FRA EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS

# STEPPING UP THE RESPONSE TO VICTIMS OF CRIME:

# FRA'S FINDINGS ON CHALLENGES AND SOLUTIONS



# Contents


**Why this paper** 3

Why we need to step up the response to victims of crime – what the data show 3

Robust data on victims – to inform policy and legislative implementation 5

**1. Facilitating reporting** 10

1.1. Current challenges 10

1.1.1. Underreporting – need for measures to facilitate victims coming forward 10

1.1.2. Reasons why victims do not report to the police 12

1.2. Effective solutions 16

1.2.1. Third-party reporting 16

Which third parties do victims approach? 17

How should third-party reporting work in practice? 18

1.2.2. Proactive monitoring 19

**2. Ensuring protection against secondary victimisation** 21

2.1. Current challenges 21

2.1.1. Lack of an effective joined-up approach 22

2.1.2. Low trust in police and lack of sufficient training 23

2.2. Effective solutions 25

2.2.1 Coordinated action and support: drawing on the Barnahus model 25

2.2.2. Training and accountability – improving responses to victims of crime 26

**3. Guaranteeing effective victim support services** 28

3.1. Current challenges 28

3.1.1 Fragmented coordination and prioritisation of victim support services 29

3.1.2. Uneven availability and lack of awareness about support services 30

3.2. Effective solutions 30

3.2.1. Effective coordination 31

3.2.2. Accreditation systems 31

3.2.3. Standardised referral mechanisms 32

**Emerging challenges** 33

**Endnotes** 34

**About this publication** 35

# Why this paper

This paper sets out some of the key challenges and concrete solutions in the implementation and enjoyment of victims' rights that have emerged from FRA's research over the past decade on how victims of crime have accessed their rights in practice across the EU. The findings are intended to inform and support the work of key stakeholders with respect to the revised Victims' Rights Directive and related legislative files that address various victims' rights. Those include the Directive on combatting violence against women and domestic violence, the Directive on preventing and combating trafficking in human beings and protection of its victims, the Directive on combating the sexual abuse and sexual exploitation of children and child pornography, the Directive on combatting terrorism, and the Compensation Directive.

Based on existing FRA data, the paper brings together key findings from FRA's quantitative and qualitative research on victims of crime relating to three areas:

- Reporting crime
- Protection from secondary victimisation
- Victim support services.

The paper highlights challenges and solutions in each of these areas, drawing directly from FRA's published work.

Empirical evidence concerning victims' enjoyment of their rights in practice, and the challenges they face, emerges from data that FRA has gathered using a variety of methodologies; namely:

1. Large-scale quantitative surveys collecting data from tens of thousands of victims (based on interviews in person or carried out online; some surveys covering all EU Member States and others a selection of countries); and
2. In-depth qualitative research that involves the testimony of victims but also practitioners who deal directly with victims within the criminal justice system (e.g. police, prosecutors, judges, lawyers, victim support services).

See list of relevant FRA publications at the end of this section.

The solutions outlined in this paper, drawn from existing FRA findings, are based on practices in various EU Member States that have proven to be effective in responding to the practical needs of victims and to improving their ability to access their rights. These findings can assist the EU institutions and Member States in identifying actions that could be taken in these three areas to guarantee the rights, support and protection of victims of crime.

## Why we need to step up the response to victims of crime – what the

## data show

Millions of people in the EU fall victim to crime each year. Data from FRA's Fundamental Rights Survey – the first EU-wide survey to collect comparable data on the general population's experiences of, concerns about, and responses to different types of crime – showed that more than 22 million people experienced physical violence in one year in the EU-27 [1] (Crime, Safety, and Victims' Rights – Fundamental Rights Survey, 2021).

However, according to the survey, the majority of crime incidents were not reported to the police (64 % of victims of physical violence did not report the most recent incident to the police), a phenomenon that is replicated in different crime victimisation surveys at the level of individual countries. Non-reporting of incidents means that most victims do not go on to receive support or access justice, despite violations of their rights. As a result, perpetrators enjoy impunity – with an overall cost not just to victims, but to society at large. This data, which includes respondents' reasons for not reporting crime, highlights that EU Member States' responses to victims in practice – to meet their needs and ensure access to justice – falls short of the legal guarantees of victims' rights under the EU Charter of Fundamental Rights (the Charter) and the Victims' Rights Directive, among other legal instruments. This gap between the 'law in the books' and victims' lived experience of their rights in practice is something that FRA's data has consistently highlighted in both its quantitative and qualitative research on victims' rights, which will be evidenced in this paper.

Ultimately, ineffective responses by Member State authorities in responding to victims of crime have severe and lasting negative consequences for victims. Respondents to many FRA surveys over the years who have been victims of violent crime have highlighted the significant long-term effects of their experiences of victimisation, including:

- **Fear of leaving the house or visiting certain places**: according to the Fundamental Rights Survey of the general population (Crime, Safety, and Victims' Rights – Fundamental Rights Survey, 2021), 37 % of women in the EU-27 who have experienced physical violence and/or harassment deliberately avoid situations they perceive as presenting a risk of physical or sexual assault or harassment. Separately, 22 % of people of African descent who have experienced racist violence informed FRA that they were afraid to leave the house or visit places as a result of their victimisation (Being Black in the EU, 2023). For respondents to FRA's 2024 LGBTIQ survey who had experienced physical or sexual violence, this figure was around one in two (52 % - LGBTIQ at a crossroads: progress and challenges, 2024).
- **Negative psychological consequences**: nearly one in three (30%) victims of physical violence interviewed for FRA's general population fundamental rights survey experienced anxiety in the aftermath of their victimisation (Crime, Safety and Victims' Rights – Fundamental Rights Survey, 2021). More than nine in 10 victims – both women and men – say that they experienced psychological consequences if the incident of physical violence included acts that were of a sexual nature. 61 % of victims of racist violence felt depression or anxiety, women (71 %) to a higher degree than men (51 %) (Being Black in the EU, 2023),

while the majority (63 %) of victims of physical or sexual attacks who responded to FRA's survey LGBTIQ at a crossroads: progress and challenges, 2024 indicated experiencing negative psychological consequences, such as depression or anxiety.

Incidents of crime also lead to costs borne by society or victims themselves, in terms of interventions, including, among others, medical, criminal justice, victim support, emergency housing, counselling and other services (as highlighted in FRA's report Crime, Safety and Victims' Rights – Fundamental Rights Survey, 2021, from the Agency's Fundamental Rights Survey). Victims can also lose income due to time taken off work. Research by the European Institute for Gender Equality (EIGE), 2021 estimates that the costs related to gender-based violent crime across the EU amounts to EUR 366 billion per year.

Not all people are affected equally by or worry about crime. For example, FRA's general population Fundamental Rights Survey highlighted that women (young women in particular), people with lower education levels, people who are unemployed or struggle to 'make ends meet', people whose disability or health limits their usual activities, people born outside the EU, and ethnic minorities, all tend to worry about crime at higher rates (Crime, Safety and Victims' Rights – Fundamental Rights Survey,2021). To take a particular example, 50 % of persons with disabilities (defined in the survey as those who have severe limitations on their usual daily activities) expressed concern about becoming a victim of crime, compared with 36 % of those without limitations. Actual experiences of physical violence and harassment were also higher for persons with disabilities. For example, 17 % of persons with disabilities experienced physical violence in the 5 years before the survey, compared with 8 % of those without disabilities.

## Robust data on victims – to inform policy and legislative implementation

Collecting robust and comparable EU data from EU Member States relating to victims' rights, and covering the experiences of all victims, including those who are most marginalised, is an essential horizontal measure for informing policy and law-making on the subject. An intersectional approach to collecting data, disaggregated according to relevant indicators and personal characteristics, is important in this regard. When carried out regularly, data collection provides much-needed evidence about whether adopted measures and policies are effective in practice over time, including, for example, a baseline trend of whether more victims are reporting to the police, and – where data allows – which type of victims and which type of crime is being reported more.

Survey and other data on crime victims' experiences will increase EU institutions' and Member States' understanding about victims' rights in practice and assist them in monitoring progress, and, at the same time, will raise awareness about gaps related to the actual enjoyment of victims' rights that need addressing. It will also help policy and lawmakers to take important decisions such as where to allocate often limited resources.

Setting out explicit obligations for data collection for the different entities working with victims at national and EU level can also help to coordinate this work and simplify data collection tasks. Obligations for data collection at Member State level are limited, but some progress has been noted in recent years. For example, Article 44 of the Directive on combatting violence against women and domestic violence sets out clear obligations for Member States to collect, develop and disseminate statistics on violence against women or domestic violence, which should be disaggregated by sex, age group (child/adult) of the victim and of the offender and, where possible and relevant, the relationship between the victim and the offender, and type of offence. Such data are key towards supporting the monitoring of the prevalence and trends of violence against women and domestic violence. It is also key in designing new policy strategies in this area, via statistics that can be compared, assessed and analysed at EU level.

At present, Member States' data collection on all victims' experiences of crime, which extends beyond officially reported and recorded crime rates – such as crime victimisation survey data collection – remains limited to certain Member States and is often undertaken on an infrequent basis. In particular, FRA's survey data collection is a rich source of data for Member States and EU institutions, which can be used as the basis to develop and inform policy on victims of crime.

## BRIEF LEGAL CORNER

The main source of victims' rights in EU primary law is Article 47 of the Charter. It grants victims a right to an effective remedy and fair trial. Under EU secondary law, the Victims' Rights Directive grants a wide range of rights to all victims of crime to ensure that they receive appropriate information, support, and protection, and are able to effectively participate in criminal proceedings. Other sector-specific Directives focus on selected categories of victims by introducing additional safeguards needed to ensure that victims' rights can be effectively exercised in practice. Those include, for example, the EU Directive to combat violence against women and domestic violence (adopted in May 2024). [2]

EU Member States are obliged to "provide remedies sufficient to ensure effective legal protection in the fields covered by Union law", under Article 19 of the Treaty on European Union. Hence, for any of the rights granted by the Victims' Rights Directive or other sector-specific Directives on selected categories of victims, a corresponding effective remedy must be in place, allowing victims to assert their rights whenever they can tenably claim a violation.

In July 2023, the European Commission published a legislative proposal proposing amendments to the Victims' Rights Directive. The amendments relate to five main issues which were identified in the Commission's 2022 evaluation of the Directive as needing more attention for effective implementation of victims' rights: access to information, effective protection, specialist and targeted support, improved participation in criminal proceedings and facilitated access to compensation.

Negotiations on the legislative file are ongoing at the time of writing.

## FRA research on victims: examples

The quantitative FRA survey findings in this report are based on responses from thousands of respondents – using standardised comparable questionnaires across Member States involved in each survey. Among other questions, the questionnaires ask about crime victimisation, reporting to the police and other organisations, and reasons for not reporting crime.

Every FRA survey transparently reports its methodological approach, and offers unique, robust data with which to inform policy and monitor Member States' obligations to uphold the rights of crime victims.

FRA's quantitative surveys – capturing people's experiences of crime – include:

- EU gender-based violence survey (2024) - 114,023 respondents
- Being Muslim in the EU – Experiences of Muslims (2024) - 9,604 respondents who self-identify as Muslim
- Jewish People's Experiences and Perceptions of Antisemitism (2024) - 7,992 respondents who identified themselves as 'Jewish'
- LGBTIQ at a crossroads: progress and challenges (2024) – 100,000 LGBTIQ people
- Being Black in the EU (2023) - 6,800 respondents of African descent
- Roma in 10 European Countries - Main results (2022) - 8,400 Roma and more than 20,000 individuals living in their households
- Crime, safety and victims' rights – Fundamental Rights Survey (2021) - 35,000 respondents (general population)
- Second European Union Minorities and Discrimination Survey Muslims – Selected findings (2017) - 10,500 Muslim immigrants and descendants of Muslim immigrants
- Violence against women: an EU-wide survey. Results at a glance (2014) - 42,000 female respondents

FRA data explorer: data visualisations on FRA's website

FRA's interactive data explorer provides quick access to data compiled by FRA. While it is beyond the scope of this paper to present country-specific data, this tool allows users to filter data by theme, country and dataset.

FRA's qualitative research on victims' experiences – key publications include:

- Underpinning victims' rights: support services, reporting and protection (2023)
- Encouraging hate crime reporting – the role of law enforcement and other authorities (2021)
- Proceedings that do justice - Justice for victims of violent crime, Part II (2019) - 83 adult victims and 148 practitioners interviewed.
- Women as victims of partner violence - Justice for victims of violent crime, part IV (2019)
- Protecting migrant workers from exploitation in the EU: workers' perspectives (2019) – interviews/focus groups with 237 victims.
- Protecting migrant workers from exploitation in the EU: boosting workplace inspections (2018)
- Child-friendly justice - Perspectives and experiences of children involved in judicial proceedings as victims, witnesses or parties in nine EU Member States (2017) – 392 children interviewed.
- Child-friendly justice - Perspectives and experiences of professionals on children's participation in civil and criminal judicial proceedings in 10 EU Member States (2015) – 570 professionals interviewed.

Examples of relevant FRA opinions from FRA's 2023 report 'Underpinning Victims' Rights: Support services, reporting and protection'

**Opinion 2, relating to Chapter 1, 'Facilitating reporting':**

Member States should consider measures to enhance structures that facilitate crime reporting. The specific circumstances of particular victim groups, such as women who are victims of (intimate partner) violence, or victims of hate crime, should be accommodated. This should include, among other things, concrete measures to enhance trust in law enforcement, and setting up alternative reporting options, such as third-party reporting. Where third-party reporting mechanisms exist, the procedural rules should ensure that their use is not unnecessarily limited in practice, relevant measures should be put in place to encourage their systematic use, and third-party bodies should be trained to respond effectively to the rights and needs of victims. In addition, Member States should ensure there are further specific measures in place, such as proactive monitoring by independent bodies, to give victims living in institutional settings a practical way to safely report their victimisation.

**Opinion 3, relating to Chapter 2, 'Ensuring protection against secondary victimisation':**

Member States are called on to find ways to ensure that all victims can reliably benefit in practice from protection measures, as needed, in accordance with Article 23 of the Victims' Rights Directive. Member States should ensure that, in line with Article 25 of the Victims' Rights Directive, police officers are sufficiently trained to protect victims from repeat and secondary victimisation. Victims should also have effective judicial remedies at their disposal if they want to challenge the scope or lack of measures in place to protect them from secondary and repeat victimisation, in accordance with Article 47(1) of the Charter. Member States are also encouraged to exchange and draw on promising practices that exist in relation to certain categories of victims, such as the Barnahus model, with respect to prevention of secondary victimisation of child victims.

**Opinion 1, relating to Chapter 3, 'Guaranteeing effective victim support services':**

Member States should ensure that there is a state body responsible for ensuring that sufficient victim support organisations exist, that performance standards for such organisations are clearly defined, and that compliance with these standards is monitored to secure the delivery of victims' rights in practice.

In this regard, Member States should consider introducing measures to strengthen and further develop the system of organisations providing victim support services. This implies, in particular, working towards a comprehensive, joined-up structure of victim support services serving different groups of victims. Improving the coordination of support services and increasing the level of public funding to provide adequate support to meet the needs of victims of different types of crime can help achieve this. FRA stands ready to support Member States in developing performance standards and shaping cooperation.

# 1. Facilitating reporting

The Victims' Rights Directive requires empowering victims and encouraging them to report crimes to the police (recital 63). At the trial stage, the Directive provides victims with the right to participate actively in criminal proceedings, including by providing evidence (Article 10(1)). The need for effective communication with victims and a safe environment for them to report crime is a priority in the EU Strategy on victims' rights (2020–2025).

## 1.1. Current challenges

### 1.1.1. Underreporting – need for measures to facilitate victims coming forward

All victims should be able to effectively report crime in practice. However, FRA's data over the years have consistently pointed to a major obstacle to the realisation of victims' rights as well as to the effective investigation and prosecution of crime: that of 'underreporting' by victims to the police and other services. Underreporting may result in failure to ensure access to justice for all on an equal footing, and it undermines victims' rights to support and protection. It also compromises the effectiveness of national authorities in investigating and punishing crime, as most crime is not brought to their attention.

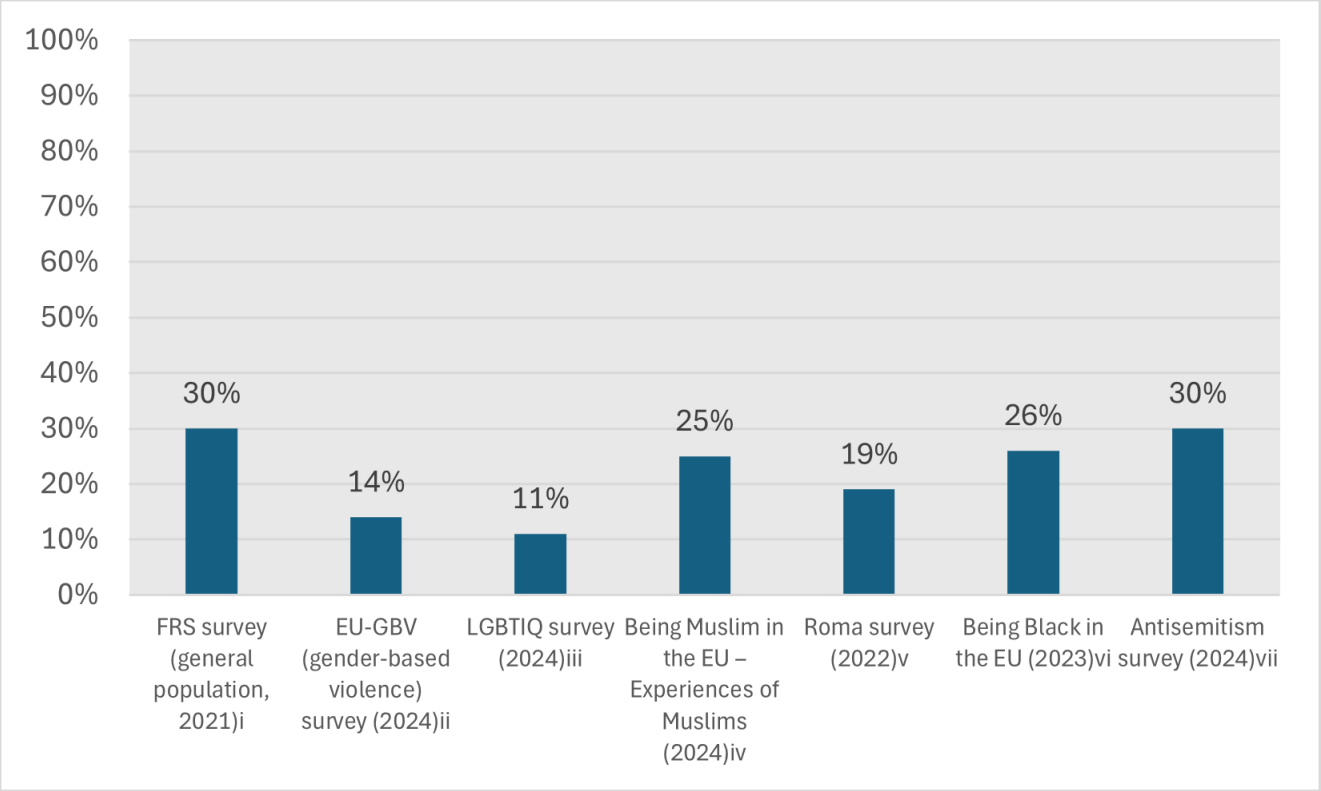
In comparison with officially recorded crime statistics, which are largely based on crimes that victims do report to the police and which make it into the criminal justice system's official records, the majority of crimes go unreported. This disparity between officially recorded crime rates and what crime victimisation surveys reveal about the scale of under-reporting has been consistently shown over several decades by those countries that carry out surveys on crime victimisation. FRA's own survey data strongly confirm that underreporting is not an isolated phenomenon that is particular to any single group of the population surveyed by FRA. On the contrary, it applies to the general population and cuts across all groups. This is especially the case in relation to experiences of violent crime and harassment, where victims generally do not report the vast majority of incidents to the authorities. For example (see Figure 1):

- With regard to the general population and violent crime, results from FRA's Crime, safety and victims' rights – Fundamental Rights Survey (2021) (35,000 survey respondents), show that victims only reported 30 % of incidents involving physical violence to the police in the five years before the survey in the EU-27. The EU gender-based violence survey (2024, 114,023 respondents) similarly points to low reporting rates of incidents of violence against women to the police, with 13.9 % of victims of physical violence or threats, or sexual violence by any perpetrator during their lifetime reporting to the police. The survey was conducted by

Eurostat, FRA and EIGE, with results published in 2024.

- Survey findings of particular groups in the population reveal similarly low reporting rates to the police (see Figure 1). Where FRA has undertaken the same survey repeatedly and data can be compared between different rounds of the surveys, little improvement has been noted over the years.

**Figure 1 – Reporting rates of physical violence by victims to the police, by FRA survey (%)**




Bar chart displaying the percentage of victims (respondents to various FRA surveys) who reported physical violence to the police; typically in the five years before the survey. Percentages show average reporting rates from various surveys from the European countries covered by the respective surveys. The reporting rates range from 11% (LGBTIQ survey) to 30% (FR survey to general population; Antisemitism survey), showing that often, no more than 30% of victims who experience physical violence report it to the police.

*Notes*: The figure uses data from different FRA surveys and shows the reporting rates to the police for experiences of violence.
For the specific questions asked in the surveys, see the related questionnaires and technical reports.

i) Reporting rate to the police of physical violence experienced in the 5 years before the survey;
ii) Reporting rate of physical violence or threats, or sexual violence by any perpetrator during lifetime;
iii) Reporting rate to the police of most recent incident of physical or sexual violence because of identifying as LGBTIQ in the 5 years before the survey;
iv) Reporting rate to the police of most recent incident of racist violence in the past 5 years;
v) Reporting rate to the police of the most recent incident of physical attack because of being Roma in the past 5 years;
vi) Reporting rate to the police of most recent incident of racist violence in the past 5 years;
vii) Reporting rate to the police of antisemitic violence in the past 5 years

*Source:* FRA (2021), Crime, Safety and Victim's Rights – Fundamental Rights Survey; FRA, EIGE, Eurostat (2024), EU gender-based violence survey - Key results. Experiences of women in the EU-27; FRA (2024), LGBTIQ at a crossroads: progress and challenges;FRA (2024),Being Muslim in the EU – Experiences of Muslims; FRA (2022), Roma in 10 European Countries. Main results – Roma survey; FRA (2023), Being Black in the EU; and FRA (2024), Jewish People's Experiences and Perceptions of Antisemitism – EU Survey of Jewish People.

Regarding crimes other than violence, FRA data show that rates of reporting harassment tend to be generally significantly lower than rates of reporting violent crime, a finding that cuts across all surveys (relating to both the general population and particular groups of the population):

- 11 % of people in the EU-27 (general population) who experienced harassment in the five years before the survey reported the most recent incident to the police (Crime, safety and victims' rights – Fundamental Rights Survey, 2021).
- 3 % of respondents to FRA's survey LGBTIQ at a crossroads: progress and challenges, 2024 (see data explorer) reported incidents of hate-motivated harassment experienced in the five years before the survey to the police.
- 6 % of respondents to FRA's survey Jewish People's Experiences and Perceptions of Antisemitism, 2024 reported the most recent incident of (online or offline) harassment in the last 12 months to the police.

### 1.1.2. Reasons why victims do not report to the police

Across all surveys, people who did not report the most recent incident of violence to the police were asked to indicate one or more reasons why they did not report. Responses to all FRA surveys relating to crime victimisation show that the reasons victims give for not reporting are broadly similar across all surveys. There is also little change over the years where FRA has undertaken the same survey repeatedly and data can be compared between different rounds of the surveys. FRA's qualitative research on crime victims - which uses in-depth interviews with victims and criminal justice practitioners, alongside victim support organisations - backs this up (see, for example, Justice for victims of violent crime, Part II, 2019).

Many victims (across all FRA surveys) responded that they did not report crime victimisation because they did not consider the incident to be serious enough or worth reporting, they did not wish anyone to know, or they decided to handle it themselves or with the help of family or friends. Generally, such reasons are more often given in relation to non-violent incidents such as harassment – which could also help to explain a lower reporting rate for such crimes compared with violent crime.

Victims across all FRA surveys also mention 'low trust in police' as a frequent reason for not reporting (see Chapter 2 on 'Ensuring protection against secondary victimisation' for more on this). Other frequent responses victims gave for not reporting highlight areas that need attention to increase reporting rates. They include the following three reasons:

1. "Nothing would happen or change by reporting the incident; the police won't do anything about it".

- One in five people in the EU-27 (general population) (18 % for violence and 20% for harassment) did not report as they believed that the police would "not do anything about the incident" (Crime, safety and victims' rights – Fundamental Rights Survey, 2021).

- Closely related, the answer “Nothing would happen or change by reporting the incident” was the most commonly given reason for not reporting the most recent incident of bias-motivated violence or harassment. At least one third of respondents to each of FRA’s surveys indicated this reason, including:
  - 44 % of respondents to FRA’s survey LGBTIQ at a crossroads: progress and challenges, 2024 who did not report the most recent hate-motivated physical or sexual attack and 36 % of those who did not report the latest incident of harassment.
  - 36% of victims who experienced racist violence, in addition to 47 % of people who did not report harassment (Being Black in the EUsurvey, 2023).
  - 61 % of victims of antisemitic violence, 52 % of victims of antisemitic harassment (Jewish People’s Experiences and Perceptions of Antisemitism, 2024).
  - 41% of Muslim victims of racist violence (Being Muslim in the EU – Experiences of Muslims, 2024).

Findings from FRA’s qualitative work on victims (Justice for victims of violent crime, Part II, 2019), which included interviews with 83 adult victims of violent crime, including 35 victims of intimate partner violence, shed light on what lies behind victims feeling that little would change or be done by the police as a result of reporting. For example, some victims interviewed by FRA (who had reported to the police) described having to report several separate instances of violence before an investigation was initiated, while others described the police as unresponsive. One interviewee spoke of the feeling of having to prove that her complaints were trustworthy, while other victims had to report the same crime multiple times before their complaints were accepted.

Tellingly, some of the victims who did report to the police told FRA that they would not report to the police again if they fell victim to a similar offence. Underlining this point, FRA survey findings also include information that highlights victims’ frequent dissatisfaction with how the police treat their complaints (see more on this in Chapter 2 on ‘Ensuring protection against secondary victimisation’ and ‘Training’).

2. “Reporting is too burdensome”.

- Another frequently cited reason for not reporting is because respondents perceive procedures to be too bureaucratic, time consuming or inconvenient. For example:
- 11 % of respondents (general population Fundamental Rights Survey, 2021) who did not report violent incidents and 14% who did not report harassment cited this reason.
- 20 % of victims of racist harassment and 19 % of victims of racist violence also gave this reason (Being Black in the EU, 2023).

Again, this is backed up by FRA’s qualitative data (Justice for victims of violent crime, Part II, 2019), which highlight that one important aspect of the criminal justice system’s accessibility is how easy or difficult it is for victims to report to the police. This depends on factors such as ensuring procedures are less bureaucratic and accommodating the rights and needs of victims, as well as fostering victim-friendly attitudes among the police and other practitioners.

3. “Did not report due to fear or shame”.

Significant numbers of respondents to FRA surveys, as well as interviewees covered by FRA’s qualitative research, have consistently mentioned not reporting due to fear or shame. These answers were given in FRA’s surveys in response to questions about reasons for not reporting - such as being afraid of intimidation by the perpetrator/s, fearing problems with residence permits/residence or visa status (in the case of third country nationals), fear of inappropriate reactions, fear of losing children or feeling ashamed or to blame for the incident. For example:

- About one in ten respondents to the Fundamental Rights Survey (general population) did not report the most recent incident of violence to the police for fear of reprisals.
- 15 % of Jewish respondents to FRA’s survey Jewish People’s Experiences and Perceptions of Antisemitism, 2024 did not report antisemitic violence because they feared the offender or reprisals.
- Many respondents to FRA’s 2014 Violence against women survey cited fear of the offender or of reprisals as a frequent reason for not contacting the police following the most serious incident of violence (11% in cases of physical partner violence; 20% in cases of sexual partner violence).
- One in five women who had experienced sexual violence (both partner and non-partner violence) did not report due to shame or embarrassment.
- 20 % of respondents to FRA’s survey LGBTIQ at a crossroads: progress and challenges, 2024 had not reported the most recent hate-motivated physical or sexual attack because they felt ashamed or embarrassed and did not want anyone to know about it.
- A FRA report (Severe labour exploitation, workers’ perspectives, 2019) highlighted that one of the main impediments to reporting to the police for victims of labour exploitation with irregular residence status was fear of being returned to their country of origin.

## Reporting different types of crime

In stark contrast to other crime types covered by FRA’s research, FRA’s Fundamental Rights Survey indicated high rates of people reporting property crime or online banking or payment card fraud. For such crimes, reporting is typically a prerequisite for receiving compensation for the incident. For example, 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).

Reasons for such differences in the reporting behaviour of victims with regard to these crimes could be linked to well established practices and known beneficial outcomes for victims (e.g. the obligation to report property crime for insurance claim purposes), in contrast with the barriers victims face in reporting especially difficult experiences of violent crime, in particular sexual crimes.

Specific challenges in reporting may be particular to certain groups in vulnerable situations, which need to be taken into account when seeking solutions to encourage reporting and to provide effective support services to victims (Encouraging hate crime reporting, 2021). Gender, alongside ethnic, migrant or socioeconomic status and other factors, can add additional barriers for victims when it comes to reporting.

**Figure 2 – Specific challenges in reporting victimisation for certain groups of victims**

**Specific challenges in reporting victimisation for certain groups of victims**

**Specific challenges for victims with disabilities:**

- Poor rights awareness (lack of targeted outreach and inaccessible information).
- Lack of support structures or accessible complaint mechanisms.
- Prejudiced attitudes about the ability of people with disabilities to give evidence and to be 'credible' witnesses in criminal proceedings.
- Proximity to the perpetrator and fear of retaliation.

*Source:* FRA (2015), Equal protection for all victims of hate crime: The case of people with disabilities; FRA (2015), Violence against children with disabilities: Legislation, policies and programmes in the EU.

**Specific challenges for child victims:**

- Lack of autonomy/limited legal capacity and dependency on others to recognise and report victimisation.
- Insufficient procedural safeguards for child victims in criminal proceedings, such as accessible reporting mechanisms or child-friendly adaptation of the hearing environment to reduce children's stress and the risk of secondary victimisation.
- Children with additional vulnerabilities face further barriers – for example children deprived of parental care who fall victim to trafficking in human beings; children living with disabilities (who, research shows, may not be believed even if they manage to report to police).

*Source:* FRA (2023), Mapping of national child protection systems in the European Union; FRA (2017), Child-friendly justice – Perspectives and experiences of professionals on children's participation in civil and criminal judicial proceedings in 10 EU Member States; FRA (2019), Children deprived of parental care found in an EU Member State other than their own: A guide to enhance child protection focusing on victims of trafficking; FRA (2015), Violence against children with disabilities: legislation, policies and programmes in the EU.

**Specific challenges for victims who are asylum seekers, refugees or irregular migrants:**

- Lack of information about the criminal justice system, including on what constitutes a crime and where to report it.
- Insecurity about possible negative impact on asylum applications; fear of being apprehended or deported.
- Language barriers.
- Lack of trust in the police, based on previous negative experiences (including in country of origin).

*Source:* FRA (2016), Current migration situation in the EU: hate crime; FRA (2019), Protecting migrant workers from exploitation in the EU: Workers' perspectives.

**Specific challenges in reporting victimisation for certain groups of victims**

**Specific challenges for victims living in institutional and other segregated settings:**

- Power dynamics between the victim and the perpetrator, with victims often living in situations of dependency on offenders - e.g. who could be carers, employers or prison wardens/fellow inmates. This effectively makes it impossible for them to make independent complaints to police. Such victims could include:
- Children, older people or persons with disabilities who live in institutions.
- Prisoners.
- People detained in migrant detention facilities/centres.
- People working under exploitative working conditions or in situations of trafficking in human beings.

*Source:* FRA (2023), Underpinning victims' rights. FRA is currently conducting research on the fundamental rights protection of persons with disabilities in institutions (results available in 2025). For more information, see the project page.

**Specific challenges for victims of gender-based violence:**

- Feeling shame and embarrassment and believing that the police would consider their experience a private matter.
- Fear of offender (especially among victims of domestic partner violence).

*Source:* FRA (2014), Violence against women survey

## 1.2. Effective solutions

FRA research (Underpinning victims' rights, 2023) has highlighted various key actions needed to increase reporting rates. For example:

- Improve police responses to victims – see Chapter 2.
- Provide reliable victim support services – see Chapter 3.
- Introduce alternative measures for victims to report crime.
- Establish systems of proactive monitoring.

While the first two of these factors will be looked at in Chapters 2 and 3, the following section focuses on alternative measures for victims to report (such as via third party reporting) and on proactive monitoring of places/institutions where victimisation can be 'hidden', to illustrate concrete actions that can address some of the most challenging or frequent reasons why victims do not report.

### 1.2.1. Third-party reporting

When it comes to increasing the options that victims have to report crime and overcome the first

hurdle of deciding whether to report an incident, effective practices do exist. One such measure is third-party reporting, which has proven to be especially helpful to victims who may be in a particularly vulnerable situation due to the nature of the crime they have experienced (for example hate crime) and/or their personal characteristics or situation.

Third-party reporting allows victims, family members or witnesses to inform an appropriately trained third party – such as a non-governmental organisation (NGO) or community organisation – about a crime. This 'third party' can then, with the victim's consent, report the crime to the police without victims having to get in direct contact with the police themselves, thus facilitating victims' access to support, protection and justice.

Third-party reporting is distinct from third parties representing victims in criminal proceedings. Under the jurisdictions of the EU Member States, most crimes can be reported by anyone who is aware of a crime (e.g. as a witness). Third-party reporting by an organisation such as a community-focused civil society organisation is a specific form of such crime reporting.

### Which third parties do victims approach?

FRA data show that although most victims who inform others about a crime do so via crime reporting to the police, victims also often choose to seek assistance from or approach entities other than the police. This practice highlights a clear role for third parties to help bring crimes to the attention of authorities and protect and support victims in the process. For example:

- According to the Fundamental Rights survey (2021), besides reporting an incident to the police (30%), 17% of victims of violence were in contact with medical services, and 6% contacted a specialised victim support organisation.
- Of those 18% of victims who reported or informed about the most recent physical or sexual attack, aside from reporting to the police (11%), a significant number of respondents to FRA's survey LGBTIQ at a crossroads: progress and challenges, 2024 also informed LGBTIQ organisations (3%), someone in the organisation or institution where the incident happened (e.g. at work, service provider - 3%), a hospital or other medical service (3%), or a general victim support organisation (1%).
- Respondents to FRA's survey Jewish People's Experiences and Perceptions of Antisemitism, 2024 who reported or informed about experiencing violence in the last 5 years, reported not only to the police (30%), but also informed leaders of Jewish organisations (11%) and Jewish community organisations (10%), for example.

FRA research (e.g. Encouraging hate crime reporting, 2021)shows that informing third parties about the crime who may then report the crime to the competent authorities (police or prosecution) may significantly improve reporting rates by tackling some of the reasons victims consistently give for not reporting, as outlined above. For example:

- With regard to the feeling that nothing will change upon reporting, third-party reporting can

play a role in explaining victims' rights and opportunities for redress.

- When it comes to victims' belief that reporting is too burdensome, third-party reporting centres or services are often embedded in the community and are more accessible, approachable and convenient for victims to report to. This is evidenced in the data FRA collected on the behaviour of victims related to who they reach out to in the aftermath of their victimisation (see Chapter 3 on 'Ensuring effective victim support services'). It can also help to address the barrier to reporting presented by low levels of trust in the police. At the same time, some specialist victim support services – such as shelters for victims of domestic violence or rape crisis support centres – can be few and far between, with victims in rural settings not having access to such services that tend to be based in larger urban centres.

Beyond lowering barriers for victims to report, there are other potential benefits of encouraging and strengthening the possibilities of third-party reporting (for governments, police, third parties and victims themselves), such as:

- Uncovering certain patterns in crime and victimisation, which often remain hidden due to high rates of non-reported crime to the police. Third party reporting can add another layer to what is known through official crime statistics and crime victimisation surveys. It can thus increase authorities' and governments' understanding of crime and victimisation. This in turn can help to steer them towards more victim-focused policy making. One example of this is FRA's annually published overview of data on antisemitism, which is based on both official (e.g. officially recorded crime) and unofficial sources (such as information from international organisations) in the EU Member States and in Albania, North Macedonia and Serbia.
- Increasing community engagement of police via reporting centres or services, which can improve confidence in law enforcement by such centres and the people they support (Encouraging hate crime reporting, 2021).

### How should third-party reporting work in practice?

Some organisations are designated as reporting centres or services and are housed in different physical locations such as religious centres, housing associations, medical centres, schools and libraries. Third-party reporting services are usually run by specialist and community-focused civil society organisations that provide online, telephone and in-person assistance to report to the police, and access to victim support services, either directly or through referrals (Encouraging hate crime reporting, 2021).

To facilitate crime reporting to the police by the third-party organisations and to make the cooperation between the police and such third-party centres or services more effective, the police and such services could, for example:

- Agree on protocols that ensure that the police can easily register/record incidents received

through third party reporting. For example, when it comes to third-party reports in which the victim's name and other details are withheld, the police need to have a legal mandate to accept and register such reports, regardless of whether they will lead to a criminal investigation or be used for other reasons, in particular for risk analysis or to design and implement preventive policies and measures.

- Ensure confidentiality and data protection safeguards, as third-party reporting also presents some challenges, particularly in consideration of confidentiality of victims' data or victim anonymity.

### Guidance on how third-party reporting can combat hate crime

In the context of hate crime, national and EU-level experts have elaborated key guiding principles which Member States can implement. These principles outline the benefits and use of third-party reporting as an alternative reporting option for victims and include:

- Key guiding principles on cooperation between law enforcement authorities and civil society organisations (2022)
- Key guiding principles on encouraging reporting of hate crime (2021)

These principles, while not legally binding, are endorsed by the High Level Group on combating hate crime and hate speech - an informal Commission Expert Group set up to foster exchange of good practices and how to fill existing gaps and better counter hate crime and hate speech. It is composed of experts from national authorities, international organisations, EU agencies and some EU-wide civil society organisations.

## 1.2.2. Proactive monitoring

As mentioned above, people living in institutions (for example children, older people, prisoners and people with disabilities) or those living in isolation (such as victims of labour exploitation or trafficking in human beings) live in situations controlled by others where they have little chance of informing the police about their victimisation or of reaching out to third parties on their own.

Proactive monitoring and access to independent and accessible complaint mechanisms can counter this and enable victims to safely report their victimisation (Underpinning victims' rights, 2023). Without such proactive support, many victims will continue to have no practical opportunity to report their victimisation to the police; hence, certain crimes will go undetected, perpetrators will enjoy impunity and victims' rights to access criminal justice will remain theoretical and illusory.

Proactive monitoring of closed institutions includes independent authorities making unannounced visits, during which they can find ways to contact and talk to potential victims about their experiences without victims fearing being exposed to harassment or retribution from the offenders - which can include members of the organisation's staff (Underpinning victims' rights, 2023).

FRA data (Protecting migrant workers from exploitation in the EU: boosting workplace inspections, 2018) show that proactive monitoring of workplaces posing a high risk of involving trafficking in human beings and/or labour exploitation can help such victims to report crime. One example of this is the work of investigative units in labour inspectorates that are specialised in combating labour exploitation and trafficking in human beings. Where monitoring staff are trained to spot the signs of trafficking and exploitation, it is more likely to result in a positive outcome for victims of labour exploitation, along with effective investigation and prosecution of exploitative employers. FRA's training manual How workplace inspectors can protect third-country workers' rights (2024) presents some key actions workplace inspectors can take to ensure migrant workers' access to justice.

Finally, despite evidence of the high prevalence of inter-prisoner violence (in addition to a risk of violence from prison staff), reports to the authorities and subsequent criminal proceedings are rare. Monitoring bodies and FRA research also highlight inadequate monitoring and prisoner safety measures by Member States. This could be countered and safe reporting ensured if Member States provide more effective proactive monitoring, and establish safe channels for prisoners to report crime. For example, Member States could establish commissions or bodies to regularly visit detention facilities, as the majority of them have done under the Optional Protocol to the Convention Against Torture and Other Cruel and Inhuman or Degrading Treatment or Punishment (Underpinning victims' rights, 2023). FRA's online Criminal Detention Database outlines information on detention conditions in all 27 EU Member States related to, among other things, protection against violence.

# 2. Ensuring protection against secondary victimisation

Article 18 of the Victims' Rights Directive requires Member States to ensure a wide range of measures to protect victims and their family members. These include protection from secondary victimisation (by the justice system) and repeat victimisation (by the offender/s). Article 22 requires Member States' authorities to assess protection needs. If protection is required, they must also determine the measures to adopt. Article 25 obliges Member States to provide officials likely to come into contact with victims, such as police officers, with general and specialist training appropriate to their contact with victims to increase their awareness of victims' needs.

## 2.1. Current challenges

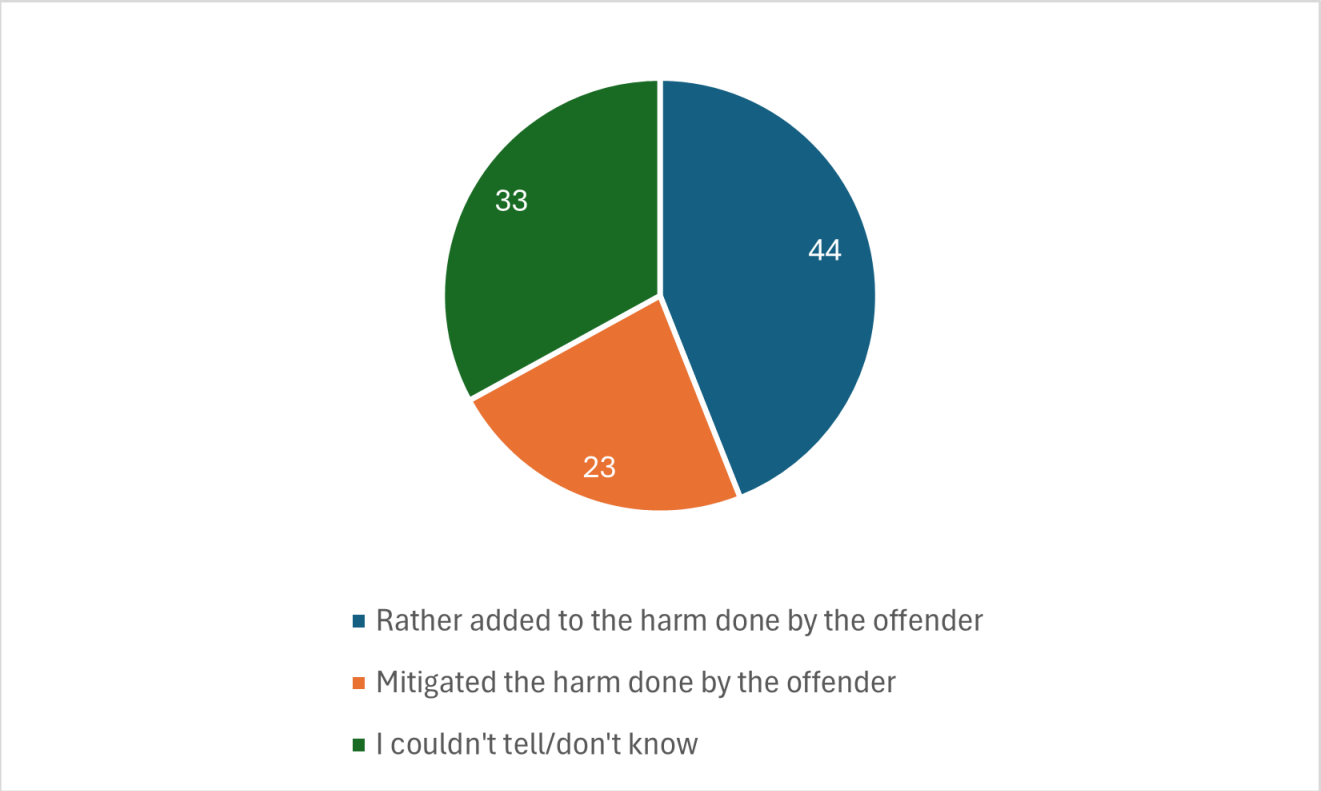
Victims have the right to be protected from so-called 'secondary victimisation', which can occur when those who come into contact with the victim reinforce the victim's experience of victimisation; for example, through inappropriate and repetitive questioning of the victim. Being confronted with the presence of the offender during judicial procedures can also cause secondary victimisation.

The risk of secondary victimisation is exacerbated depending on how closely, if at all, police and judicial authorities and support services cooperate and coordinate when dealing with a victim during various stages of the criminal justice process.

FRA's findings show that Member States generally lack comprehensive and effective mechanisms to protect victims who are often exposed to secondary victimisation in practice (Underpinning victims' rights, 2023). For example, FRA qualitative research (2019) examining the experience of victims of violent crime during criminal proceedings found that none of the seven EU Member States covered by the research had a reliable mechanism in place to assess risks and to protect victims from secondary victimisation caused by the presence of the offender (Justice for victims of violent crime, Part II, 2019).

Other challenges relate to how the police and criminal justice practitioners treat victims during proceedings. Over four in 10 adult victims of violent crime – who were interviewed by FRA across seven EU Member States (81 interviewees in total) – who had experienced criminal proceedings, stated that their experience during investigations and court proceedings added to the harm done by the offender (see Figure 3). In other words, they felt that criminal proceedings made things worse rather than better and did not perceive the proceedings as supporting them in coming to terms with their victimisation. In comparison, one third of the interviewees answered that they could not tell or did not know, while only 23% said that their experience during criminal justice proceedings mitigated the harm (Justice for victims of violent crime, Part II, 2019).

**Figure 3 – Victims' assessment of the impact of criminal proceedings: 'Overall, what I experienced during the investigation and the court proceedings…' (%)**




Pie chart displaying three possible responses from victims on the impact of criminal proceedings to the question 'Overall, what I experienced during the investigation and the court proceedings…'. 44 % of respondents replied 'Rather added to the harm done by the offender'. 23 % responded 'Mitigated the harm done by the offender', while 33 % replied 'I couldn't tell/don't know'.

*Notes*: N=81.

*Source:* FRA (2019), 'Proceedings that do justice: Justice for victims of violent crime, Part II', fig. 31, p. 90.

FRA's data reveal some specific challenges that lie behind such experiences of victims with regard to secondary victimisation, as well as solutions to mitigate them.

### 2.1.1. Lack of an effective joined-up approach

Efficient cooperation between the various actors with whom victims come into contact during criminal justice proceedings – such as the police, judicial practitioners and victim support services – and training of these actors is needed to mitigate the risk of secondary victimisation. This includes reviewing and adjusting necessary protection measures for victims at the different stages of the procedure. However, FRA data show that Member States often lack official procedures and practical guidance or protocols for the various actors involved to coordinate the provision of services and information to victims, resulting in unclear roles and obligations. The extent to which support and information provision is coordinated and such actors cooperate greatly impacts victims' experiences and their role in proceedings (Justice for victims of violent crime, Part IV, 2019).

Whether or not the risk of secondary victimisation is assessed often depends on individual police officers (Justice for victims of violent crime, Part II, 2019). Assessments are not systematically or routinely conducted, often resulting in inadequate protection measures that leave victims at risk of further victimisation or harm. Often, the police are not aware of the relevant risks or of their duty to assess them. They may lack the resources to carry out time-consuming assessments and do not have the power to monitor risks during different stages of the proceedings, such as during the trial. As a result, protection often remains largely in the hands of victim support services and lawyers, and if victims know about and act on their rights to protection against secondary victimisation, it is often thanks to the advice that they provide. However, victim support services and lawyers are ultimately not in a position to adopt protective measures, as this should be effectively done by and remains the responsibility of the state (Justice for victims of violent crime, Part II, 2019). This should include ensuring a safe environment that facilitates victims' meaningful participation in judicial proceedings - as underlined by FRA's research exploring children's experiences of the justice system from the perspectives of both children and professionals [Child-friendly justice (children's perspectives) 2017 and Child-friendly justice (professionals' perspectives) 2015], which shows that establishing a child-friendly environment when dealing with child victims (for example during questioning or hearings) is particularly important for preventing secondary victimisation.

### 2.1.2. Low trust in police and lack of sufficient training

Adding to the lack of guidelines and protocols to systematically counter secondary victimisation, FRA's research consistently points to the necessity of stepping up training for the police about victims' rights, especially regarding victims in particularly vulnerable situations. For victims at particularly high risk of secondary victimisation, such as child victims, women victims of sexual or gender-based violence, victims of abuse in care homes for older people, victims with disabilities, or prisoners who are victims of prison officers' violence, appropriate and targeted responses are even more pressing to guarantee them effective protection from secondary victimisation.

The need for improving the response to victims by the police (as one element of protection against secondary victimisation) is directly linked to the challenge of underreporting and is reflected by FRA's data on this. For example, Chapter 1 on 'Facilitating reporting' outlined a number of reasons frequently given by victims as to why they do not report crime to the police. Another reason many victims across all FRA's surveys give for not reporting is **"I don't trust the police"**. For example:

- About one in 10 respondents to the Fundamental Rights Survey, 2021 (general population) gave this reason for not reporting the most recent incident of violence. The survey also found that people who are older, have lower education levels, or struggle to 'make ends meet' are generally less willing to engage law enforcement.
- Victims across different minority groups consistently mention lack of trust in the police as a prominent reason for not reporting. For example:

- 16 % of victims of racist violence cited this reason for not reporting violent incidents as 'lack of trust in the police or being afraid of the police' (Being Black in the EU, 2023).
- 34 % of respondents to FRA's survey LGBTIQ at a crossroads: progress and challenges, 2024 did not report the most recent hate-motivated physical or sexual attack because they did not trust the police.

Fear of not being believed or that the incident would not be taken seriously is another reason respondents to FRA surveys frequently give for not reporting. This is linked to victims' lack of trust in the police to react to crime reporting in a way that they consider appropriate. That is, victims are broadly concerned that instead of taking the incident seriously, the police will be dismissive or react inappropriately.

Data from FRA surveys confirm that victims are indeed often subjected to or fear inappropriate reactions or inadequate responses by those they contact concerning their victimisation; including disinterest, victim-blaming, or homophobic or xenophobic reactions. For example:

- FRA's latest survey LGBTIQ at a crossroads: progress and challenges, 2024 reveals that 33% of victims did not report the most recent hate-motivated physical or sexual attack due to fear of homophobic/transphobic reactions from the police, and some survey respondents reported experiencing such reactions.
- According to FRA's in-depth interviews with victims of violent crime, several women who were victims of partner violence found that the police were unsympathetic, did not take them seriously, or showed a lack of understanding about the situation of a victim caught in a cycle of partner violence. Some police were reported as viewing interviewees' victimisation as a 'family affair' and were reluctant to intervene, and instead advised victims on how to organise their private lives. In some cases, victims also encountered similar attitudes from other professionals (Justice for victims of violent crime, Part IV, 2019).

FRA's data also highlight that many respondents to FRA's surveys have expressed dissatisfaction with how the police handled their complaint. For example:

- Among Muslims who reported an incident of racist violence to the police, 48 % were satisfied with how the police handled the complaint, and 52 %, over a half, were dissatisfied (Being Muslim in the EU – Experiences of Muslims, 2024).
  - 79 % of respondents who reported antisemitic violence to the police and 68 % of those who reported antisemitic harassment were 'somewhat' or 'very' dissatisfied with how the police handled their complaint (Jewish People's Experiences and Perceptions of Antisemitism, 2024.
  - 69 % of respondents to FRA's survey LGBTIQ at a crossroads: progress and challenges, 2024 were dissatisfied with how the police handled complaints related to hate-motivated physical violence, and 65 % complaints related to harassment.

Complaints that are not handled properly erode people's trust in the authorities' ability to address crime effectively, and can affect the decision of victims – as well as victims' families or friends –

to report future crimes. Again, this shows a clear link between the need for efficient training of the police and other actors in contact with victims, and increasing reporting rates in practice.

## 2.2. Effective solutions

FRA research (Underpinning victims' rights, 2023) has highlighted various actions that can address some of the key challenges for avoiding secondary victimisation of victims.For example:

- Ensure that authorities carry out a targeted individual assessment of the victim's needs and vulnerability (Article 22 of the Victims' Rights Directive) and establish the resulting necessary protection measures needed (Article 23 of the Victims' Rights Directive).
- Introduce a coordinated/multiagency approach to dealing with victims; e.g. the Barnahus model, as outlined below, which was developed to protect child victims from secondary victimisation and has become a recommended practice in recent years (see FRA, 'Mapping Child Protection Systems in the EU – Update 2023', as well as earlier FRA research on children's experiences of the justice system that reveals child victims' positive evaluations of a multiagency approach to involving them in justice proceedings: Child-friendly justice, 2017).
- Improve responses to victims by the police and all actors likely to come into contact with victims – e.g. through training.

The following section focuses on the last two of these examples.

### 2.2.1 Coordinated action and support: drawing on the Barnahus model

A promising practice based on coordinated action to protect victims from secondary victimisation is the Barnahus model, developed in Iceland. This model was originally developed to address cases of physical or sexual violence against children and, through a multiagency approach, it provides comprehensive services (legal, social/support, medical) to children from one facility and is specially designed to be child-friendly.

Importantly, for the Barnahus model to be effective, criminal justice systems need to formally recognise it. In some Member States it is part of social services or child protection authorities, while in others it is coordinated by law enforcement or the health system. In some Barnahus models, a police officer interviews the child, while in others a psychologist or a social worker does. All people involved have special training, follow evidence-based protocols, and the interviews are observed by multidisciplinary team representatives (Underpinning victims' rights, 2023).

FRA's data on victims' experiences strongly suggest that such a model could also be beneficial to victims other than children – particularly those in vulnerable situations (such as experiencing dependency on perpetrators) or who are at risk of repeat or secondary victimisation. It could have

a real impact in addressing some of the barriers described in this paper that prevent victims from reporting and accessing justice. Cases of severe physical and psychological violence – characteristic of cases of intimate partner violence, abuse of state authority (e.g. police violence or abuse of inmates in prisons), and sexual abuse and hate crime – often reflect comparable dynamics among adult victims. The Barnahus approach would bring significant advantages in such cases, including more effective protection from secondary victimisation, as the experiences of some Member States show.

To ensure efficient approaches to responding to victims, clear operational guidelines would be needed for systematic action at different stages from the different actors involved. Additionally, at the national level, protocols are essential to effectively organise cooperation between the network of actors involved in addressing the rights and needs of victims and to ensure protection and mitigation against the risk of secondary victimisation. To work effectively, such protocols should involve cooperation between law enforcement, prosecution authorities, judges, detention authorities, restorative justice services, victim support services and other relevant organisations, and be established by appropriate legislative measures. They must be reviewed periodically and ensure that the collection and sharing of information between the relevant actors is in line with data protection regulations and, in many cases, strictly anonymised.

### 2.2.2. Training and accountability – improving responses to victims of crime

Consistent and comprehensive training is needed to ensure the presence of more qualified police officers and practitioners who are able to acknowledge and specifically respond to victims and protect them effectively from secondary victimisation. As mentioned, this is also one of the key actions/solutions to addressing the challenge of underreporting, and is heavily linked to this aspect.

Training programmes should be designed to address all actors likely to come into contact with victims according to the services they provide, including the police, judges, prosecutors, lawyers, health care professionals, victim support personnel, translators and interpreters, etc. Based on victims' and practitioners' experiences, FRA findings point to the following aspects that should be covered by training:

- Comprehensive communication to raise awareness of victims' rights as fundamental rights, to set uniform standards for police officers and practitioners on victims' rights, and to help counter myths and preconceived views that stand in the way of victims' recognition (Justice for victims of violent crime, Part II, 2019).
- Building skills and knowledge necessary for working with victims in general, as well as specialised skill sets to ensure targeted and appropriate responses for specific groups of victims. This involves the systematic application of the individual assessment of victims' needs, both of support and protection from secondary and repeat victimisation, which is aligned with their legal rights.

- Specific sessions on, for example, anti-racism, anti-discrimination, and on gender-appropriate questioning, etc., to be integral parts of mandatory training, to improve skillsets and to ensure that secondary victimisation is prevented (FRA, Addressing Racism in Policing, 2024).
- Multiagency training to promote awareness and knowledge about other actors involved in responding to and protecting victims (to develop and strengthen relationships, referral mechanisms and protocols of cooperation and prevent secondary victimisation).

Both at national and international level, institutions involved in the training of law enforcement agencies or the judiciary are encouraged to develop training to promote and ensure appropriate, efficient and effective responses to crime victims (Justice for victims of violent crime, Part II, 2019). The European Union Agency for Law Enforcement Training (CEPOL) and the European Judicial Training Network (EJTN) are particularly relevant at the EU level. At the Member State level, professional and responsible training bodies and organisations, both governmental and non-governmental, including victims' associations and civil society organisations, also play a key role. Adequate support and funding by Member States is crucial in this regard.

Together with training, accountability is important for countering secondary victimisation. As highlighted in the recent FRA report Addressing Racism in Policing (2024), a strong, independent oversight mechanism and effective whistle-blowing protection are essential parts of a police accountability system. The oversight framework should reflect the powers of the police, be independent and have appropriate legal mandates and competences. This includes ensuring the collection of quality data on complaints against the police (number, type, etc.) to be able to systematically monitor, seek accountability and improve responses to victims.

Strong and shared awareness of victims' rights, multidisciplinary skills, solid training and reliable mechanisms to coordinate and oversee responses can greatly decrease the risk of secondary victimisation and encourage victims' active participation in criminal proceedings. It would also contribute to increasing society's trust in the police and to addressing some of the reasons for victims not reporting crime that relate to lack of trust in the police or fear that the police will not be able to do anything or take the victim seriously (see 'Reasons why victims do not report to the police' in Chapter 1 on 'Facilitating reporting').

# 3. Guaranteeing effective victim support services

According to Articles 8 and 9 of the Victims' Rights Directive, victims have a right to free and appropriate victim support services. In addition, Member States must ensure that victims are supported in a manner that respects their right to equal treatment. This right derives from Article 20 of the Charter.

## 3.1. Current challenges

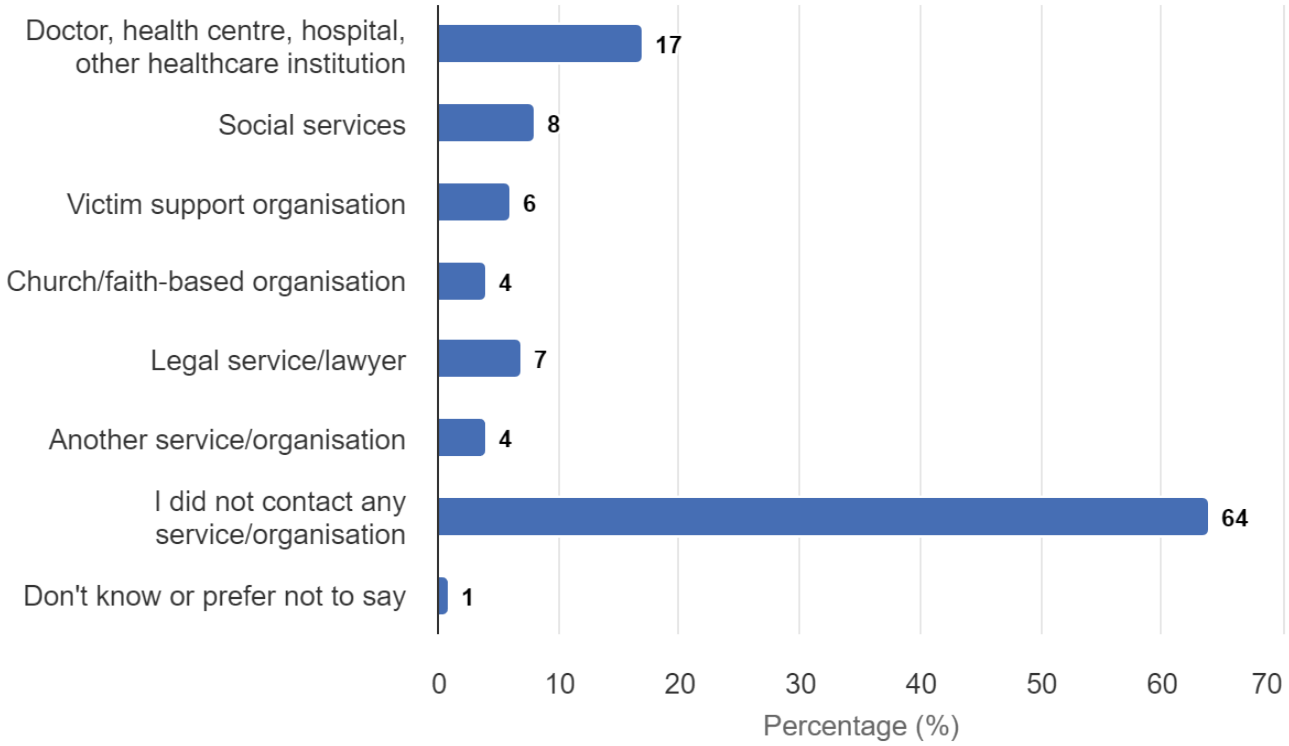
Victims of crime have the right to various forms of assistance, including generic (available to all victims of crime) and specific support services (available to certain categories of victims, often considered to be in particular situations of vulnerability), and Member States' governments must ensure that these are available to all categories of victims on a reasonably equal basis. It is important to note that a victim's right to support begins immediately after experiencing crime and it does not depend on the start of the criminal procedure (Underpinning victims' rights, 2023).

Besides providing emotional and psychological support, FRA's research shows that victim support services play an essential role in providing victims with information that is often beyond police capacity; for example about their rights, as well as practical information about their role in proceedings and what to expect (Justice for victims of violent crime, Part II, 2019). Victims who are unsure about whether or not to report to the police often decide to do so after contacting a victim support service and receiving information and/or support from these services.

Despite the clear role that victim support services play in supporting victims to act upon their rights, and helping them through criminal proceedings, some FRA surveys indicate low levels of victims reaching out to or victim support services about incidents of crime. For example:

- FRA's Fundamental Rights Survey (general population) shows that the majority of victims of violent crime did not contact any organisations or service following an incident of physical violence, and of those 36% who did, only 6% contacted victim support services (see Figure 4, Crime, safety and victims' rights – Fundamental Rights Survey, 2021).
- Of LGBTIQ persons who experienced hate-motivated physical or sexual violence, only 1% informed a general victim support service (LGBTIQ at a crossroads: progress and challenges, 2024).
- Out of women in EU-27 who experienced physical and/or sexual violence during their lifetime, by any perpetrator, 6.4 % contacted a support service as a result of experiencing violence (EU gender-based violence survey, 2024). In the context of the survey results, 'support service' includes victim support services as well as other services providing support that victims of violence may need.

**Figure 4 – Organisations and services contacted following the incident of physical violence (%)**




Bar chart displaying the types of organisations and services victims contacted following the incident of physical violence. The data show average responses from the EU-27 countries. The data range from 4% contacting 'Another service/organisation' to 17% contacting 'Doctor, health centre, hospital, other healthcare institution'. The majority (64%) said 'I did not contact any service/organisation'. As mentioned in the text, 6% contacted a victim support organisation.

*Source:* FRA (2020), Fundamental Rights Survey. Data explorer, Organisations and services contacted following the incident of physical violence, EU-27.

FRA's qualitative research findings (Justice for victims of violent crime, Part II, 2019) set out some of the key barriers that prevent victims from accessing support services. These relate to fragmented coordination and funding of victim support services, as well as differences in quality and overall availability of support services. Taken together, challenges relating to coordination, funding, quality and availability of victim support services can lead to an artificial 'hierarchy' of services. Alongside fragmented investments, these can result in different levels of support provided to victims, depending on the type of crime they fall victim to and also where they live (Underpinning victims' rights, 2023).

### 3.1.1 Fragmented coordination and prioritisation of victim support services

FRA data indicate that victim support services are not typically the responsibility of a single ministry; nor are they funded from a single ministry's budget (Justice for victims of violent crime, Part II, 2019). They are often provided by NGOs that operate on the basis of one-year or limited duration grants/contracts which are usually funded by ministries of the interior, justice or social affairs. These ministries have different interests and approaches. Ministries of the interior may focus on police cooperation with support organisations in encouraging victims to report crimes

and in protecting victims from repeat victimisation. Justice ministries may focus more on victims' participation in criminal proceedings, while social affairs ministries may be more interested in supporting victims in crisis or in providing state compensation. The complexity of the system can increase in Member States where subsidies come from different levels of government (e.g. national, provincial and/or municipal), or from other sources.

In addition, diverse contexts and legal traditions, including the degree of attention given to certain victim groups or causes, have affected how support services have developed across Member States over time, and have led to a tendency for some Member States to focus victim support provision on certain categories of victims (Underpinning victims' rights, 2023). Targeted support services are often not widely available. For example, many shelters for women who are victims of violence can be found only in bigger cities, which has a very practical (negative) impact on the possibility of victims approaching and getting support (Violence against women survey, 2014).

Overall, despite the Victims' Rights Directive obliging Member States to provide both generic and specialised support services, current practice in some Member States reveals gaps in the existence/availability of both generic and specialised support services.

Furthermore, FRA's research shows that very few Member States have a system in place to ensure the quality of victim support services, and specific quality or performance standards have not been established at the EU level. This has allowed Member States to develop different approaches, which has a direct impact on the quality of the services available to victims.

### 3.1.2. Uneven availability and lack of awareness about support services

Victims also face barriers in accessing support services. This could be partially explained by insufficient availability of victim support services, but FRA data also point to other factors. For example: a lack of visibility and low awareness by victims about victim support services in general; poor knowledge from the police of local specialised support services; and ineffective channels to connect different actors who typically come into contact with victims (Encouraging hate crime reporting, 2021).

FRA's findings point to a general need for more effective channels of communication and for exchanging information among the police, support services and judicial authorities (Justice for victims of violent crime, Part II, 2019). Ifexisting support services are inaccessible or if victims struggle to find a support organisation, they might fail to access support services, which has a negative impact on their rights.

## 3.2. Effective solutions

FRA research (Underpinning victims' rights, 2023) has highlighted various key actions needed to tackle the above challenges and pave the way for more effective victim support services that can

deliver on ensuring victims' rights. For example:

- Introduce measures to strengthen and further develop the system of organisations providing victim support services – including ensuring widespread coverage/availability throughout the country.
- Ensure centralised cooperation between and coordination of all organisations providing support services to victims.
- Establish accreditation mechanisms to ensure that support services meet defined performance standards.
- Improve standardised referral mechanisms.

The following section focuses on improving coordination of victim support services, introducing accreditation mechanisms and improving referral mechanisms to illustrate concrete actions that can address some of the key challenges of ensuring effective victim support.

### 3.2.1. Effective coordination

Introducing a requirement for centralised cooperation between and coordination of all organisations providing support services to victims at national level, including their funding, can be one solution to guarantee the availability of victim support services on a reasonably equal basis. Ideally, these services should function as an efficient, robust and complete network to ensure that every victim can quickly find and access appropriate support (Underpinning victims' rights, 2023).

This does not mean that all support services must be offered to the same extent (Underpinning victims' rights, 2023). The demand for support can differ significantly between services, as it reflects the number and needs of victims of a particular crime and/or a victim's willingness to approach certain services. However, at the very least, some standard categories of victims should be considered and there should be a geographical spread of support to make sure victims do not have to travel an unreasonable distance to be able to access appropriate support, also acknowledging that all services cannot be offered online.

### 3.2.2. Accreditation systems

Regarding the quality of victim support services, introducing a national system of accreditation can be a very effective safeguard, as FRA research has shown (Underpinning victims' rights, 2023). A register of accredited victim support services would make it easier for the police and criminal justice authorities to decide which services can be called on to provide reliable victim support that meets defined standards. Such systems exist in several Member States and make it easier for the police and criminal justice authorities to know which organisations are available and can be trusted to deliver support services that meet defined standards.

Introducing this requirement aims to ensure that minimum performance standards are met. National authorities should clearly define such standards and monitor the compliance of all organisations that provide support services to victims, and especially those organisations that receive government funding.

A register of accredited victim support services that meet certain performance standards would also be an effective way of letting victims know which organisations enjoy the support of state authorities (FRA Fundamental Rights Report 2022, p. 219). In time, this should also increase the probability of victims reaching out to support services. Moreover, the important work of NGOs that support victims – which do not necessarily receive government funding – needs to be acknowledged, while NGOs need to be able to maintain their independence.

### 3.2.3. Standardised referral mechanisms

As the main point of contact with many victims of crime, the police should have channels in place to carry out referrals to victim support services. They should understand and value the work of these services, be able to explain the benefits of being supported to victims and have a complete picture of existing support services. To facilitate and ensure clear referral pathways, standardised referral mechanisms should be established and used by the competent authorities that receive the complaint.

As highlighted in this paper, in many cases victims report their victimisation to other entities besides the police. This means that referral mechanisms should not be only one directional, but should ideally work between the police and other organisations, including victim support services and other civil society organisations (Violence against women survey, 2014).

It is important to note that referrals should be based on the informed decisions of victims (with exceptions in some instances to safeguard the victim), who can of course choose not to act upon their right to avail of support. Pending victims' consent, police can prompt support services to contact victims directly (thus avoiding the need for victims to reach out to support services themselves).

Effective referral mechanisms should see specialised protocols, trained personnel and appropriate facilities in place to address victims of certain categories of crime, such as children, victims of sexual abuse or victims of hate crime. Referral mechanisms should also ensure robust data protection systems and confidentiality.

# Emerging challenges

While this paper has drawn on FRA's existing research to highlight three common findings that run through different FRA surveys and studies, there are many other areas relating to victims' rights that warrant attention and future research.

One such issue is the increasing impact of online crime on victims. Alongside 'conventional' or 'common' offline crime that has long been the focus of research on crime victims (ranging from physical assault to property crime), online crime is becoming ever more frequent and encompasses many different types of crime. These range, for example, from incidents of online harassment, hate crime or hate speech online (issues covered in FRA surveys on violence against women and antisemitism, for example, as well as the FRA report Online content moderation - Current challenges in detecting hate speech, 2023, focusing on challenges in detecting hate speech online, to online fraud (with victims' experiences of such crime covered, for example, in FRA's Fundamental Rights Survey, 2021).

FRA will expand its research and knowledge base in the coming months and years to inform EU and national policy and lawmaking relating to victims' rights in this area to achieve the following objectives:

- To support legislative and policy initiatives to address the fundamental rights implications of hate speech online and online platforms' conduct (which has implications for [potential] victims of hate crime). Results from a FRA project on online content moderation feed into the Commission's work relating to online content moderation, most notably the Digital Services Act (DSA), based on original data collection from online platforms. Current FRA research also feeds into this work by mapping available (case) law and empirical studies on fundamental rights risks linked to online platforms.
- To increase the knowledge and understanding of the phenomenon of online crime, including how this is experienced by victims, and how to ensure that victims' rights are guaranteed in an online as well as an offline environment. Building on its existing work on victims' rights, FRA will begin targeted research in the coming months relating to access to justice for victims of online crimes.
- Beyond the topic of online crime, to explore how the digitalisation of justice can impact (positively and negatively) individuals' fundamental rights (covering victims of crime, as well as defendants and complainants more generally). FRA will publish guidance in 2025 (based on current research) to help EU institutions and Member States ensure that digitalised justice processes and systems facilitate and protect fundamental rights – such as access to justice – in practice.

# Endnotes

[1]Estimate based on the results of the survey relative to the EU's population.

[2] For more information, see FRA, Underpinning Victims' Rights – Support services, reporting and protection, Publications Office of the European Union, Luxembourg, 2023, p. 13-18, and FRA, Victims' rights as standards of criminal justice – Justice for victims of violent crime: Part I, Publications Office of the European Union, Luxembourg, 2019, p. 34–35.

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