

CRIME, SAFETY AND VICTIMS' RIGHTS

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Crime – in particular violent crime – undermines victims’ core human and fundamental rights. These can encompass the right to life and human dignity in the context of violent crime, alongside access to justice when reporting crime and non-discrimination in one’s treatment as a victim. Other rights, including those related to property and consumer protection, are also affected.

This summary presents the main insights from FRA’s second main report based on its Fundamental Rights Survey. The report focuses on peoples’ experiences as victims of certain types of crime. Specifically, it addresses:

- violence,
- harassment, both online and offline,
- and property crimes – burglary, misuse of someone’s online bank account or payment cards, and consumer fraud.

The report also examines how often victims report these crimes to the police, and presents further details about harassment and violence, such as on the perpetrators and where the incidents took place. The selection of these crimes reflects both in-person and property offences, and both ‘traditional’ crime, such as burglary, and crimes that can take place both online and offline.

In addition, the analysis looks at how concerned people are about experiencing crime, and if they have changed their behaviour in response to a perceived risk of assault or harassment to avoid situations where such incidents could happen.

The report also explores how willing people would be to intervene, report to the police or, if asked, give evidence in court in three hypothetical scenarios: physical violence between partners, physical violence against a child, and a crime against the environment.

The results presented offer the first EU-wide crime survey data on the general population’s experiences of crime victimisation that can be used to inform EU and national policy and legislation on crime victims.

Fundamental Rights Survey: key facts

The Fundamental Rights Survey collected data in 29 countries: 27 EU Member States, the United Kingdom (an EU Member State at the time) and North Macedonia (the only non-EU country with observer status at FRA when the survey was designed). In each country, a representative sample of respondents – ranging from about 1,000 in most countries to about 3,000 in France and Germany – participated

in the survey. The survey interviews, which took place between January and October 2019, resulted in a total sample of 34,948 respondents.

The results are representative at the EU level, as well as for each country, of people who are 16 years old or older and usually reside in the country where they took part in the survey.

Overall rate of crime victimisation in the survey

The Fundamental Rights Survey asked about people's experiences of five types of crime: burglary, online banking or payment card fraud, consumer fraud, harassment and violence. The report examines the results for each of the five types.

Taken together, 54 % of people in the EU-27 experienced one or more of these crimes in the five years before the survey, and 39 % experienced them in the 12 months before the survey. Within these rates, the prevalence of the five types of crime varies widely.

Of the five types, people most often experienced harassment (41 % in the five years before the survey), followed by consumer fraud (26 %). Experiences of burglary, online banking or payment card fraud are less frequent – fewer than one in 10 experienced these in the five years before the survey. The overall prevalence rates of crime experiences, both in the five years and in the 12 months before the survey, are closely related to the experiences of harassment and consumer fraud, as they are the most widespread of the five types of crime in the survey.

FIGURE 1: EXPERIENCES OF FIVE CRIMES ASKED ABOUT IN THE SURVEY, IN THE FIVE YEARS AND IN THE 12 MONTHS BEFORE THE SURVEY (EU-27, %)



Source: FRA, Fundamental Rights Survey 2019; data collection in cooperation with Centraal Bureau voor de Statistiek (CBS, NL), Centre des technologies de l'information de l'État (CTIE, LU) and Statistics Austria (AT)

In addition to the five types of crime listed above, the Fundamental Rights Survey asked respondents if a public official or a civil servant has asked or expected them to do a favour (such as giving a gift or donation) in exchange for a particular service. A total of 4 % of people have experienced this in the past five years in the EU-27. However, the experiences vary greatly between EU Member States. FRA's **first report on the Fundamental Rights Survey** analyses the results in more detail.

EXPERIENCES OF VIOLENCE

More than 22 million people in the EU experienced physical violence in the year before the survey.

- ★ Nearly one in 10 people (9 %) in the EU-27 experienced physical violence in the five years before the survey, and 6 % experienced physical violence in the 12 months before the survey. This corresponds to more than 22 million people experiencing physical violence in one year in the EU-27 (an estimate based on the results of the survey relative to the EU's population).
- ★ These results include experiencing one or more of the four broad acts of physical violence asked about in the survey: a person slapping you, throwing something at you, pushing you or pulling your hair; hitting you once with a fist or with something else that could hurt you; kicking or dragging you, or beating you up; or trying to suffocate or strangle you.
- ★ The experiences vary by country within the EU, ranging from 3 % to 18 % experiencing physical violence in the five years before the survey. Such Member State differences need to be looked at alongside official statistics on police-recorded crime in each country (which is beyond the scope of the current report), and alongside data on patterns in reporting crime, which a specific chapter in this report explores.
- ★ Young people (16–29 years old) are at the highest risk of experiencing physical violence, compared with people from other age groups, and also compared with other socio-demographic characteristics that the survey examines. Close to one in four people (23 %) aged 16–29 years experienced physical violence in the five years before the survey. In other age categories, one in 10 people, or fewer, experienced physical violence in the same time frame.

FRA OPINION 1

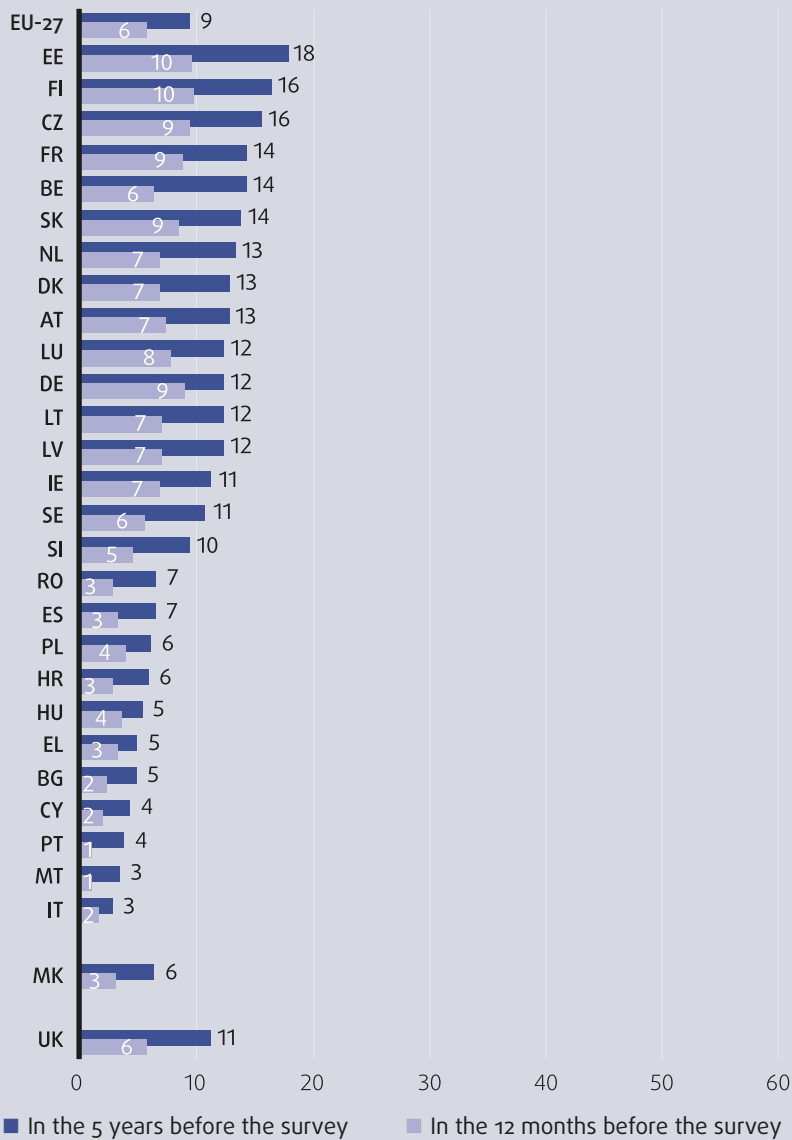
Physical violence is a worrying reality across the EU, as the survey data show. In line with the Victims' Rights Directive, Member States should increase their efforts to ensure access to justice for all victims of crime, including the most vulnerable, by providing victims with appropriate information, support and protection, and by enabling their participation in criminal proceedings.

The rate of physical violence experienced by young people is much higher than in other age groups. This warrants action by EU Member States to ensure that young people are informed about their rights and where to turn after experiencing physical violence. In this age group, some experiences of violence can occur at school or in tertiary education settings, involving victims' peers. This makes it important to adopt targeted measures for particular contexts.

EU Member States should develop targeted measures to prevent physical violence against persons with disabilities, ethnic minorities and lesbian, gay, bisexual, trans and intersex people, who experience higher rates of physical violence – and harassment – than others. In addition to physical violence in general, these groups are susceptible to hate-motivated incidents, as FRA's targeted surveys with specific groups highlight. This can have a negative impact on the feeling of safety of these groups.

- ★ Other groups experiencing physical violence at a higher rate than the average for the entire population include people who consider themselves to be part of an ethnic minority (22 % in the five years before the survey); people who self-identify as lesbian, gay, bisexual or 'other' (19 %); and persons who have limitations in their usual activities due to a health problem or disability (17 %).

FIGURE 2: EXPERIENCES OF PHYSICAL VIOLENCE, IN THE FIVE YEARS AND IN THE 12 MONTHS BEFORE THE SURVEY, BY COUNTRY (%)



Notes:
 Out of all respondents in the EU-27, North Macedonia and the United Kingdom (n = 34,948); weighted results.

Source: FRA, Fundamental Rights Survey 2019; data collection in cooperation with CBS (NL), CTIE (LU) and Statistics Austria (AT)

Violence is a clear violation of victims' rights, in particular their human dignity and their right to integrity (Articles 2 and 3 of the Charter of Fundamental Rights of the European Union (the Charter)). In line with the Victims' Rights Directive, a victim of violent crime should be recognised as the person wronged by the offender, protected against repeat victimisation, granted access to justice and enabled to participate in criminal proceedings. The survey shows that a significant number of people in the EU experience physical violence every year. FRA's violence against women survey supports that finding, as do other FRA surveys that have focused on the experiences of violence among groups such as immigrants and ethnic minorities, and LGBTI people.

As the EU's first strategy on victims' rights (2020–2025) recognises, for the most vulnerable victims, such as victims of gender-based violence, child victims, victims with disabilities or victims of hate crime, it is particularly challenging to go through criminal proceedings and to deal with the aftermath of crime. In this respect, the Victims' Rights Directive requires that appropriate structures be in place providing for general and specialist support services, as well as protection in accordance with victims' specific needs. To identify victims with specific protection needs, the directive requires Member States to pay particular attention to cases involving violence in a close relationship and gender-based violence, sexual violence, hate crime and other crimes related to victims' personal characteristics, and victims with disabilities.

Accordingly, in line with Articles 8 and 9 of the Victims' Rights Directive, victims with specific needs must have access to specialist support organisations with sufficient staff and funding. Article 18 also requires special measures to protect these victims from the risks of secondary victimisation (as a result of their treatment by the police and criminal justice system), and repeat victimisation (when they are victimised again), intimidation and retaliation (from the perpetrator(s)).



Other specific pieces of EU secondary law, such as the Framework Decision on Racism and Xenophobia, also underline the rights of specific groups of vulnerable victims. In relation to child victims, the Victims' Rights Directive obliges Member States to ensure that the child's best interests are a primary consideration and will be assessed on an individual basis. A child-sensitive approach, taking due account of the child's age, maturity, views, needs and concerns, must prevail (Article 1(2)).

Article 16(4) of the CRPD specifically calls on States Parties to 'take all appropriate measures to promote the physical, cognitive and psychological recovery, rehabilitation and social reintegration of persons with disabilities who become victims of any form of exploitation, violence or abuse, including through the provision of protection services'.

In terms of policy instruments, the EU anti-racism action plan 2020–2025 sets out concrete actions to tackle racist hate crime and hate speech, while the EU Roma strategic framework 2020–2030 highlights the experiences of hate crime and hate speech among the Roma population. In the EU LGBTIQ equality strategy 2020–2025, ensuring the safety of lesbian, gay, bisexual, trans, non-binary, intersex and queer people is one of the four main areas to be addressed.

CONTEXT OF VIOLENCE – FOCUSING ON EXPERIENCES OF WOMEN AND MEN

Women experience physical violence disproportionately at home, while men often experience violence in public settings.

FRA OPINION 2

EU Member States should – in addition to measures needed to encourage and empower these victims to report incidents of crime (see [opinion 5](#)) – consider introducing specific measures to ensure targeted support for victims of violence in the domestic sphere. This is needed to ensure that the rights guaranteed by the Victims’ Rights Directive are effective in practice for those – disproportionately women – who experience violence in the home, from family members or relatives, and who therefore struggle to obtain support to break the cycle of violence, and to access justice. This can include training and specific guidelines for professionals who are in contact with victims (such as healthcare professionals or teachers) on how to detect crime that occurs in the home, and how to deal with it appropriately. In this context, the European Commission is also encouraged to draw on the expertise and use the potential of the newly established Victims’ Rights Platform.

The EU and all EU Member States that have not yet done so are encouraged to ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention). In parallel, EU institutions and Member States are encouraged to draw on data from the Fundamental Rights Survey, and FRA’s previous survey on violence against women, when exploring gaps in existing law, alongside ways to more effectively address gender-based violence through the enactment of current law and policy – in alignment with the Commission’s plan of action set out in the EU strategy on victims’ rights as well as the Gender Equality Strategy 2020–2025.

★ Incidents of physical violence against men (excluding specifically sexual violence) most often took place in public settings (39 %), such as streets, parks or other public places. Incidents of physical violence against women (again excluding specifically sexual violence) most often took place in their own home (37 %).

★ For men, these incidents most often involved a perpetrator they did not know (42 %). In contrast, physical violence against women most often involved a family member or a relative as the perpetrator.

These survey results should be read alongside the earlier findings of FRA’s violence against women survey, which measured in more detail women’s experiences of violence, including intimate partner violence and sexual violence, which disproportionately affect women.

★ In the majority of cases of physical violence, the perpetrator was a man or a group of men. This was the case in 72 % of incidents of physical violence against men and 60 % of those against women.

When asked if any of the physical violence involved incidents of a sexual nature, more women (13 %) than men (10 %) said yes. Here, it is important to note that, according to the data, victims of physical violence experience various psychological consequences and injuries more often when these incidents include acts of a sexual nature. Overall, 51 % of men say that the most recent incident of physical violence (non-sexual) did not cause any psychological consequences, compared with 30 % of women. By contrast, 34 % of women say that they experienced four or more types of psychological consequences as a result of an incident of physical violence that also had elements of a sexual nature, compared with 9 % of men.

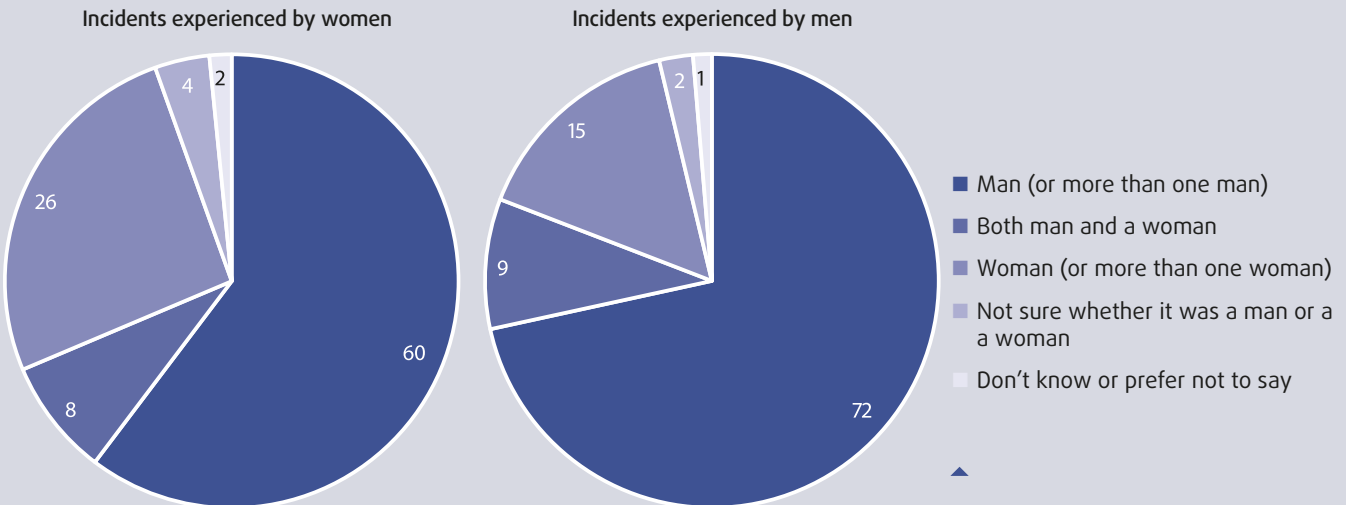
Recognising men’s disproportionate role as perpetrators of violence, and in line with Article 84 of the Treaty on the Functioning of the European Union, on crime prevention, the EU should promote and support Member State action in the field of crime prevention. Such action would aim at introducing measures to educate boys and young men in a way that enables them to resolve conflicts without violence or abusive conduct, and to treat girls and women – as well as other boys and men – with respect, drawing on relevant human rights values including human dignity, equality and non-discrimination.

Member States are encouraged to develop criminal sanctions that have a potential to rehabilitate male offenders and to support them in developing as accountable and respectful persons. This could include anti-violence training that pays due attention to gender roles and stereotypes with respect to male aggression. Those Member States that have not done so already are encouraged to consider introducing gender-sensitive anti-violence training as a criminal sanction, with the aim of reducing rates of repeat victimisation, in line with Article 18 of the Victims’ Rights Directive.

The results of the survey point to key differences between women’s and men’s experiences of violence. These differences have important consequences for the impact on victims, and for victims’ access to justice. When violence takes place in a public setting, it is more common for other people to be around who may intervene or can act as witnesses, while this is often not the case when violence happens in the home. This means that, on average, women and men find themselves in different positions as victims of violence in terms of seeking assistance, reporting incidents to the police or having incidents examined in court.

It is in this context that the EU strategy on victims’ rights 2020–2025 pays particular attention to actions needed to cater to the specific needs of victims of gender-based violence. It outlines actions aiming to strengthen the rights of this group of victims, including through strengthening physical protection; setting up an EU network on the prevention of gender-based violence and domestic violence; and providing EU funding. The Victims’ Rights Platform brings together all EU-level bodies relevant to victims’ rights. Through it, the Commission also aims to facilitate continuous exchange of best practices and cross-fertilisation between the EU strategy on victims’ rights and, for example, the European Gender Equality Strategy 2020–2025.

FIGURE 3: GENDER OF PERPETRATORS OF VIOLENCE, INCIDENTS EXPERIENCED BY WOMEN AND MEN (EU-27, %)



Source: FRA, Fundamental Rights Survey 2019; data collection in cooperation with CBS (NL), CTIE (LU) and Statistics Austria (AT)

Notes:
 Out of respondents in the EU-27 who described in the survey the most recent incident of violence (n = 3,230; women, n = 1,573, men, n = 1,657); weighted results.

In line with Articles 8 and 9 of the Victims' Rights Directive, women who experience violence at home, by family members or relatives, and who therefore struggle to obtain support to break the cycle of violence and to access justice, must have access to specialist support organisations with sufficient staff and funding. Article 18 also requires special measures to protect these victims from the risks of secondary victimisation, repeat victimisation, intimidation and retaliation.

Given that the survey results underline the gendered nature of violence, as experienced differently by women and men, the findings can be read alongside specific human rights documents that emphasise the need for gender-sensitive education. For example, Article 10 of CEDAW obliges States

Parties to ensure in the field of education the elimination of any stereotyped concept of the roles of men and women, and Article 14 of the Istanbul Convention stresses the importance of an education that fosters equality between women and men, non-stereotyped gender roles, mutual respect and non-violent conflict resolution in interpersonal relationships.

In fact, to date, the Council of Europe's Istanbul Convention stands out as the most comprehensive international instrument on violence against women. It sets out measures that are crucially important in combating partner violence, such as targeted criminal law protection against partner violence, an effective system of protection orders, and specialised support organisations available to all women victimised by their violent partners or ex-partners. At the time of writing this report, 21 EU Member States have ratified the Istanbul Convention, and six have signed the convention but not yet ratified it.¹ The EU has also signed the convention but is yet to ratify it.

Pursuant to the EU strategy on victims' rights, Member States should set up national victims' rights strategies that ensure a coordinated and horizontal approach to victims' rights, including through mainstreaming victims' rights into policies such as education.



¹ As of January 2021, the following EU Member States have ratified the Istanbul Convention: Austria, Belgium, Croatia, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovenia, Spain and Sweden. In addition, out of the countries covered in the Fundamental Rights Survey, North Macedonia has also ratified the convention. The following EU Member States have signed the convention but are yet to ratify it: Bulgaria, Czechia, Hungary, Latvia, Lithuania and Slovakia. The United Kingdom has also signed the Convention but has not yet ratified it.

EXPERIENCES OF HARASSMENT

Almost 110 million people in the EU experienced various forms of harassment in the year before the survey.

- ★ In the EU-27, two in five people (41 %) experienced harassment – ranging from offensive and threatening comments in person to offensive and threatening gestures and messages sent online, including through social media – in the five years before the survey. In the 12 months before the survey, 29 % experienced harassment. This corresponds to almost 110 million people in the EU-27 experiencing harassment in a year (an estimate based on the results of the survey relative to the EU's population).
- ★ Experiences of harassment range from 46 % to 9 %, depending on the country (in the 12 months before the survey).
- ★ The most common form of harassment that people in the EU experience involves offensive or threatening comments made in person, experienced by 32 % of people in the five years before the survey.
- ★ Overall, 14 % of people in the EU experienced cyberharassment in the five years before the survey. This could involve receiving offensive or threatening emails or text messages, or coming across offensive or threatening comments about oneself disseminated online.
- ★ Three in five people (61 %) in the age group 16–29 years experienced harassment in the five years before the survey. Overall, in the same age group and time frame, 27 % experienced cyberharassment. These are the highest rates in all the age groups, with harassment experiences decreasing with age.
- ★ While the prevalence of harassment is similar for women and men, 18 % of women described the most recent incident of harassment as being of a sexual nature, compared with 6 % of men.
- ★ While the average rate of harassment is 41 % (over a five-year period), higher rates are revealed when the data are broken down by specific socio-demographic groups (for the same period): 57 % for people who self-identify as lesbian, gay, bisexual or 'other'; 54 % for those without the citizenship of the country they live in; 51 % for those born in another EU Member State; 49 % for those born outside the EU; and 50 % for people with disabilities (those who have difficulties in activities people usually do, due to a health problem or disability).

FRA OPINION 3

In view of the widespread nature of harassment, the EU should consider reviewing the existing legislative and policy responses to harassment, including sexual harassment, and all possible settings where the harassment takes place (including on the internet), encompassing harassment beyond the workplace and the educational domain.

In view of the disproportional impact of harassment – in particular cyberharassment – on young people, EU Member States should ensure that its victims have access to simple and effective methods to report incidents and have them investigated. The EU can support Member States in this regard by helping to ensure, for example through the future Digital Services Act, provision of harmonised rules on tackling illegal content online – including incitement to violence, hatred and discrimination.

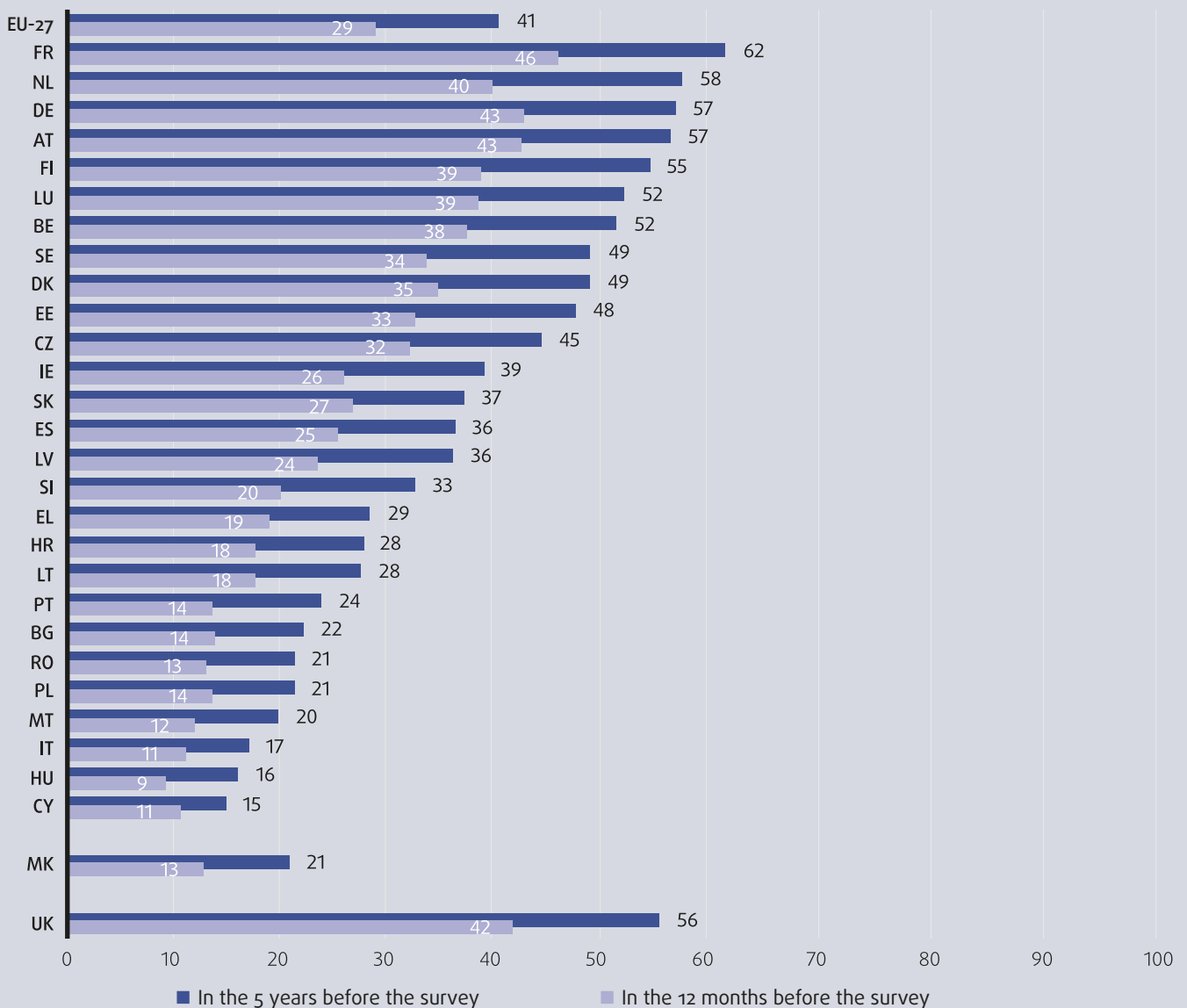
In view of the evidence presented in this and several other FRA reports on the impact of hate-motivated harassment on various groups in society, EU Member States should ensure that they apply in full the protection provided by the EU Victims' Rights Directive, which treats all victims of hate crime equally, regardless of the attribute invoked by offenders. This would be in line with the principle of non-discrimination, according to which criminal law measures should cover equally all grounds of discrimination covered by Article 21 of the Charter of Fundamental Rights of the European Union. It would also be in line with the Commission's plans to propose to extend the list of Euro crimes to include all forms of hate crime and hate speech.

- ★ Harassment that does not involve acts of a sexual nature is often by somebody the victim does not know (52 % of incidents experienced by women and 59 % of incidents experienced by men). However, women are more likely than men to experience harassment that involves acts of a sexual nature by previously unknown perpetrators: 72 % of incidents of harassment of a sexual nature against women were committed by unknown persons, compared with 40 % of incidents against men. Furthermore, 57 % of women say that harassment involving acts of a sexual nature took place in public – in the street, a park or another public place – compared with 30 % of incidents of a sexual nature experienced by men.
- ★ In incidents of harassment that did not involve acts of a sexual nature, 77 % of men and 58 % of women say that the perpetrator was a man (or a group of men).

Notes:

Out of all respondents in the EU-27, North Macedonia and the United Kingdom (n = 34,948); weighted results.

FIGURE 4: EXPERIENCES OF HARASSMENT, IN THE FIVE YEARS AND IN THE 12 MONTHS BEFORE THE SURVEY, BY COUNTRY (%)



Source: FRA, Fundamental Rights Survey 2019; data collection in cooperation with CBS (NL), CTIE (LU) and Statistics Austria (AT)

The survey shows that many people in the EU are exposed to various forms of harassment, but there are notable differences when the general population is broken down into specific groups.

Notably, young people experience harassment at a much higher rate than older people, including incidents of cyberharassment. The EU has already taken one measure in this regard: the 2018 amendment of the Audiovisual Media Services Directive sets out to better protect the moral development of minors. Moreover, the European Commission has announced its intention to propose a Digital Services Act package, to modernise the legal framework established in the e-Commerce Directive (Directive 2000/31/EC). Among other issues, the Digital Services Act package would include rules on how to deal with illegal content online (for example illegal incitement to violence, hatred or discrimination on any protected grounds such as race, ethnicity, gender or sexual orientation). In its resolution on the EU Youth Strategy 2019–2027, the Council of the EU notes the need to ensure that young people have the ability to recognise and report hate speech and discrimination online and offline.²



In turn, people with a serious health problem or disability, those born outside the country or with an ethnic minority background, and LGBTI people, all experience harassment at higher rates than average. Conceivably, this may be partly due to these groups' exposure to hate-motivated harassment. In this regard, the 2008 Framework Decision on Racism and Xenophobia partly recognises the need to protect groups of persons or a member of such a group – defined by reference to race, colour, religion, descent, or national or ethnic origin – from incitement to violence and hatred. However, other groups that are exposed to high levels of harassment, according to the survey data, such as people with a serious health problem or disability, and LGBTI people, do not have the same level of protection through EU law against possible hate-motivated crime. The reference to victims of

“crime committed with a bias or discriminatory motive” (Article 22(3)) in the Victims' Rights Directive goes some way to addressing this reality, as it brings all victims of hate crime on an equal footing, regardless of the attribute invoked by offenders.

The Commission's annual work programme 2021 announced further legislative developments at the EU level in this area. It refers to a new initiative on extending the list of EU crimes to all forms of hate crime and hate speech, whether because of race, religion, gender, sexuality or other grounds.

Harassment is gendered. Women disproportionately experience harassment of a sexual nature at the hands of strangers, these incidents are perpetrated overwhelmingly by men and they often take place in a public setting, the data show. The current scope of EU gender equality law limits recognition of harassment – and its gendered nature – to the areas of the labour market and the supply of goods and services.³ In its recital 17, the Victims' Rights Directive recognises sexual harassment as a type of gender-based violence – that is, a form of discrimination and a violation of the fundamental freedoms of the victim – and affords its protection to victims of sexual harassment accordingly.

² Council of the European Union (2018), **Resolution of the Council of the European Union and the Representatives of the Governments of the Member States meeting within the Council on a framework for European cooperation in the youth field: The European Union Youth Strategy 2019–2027 (2018/C 456/01), OJ C 456.**

³ **Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast); Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services; Directive 2010/41/EU of the European Parliament and of the Council of 7 July 2010 on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity and repealing Council Directive 86/613/EEC.**

EXPERIENCES OF SELECTED PROPERTY CRIME AND FRAUD

One in six people (16 %) in the EU experienced consumer fraud in the year before the survey.

FRA OPINION 4

The EU and Member States should ensure continued attention to property crime, including cross-border crime, using various established EU-level networks, including the EU Crime Prevention Network. In this context, they should also consider carrying out awareness-raising campaigns and develop tools to prevent property crimes, including burglaries, alongside online banking and payment card fraud.

Member States should ensure that they effectively implement existing EU law in this area, including on combating fraud as well as consumer laws, in practice. The survey results could be used to guide their efforts. For example, EU Member States could consider either establishing or enhancing existing specialist teams to carry out effective investigations in cases of online fraud, ensuring that victims of online offences can report incidents easily. They should also consider actions to align consumer protection with today's realities, notably the ease of conducting cross-border and online transactions, in relation to (online) consumer fraud, in line with the New Consumer Agenda 2020-2025.

National authorities responsible for implementing and monitoring the Convention on the Rights of Persons with Disabilities should take particular note of the higher rates of burglary, online banking and payment card fraud, and consumer fraud among people with limitations in their usual activities (due to a health problem or disability), to address the challenges of some of the most vulnerable in society.

Burglary

- ★ Overall, 8 % of people in the EU-27 experienced a burglary of their home or other property in the five years before the survey. Meanwhile, 3 % experienced burglary in the 12 months before the survey.
- ★ Depending on the country, experiences of burglary (in the five years before the survey) range from 14 % to 2 %.
- ★ Certain people in society experience higher rates of burglary than others. These include people who are limited in their usual activities (by a health problem or disability), and people who self-identify as belonging to an ethnic minority. Differences in people's gender, age, education, urban/rural status and ability to make ends meet are not associated with differences in rates of experiencing burglary in the five years before the survey.

Fraud

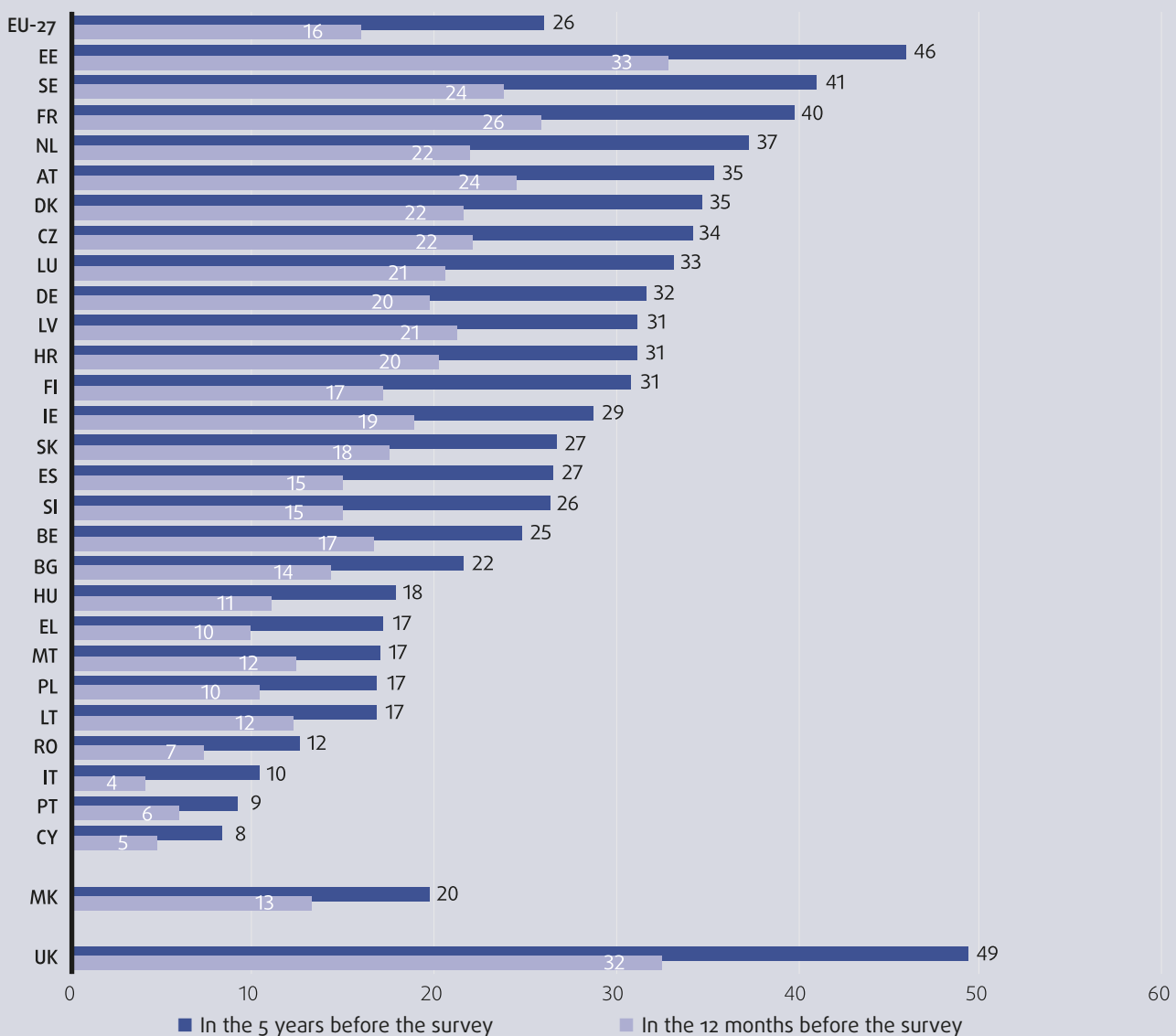
- ★ In the EU-27, 8 % of people experienced online banking or payment card fraud (that is, involving a credit or a debit card) in the five years before the survey. Meanwhile, 3 % experienced online banking or payment card fraud in the 12 months before the survey.
- ★ Experiences of online banking or payment card fraud range from 19 % to 1 %, depending on the country. That may be partly explained by rates of online transactions in individual Member States.
- ★ The rate of experiencing online banking and payment card fraud does not differ notably with respect to most socio-demographic characteristics examined. However, 14 % of people with limitations in their usual activities (due to a health problem or disability) experienced online banking or payment card fraud in the five years before the survey, compared with 6 % of people who do not have such limitations.
- ★ One in four people (26 %) in the EU-27 experienced consumer fraud in the five years before the survey. That encompasses being cheated or misled in terms of the quantity, quality, pricing or delivery of goods, items or services purchased. In the 12 months before the survey, 16 % experienced consumer fraud.
- ★ Experiences of consumer fraud (in the five years before the survey) range from 46 % to 8 %, depending on the country.
- ★ Among the socio-demographic groups examined, young people and those with high levels of education experience greater rates of consumer fraud than older age groups and those with lower levels of education. That may reflect exposure to risk – 81 % of 16-to-29-year-old internet users shop online, compared with 56 % of internet users aged 65 years and over in the EU-27 – coupled with greater awareness of the problem of fraud.

- ★ People who are limited in their usual activities (by a health problem or disability) experience higher rates of consumer fraud (36 % in the five years before the survey) than those who do not have such limitations (23 %). Higher rates are also associated with belonging to an ethnic minority (37 %) and self-identifying as lesbian, gay, bisexual or 'other' (not heterosexual) (35 %).
- ★ Describing the most recent incident of consumer fraud, two in five people (41 %) who had bought the goods or services online, by telephone or by mail say that they had ordered the goods or services from abroad. In some EU Member States, the rate of cross-border purchases was much higher: 94 % in Luxembourg and 87 % in Malta.

Notes:

Out of all respondents in the EU-27, North Macedonia and the United Kingdom (n = 34,948); weighted results.

FIGURE 5: EXPERIENCES OF CONSUMER FRAUD, IN THE FIVE YEARS AND IN THE 12 MONTHS BEFORE THE SURVEY, BY COUNTRY (%)



Source: FRA, Fundamental Rights Survey 2019; data collection in cooperation with CBS (NL), CTIE (LU) and Statistics Austria (AT)

Experiencing burglary of one's home or other property can result in victims feeling unsafe and afraid that it could happen again. This crime also has an economic impact – loss of property and damage to the home – which people have to tackle in different ways, depending on their financial means and insurance coverage. Burglary interferes with the right to property (Article 17 of the Charter), respect for private and family life (Article 7), and the right to human dignity (Article 1). Victims are therefore entitled to a criminal justice response to their victimisation that serves as an effective remedy in line with Article 47 of the Charter and the Victims' Rights Directive.

A similar proportion of people in the EU experience misuse of their online bank account or payment cards. That indicates the equal importance of online fraud in victimisation experiences. The survey results concerning online banking and payment card fraud are relevant to EU Member States as they implement the measures in the Directive on combating fraud and counterfeiting of non-cash means of payment (Directive (EU) 2019/713), which Member States are due to incorporate into national law by 31 May 2021. The higher rates of online banking and payment card fraud against people who experience limitations in their usual activities (due to a health problem or disability) raise concerns about exploitation of some of the most vulnerable in society. This issue relates to Article 16 ('Freedom from exploitation, violence and abuse') of the CRPD.

Article 38 of the Charter and the relevant EU secondary law (such as the Directive concerning unfair business-to-consumer commercial practices in the internal market) envisage a generally high level of consumer protection. Nonetheless, one in four people (26 %) in the EU-27 experienced consumer fraud in the five years before the survey – that is, they feel cheated or misled in terms of the quantity, quality, pricing or delivery of goods, items or services they have purchased. This does not always involve criminal activity, but the end result is a customer who feels that their expectations of the product or service they paid for were not met. Where this does involve criminal activities, the Victims' Rights Directive provides for the rights of victims of consumer fraud to receive proper protection, support and access to justice, like other crime victims.

Notably, the results also point to a high volume of cross-border transactions when goods or services are bought online, by telephone or by mail. This underlines the need for consumer protection measures that work effectively in these cases. As with online banking and payment card fraud, those who are limited in their usual activities (by a health problem or disability) experience consumer fraud at a higher rate, and therefore need particular protection and support in access to justice in line with the CRPD.

The need to strengthen the protection of consumers' rights, including through their empowerment as well as more effective enforcement, is among the key issues that the EU is currently discussing in the context of Commission's New Consumer Agenda 2020-2025.



REPORTING EXPERIENCES OF CRIME TO THE POLICE AND OTHER AUTHORITIES

Most incidents of physical violence and harassment are not reported to the police.

- ★ Describing the most recent crime incident experienced in the five years before the survey, 30 % of people in the EU-27 reported physical violence to the police and 11 % reported an incident of harassment.
- ★ Rates of reporting physical violence to the police range from 40 % to 9 %, depending on the country, with respect to the most recent incident in the five years before the survey. This may partly reflect relative levels of trust in the police's ability or willingness to pursue crime. Rates of reporting harassment to any authority (including the police) range from 31 % to 5 %, depending on the country, regarding the most recent incident in the five years before the survey.
- ★ Besides reporting incidents of physical violence to the police, 17 % of victims were in contact with medical services as a result of an incident, and 6 % contacted a specialised victim support organisation.
- ★ Reporting rates vary by people's socio-demographic characteristics. People who make ends meet easily or very easily with their household income, students and people living in rural areas are more likely than others to leave unreported an incident of violence they have experienced. In contrast, people who have limitations in their usual activities (due to a health problem or disability), people belonging to an ethnic minority and those self-identifying as lesbian, gay, bisexual or 'other' report incidents more readily to the police than those who do not consider themselves as belonging to these groups. This may reflect levels of hate-related crime experienced by these specific groups.
- ★ Elements of physical violence that can indicate more severe incidents are associated with higher reporting rates. In particular, of violent incidents of a sexual nature, 60 % were reported to the police, compared with 27 % of incidents that were not sexual. Reporting is lower than average when the perpetrator was a family member or a relative (only 22 % of incidents were reported to the police). That has significant implications for under-reporting of domestic and/or intimate partner violence.

FRA OPINION 5

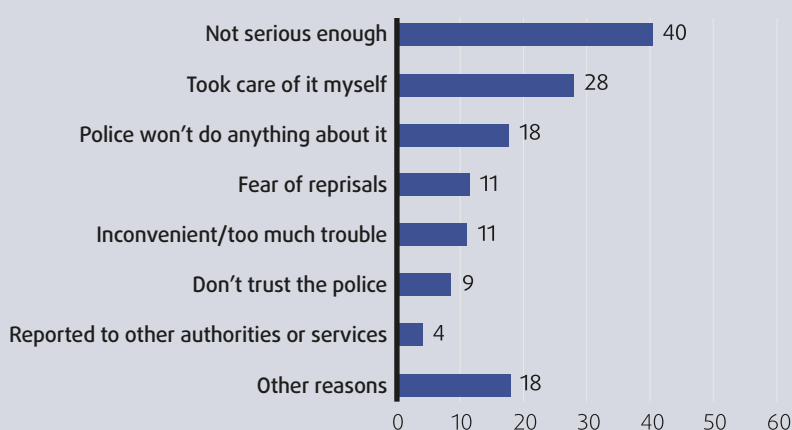
EU Member States should consider introducing specific measures to encourage and empower people to report incidents of crime – in particular, incidents of violence and harassment, as the rate of reporting these crimes is lower than for some other crimes. This is an important condition for ensuring effective access to justice, because in this way victims of crime can be informed about their rights and support available to them. Measures to encourage people to report crime should take note of the survey results about the reasons for not reporting, and about lower rates of satisfaction among non-citizens when they do report harassment incidents.

When introducing such measures, EU Member States should recognise that a relationship between perpetrator and victim affects the likelihood of reporting crimes to the police, such as incidents of domestic or intimate partner violence. As outlined in [opinion 2](#), every effort should be made to encourage and facilitate reporting of such crimes and to allow the victims to break the cycle of repeat victimisation. In this context, Member States should also consider opportunities to provide assistance and advice on rights to those victims of crime who contact services other than the police, such as medical service providers, in the aftermath of an incident.

In recording crime incidents and reporting on the situation in the country, EU Member States could make use of third-party reporting mechanisms to capture more incidents. Some of these incidents would otherwise not come to the attention of the police, such as incidents that victims do not – for any reason – perceive as 'serious' enough to contact the police.

- ★ Three in five people (62 %) who reported harassment to the police were satisfied with the way the police handled the incident, as were 63 % of those who reported to the police the most recent incident of physical violence. However, only 42 % of victims of harassment who were not citizens of the country where they live were satisfied with the way police handled the incident when they reported it, compared with 63 % of citizens of the country.
- ★ When people did not report incidents of violence and harassment to the police, the most common reason they mentioned was that they did not consider the incident serious enough to make the effort to report it. Among the reasons for not reporting physical violence to the police when the victim was injured, one in four people (23 %) believed that the police would not do anything, and 14 % mention not trusting the police.
- ★ Property crimes are reported – to the police or other authorities – at a higher rate than violence or harassment. In the EU-27, 73 % of burglaries were reported to the police, while 95 % of online banking or payment card frauds were reported (to the police or other authorities). Overall, 50 % of incidents of consumer fraud in the EU-27 were reported – but in most cases to other authorities than the police.

FIGURE 6: REASONS FOR NOT REPORTING VIOLENCE TO THE POLICE (EU-27, %)^{a,b}



Notes:

- a Out of respondents in the EU-27 did not report to the police the most recent incident of violence experienced in the five years before the survey (n = 2,317); weighted results.
- b In the survey, respondents could indicate one or more reasons for not reporting the incident, as relevant in their case. Respondents could also answer 'don't know' or 'prefer not to say'.

Source: FRA, *Fundamental Rights Survey 2019*; data collection in cooperation with CBS (NL), CTIE (LU) and Statistics Austria (AT)



Most incidents of violence and harassment are not reported to the authorities, whereas the majority of property crimes the survey asked about are reported to the police, and some of the incidents not reported to the police are reported to other authorities. High rates of reporting property crime are typically because reporting is a prerequisite for receiving compensation for the incident, for example from an insurance policy. These results suggest that people are ready to report crime to the police when they consider it effectual – that is, it has a concrete, beneficial outcome.

Incidents of physical violence were more often reported if the incident led to injuries, had psychological consequences or was of a sexual nature.

Comparisons between types of crime – such as violent crime and property crime – should be made with the utmost caution. Nevertheless, for certain types, many incidents are reported to authorities other than the police, the results show. That could encourage the adoption of alternative reporting opportunities for a range of incidents. FRA's violence against women survey supports the findings reported here, as it shows that many women who are victims of physical and sexual violence contact doctors and health services, rather than the police. The results of FRA's surveys on the experiences of immigrants and descendants of immigrants, Roma, Jews and LGBTI people also show that many victims of hate-motivated harassment and violence contact various service providers as a result of the incident, while not reporting the incident to the police.

Victims are entitled to an effective remedy via the criminal justice system. In order to assert this claim, they must have access to the criminal justice system (Article 47 of the Charter), and this access should be not only theoretical, but effective in practice. This requires practical facilitation of victims' reporting to the police, by empowering and encouraging victims, in line with the overall objective in Article 1 of the Victims' Rights Directive, and with its recital 63, which calls for reliable support services. They should be available to victims independently of a victim making a formal complaint about a crime to a competent authority (Article 8(5)). In addition, the directive says, victims should receive a respectful, sensitive, professional and non-discriminatory response from competent authorities; there should be training of practitioners who are likely to receive complaints, which can facilitate reporting; and third-party reporting mechanisms, as well as the use of communication technology for making complaints, are also encouraged.

Despite the measures in the Victims' Rights Directive, crime under-reporting is in general a serious problem, particularly in relation to cases of sexual and gender-based violence, the EU strategy on victims' rights (2020–2025) notes. The strategy also refers to under-reporting by victims of crime who belong to disadvantaged or vulnerable communities or minorities, who may have little trust in public authorities, which prevents them from reporting crime. In this context, the strategy on victims' rights calls on Member States to “ensure full and correct implementation of the Victims' Rights Directive and other EU rules on victims of particular crimes, in particular in relation to provisions on victims' access to information, to support and protection”.

WITNESSING CRIME AND TAKING ACTION

More than one in two people in the EU would be willing to intervene when witnessing a crime. Yet one in five would not be at all willing to step in.

FRA OPINION 6

EU Member States could consider strengthening awareness-raising efforts to highlight individual responsibility when witnessing a crime, which could enhance rates of reporting to the authorities.

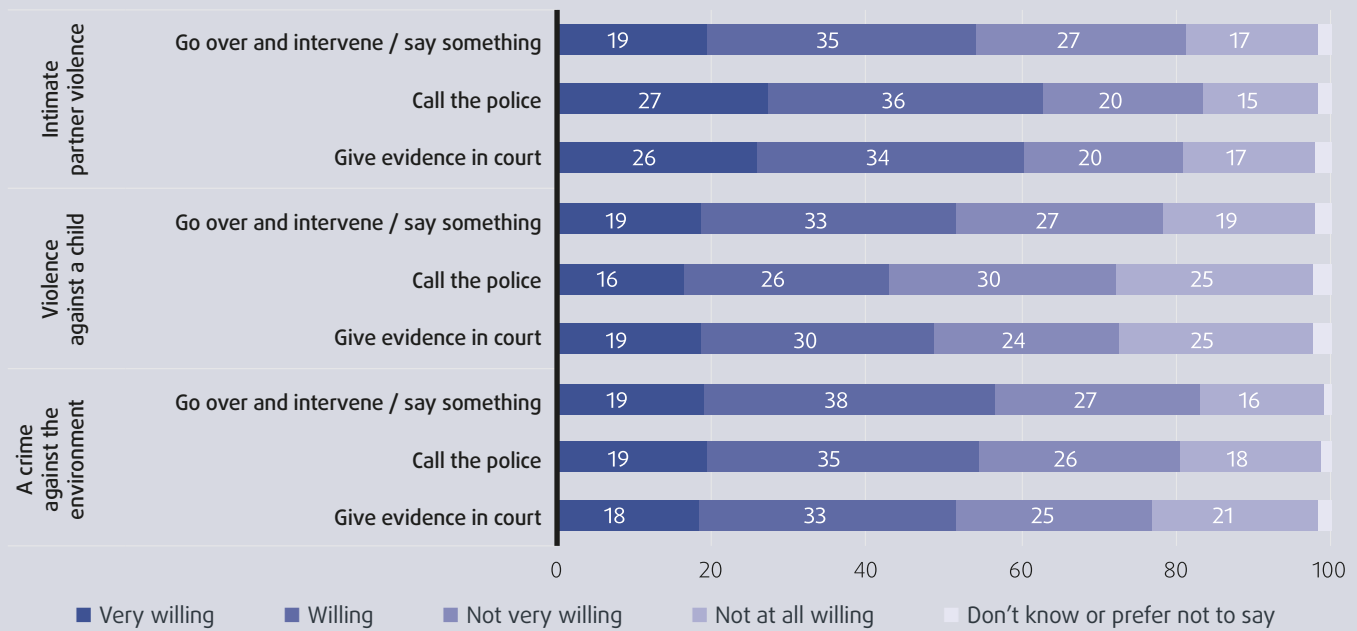
Member States are encouraged to set up campaigns that strengthen the readiness of witnesses to intervene in defence of the dignity and rights of others when they are in peril, while ensuring the safety of witnesses.

To further facilitate victims' access to justice, Member States could consider having in place effective third-party reporting mechanisms that would encourage witnesses of crime who are not willing to engage with the criminal justice system – such as by calling the police – to contact a third party, such as civil society organisations. Member States could also consider strengthening access to alternative ways to report crime in person, such as by email, video recordings or online electronic forms.

- ★ When seeing someone hit their partner on the street, 54 % of people in the EU-27 would be 'willing' or 'very willing' to intervene. The results are similar when people are asked how they would respond to a parent slapping their child in the street, with 52 % 'willing' or 'very willing' to intervene.
- ★ In case of witnessing a non-violent environmental crime – someone dumping a used refrigerator in the countryside – 57 % would be 'willing' or 'very willing' to intervene.
- ★ Overall, people are most likely to call the police when witnessing a person hitting their partner, followed by the dumping of an old refrigerator. On average, people in the EU-27 would be less willing to involve the police if they saw a parent slapping their child.
- ★ The percentage of people 'not at all willing' to give evidence in court, even when asked to do so, ranges from 17 % in the case of witnessing a person hitting their partner to 25 % in the example of a parent slapping their child. However, these results vary considerably between EU Member States and especially with respect to a parent slapping their child.
- ★ People's willingness to engage with the criminal justice system – such as by calling the police and, if asked, giving evidence in court – is lower among older people, those with lower levels of education, and people who struggle to make ends meet.
- ★ People are less willing to intervene when a woman hits a man (44 % in the EU-27 'willing' or 'very willing') than when a man hits a woman (64 % 'willing' or 'very willing').

Social cohesion involves individuals' sense of cooperation and solidarity, including their readiness to intervene when the rights of others are violated. Any normative order is premised on the willingness of members of a community to defend its basic norms. The results of the survey suggest that just over half of people in the EU would be ready to actively intervene if they observed people being physically assaulted in public, while more would be willing to intervene when witnessing a 'non-personal' environmental crime.

FIGURE 7: WILLINGNESS TO TAKE ACTION WHEN WITNESSING SELECTED OFFENCES, BY SCENARIO AND TYPE OF ACTION (EU-27, %)



Notes:

Out of all respondents in the EU-27 who were asked to complete the section 'Rights awareness and responsibilities' of the survey (n = 24,354); weighted results.

Source: FRA, Fundamental Rights Survey 2019; data collection in cooperation with CBS (NL), CTIE (LU) and Statistics Austria (AT)

When crime takes place in public, people who witness it can have a crucial role to play in supporting the victim. This can involve, for example, people intervening in the situation when they see crime taking place, calling the police or, if needed, giving evidence in court against the perpetrator. For some offences – such as the example of a crime against the environment, which was used in the survey – there is often no single 'victim', but bystanders can play an important role in notifying the authorities. In relation to other types of offences, such as those involving a particularly vulnerable group of victims, namely children, the key role of the public can be seen in the context of the need for effective safeguards to protect children from all forms of violence – which includes the use of physical force intended to cause some degree of pain or discomfort, however light, e.g. slapping – while they are in the care of parents and others, in line with the CRC.

In its recital 63, the Victims' Rights Directive goes some way towards acknowledging the importance of an indirect reporting possibility: it calls for a mechanism for third-party reporting, including by civil society organisations, to be put in place to facilitate the reporting of crimes. In this context, it also calls for introducing the possibility of using communication technology, such as email, video recordings or online electronic forms, for making complaints.

WORRY ABOUT CRIME AND RISK AVOIDANCE

Women, more than men, avoid places and situations due to concern about being assaulted or harassed. This reduces their opportunities to take part in public life.

FRA OPINION 7

EU Member States need to recognise that concern about personal safety has a negative impact, particularly on women. They often feel the need to limit where they go and what they do in response to the threat of physical and sexual assault and harassment, as shown earlier by FRA in its survey report on violence against women. Authorities working in crime prevention can draw further on the results of the current survey, to enact measures that ensure equality of access to public space, such as approaches to prevent crime and reduce fear of crime through environmental design.

EU Member States' measures to improve people's feelings of safety should focus on groups in the population that disproportionately feel concerned for their safety, leading them to avoid places and situations perceived as potentially unsafe. Alongside women, this includes people with lower educational levels, those who are unemployed, and people who struggle to make ends meet.

- ★ In the EU-27, 63 % of people are very or somewhat worried about someone misusing their online bank account or credit/debit cards in the next 12 months. Meanwhile, 62 % worry about their mobile phone, wallet or purse getting stolen in the next 12 months. Furthermore, 54 % are very or somewhat worried about someone breaking into their home to steal or try to steal something. Moreover, 47 % are very or somewhat worried about experiencing a terrorist attack.
- ★ Certain socio-demographic characteristics are associated with differences in how concerned people are about experiencing crime. Rates of worry about crime are higher among women, people with less education, the unemployed and those who struggle to make ends meet with their household income. People who are limited in their usual activities (by a health problem or disability), people who were born outside the EU, and those who consider themselves part of an ethnic minority also display more concern about experiencing crime than people without activity limitations, people born in the survey countries, and those who do not consider themselves part of an ethnic minority.
- ★ For fear of being physically or sexually assaulted, or harassed, women engage in active risk avoidance more than men in the three situations listed in the survey: avoiding places where there are no other people around, avoiding certain streets or areas, and avoiding being alone with someone they know.
- ★ Whereas 64 % of women at least sometimes avoid going to places where there are no other people around, 36 % of men do so. Avoiding certain situations and places is also more common among young people, but with noticeable gender differences. In the age group 16–29 years, 83 % of women and 58 % of men avoid one or more of the three situations listed in the survey, for fear of assault or harassment.
- ★ Specifically, 41 % of women at least sometimes avoid being alone with someone they know, for fear of assault or harassment, compared with 25 % of men.
- ★ People who have experienced physical violence and/or harassment are more likely to avoid situations they perceive as potentially unsafe. For example, 37 % of women in the EU-27 who have experienced physical violence and/or harassment take care to avoid situations they perceive to contain a risk of physical or sexual assault or harassment, compared with 21 % of women who have not experienced physical violence and/or harassment.

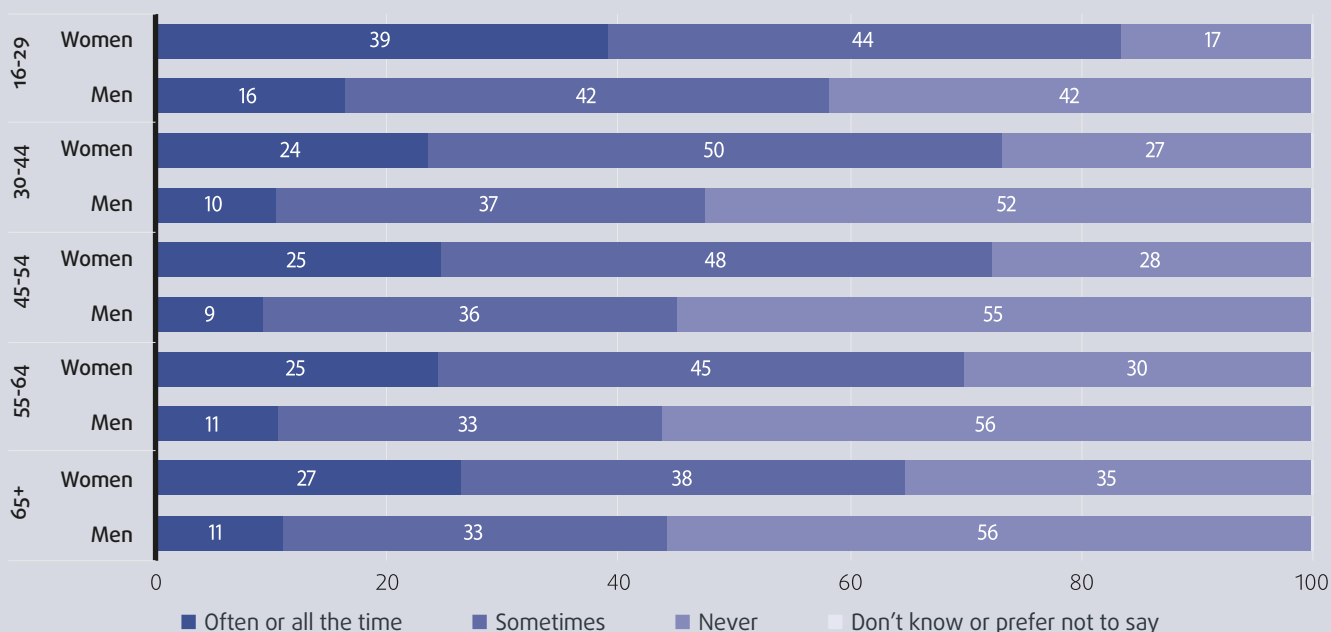
The possibility of experiencing crime has a significant impact on social life, as it can influence people's choices, such as decisions on areas or situations to avoid. In some cases, the threat that crime poses can spread to a much wider group of people than those who are personally victimised. The results show a difference between the experiences of women and men, both in concern about various crimes and especially in risk avoidance behaviours adopted out of concern for one's safety. Women, and especially young women, adopt significant risk avoidance measures against the threat of (in particular) sexual harassment and sexual violence, which disproportionately affects women. Being discouraged from going to public places restricts various fundamental rights, in particular the right to liberty (Article 6 of the Charter) and respect for private life (Article 7).

Risk avoidance can be a rational response to experiences, such as women's experiences of sexual harassment, as FRA's violence against women survey shows. However, this finding needs to be put into the context of the ability, and equality of opportunity, to use public space. Moreover, men's lower levels of risk avoidance also require attention, given that they experience high rates of certain types of crime in public places.

Concern about experiencing crime is higher among those who have lower levels of education, are unemployed, are limited in their usual activities (by a health problem or disability) or have difficulty making ends meet with their household income. This could be related to different factors, including living in high crime areas; the relative impact of property crime on those who are already struggling, compared with people who have the financial means to easily replace what was stolen, or have comprehensive insurance policies; and lower incomes restricting means to stay safe, reflected in lower rates of car ownership or not being able to take a taxi when being out late at night, for example.



FIGURE 8: AVOIDING ONE OR MORE OF THE THREE LISTED SITUATIONS FOR FEAR OF ASSAULT OR HARASSMENT, IN THE 12 MONTHS BEFORE THE SURVEY, BY GENDER AND AGE (EU-27, %)^{a,b}

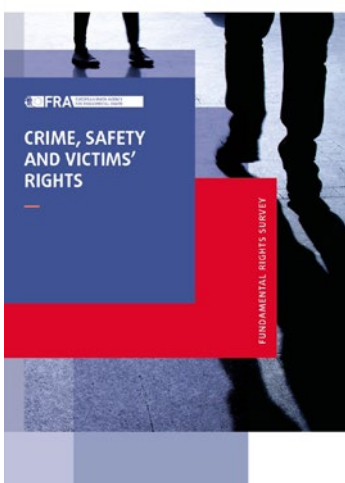


Source: FRA, Fundamental Rights Survey 2019; data collection in cooperation with CBS (NL), CTIE (LU) and Statistics Austria (AT)



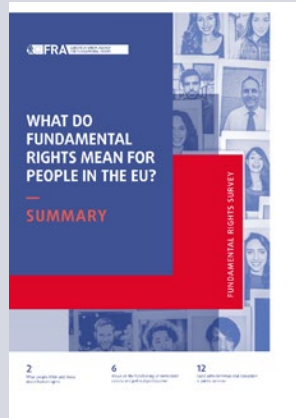
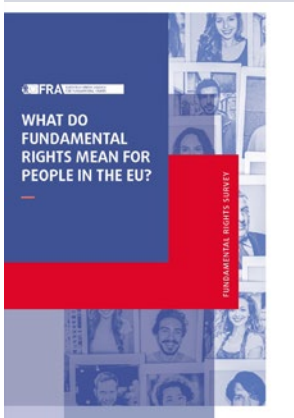
Notes:

- a Out of all respondents in the EU-27 (n = 32,537); weighted results.
- b In the survey, respondents were asked the following question: "At any time in the past 12 months, have you done any of the following for fear of being either physically or sexually assaulted, or harassed? A) Avoided certain streets or going to certain areas, B) Avoided going to places where there are no other people around. For example, parks or car parks, C) Avoided being alone with someone you know who makes you feel unsafe". The figure summarises respondents' answers to the three items. If a respondent answered 'often' or 'all the time' to any of the three, their answer is represented in that category. If a respondent answered any of the three items with 'sometimes' but none with 'often' or 'all the time', their answer is represented above as 'sometimes'. Respondents who answered all three items 'don't know' or 'prefer not to say' are included in the category 'don't know or prefer not to say'.



This summary presents the main findings from FRA's second report on the Fundamental Rights Survey.

FRA has published several other publications that present select results from the survey. These are available on FRA's website.





PROMOTING AND PROTECTING YOUR FUNDAMENTAL RIGHTS ACROSS THE EU —

This summary presents the main insights from FRA's second main report based on its Fundamental Rights Survey. The survey collected data from around 35,000 people about their experiences, perceptions and opinions on a range of issues that are variously encompassed by human rights.

FRA's second report focuses on people's experiences as victims of selected types of crime, including violence, harassment, and property crime. The report also examines how often these crimes are reported to the police; how concerned people are about experiencing crime; and how willing they would be to intervene, report to the police or, if asked, give evidence in court in certain situations.

The results presented offer the first EU-wide crime survey data on the general population's experiences of crime victimisation that can be used to inform EU and national policy and legislation on crime victims.



Victims



Access to Justice



Information society



EU Charter of Fundamental Rights

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