130/aanwijzing.

⁸² Telephone interview in March 2013 with VSN.

				<i>Modelreglement inzake passende verblijfsomgeving slachtoffers</i>).
5	Who provides the services (e.g. professional or specialised staff; volunteers etc)?	NA	NA	Professional ushers.
6	In reference to question 5, do the service providers provide advice to prosecutors with respect to the safety, physical and psychological well-being, dignity and privacy of victims?	X		They inform the PPS at the beginning of the trial of all details of the victims, including their wish to be heard or not (<i>Model rules on a suitable environment for victims – Modelreglement inzake passende verblijfsomgeving slachtoffers, p. 11</i>).
7	Do they provide advice to judges with respect to the safety, physical and psychological well-being, dignity and privacy of victims?	X		They inform the judges at the beginning of the trial of all details of the victims, including their wish to be heard or not (<i>Model rules on a suitable environment for victims – Modelreglement inzake passende verblijfsomgeving slachtoffers, p. 11</i>).
8	Are the rights and protections that should be afforded to victims mentioned in the founding law (e.g. a statute) establishing the court?		X	No, they are mentioned in general in the Code on Criminal Proceedings and more specifically in rules and regulations.
9	Do victims have the right to be accompanied by support persons during the trial?	X		Yes, they can take with them whomever they like, although they sometimes have to announce this in advance, especially in cases in which a large audience is expected. ⁸³
10	Can victims access & copy trial records	X		In principle, trial records are available at the request of the victim (Article 51b, first paragraph, of the Code on Criminal Proceedings).

⁸³ The Netherlands, House of Representatives (*Tweede Kamer der Staten-Generaal*) (2004/05), Parliamentary documents (*Kamerstukken*) II 2004-05, 30 143, number 3, pp. 21 and 22; e-mail correspondence with VSN

				The victim may get a copy of the records which he has been permitted to look into at the registry (Article 51b, sixth paragraph, of the Code on Criminal Proceedings).
--	--	--	--	--

2.6.5 Legal aid for victims

- Experts consider provision of legal advice the area where there is most room for improvement in the area of victim support activities, with significant advances needed to ensure free and easily accessible legal advice for all victims. With this in mind, please answer questions 1 -5 in the table below selecting only **one option** (a, b, c or d) for each question and providing a description under 'comments'. **Please specify what criteria, if any, entitle a victim to avail of certain categories of legal aid. There may be several criteria (as in the example below – please be as detailed as possible. If none of the descriptions match the situation in your country, please choose 'd' and provide a short explanation of the situation.**

Categories of legal aid		A: Available to all victims of crime as a fundamental right of victims	B: Available to certain categories of victims; e.g. only victims of serious crime, only victims who are nationals of that country etc. (please specify which victims are entitled to such advice):	C: Subject to other criteria; e.g. an economic 'means test' (please specify):	D: Other (please specify)
1. Free legal advice	Place X in appropriate column	X			
	Comments:	There is free legal advice by telephone to			

		everyone through the Legal Office (Juridisch Locket), tel. Number 0900-8020 from 9.00-17.00 hrs on weekdays. One can also visit one of the offices (thirty of them throughout the Netherlands, 300 employees) for a telephone interview of about ten minutes. ⁸⁴ VSN also gives some basic legal advice about the possibilities of claiming compensation and on the rights the victim has. ⁸⁵					
2. Free legal representation	Place X in appropriate column	X		X			
	Comments:	There is free legal representation for victims, irrespective of economic means, in the case of an offence against morality or a violent crime if the accused is prosecuted and the victim or surviving relative is		Economic means test, applied in other types of crimes than those specified in the column to the left, is based on the following criteria:			
				<table border="1"> <tr> <td>Single</td> <td><i>Married, living together or one parent family with under age child(ren)</i></td> </tr> </table>	Single	<i>Married, living together or one parent family with under age child(ren)</i>	
Single	<i>Married, living together or one parent family with under age child(ren)</i>						

⁸⁴Het Juridisch Locket (2013), *Over Ons*, website, available at: www.juridischloket.nl/overhetjuridischloket/Pages/default.aspx.

⁸⁵E-mail correspondence on 19 March 2013 with VSN.

		entitled to compensation from the Violent Offences Compensation Fund (Act on Legal Aid, Article 44, paragraph 4). He or she may be entitled to this compensation if he or she is suffering from serious physical or mental injury as a result of a serious crime, committed on purpose (Article 3 of the Act on the Violent Offences Compensation Fund). If not: economic means test.		<table border="1"> <thead> <tr> <th>Fiscal annual income two years prior to request</th> <th>Own contribution</th> <th>Fiscal annual income two years prior to request</th> </tr> </thead> <tbody> <tr> <td>under € 17.701</td> <td>€ 129</td> <td>under € 24.801</td> </tr> <tr> <td>€ 17.701 - € 18.400</td> <td>€ 188</td> <td>€ 24.801 - € 25.700</td> </tr> <tr> <td>€ 18.401 - € 19.400</td> <td>€ 305</td> <td>€ 25.701 - € 27.000</td> </tr> <tr> <td>€ 19.401 - € 21.300</td> <td>€ 516</td> <td>€ 27.001 - € 30.100</td> </tr> <tr> <td>€ 21.301 - € 25.200</td> <td>€ 796</td> <td>€ 30.101 - € 35.600</td> </tr> <tr> <td>Over € 25.200</td> <td>Applicant has to pay own lawyer</td> <td>Over € 35.600</td> </tr> </tbody> </table>	Fiscal annual income two years prior to request	Own contribution	Fiscal annual income two years prior to request	under € 17.701	€ 129	under € 24.801	€ 17.701 - € 18.400	€ 188	€ 24.801 - € 25.700	€ 18.401 - € 19.400	€ 305	€ 25.701 - € 27.000	€ 19.401 - € 21.300	€ 516	€ 27.001 - € 30.100	€ 21.301 - € 25.200	€ 796	€ 30.101 - € 35.600	Over € 25.200	Applicant has to pay own lawyer	Over € 35.600	
Fiscal annual income two years prior to request	Own contribution	Fiscal annual income two years prior to request																								
under € 17.701	€ 129	under € 24.801																								
€ 17.701 - € 18.400	€ 188	€ 24.801 - € 25.700																								
€ 18.401 - € 19.400	€ 305	€ 25.701 - € 27.000																								
€ 19.401 - € 21.300	€ 516	€ 27.001 - € 30.100																								
€ 21.301 - € 25.200	€ 796	€ 30.101 - € 35.600																								
Over € 25.200	Applicant has to pay own lawyer	Over € 35.600																								
3. Exemption from court fees	Place X in appropriate column Comments:	NA	NA		X There are no court																					

⁸⁶ Council for Legal Aid (Raad voor de Rechtsbijstand, RVR) (2013), *Inkomen, vermogen en eigen bijdrage: normen 2013*, website, available at: www.rvr.org/nl/subhome_rz/rechtsbijstandverleener.Inkomensgrenzen.html.

<p>4. Exemption from or reimbursement for expenses related to interpretation and/or translation</p>	<p>Place X in appropriate column</p>	<p>X</p> <p>A lawyer providing legal aid may be compensated for incurring expenses in the context of interpreters/translators in criminal cases on the basis of the Decision compensation legal aid (<i>Besluit vergoedingen rechtsbijstand</i>), Art. 26. Article 4 of the Decision tariffs in criminal cases (<i>Besluit tarieven in strafzaken</i>) says that interpreters will receive a maximum of € 43,89 an hour, and translators will receive € 0.79 up to € 1.69 a line, depending on the language. In civil cases, lawyers providing legal aid may use the services of Concorde Group B.V., specialized in</p>		<p>fees in criminal cases</p>
--	--------------------------------------	--	--	-------------------------------

<p>5. Reimbursement for loss of earnings, travel and accommodation costs with regard to role in criminal or civil proceedings</p>	<p>Place X in appropriate column</p>	<p>legal interpreters and translators and subsidized by the Ministry of Security and Justice. If they have nobody available, a lawyer must make use of the Bureau of Accredited Interpreters and Translators of the Council for Legal Aid (Raad voor Rechtsbijstand).⁸⁷</p> <p>X</p>			
	<p>Comments:</p>	<p>Loss of earnings, travel and accommodation costs are compensated if someone is asked by the PPS to appear in court, which is usually the case for victims (Article 260, first paragraph of the Code on Criminal Proceedings and the Act on tariffs in criminal cases, <i>Wet tarieven in strafzaken</i>). The same goes for civil cases:</p>			

⁸⁷ Council for Legal Aid (*Raad voor de Rechtsbijstand*, RVR) (2013), *Vertaling nodig?*, website, available at: www.rvr.org/nl/news.2010/03/Vertaling-nodig-.html.

		one has to be asked to be a witness (Act on court fees in civil cases, <i>Wet griffierechten burgerlijke zaken</i> , Art. 26, introductory sentence and under c.			
	The state	A victim support service	Both	Other (explain)	
<ul style="list-style-type: none"> Who provides legal aid? place 'X' in one column only) 			X		

2.7 Compensation

Please complete the information in the following tables, choosing 'Yes' or 'No' and providing a short explanation or justification for each answer: e.g. for question 2.7 (2), please select 'Yes' or 'No' and under comments, specify what measures victims can ask for during criminal proceedings. In cases where your country has already been placed in a particular category as an example, check that the category your country has been placed in (i.e. 'Yes' or 'No') is accurate and revise if necessary; i.e. by moving your country from the 'Yes' column to the 'No' column and vice versa.

	Victims' rights with regard to compensation	Yes	No	Comments and sources (max 2-3 sentences)
1	Do victims have the right to ask for compensation during criminal proceedings?	X		Article 51f, paragraph 1, of the Code on Criminal Proceedings, entitles any victim who suffered damage directly to claim compensation during the trial.
2	Aside from compensation, do victims have the right to ask for other measures during criminal proceedings (e.g. return of property, reimbursement of expenses, measures for physical protection)?	X		In principle, victims can only claim a sum of money (Article 36f, first paragraph, Penal Code). However, they can choose a place of residence other than their own and report a crime anonymously. They can also ask the PPS to prohibit the offender to get in touch with them or stay in the area they live in. ⁸⁸
3	Is compensation paid by the offender?	X		The offender is ordered to pay compensation by the court, through the state, which will immediately pay this amount of money to the victim (Article 36f, first paragraph, Penal Code)
4	Is there such thing as a 'victims of crime fund' that convicted persons must contribute to?		X	Not yet, but the Secretary of State for the Ministry of Justice is thinking about it, comparing a future system to the systems in Belgium and Sweden. ⁸⁹
5	Does compensation paid by the offender under a 'victims of crime fund' go towards victim support services?		X	Not known yet, as the fund does not exist yet.
6	Is compensation paid by the state?	X		Victims may turn to the Violent Offences Compensation Fund (<i>Schadefonds Geweldsmisdrijven</i>), an independently managed body, but part of the Ministry of Security

⁸⁸ Public Prosecution Service (*Openbaar Ministerie*) (2010), *Aanwijzing slachtofferzorg (2010A029) (Victim Support Instruction)*, p. 2, available at: www.om.nl/onderwerpen/huiselijk-geweld@155130/aanwijzing; e-mail correspondence with VSN.

⁸⁹ Ministry of Security and Justice (2013), *Visie op slachtoffers*, letter to parliament, 22 February 2013, The Hague: Ministry of Security and Justice.

				and Justice (article 3, opening sentence and under a, <i>Act on Violent Offences Compensation Fund</i>). In the end, the offender will have to pay, though (see above).
7	Will the State advance payment of the compensation if the offender does not pay? Under which conditions?	X		The Central Fine Collection Agency (Centraal Justitieel Incassobureau, CJIB) will advance payment of any (remaining) damages if the offender has not paid within eight months or the victim has not received any other form of compensation, such as from the Violent Offences Compensation Fund (<i>Schadefonds Geweldsmisdrijven</i>). The CJIB will still try to collect the (remaining) money from the offender. ⁹⁰ This only happens if someone is sentenced on the basis of Articles 141, 239 to 253, 273f, 287 to 291, 300 to 303, 312 and 317 of the Penal Code: briefly: overt violence, rape, various forms of (pedosexual) sexual acts which are unlawful, human trafficking, homicide and manslaughter, assault and theft or extortion with violence. ⁹¹ Full compensation is paid in these cases. In other cases the advance payment has a maximum of € 5,000. ⁹²
8	Does a compensation order exist?	X		The Court may order the perpetrator to pay compensation in the course of the criminal proceedings. This compensation is a sum of money, claimed by the victim, and it is paid by the perpetrator to the state, which pays it directly to the victim (Article 36f of the Penal Code).
9	Do prosecutors have the power to mediate between the offender and the victim?	X		Mediation is stimulated by the ZSM-procedure (As Soon As Possible-procedure) in which the police, the PPS, Discharged Prisoners' Aid, the

⁹⁰Centraal Justitieel Incassobureau (*Central Fine Collection Agency*, CJIB) (2013), *Voorwaarden Voorschotregeling*, website, available at: www.cjib.nl/Onderwerpen/Schadevergoedingsmaatregel/Voorschotregeling/voorwaarden-voorschotregeling.aspx; and Article 36f, sixth paragraph, Penal Code

⁹¹ The Netherlands, Bulletin of Acts and Decrees of the Dutch State (*Staatsbulletin*) (2010), *Besluit van 24 juli 2010, houdende vaststelling van het Uitvoeringsbesluit voorschot schadevergoedingsmaatregel* (Decision of 24 July 2010, determining how to execute the measure to advance damages), No. 311, p. 5.

⁹² The Netherlands, Bulletin of Acts and Decrees of the Dutch State (*Staatsbulletin*) (2010), *Besluit van 24 juli 2010, houdende vaststelling van het Uitvoeringsbesluit voorschot schadevergoedingsmaatregel* (Decision of 24 July 2010, determining how to execute the measure to advance damages), No. 311, p. 5, articles 1 and 2.

				Council for the Protection of Children and VSN cooperate at the police office in a special room to judge a crime of an offence on its merits as soon as it is reported. If mediation is possible, it is offered. ⁹³
10	Do prosecutors have the duty to attempt to obtain compensation from the offender?	X		According to experts, the duty for prosecutors to obtain compensation between offender and victim (may also take the form of mediation between victim and offender to obtain compensation) is available in AT, BE, NL & FR, CZ, FI, DE, HU, LT, LU, PL, RO, SL, SE. Confirmed.
11	Is compensation, when paid by the offender to the victim, taken into account in decisions to prosecute?	X		According to the experts BG, CY, DK, EE, EL, ES, IE, LV, MT and UK do not consider the question of compensation to the victim in the decision to prosecute the offender, while payment or non-payment of compensation may influence the decision to prosecute in AT, BE, CZ, FI, FR, DE, HU, IT, LT, LU, NL, PL, PT, RO, SI, SL & SE. Confirmed.
12	Is compensation, when paid by the offender to the victim, taken as a mitigating factor in sentencing?	X		According to the experts BG, CY, DK, EE, EL, ES, IE, LV, MT and UK do not consider the question of compensation to the victim in the decision to prosecute the offender, while payment or non-payment of compensation may influence the decision to prosecute in AT, BE, CZ, FI, FR, DE, HU, IT, LT, LU, NL, PL, PT, RO, SI, SL & SE. Confirmed.
13	Is there a limit from the time of the crime within which claims for compensation would have to be made? If yes, what is the time limit?	X		A claim should be made within three years after the crime was committed. If a surviving relative makes a claim, the time limit starts at the moment of the decease. Claims are also dealt with if made within another reasonable time limit, in view of the circumstances (Art. 7 of the Act on the Violent Offences Compensation Fund).

⁹³ Public Prosecution Service (*Openbaar Ministerie*) (2013), *Factsheet ZSM*, website, available at: www.om.nl/onderwerpen/zsm/@158586/factsheet-zsm.

14	Do third country nationals have the right to apply for compensation?			Anyone can make a claim (Art. 3, first paragraph, of the Act on the Violent Offences Compensation Fund).
15	Do third country nationals with irregular status (i.e. residing in the country illegally) have the right to apply for compensation?			Anyone, irrespective of status, can make a claim (Art. 3, first paragraph, of the Act on the Violent Offences Compensation Fund).
16	Are there exceptions prescribed in law for different types of crimes? If yes, what are they?			Compensation is only paid if someone is sentenced on the basis of Articles 141, 239 u/i 253, 273f, 287 u/i 291, 300 u/i 303, 312 and 317 of the Penal Code: briefly: overt violence, rape, various forms of (pedosexual) sexual acts which are unlawful, human trafficking, homicide and manslaughter, assault and theft or extortion with violence. ⁹⁴ Full compensation is paid in these cases. In other cases the advance payment has a maximum of € 5,000. ⁹⁵

2.8 Cross border support

Please complete the information in the following tables, choosing 'Yes' or 'No' and providing a short explanation or justification for each answer. Where 'Yes' or 'No' answers are not applicable (i.e. questions 9-12), please place your answer directly in the 'Description' field.

	Victims' rights with regard to cross border support	Yes	No	Description (max 2-3 sentences per question)
1	Is there a formal system of cross-border referral of victims (to a victim support organisation in the state in which the victim lives) when the victim who has approached the VSO or competent authority is resident in another state?		X	VSN tries to contact victim support organisations in the state in which the victim lives when possible, but this is not very often the case, as victim support organisations in others states often are not fully-fledged organisations yet. ⁹⁶
2	Can victims of crime report crimes in their own country if the crime was committed in another state?	X		In principle, victims cannot report crimes, but there are three exceptions: the probable offender is Dutch; travel documents have been stolen or lost and a vehicle has been stolen. ⁹⁷

⁹⁴ The Netherlands, Bulletin of Acts and Decrees of the Dutch State (2010), *Besluit van 24 juli 2010, houdende vaststelling van het Uitvoeringsbesluit voorschot schadevergoedingsmaatregel* (Decision of 24 July 2010, determining how to execute the measure to advance damages), No. 311, p. 5.

⁹⁵ The Netherlands, Bulletin of Acts and Decrees of the Dutch State (2010), *Besluit van 24 juli 2010, houdende vaststelling van het Uitvoeringsbesluit voorschot schadevergoedingsmaatregel* (Decision of 24 July 2010, determining how to execute the measure to advance damages), No. 311, p. 5, article 1 and 2

⁹⁶ E-mail correspondence on 26 of April 2013 with VSN.

⁹⁷ The Netherlands, Police service (2013), *Aangifte van strafbaar feit, gepleegd in het buitenland*, website, available at: www.politie.nl/aangifte/strafbaar-feit-gepleegd-in-het-buitenland.html.

3	Are victim support services made available to all victims, regardless of legal status, country of origin or nationality?	X		No distinction is made. ⁹⁸
4	Describe any special mechanism for victims of crime from other countries to access support. E.g. via website etc.	NA	NA	There is information in English (leaflet) in police offices and available on the website of VSN. ⁹⁹
5	Is information made available to victims in different languages by the police? If yes, which languages?	X		There is a leaflet in English. ¹⁰⁰
6	Is information made available to victims in different languages by victim support services? If yes, which languages?	X		Yes, in English, Turkish and Arabic. ¹⁰¹
7	Do victim support services offer interpretation or translation services? If yes, in which languages?	X		Interpretation is provided in any possible language through interpretation by telephone; partly in person in the case of languages such as English, German and to a lesser degree French and Spanish. ¹⁰²
8	Does the main generic victim support organisation in your country maintain contact with victim support organisations in other countries? If yes, how? (E.g. through formal cooperation agreement; international consultative forums or conventions etc.)	X		Victim support organisations are united in Victim Support Europe. There is a Conference and a General Annual Meeting every year. The Executive Board meets about every two months. There are also some other contacts, in the framework of shared projects and expert meetings, and sometimes in the framework of direct support. ¹⁰³
Description (max 2-3 sentences per question)				
9	What is the mechanism for victims to apply for compensation once they are back in their own country?			They can apply for compensation through the website of the Violent Offences Compensation Fund. There is an application form in English. They have to document their application with a copy of their identification documents and they should preferably provide other proof as well, such as a police report or medical documents. ¹⁰⁴
10	What is the number of victims accessing victim support services who are non-nationals of the state?			No data available. Neither the police nor VSN register this information. ¹⁰⁵

⁹⁸ E-mail correspondence on 26 April 2013 with VSN.

⁹⁹ E-mail correspondence on 26 April 2013 with VSN.

¹⁰⁰ E-mail correspondence on 26 April 2013 with VSN.

¹⁰¹ Slachtofferhulp Nederland (*Victim Support Netherlands*, VSN) (2013), *Translate*, website, available at: www.slachtofferhulp.nl/Translate.

¹⁰² E-mail correspondence on 26 April 2013 with VSN.

¹⁰³ E-mail correspondence on 26 April 2013 with VSN.

¹⁰⁴ E-mail correspondence on 18 April 2013 with the Violent Offences Compensation Fund.

¹⁰⁵ E-mail correspondence with VSN.

11	Describe any special mechanism for victims of crime from other countries to access support. E.g. via website etc.	There is information in English on the website of VSN. ¹⁰⁶ Moreover, the European number 116 006 has been available as from 25 June 2010. ¹⁰⁷
12	Are there any measures put in place for the protection of a victim's right to privacy when dealing with cross border victims?	There are no special measures, but there are strict general requirements that VSN meets for the protection of privacy. Moreover, the staff is screened on general behaviour and signed a statement to keep information confident. Victims may choose a place of residence in the Netherlands if they do not want to make available their address abroad, for example a police office. They must enable VSN to approach them at least by e-mail or telephone, however. ¹⁰⁸

2.9. The role of volunteerism in victim support

From the research carried out in phases 1 & 2, one of the most striking features of the more robust generic victim support systems in Europe is the crucial role played by volunteers.

- a. **With this in mind, please provide an overview (max 500 words) of the tradition of volunteerism in the area of the victim of support in your country; i.e. outlining whether such a culture exists, what is the historical background for why it does or does not exist; how is the situation changing and focusing on any discernible trends; explaining also the typical profile of volunteers who work in the field - e.g. well educated? Professional background - working in a particular field (e.g. legal, social work); typical tasks? (E.g. provision of legal/psychological advice? Or restricted to informing victims of rights etc.). How many hours a week do volunteers typically give of their time? Are numbers of volunteers increasing or decreasing?**

¹⁰⁶ Slachtofferhulp Nederland (*Victim Support Netherlands*, VSN) (2013), *Translate*, website, available at: www.slachtofferhulp.nl/Translate.

¹⁰⁷ www.ec.europa.eu/information_society/activities/116/countries/nl/index_en.htm

¹⁰⁸ E-mail correspondence on 26 April 2013 with VSN.

There definitely exists a culture of volunteerism in the Netherlands in general, and within the context of Dutch victim support organisations specifically. This is closely connected to the way in which Victim Support Netherlands, the largest victim support service, has developed throughout the last decennia.

Victim Support Netherlands (*Slachtofferhulp Nederland*) is a national non-governmental organisation that offers legal, practical and emotional support and advice to victims of crimes, traffic accidents and calamities. It also offers support to their next of kin, witnesses and others. The organisation has around 75 offices and service points across the Netherlands. VSN is run by 1,300 voluntary and 400 paid employees.¹⁰⁹

From the beginning (1984), VSN was run by volunteers. Initially, victims were seen as people to show solidarity with (focus on support), but gradually the focus changed to empowerment and the awareness that victims have rights. In the past years the right to be heard in court and the right to give a written or oral victim statement became more important.¹¹⁰ These developments meant that the volunteers became more professional. At present, the paid staff of VSN consists of specialists. There are case managers who deal with homicide and manslaughter, but also specialists who deal with children and youngsters¹¹¹. This staff needs vocational training of a social or psychological nature, having gone to college. Moreover, there are coordinators, legal staff, secretaries and administrative staff throughout the country. The head office in Utrecht also employs policymakers, a personnel division, a communication division and ICT-staff.¹¹²

Volunteers must be at least 18 years of age, they must be available for at least eight hours a week, have a good command of the Dutch language, have computer skills and operate at a secondary vocational level.¹¹³ VSN has its own training academy, the Victim Support Academy (*Slachtofferhulp Academie*), which trains professional volunteers, interns and external stakeholders. All volunteers receive special training before they begin working at VSN. The first part of the training is a basic course addressing things such as interviewing techniques and the general needs of victimised clients and the services VSN provides. Some legal instruction, focusing on victims' rights in the Netherlands, is also provided. Following basic training, volunteers can begin working in teams. They continue to receive more specialised training in specific fields such as traffic incidents or service provision to children. After basic training, volunteers can follow three different tracks: intake, general service provision and legal service provision.¹¹⁴

- b. If there is no tradition of volunteerism in the area of the victim of support in your country, please outline (in max 500 words) any recent initiatives or attempts in the area of victim support to encourage a greater culture of volunteerism.**

¹⁰⁹ Slachtofferhulp Nederland (*Victim Support Netherlands*, VSN) (2011), *Veelzijdig Deskundig*, Utrecht: VSN, available at: www.slachtofferhulp.nl/Documents/Corporate/Folders%20en%20brochures/SHN-Promotiefolder_D-15B.pdf

¹¹⁰ Leferink, S. (2009), *Goed recht, 25 jaar slachtofferhulp Nederland*, Utrecht: Slachtofferhulp Nederland, p. 13

¹¹¹ Leferink, S. (2009), *Goed recht, 25 jaar slachtofferhulp Nederland*, Utrecht: Slachtofferhulp Nederland, p. 14

¹¹² Slachtofferhulp Nederland (*Victim Support Netherlands*, VSN) (2013), *Betaalde vacatures*, website, available at: www.slachtofferhulp.nl/Werken-bij/Betaalde-vacatures/

¹¹³ Slachtofferhulp Nederland (*Victim Support Netherlands*, VSN) (2013), *Vrijwilligers*, website, available at: www.slachtofferhulp.nl/Werken-bij/Vrijwilligerswerk-slachtofferhulp-nederland

¹¹⁴ Slachtofferhulp Nederland (*Victim Support Netherlands*, VSN) (2012), *Help een ander*, Utrecht: VSN, available at: www.slachtofferhulp.nl/Documents/Corporate/Brochures/SHN-help-een-ander.pdf

2.10. The tradition of social work

In max 400 words, please provide an overview of whether there is a tradition of social work in your country, and if so, in what way (if any) is it linked to the victim support services structure in your country. In your answer, please include the level of education of a typical social worker (e.g. is university or third level education necessary?).

Social work has developed since early Christianity in The Netherlands, independent of victim support. Even before the Middle Ages, the church required that people who were better off took care of the needy. As from 1531 municipalities established a fund for the poor, and until the end of the 19th century the rich provided gifts (in kind, not so much in money) to the poor in the local communities, especially on specific occasions such as Christian holidays, deaths and weddings. Nowadays, the government makes provisions by means of taxation (allowances for care and rent).¹¹⁵ However, people still have to make use of the possibility to obtain free food, provided by volunteers and charities, to an increasing degree, because they cannot make ends meet.

As for professional social work in particular, this has developed especially after the second World War. Social work was based on the American approach from then on, and social casework turned out to be very important. This meant that the focus was on the empowerment of those who needed help, which is still important today, whereby the core focus is on what resources they have themselves.¹¹⁶ In addition, in the 70s of the previous century, it was believed that society could be improved by, for example, research and research institutes. However, social workers felt a great distance towards these initiatives in practice.¹¹⁷ Two Acts of Parliament made a difference. The first Act was the Act on Equal Treatment (*Wet gelijke behandeling*, 2003). It made people realize that persons with, for example, a disability were not so much the problem, but that the way society operated was a problem as well. Accessibility became a key word in general. Education had to be adapted to the disabled student. Reading materials are nowadays offered in a larger font to dyslectic students, for example. Public transport is adapted. The second important Act which improved the position of the less advantaged was the Social Support Act (*Wet maatschappelijke ondersteuning*) of 2007. Social work provided to people at home had to be bought and provided by municipalities. Empowerment, again, was crucial. The disadvantaged have to find their way, assisted by social workers, to healthy and attractive social systems. Mere love of one's neighbour and a feeling for the community as a whole were no longer the key concepts. Social workers are professionals who point out the way.

It is the question, however, whether they are sufficiently equipped now that society consists increasingly of individuals who are getting older and older.¹¹⁸ This is in spite of the fact that social workers are well-educated. They have followed a secondary vocational training or went to college.

2.11. Promising practices in the area of victim support

From the following list of promising practices (detailed explanations found under Annex 1), please identify whether there is a similar practice in your country (yes or no) and provide a brief explanation/description. If you have identified other promising practices not similar to the ones presented here, please provide details under '16' – 'Other promising practices'.

	Promising practice	Does a similar practice	Short description of the practice in your country, outlining similarities;
--	--------------------	-------------------------	--

¹¹⁵ Canon Sociaal Werk Nederland (2013), *567 Concilie van Tours*, website, available at: www.canonsociaalwerk.eu/nl/details.php?id=5.

¹¹⁶ Canon Sociaal Werk Nederland (2013), *1950 Marie Kamphuis*, website, available at www.canonsociaalwerk.eu/nl/details.php?cps=28&canon_id=46.

¹¹⁷ Canon Sociaal Werk Nederland (2013), *1974 SCP - De maakbare samenleving*, website, available at www.canonsociaalwerk.eu/nl/details.php?cps=40&canon_id=71.

¹¹⁸ Canon Sociaal Werk Nederland (2013), *2007 Wet maatschappelijke ondersteuning*, website, available at www.canonsociaalwerk.eu/nl/details.php?cps=49&canon_id=39.

		exist in your country?		differences etc. If there is no such practice, please provide a justification for this (e.g. this is not an issue; it is dealt with in other ways; it is a gap that still needs to be addressed)
		Yes	No	
1	Initiative to provide cross-border victims of crime with basic information: In May 2009, the Inter-Regional Crime Prevention working group of the <i>Grande Région</i> (LU, FR, DE, BE) published a basic information guide for victims, detailing what to do in the event one is a victim of a crime or an accident.		X	No initiatives to inform cross-border victims were found. It is a gap that needs to be addressed.
2	Assistance to tourist victims of crime: e.g. In Ireland, the Irish Tourist Assistance Service (ITAS) is specialist service offering immediate support and assistance to tourists who are victimised while visiting Ireland. The Service is free and confidential. ITAS is run by staff and volunteers who speak a variety of languages.	X		Specialist services exist in the Netherlands for tourists both in Amsterdam and The Hague: the Amsterdam Tourist Assistance Service in Amsterdam and the Tourist Assistance Service in the Hague. They work along similar lines as the ITAS. ¹¹⁹
3	Schemes for compensatory fines to help fund support services: In addition to other funding sources, several EU Member States generate money for generic victim support services through a 'Victims of Crime fund' or the like, whereby persons convicted of an offence pay a fine to help the funding of services for victims of crime (for example, in BE, LT, PL & SE).		X	Not yet, but the Secretary of State for the Ministry of Justice is thinking about it, comparing a future system to the systems in Belgium and Sweden. ¹²⁰
5	In some countries, victims can be accompanied in court by victim support services, ensuring a fuller realisation of victims' rights and helping to prevent secondary victimisation.	X		Victims can take with them whomever they like for support.
6	In some countries, victims are provided with free psychosocial and legal assistance throughout the entire criminal proceedings.	X		VSN provides among other things free legal assistance to victims. It employs 400 professionals (including part-time) and 1300 volunteers (including part-time). The organization also offers emotional and practical support services. ¹²¹

¹¹⁹ Fonds slachtofferhulp (2011), *Amsterdam Tourist Assistance Service*, Web page, available at:

<http://jaarverslag2010.fondsslachtofferhulp.nl/2.2-projecten/2.2.3-directe-hulp-aan-slachtoffers/2.2.3.5-amsterdam-tourist-assistance-service.html>; denhaag.nl (2013), *Tourist Assistance Service (theft)*, website, available at: www.denhaag.nl/en/visitors/to/Tourist-Assistance-Service-theft.htm

¹²⁰ Ministry of Security and Justice (2013), *Visie op slachtoffers*, letter to parliament, 22 February 2013, The Hague: Ministry of Security and Justice, p. 7.

¹²¹ Slachtofferhulp Nederland (2011), *Veelzijdig deskundig*. Slachtofferhulp Nederland, Utrecht: Slachtofferhulp Nederland; Slachtofferhulp Nederland (2013), *Werken bij*, website, available at: www.slachtofferhulp.nl/Werken-bij.

7	Some countries have legal clinics that provide free legal assistance to victims of crime.	X		VSN provides among other things free legal assistance to victims. It employs 400 professionals (including part-time) and 1300 volunteers (including part-time). The organisation also offers emotional and practical support services. ¹²² So does the Legal Office.
8	Some countries are exploring new and innovative ways of disseminating information to victims of crime in the form of web-based material, using social media and e-support etc. e.g. In SE, the Crime Victim Compensation and Support Authority initiated web-based information site called the Trial School which uses narrators' voices, texts, photographs, films and 3D animations to explain what happens at a court trial. Victim Support Finland (RIKU) operates a mobile phone service providing advice to crime victims through automatic text messages, while in NL; the Victim Support fund has a website and a smart phone app to guide victims to support organisations.	X		There is a website and a smart phone application to guide victims. The Netherlands has also a special website for children or youngsters who are victims of crime (www.ikzitinideshit.nl). VSN registers the psycho-social impact of calamities and provides education in this field (about regular reactions to irregular events). ¹²³
9	Some countries have created a 'Victim's Charter' which, not a legally binding document in itself, rather aims to describe the criminal justice system to a victim of crime, setting out victims' rights and providing clear information in relation to various aspects of criminal proceedings, state agencies, victim support organisations etc. (e.g. what happens when a crime is reported; what to expect during the investigation process, which agencies are involved in providing support etc.).		X	In the Netherlands there is no "Victim's charter". The rights of victims is a prominent issue in the Netherlands and the authorities pay a lot of attention to strengthening the rights of victims. But this has not resulted in a "Victims' charter".
10	In SE referral from the police works effectively since several local BOJ victim support services operate on the same premises as the local police station which also is seen as a way to quickly identify victims. All police districts, in over 100 districts around Sweden, have a Crime Victim Emergency Service. People who have training in and experience of the issues faced by victims of crime are available at these offices.	X		In The Netherlands such a victim support service is operated by the Public Prosecution Service, VSN and the police jointly. These Victim Desks provide integrated services to victims of crime. At these desks police, prosecutors, Victim Support The Netherlands and the Compensation Fund work together to provide comprehensive and up to date information and advice to victims

¹²² Slachtofferhulp Nederland (2011), *Veelzijdig deskundig*. Slachtofferhulp Nederland, Utrecht: Slachtofferhulp Nederland; Slachtofferhulp Nederland (2013), *Werken bij*, website, available at: www.slachtofferhulp.nl/Werken-bij

¹²³ E-mail correspondence on 19 March 2013 with VSN.

			on all aspects of their case. ¹²⁴ The victims desks are situated in the courts.
11	The multi-disciplinary, national referral system introduced in Bulgaria with regard to trafficking might be considered a promising practice.	X	In the Netherlands Comensha is the national reporting and registration point for trafficked persons. It maintains regional networks, established to support the shelter and (social) support for trafficked persons. If a trafficked person is reported, CoMensha places her/him, if needed, in a shelter home. Then the local network takes over care and support responsibilities. ¹²⁵
12	As part of the National Social Roma Inclusion Strategy in HU, Roma victim support volunteers are recruited to work in the volunteer support network. There is also a network of on-site legal aid stations led by an active member of the local Roma community, while the attorneys of the organisation are available online and provide free legal advice via Skype. Their area of operation also includes legal support to victims of hate crime.		X No such practice exists in the Netherlands. Criminality or hate crimes against Roma is not a public issue in the Netherlands, Individuals from the Roma community can make use of the general victim support in the Netherlands or in case of discrimination of the complaints departments of local antidiscrimination agencies. They can also turn to the Netherlands Institute for Human Rights for a legal opinion against the offender.
13	Police forces in England and Wales have policies on dealing with repeat victimization. An example of such a policy is the Thames Valley Police policy on repeat victimization (drafted and audited in accordance with Human Rights Act 1998): Sample Extract from the policy: 1. Rationale	X	Repeat victimisation is an issue in the Netherlands. Projects have been carried out in the last 20 years. The police pays attention to this issue but not in a systematic way like in the English example. ¹²⁷

¹²⁴ The Netherlands, Rijksoverheid.nl (2013), *Slachtofferloket*, website, available at: www.rijksoverheid.nl/onderwerpen/slachtofferbeleid/slachtofferloket.

¹²⁵ Comensha (2013), *Over Comensha*, website, available at: www.mensenhandel.nl/cms/index.php?option=com_content&task=view&id=5&Itemid=9

¹²⁷ See: Bruinsma, M.Y., Van Haaf, J., De Muijnck, J.A. and Kunst, M. (2008), *Herhaald slachtofferschap: Evaluatie van het project Herhaald slachtofferschap*, Tilburg: INTERVICT / IVA beleidsonderzoek en advies; Politiekeurmerk Veilig Wonen (2013), *Herhaald slachtofferschap en risicobesmetting van woninginbraak*, website, available at: www.politiekeurmerk.nl/bewoners/toch_een_inbraak/herhaald-slachtofferschap-en-risicobesmetting-van-woninginbraak

	<p>1.1 Research and organisational experience indicate that victims of crime and other incidents may be targeted for subsequent victimisation. This is particularly relevant in relation to offences of burglary, assault, domestic violence and hate crime.</p> <p>1.2 Repeat incidents often occur soon after the initial victimisation; therefore it is important to take preventative measures quickly. Likely victims must be identified immediately and subject to a targeted crime reduction initiative.</p> <p>1.3 Every victim should be asked whether they have been subject to other offences. The primary means to prevent repeat victimisation is to arrest and prosecute the offender, although other tactical options are available [...].¹²⁶</p>			
14	<p>Many countries have practices in place to respect the rights of victims during court proceedings, particularly with regard to their rights to privacy and protection; e.g. the trial being conducted behind closed doors; witness' testimony being taken so they do not come into contact with accused (e.g. in SI, taking of testimony using technical devices (protective screen, voice disguising devices, transmission of sound from separate premises and other similar technical devices); ban on use of images related to the victimisation; other measures undertaken by judges or prosecutors (or jury?) in respect of victims' rights? (e.g. jurors in FR swear an oath pledge not to betray the interests of the victim).</p>	X		<p>All victims may choose to take a seat behind the offender to avoid eye contact, or sit where the audience is seated behind a glass wall, or, if they wish, be protected by a screen (Model rules on a suitable environment for victims – <i>Modelreglement inzake passende verblijfsomgeving slachtoffers</i>, p. 11). They may also provide written testimony, which is read out by the court.</p>
15	<p>In some countries, police, prosecutors and judges work for victim support organisations in an official capacity that forms part of their training (e.g. in Austria)</p>		X	<p>This is a gap in the system. The interaction between the victim support organisations and the police, PPS and the judiciary has not fully developed yet.</p>
16	<p>Other promising practices: please include any other promising practices in your country with regard to victim support and enabling victims' to exercise their rights.</p>	NA	NA	<p>1. VSN offers case management for victims of high impact crimes and the survivors after homicide. VSN deals with and monitors the help following the experiences of the clients. They partly implement psycho-social and legal support. The point of departure is the Cliënt Centraal Model (<i>Focus on the Client Model</i>), linked to a plan of</p>

¹²⁶ <http://www.thamesvalley.police.uk/pub-policiesandprocedures-repeat-victimisation.pdf>

				<p>approach. A case manager is assigned to the victim, who can rely on this case manager until the case is closed at the highest level of appeal.</p> <p>2. The ZSM approach is a promising practice (ASAP, As Soon As Possible approach). At the police, there is a room which is seven days a week available during sixteen hours, in order to judge reports on their merits and deal with them as quickly and efficiently as possible. The police, the PPS, the Discharged Prisoners' Aid, the Council for the Protection of Children and VSN are represented in this room. The focus is on the interest of the victim; VSN approaches the victims, calculates the damage and advises the PPS about the interests of the victim.</p> <p>3. VSN regularly carries out research as to the satisfaction of clients about its services, both in terms of the procedure and its results. A special instrument has been developed and validated in this respect. There also is a monitor which registers the quality and the service of the criminal proceedings as a whole. VSN is involved</p>
--	--	--	--	---

				to a great extent in the development and implementation of this monitor. ¹²⁸
--	--	--	--	---

2.12 Role of the victim in practice

When it comes to perceiving or conceptualising victims of crime, certain ideal types or models can be distinguished. Based on your research and responses so far, please choose one from the following 4 descriptions of the role of the victim in the criminal justice system of your country (if possible indicating the most common view of legal practitioners (judges, prosecutors, lawyers) in your country. (If you believe that there are different perceptions of victims depending on various types of criminal offences, please consider cases of violent crimes.):

	Please choose the most appropriate description of how the victim is perceived in the criminal justice system	Place X in the appropriate box (choose only one)	Explanation (maximum word count 200)
1	The victim is seen essentially as a witness.		
2	In addition to 1, if the victim has suffered damage as a consequence of a criminal offence, importance is attributed to allowing the victim to claim compensation within the framework of criminal proceedings.		
3	In addition to 1 or 2, the victim is seen as a person who has suffered moral harm and therefore is in need and deserving of help.		
4	In addition to 1, 2 & 3, the victim is perceived as a person whose rights have been violated by the criminal offence and who therefore is entitled to see that justice is done and, to that end, to participate in criminal proceedings.	X	The victim is not seen as a party to the prosecution of the accused (and is therefore in general NOT seen as a witness), but it is acknowledged that harm has been done, that justice has to be done towards him or her, that damage suffered has to be compensated and that the victim has to be treated properly throughout the criminal proceedings. ¹²⁹

In the new EU Victims' Directive, the Commission refers to the varying roles of victims in criminal proceedings in each Member State as being determined by one of the following criteria.¹³⁰ With regard to the following descriptions, please choose 'yes' or 'no' for each concerning the role of the victim in the criminal justice system of your country, and provide a short explanation.

¹²⁸ E-mail correspondence on 19 March 2013 with VSN.

¹²⁹ Public Prosecution Service (2010), *Aanwijzing slachtofferzorg (2010A029) (Victim Support Instruction)*, The Hague: PPS, p. 2, available at: www.om.nl/onderwerpen/huiselijk-geweld@155130/aanwijzing.

¹³⁰ See Recital 20 Of the Victims' Directive, p 11 (http://register.consilium.europa.eu/pdf/en/12/pe00/pe00037_en12.pdf).

	Description of victims' role in EU Directive	Yes	No	Explanation (maximum word count 200)
1	The <i>national system provides for a legal status as a party to criminal proceedings;</i>	X		Although the victim is not seen as a separate party during criminal proceedings who is not on an equal footing with, for example, the accused, he or she is actually seen as a party who has been injured. ¹³¹
2	<i>The victim is under a legal requirement or is requested to actively participate in criminal proceedings,</i> for example as a witness		X	The victim need not, in general, appear in court. This only happens at it her or his own request. ¹³² In rare cases the victim may be requested to appear as a witness.
3	<i>The victim has a legal entitlement under national law to actively participate in criminal proceedings and is seeking to do so, where the national system does not provide for a legal status as a party to the criminal proceedings.</i>	X		The victim has her or his own interests and powers, such as the right to ask for compensation, the right to be heard or the right to provide written information. ¹³³

¹³¹ The Netherlands, House of Representatives (*Tweede Kamer der Staten-Generaal*) (2004/05), Parliamentary documents (*Kamerstukken*) II 2004-05, 30 143, number 3, p. 7.

¹³² The Netherlands, House of Representatives (*Tweede Kamer der Staten-Generaal*) (2004/05), Parliamentary documents (*Kamerstukken*) II 2004-05, 30 143, number 3, p. 3.

¹³³ The Netherlands, House of Representatives (*Tweede Kamer der Staten-Generaal*) (2004/05), Parliamentary documents (*Kamerstukken*) II 2004-05, 30 143, number 3, pp. 3, 7 and 10.

IMPORTANT:

In accordance with question 2.2.1b, if you have identified your country as belonging to category 'A'; please respond only to questions 3.3 and 3.4 of part B.

In accordance with question 2.2.1b, if you have identified your country as belonging to any category other than 'A'; please respond only to questions 3.1 – 3.3 of part B.

2 Part B:

3.1 Establishment of generic victim support organisations*¹³⁴

3.1.1 Please outline who (i.e. state or non-state actor) took the initiative for first setting up victim support services.

Max 250 words

Non-state actors took the initiative for first setting up victim support services. Local initiatives resulted in 1984 in the National Organisation Victim Support (*Landelijke Organisatie Slachtofferhulp*). This organisation, with as its aim coordinating and supporting local service points for victim support, consultation with the PPS, the police and the Discharged Prisoners' Aid is now VSN.¹³⁵ Until 1989 only victims of crimes were supported, but as from 1989 victims of traffic accidents were also covered.¹³⁶ For many years VSN was an association of different local services and NGO's. In 1992 these were unified in a national NGO with a central head office.

Initially, 1,000 victims were supported per year.¹³⁷ In 2009 107,000 victims were supported, in 2010, 123,000 and in 2011 135,000.¹³⁸ In 2012 150,000 victims were supported.¹³⁹

¹³⁴ Questions marked with * should NOT be answered by countries falling into category 'A' (in accordance with question 2.2.1)

¹³⁵ Leferink, S. (2009), *Goed recht, 25 jaar slachtofferhulp Nederland*, Utrecht: Slachtofferhulp Nederland, pp. 36 and 39

¹³⁶ Leferink, S. (2009), *Goed recht, 25 jaar slachtofferhulp Nederland*, Utrecht: Slachtofferhulp Nederland, p. 41

¹³⁷ Leferink, S. (2009), *Goed recht, 25 jaar slachtofferhulp Nederland*, Utrecht: Slachtofferhulp Nederland, p. 43

¹³⁸ Slachtofferhulp Nederland (*Victim Support Service Netherlands, VSN*), *Over ons*, website, available at: www.slachtofferhulp.nl/Over-Ons

¹³⁹ E-mail correspondence on 19 March 2013 and telephone interview in March 2013 with VSN.

3.1.2 Where did the money come from to support this first attempt?

Max 150 words

In 1985, the Ministry of Justice (*Ministerie van Justitie*) provided funding, together with the Ministry of Internal Affairs (*Ministerie van Binnenlandse Zaken*) and the Ministry of Welfare, Public Health and Culture (*Ministerie van Welzijn, Volksgezondheid en Cultuur*).¹⁴⁰ In 1985 about DFL 1,000,000 were contributed (€ 475,000). There was no structural funding though, apart from funding by the Ministry of Justice in order to establish a national network of service points.¹⁴¹ Another important source of funding came from a private initiative: the Victim Support Fund (*Fonds Slachtofferhulp*). This fund raised 200,000 Dutch guilders (about € 90,000) in 1989, which increased to €1.2 million in 2012.¹⁴²

3.1.3 What were the circumstances leading to the establishment of the victim support service(s)?

Max 200 words

Non-state actors, especially individuals, felt solidarity for the victims of crime. It was felt that injustice was done, as the focus was on suspects and offenders rather than on victims. The police and the PPS became aware of the fact that if victims did not feel they were treated seriously, they would not report crimes and that the victim had to have his or her own role in criminal proceedings. As early as 1975 the Violent Offences Compensation Fund (*Schadefonds Geweldsmisdrijven*) had been established by the Ministry of Justice (*Ministerie van Justitie*), partly in conformity with European developments. Local initiatives took place, and were very diverse in their nature. As from 1984, the predecessor of VSN professionalized and co-ordinated these initiatives.¹⁴³ An important role was played by the struggle of women, especially for the victims of sexual violence.

3.1.4 Quality standards

	Yes	No	Description (max 3-5 sentences)
Do formally adopted key performance indicators exist in relation to the quality of services provided by generic victim support services? If yes, please describe them.			A key performance indicator is that VSN should contact victims within two working days after notification by police. VSN agrees with the Ministry of Safety and Justice on a minimum number of services it provides to victims each year. Requirements concerning education and training of staff can be considered as contributing to quality of performance. There is a financial planning and control cycle.

¹⁴⁰ Leferink, S. (2009), *Goed recht, 25 jaar slachtofferhulp Nederland*, Utrecht: Slachtofferhulp Nederland, p. 39

¹⁴¹ Leferink, S. (2009), *Goed recht, 25 jaar slachtofferhulp Nederland*, Utrecht: Slachtofferhulp Nederland, p. 41

¹⁴² Leferink, S. (2009), *Goed recht, 25 jaar slachtofferhulp Nederland*, Utrecht: Slachtofferhulp Nederland, pp. 26 and 41

¹⁴³ Leferink, S. (2009), *Goed recht, 25 jaar slachtofferhulp Nederland*, Utrecht: Slachtofferhulp Nederland, pp. 20-23 and 35-43

		<p>Periodically victims who received support from VSN are asked to evaluate the content of de services delivered as well as the performance of the person delivering the service on aspects as expertise, treatment, customer-friendliness, effectiveness.</p> <p>As of this year, VSN has contracted a quality management officer who coordinates the description of processes and products/services and the adoption of formal key performance indicators. This is followed by introducing peer audits.¹⁴⁴</p>
--	--	---

3.2 Personnel (professional staff and volunteers)*:

Taking the below as an example, please provide information with regard to professional staff and volunteers working in the area of generic victim support in 2012 (if more than one organisation dealing with generic victim support please produce a separate table for each organisation).

Country	Name of organisation	Professional staff		Volunteers		
		# staff	hours contracted per week	# volunteers	hours contracted per week	Value of volunteer work
NL	Victim Support Netherlands	400	25	1,300	10 up to 12 hrs a week	€ 2,230,800.00 ¹⁴⁵

¹⁴⁴ E-mail correspondence on 19 March 2013 and telephone interview in March 2013 with VSN

¹⁴⁵ E-mail correspondence on 19 March 2013 and telephone interview in March 2013 with VSN

3.3 Services provided by the state:

From the below list, please answer 'yes' or 'no' if the following general services are provided directly by the state free of charge to victims and provide a short description – **to be answered by all.**

Services provided to victims by the state (free of charge)	Yes	No	Description
a Free legal advice by courts or free legal assistance		X	The courts and the state leave this to VSN. ¹⁴⁶
b Free health/psychological assistance (e.g. crisis intervention centres)		X	This is left to VSN, subsidized by the state.
c Emergency financial assistance	X		Some municipalities provide emergency financial assistance on an ad hoc basis. ¹⁴⁷
d Court accompaniment/support services	X		Professional ushers support the victims throughout the hearing at the court. ¹⁴⁸
e Other (specify)	NA	NA	

¹⁴⁶ E-mail correspondence on 18 April 2013 with the Council for the Judiciary (*Raad voor de Rechtspraak*).

¹⁴⁷ E-mail correspondence on 19 March 2013 and Telephone interview in March 2013 with VSN.

¹⁴⁸ E-mail correspondence on 18 April 2013 with the Council for the Judiciary (*Raad voor de Rechtspraak*).