



Working group – reporting back

WG number and topic: Day 1, WG IV: Assistance for victims of hate crime

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- ***What suggestions for concrete action were made?***
 - Need for **free of charge and professional, comprehensive services for all victims** of hate crime, including irregular migrants;
 - Need for the **EU Victims' Directive to be transposed in each Member State**, and for effective measures, including support, to be implemented for all victims of crime, including of hate crime. Hate crime should be specifically addressed in the national implementation of the Victims' Directive;
 - **Building trust and partnerships between civil society, national authorities, equality bodies, police, criminal justice actors, health professionals etc.** Stronger multi-agency responses, with civil society and community-based organisations particularly well placed to take a leading role in reaching out to the different communities. This will lead to greater trust of victims and hopefully increased reporting.
 - Political support for victims' rights in general and hate crime victims specifically, needs to be placed higher on the agenda; **Funding is needed for victim support organisations;**
 - **Lack of or problems in exercising one's legal capacity should not be an obstacle to victim support services.** Victim support services need to be aware of particular problems for people who have lost their legal capacity (persons with mental/psychosocial disabilities), transgender persons (whose ID papers may not reflect the preferred gender of the person) and undocumented migrants (no ID papers or residence papers).
 - **All victims** of hate crime should be welcome(d) in victim support centers, irrespective of the ground which was the reason for them to become a victim
 - **Member States should ensure a comprehensive individual assessment of victims when they seek support – with the victim's involvement** (as per Victims' Directive article 22);
 - Recognition of need for both good understanding of issue (particular type of discrimination) & professional skills needed. **With victims of hate crime, a comprehensive understanding is needed on both an institutional and interpersonal level.** Victims of hate crime often face biases all throughout their lives. **Regardless of who is dealing with victims - whether specialised, generic, community groups – they need to acquire and exercise that understanding and knowledge.** Member States should ensure victim support services have the skills, training and opportunity to learn what dealing with hate crime victims actually means;
 - Member States should look into enabling third party reporting practices – highlighted in FRA findings from both LGBT and anti-Semitism surveys – way of avoiding re-traumatisation by enabling others to advocate on the victim's behalf;
 - Member States should **tackle underreporting and low levels of prosecution.** The 'hate' dimension of hate crime must be exposed and punished accordingly.
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- ***Existing practices***
 - **Community based support.** Example – Spain – partnership between Ministry of equality and 8 NGOs, including organisations supporting migrants, Roma;
 - **UK hate crime hub** – supports victims of Hate Crime, providing a knowledge exchange portal for practitioners, policy makers & academics;

- Measures within police services to gain trust from victims – e.g. Belgian police which has a recognisable LGBT group within the police force- a sign that police reflect the composition of society and homophobic attitudes are not tolerated;
- **Personal ombudsman service - Lund, Sweden - targeted assistance** to persons with mental or psychosocial disabilities– no offices, no client feeling, no timeframe, clients report on anything, any time. An agreement is drafted with terms and conditions of service, no ID needed etc. – anonymity is guaranteed. *“The Personal Ombud does only what his client wants him to do. As it can take a long time - sometimes several months - before the client knows and dares to tell what kind of help he wants, the PO has to wait. This also means that the PO has to develop a long-time engagement for his clients, usually for several years. The PO is especially focused on supporting the psychiatric patients who are most hard to reach and who usually are left without support, because no one knows how to reach and how to help them.”* (see <http://www.po-skane.org/ombudsman-for-psychiatric-patients-30.php>). This model could be adopted for victims of hate crime?;
- Organisation capacity building. e.g Danish institute for Human Rights – Memorandum of understanding between equality body and civil society organisations;
- Belgian equality body train police in Antwerp to have checklist of things to ask when dealing with victims of hate crime and importance of dealing with victims in a sensitive manner; to use the right language and ask the correct questions; e.g. what were the exact words said by the perpetrator etc. Considered a success and now other cities want to import that model;
- The ability to reach out to victims at local level is crucial – one good practice could be mobile victim support services;
- German Foundation EVZ (Stiftung Erinnerung, Verantwortung, Zukunft) ‘Stop Hate Crime!’ project (initiatives in Poland, Czech Republic, Ukraine and Russia) <http://www.stiftung-evz.de/eng/funding/human-rights/stop-hate-crime.html> and project ‘Mapping assistance strategies for victims of hate crimes’ (practical guide for psychosocial work).

- **Other key messages:**
- Importance of visibility and recognition of seriousness of hate crime and why it ‘hurts’ more: something needs to be seen to be done; victims’ rights need to be seen to be taken seriously. “Hate crimes are message crimes” – can send exclusionary message, and can lead to secondary victimisation. A positive response by public authorities can in turn provide an inclusionary message – to victims, perpetrators and society; Early recognition of bias motives is key.
- Hate crime ‘hurts’ more than other crime types; it’s an attack on the person’s core identity; an explicit act of marginalisation and exclusion. The impact of hate crime spreads vicariously;
- Importance of the availability of advocacy and support to access support services;
- Respect the perspective of the victim – what they want may depend from victim to victim – sometimes justice, sometimes just compensation – needs different and dependent on the case;
- Member States should consider establishing counselling standards;
- One, consistent point of contact to **navigate** victim through process, and also to **manage expectations**;
- Need for training, especially police, criminal justice practitioners, to enable them also provide assistance;
- Peer training – especially to vulnerable groups of hate crime victims;
- Those supporting victims need support themselves – evaluation, supervision, and possible involvement of victims themselves;
- Recognition that undocumented victims of hate crime face additional difficulties in reporting their victimisation to the police – e.g. fear of deportation. Member States should adopt positive measures enabling undocumented victims of crime to effectively access justice and victim support services;
- Importance of increasing rights awareness among victims of hate crime (and crime victims in general);
- Importance of ensuring victims are informed about their rights and available support in a clear, understandable manner, in a relaxed, comfortable setting and at a time when they are able to absorb the information;
- Both a need for short term and long term care and support – e.g. psychological wellbeing;
- Imperative that professionals in frontline offices understand the impact of hate crime on victims, and

that how they deal with a victim might affect their experience of coming to terms with what they have experienced – more investment is therefore needed in frontline offices;

- Create trust – e.g. have minorities reflected within police – police services should reflect society. Potentially have persons who have experienced victimisation themselves on board in organisations and authorities. Liaison officers should reach out (long term) to marginalised groups;
- Improve legal redress mechanisms, such as compensation;
- Member States could explore the field of mediation and see how victims might be assisted through this;
- Tackle language barriers preventing people's access to justice;
- There is a lack of understanding of diversity – this has to be managed better by Member States;
- There is more trust in NGOs than in governmental institutions; especially for vulnerable migrant groups;
- Policies should focus on being proactive and preventative and national legislation to allow victim support services to advocate and support victims must be effectively enforced;
- One challenge is a lack of understanding or ability (of both NGOs and public authorities) to deal with certain groups of marginalised people when they are victimised; an example was given in one Member State of sex workers, especially when they have a migrant background or have multiple identities based on which they have become a victim of hate crime;
- Member States could consider a control mechanism of the Victims' Directive by having NGOs or other support services sign control sheets when victims are interviewed and/or informed that are then sent to a 'National Directive Monitoring' service.
- The Commission could consider introducing infringement procedures against Member States that are not ensuring proper implementation of article 1 of the Victims' Directive that ensures support for all victims of crime, irrespective of their residence status;
- The Commission could consider initiating programmes that would foster an exchange on municipal strategies in dealing with hate crimes and groups of persons vulnerable to hate crime. Hate crime happens at local level; this is where society feels most responsible and where action is most concrete. Hate crimes have consequences at local level.