

FRANET

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

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1. Part A:

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one of the examples provided, please review and revise the information as necessary, as the information provided may be outdated.

2.1 Scenarios

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

	Scenario	Questions	Yes	No	Description (max 1-3 sentences)
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¹ Aa, S. van der et al. (2009), *Project victims in Europe – Implementation of the EU Framework Decision on the standing of victims in the criminal proceedings in the Member States of the European Union*, Lisbon (see http://www.apav.pt/vine/images/report_vine_eng.pdf).

1	A female who has been beaten by her partner and calls the police	a. Do the police routinely refer the victim to a support service?	X		The police have the duty to provide all necessary information and to refer the victim to specialised and generic support services. ²
		b. If yes, please name the service(s)	-	-	Generic victim support services consist of Victims Reception Service of the Houses of Justice (judicial support) available in each judicial district and regional Victim Support Services (social and psychological support). The specific services consist of Prevention Centre for Domestic Violence, Collective Against Domestic Violence and Exclusion, Collective & Shelter for Abused Women, Movement Against Violence.
		c. Do the police routinely contact this service on behalf of the victim?	X		The police can contact this service on behalf of victims. ³
		d. Which support service would in the end deal with such a case?	-	-	One of the specific support services (the biggest ones being the Centre for General Welfare Work, which is a government initiative service)
2	A teacher reports the sexual abuse of a child to the police	a. Do the police routinely refer the victim to a support service?	X		The police have the duty to provide all necessary information and to refer the victim to specialised and generic support services. ⁴
		b. If yes, please name the service(s)	-	-	Generic victim support services + specific services: Centre for General Welfare Work, Confidential Centre on Child Abuse and Neglect

² Article 46 of the Act of 5 August 1992 on the police function, Article 3bis of the Code of Criminal Procedure and Ministerial Circular GPI 58 of 4 May 2007 on the police assistance to victims in the integrated police force.

³ Local Police website, available at: <http://www.lokalepolitie.be/5412/algemene-informatie/81-slachtofferzorg.html>.

⁴ Article 46 of the Act of 5 August 1992 on the police function, Article 3bis of the Code of Criminal Procedure and Ministerial Circular GPI 58 of 4 May 2007 on the police assistance to victims in the integrated police force.

		c. Do the police contact this service on behalf of the victim?	X		The police can contact this service on behalf of victims.
		d. Which support service would in the end deal with such a case?	-	-	Specialised services such as SOS enfant/ Vertrouwenscentrum kindermishandeling.
3	A person calls the police following a burglary in their apartment	a. Do the police routinely refer the victim to a support service?	X		The police have the duty to provide all necessary information and to refer the victim to specialised and generic support services. ⁵
		b. If yes, please name the service(s)	-	-	Generic victim support services consist of Victims Reception Service of the Houses of Justice (judicial support) available in each judicial district and regional Victim Support Services (social and psychological support).
		c. Do the police contact this service on behalf of the victim?	X		The police can contact this service on behalf of victims. ⁶
		d. Which support service would in the end deal with such a case?	-	-	There are no specialised Victim Support Services (VSS), so one of the generic ones.
4	A person is the victim of a racist attack by a gang of youths	a. Do the police routinely refer the victim to a support service?	X		The police have the duty to provide all necessary information and to refer the victim to specialised and generic support services. ⁷
		b. If yes, please name the service(s)	-	-	Generic victim support services and the Centre for Equal Opportunities and Opposition to Racism provides victims can provide support in the legal process.

⁵ Article 46 of the Act of 5 August 1992 on the police function, Article 3bis of the Code of Criminal Procedure and Ministerial Circular GPI 58 of 4 May 2007 on the police assistance to victims in the integrated police force.

⁶ Local Police website, available at: <http://www.lokalepolitie.be/5412/algemene-informatie/81-slachtofferzorg.html>.

⁷ Article 46 of the Act of 5 August 1992 on the police function, Article 3bis of the Code of Criminal Procedure and Ministerial Circular GPI 58 of 4 May 2007 on the police assistance to victims in the integrated police force.

		c. Do the police contact this service on behalf of the victim?	X		The police can contact this service on behalf of victims. ⁸
		d. Which support service would in the end deal with such a case?	-	-	There are no specialised VSS, so one of the generic ones.
5	An elderly person is mugged on the way home from collecting their monthly pension and is in urgent need of financial assistance	a. Do the police routinely refer the victim to a support service?	X		The police have the duty to provide all necessary information and to refer the victim to specialised and generic support services. ⁹
		b. If yes, please name the service(s)	-	-	Generic victim support services consist of Victim Reception Service of the Houses of Justice (judicial support) available in each judicial district and regional Victim Support Services (social and psychological)
		c. Do the police contact this service on behalf of the victim?	X		The police can contact this service on behalf of victims. ¹⁰
		d. Which support service would in the end deal with such a case?	-	-	There are no specialised VSS, so one of the generic ones.
6a	In relation to how police deal with victims, are there special measures in place for victims with a disability? If yes, describe them. If your answer is no, please provide a justification/explanation.			X	There are no special measures in relation to how the police deal with victims with a disability.
6b	In relation to how victim support services deal with victims, are there special measures in place for victims with a disability? If yes, describe them. If your answer is no, please provide a justification/explanation.			X	No special measures, but services must offer tailored support and guidance to each victim
7a	In relation to how police deal with victims, are there special measures in place for victims who are migrants with illegal residency status ¹¹ ? If yes, describe them. If no, please provide a justification/explanation.		X		Victims of human trafficking can get a legal residency status if they cooperate with the investigation and are followed up by one of the three Victim Support Services (Payoke, Pagasa, Sürya).

⁸ Local Police website, available at: <http://www.lokalepolitie.be/5412/algemene-informatie/81-slachtofferzorg.html>.

⁹ Article 46 of the Act of 5 August 1992 on the police function, Article 3bis of the Code of Criminal Procedure and Ministerial Circular GPI 58 of 4 May 2007 on the police assistance to victims in the integrated police force.

¹⁰ Local Police website, available at: <http://www.lokalepolitie.be/5412/algemene-informatie/81-slachtofferzorg.html>.

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

7b	In relation to how victim support services deal with victims, are there special measures in place for victims who are migrants with illegal residency status ¹² ? If yes, describe them. If no, please provide a justification/explanation.	X		The three non-governmental VSS concerning slavery trafficking and forced labour (Pagasa, Páyoke, Sürya) are the sole institutions which can issue requests for a residence permit on behalf of the victim. In other cases, there are no special measures in place.
7c	Are migrants with illegal residency status excluded from accessing support from victim support organisations in practice?		X	The VSS are accessible to every victim, regardless of their residency status.
8	Is access to victim support services dependent on a victim making a formal complaint to competent authorities (e.g. the police)?		X	The victim can access the VSS even though no formal complaint was made.
9	In practice, do victim support services afford preferential treatment to victims who have agreed to cooperate with a police investigation into the crime they have experienced (e.g. by dealing with them more rapidly than victims who are not cooperating with a police investigation)?		X	The VSS will provide victims with information, support and help as best that as they can. There is no preferential treatment to those who have agreed to cooperate with a police investigation.
10a	In reference to part 'c' of questions 1-5, in the event that police contact victim support services on the victim's behalf, is there an automatic transfer of the victim's data? ¹³	X		If the police contact the Victims Reception Service of the Houses of Justice, there is a transfer of the victim's data. ¹⁴
10b	If the answer to 10a above is yes, is the police obliged to obtain the victim's permission/consent for the data transfer?	X		The police need to obtain the victim's consent. ¹⁵
10c	Is there a legal basis for the communication/transfer of the victim's data? What is it?	X		Ministerial Circulaire 15ter regarding Police Victim Services of 9 July 1999.

2.2 Institutional aspects: role of state in victim support structure

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

¹² Please note that the usual FRA terminology (used in all official FRA publications) for migrants with illegal residency status is 'migrants in an irregular situation.' For the purposes of these guidelines however, reference will be made to 'migrants with illegal residency status.'

¹³ For example, personal data (name, address etc.) as well as any relevant details relating to the incident being transferred rather than having to be supplied again by the victim.

¹⁴ Information obtained at the information line of the Victims Reception Service of the Houses of Justice.

¹⁵ Information obtained at the information line of the Victims Reception Service of the Houses of Justice.

2.2.1 Models of generic victim support

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

a) Review the list and short description of structure of generic victim support organisations operational in your country provided for in Annex 2 and edit as necessary, ensuring that all significant victim support providers (especially those operating at national level) are mentioned. **Countries listed in Annex 2 shaded in green (and in category ‘A’ below) have been identified (on the basis of country reports submitted for phases 1 & 2 of the project) as not having any generic victim support organisations.** These countries should provide a short list (in Annex 2) of the main organisation(s) providing victim support **in one of the two specialised areas of victim support focused on in the phase 2 country report (see annex 3 for a list). As a default, please select the area ‘Domestic violence and stalking’.**

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

A: No generic victim support provider exists	B: At least one generic victim support service provider exists at national level. The main provider or structure is state run and state funded	C: At least one generic victim support service provider exists at national level. The main provider or structure is non-governmental run but relies strongly on state funding	D: At least one generic victim support service provider exists at national level. The main provider or structure is non-governmental run and does not rely strongly on state funding	E (OTHER) – if you cannot place your country in any of the other categories, please describe
/	BE	/	/	/
Explanation/justification:	Explanation/justification:	Explanation/justification:	Explanation/justification:	Explanation/justification:
	In Belgium, almost all of the generic victim support services are governmental. There are some on the regional level (Communities). The largest VSS in Belgium is the Victim’s Reception Service within the Houses of Justice (<i>Dienst Slachtofferonthaal</i> –			

<p><i>Service D'accueil des victimes</i>), which acts under the authority of the Ministry of Justice and is thus state funded. Aside from that, there are some non-governmental VSS, of which the most important ones are also (at least partly) state funded.</p>			
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2.2.2 Public coordination of victim support services

Please answer the following questions by completing the tables. Two examples have been provided (for questions 1 & 2) for guidance purposes. **Please delete all examples from your response and insert your country name in only ONE column.** If your country is one of the examples provided, please review and revise the information as necessary. Please provide references to the full name of the Ministry or body in question in both English and the national language (Note: only country codes are listed. For full country names, please refer to Annex 1).

1. Please specify (by placing an 'X' in the relevant columns) which ministry or ministries have a role in victim support provision. In addition, please provide a short explanation in the comments field.						
	Ministry of Justice	Ministry of Health	Ministry of Labour/ Social Affairs	Ministry of Interior/	Any other	COMMENTS
BE	X	X (Ministry of Welfare, Health and Family)		X		<p>The Ministry of Justice: Victim Reception Service acts under this Ministry. The Ministry of Justice has set up the National Forum for Victim Support and Services for Mediation have to fill in an application for recognition at this Ministry. It organises the Commission for Financial Assistance to Victims of Acts of Deliberate Violence and Occasional Rescuers.</p> <p>The Ministry of Internal Affairs: the police act under the authority of this Ministry.</p> <p>The Ministry of Health, Welfare and Family: it funds the accredited services for Mediation (with the Ministry of Justice); Services for Victims Support have to make an application for recognition at this Ministry.</p>
2. Please provide a short description of which body (e.g. ministry, office for victims of crime, commission or any other body) has the overall or principal coordinating role in organising victim support services at national and federal level. If no one ministry or body has such a role, please provide an explanation/ justification.						

BE	There is not one sole body that is responsible for coordinating and organising the victim support services at a national and federal level. The Ministry of Justice, Internal Affairs and Health, Welfare and Family all contribute to this role. In addition, the police is competent to offer primary assistance and refer to the specialised victim support services.
3. What is the legal basis for the type of victim support model that exists in your country (e.g. is it stipulated somewhere in a legal instrument that victim support services be state-run; state-funded etc.?)	
BE	<ul style="list-style-type: none"> - Act of 1 August 1985 established a “Commission for financial aid to victims of deliberate acts of violence and occasional rescuers”. - Article 3bis of the Preliminary Title of The Code of Criminal Procedure (CCP) provides that victims of crime should be handled with care and given information on, and be referred to, specialised victim services. - Royal Decree of 26 January 2006 laying down the criteria for approval of mediation services - Decree of 19 December 1997 concerning the general welfare states that the communities subsidize their respective Services for Victims of Crime. - Act on the Police Services of 5 August 1992 states that one of the main tasks of the police is victim support. - Ministerial Circular 15ter of 9 July 1999 regarding Police Victim Services describes the tasks of the police-based victim support services. - Ministerial Guideline of 15 September 1997 concerning the Reception of Victims by the Offices of the Public Prosecutor and in Courts and Tribunals. - Ministerial Circular GPI 58 of 4 May 2007 on the police assistance to victims in the integrated police force. - Decree concerning Social Support to Litigants of 18 July 2001, states that at the regional level, services for victim support are financed by their respective communities. - In the future: Bill proposal of 18 November 2010 establishing a general commissioner for victim rights, still pending.

2.2.3 Funding:

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

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

For the year 2012, please specify the exact amount of funding:		Amount (in EURO)		
a Budgeted by the state for compensation		No exact information about the entire budget from the state for VSS.		
b Paid out by the state for compensation		Idem		
c Budgeted by the state for generic victim support services (i.e. services not restricted to a particular category or categories of victims)		Idem		
d Budgeted by the state for specialised victim support services (i.e. services restricted to a particular category or categories of victims; such as child victims or victims of human trafficking). In addition, please name the specialised victim support services that received state funding.		Idem		
e Paid out by the state for generic victim support services (i.e. services not restricted to a particular category or categories of victims).		Idem		
f Paid out by the state for specialised victim support services (i.e. services restricted to a particular category or categories of victims; such as child victims or victims of human trafficking). In addition, please name the specialised victim support services that received state funding.		Idem		
Reimbursement by the state of expenses incurred		Yes	No	Comments
g Are there any victim support organisations that request money from victims who benefit from services? If yes, please name one such organisation and specify (under comments) whether there is a standard fee or whether this is decided on a case by case basis.			X	
h With respect to your chosen organisation, is the organisation reimbursed by the state for expenses incurred through the provision of support to victims? If yes, please specify the criteria for reimbursement (e.g. per victim?).			X	They are state funded, but not reimbursed per case or for special expenses.
i If the answer to h is 'yes', please specify whether the organisation is reimbursed regardless of the victim's nationality (yes or no) and provide a short explanation in the comments field. More specifically, is a difference made between reimbursement for support provided to a) country nationals; b) EU country nationals and c) third country nationals?		NA	NA	
j Further to question i, is the organisation reimbursed for providing support to victims with illegal residency status? Please provide a short explanation under 'comments'.		NA	NA	

k Are there any factors that would discourage the victim support organisation in practice from supporting third country nationals? Please specify under comments.		X	
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2.2.4 Capacity:

For the year 2012, please specify the number of victims of crime that:	No of persons:
a Applied for compensation from state sources.	1234 cases applied for compensation (according to the Commission for Financial Aid)
b Received compensation from state sources.	1351 cases were granted financial compensation in 2012.
c Approached generic victim support services (i.e. services not restricted to a particular category or categories of victims)	Unable to retrieve data
d Approached specialised victim support services (i.e. services not restricted to a particular category or categories of victims)	Unable to retrieve data.

2.2.5 Official/academic studies on victims

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

	Yes	No	Reference	Short description of the study's objectives and findings (2-3 sentences)
Studies on under reporting of crime?		X		
Other national studies related to victims of crime (specify)	X		Belgium, Van Hove E., Verstraeten M. & Souffriau A. (2009), <i>Evaluatieonderzoek vrijwilligerswerking bij de hulp- en dienstverlening aan slachtoffers door de centra voor algemeen welzijnswerk</i> , available at: http://www.droitsdesvictimes.just.fgov.be/site/victimeNI/images/NL_102.pdf	The study evaluates the use of volunteers in victim support services, since there is more and more need for a specialized approach, rather than a general one. Overall, the general conclusion of the study stated that it is imperative that the development of a volunteering policy stays open and broad, and to avoid managing volunteering as a separate entity, rather than an integrated component of VSS.

2.3 Victim Helplines

Please complete the information in the following table, providing details on whether the country has a national victim support helpline, who funds it, operates it etc. Where the answer is 'no', please provide a short justification

or explanation of the situation in the comments field. For example, for question 3, if the helpline does not operate 24 hours a day, 7 days a week, place an X in the 'No' column and specify the operating hours under 'Comments'. Where 'Yes' or 'No' answers are not applicable (i.e. questions 9-15), please answer the question directly in the 'Comments' field. Please provide information for 2012. Where this is not possible, please provide a justification and give data for the latest year possible.

		Yes	No	Comments
1	Is there a helpline? If yes, please provide the name of the helpline and the contact details for the helpline (including the name of the body who runs it, contact phone number etc.) under 'Comments'.	X		There is no general helpline from a generic victim support service. There are different helplines, such as ones for victims of bullying, and sexual abuse and violence. Other than that, the main helpline for a variety of grievances (and so not only for victims of crime) is called 'Tele-Onthaal' (Tele-Reception). The number is 106 and it is run by the Federation of Reception Services in Flanders. For French speakers, the helpline 'Télé-Accueil' is available at the number 107.
2	Does it operate 24/7? (If no, specify the days and times of operation under 'Comments').	X		
3	Does it operate nationwide? (If no, name the city or federal state in which it operates).	X		Yes, it operates nationwide but only Flemish speaking operators respond at the 106, while French speaking operators will respond at the number 107. There is also a specific helpline for children.
4	Is the helpline free of charge?	X		
5	Does the helpline target all victims of crime? If no, please specify (under comments) which categories of victims can approach the helpline.	X		The helpline targets any person in distress, not just victims.
6	Is the helpline state run (if no, describe the non-state actor(s) who runs it under 'Comments')		X	The helplines are state funded but operated by non-profit organisations.
7	Is the helpline funded by the state?	X		
8	Is the international EU victim support telephone number 116-006 available? ¹⁶ If no, provide a justification and/or specify whether plans to implement this are underway.	X		The number is available to victims and operated by the organisation Child Focus.
		Comments		
9	Please give a brief description (1-2 sentences) of the services provided by the helpline.	The helpline offers a listening ear. Anyone can call the number and talk about whatever problem or grieves they are dealing with, so it is not only a helpline for victims of crimes.		
10	What was the operational budget (in EUR) for the helpline in 2012? Please specify under 'Comments'	2 200 000 EUR		

¹⁶ In 2010 the EU introduced an EU harmonised phone number (116 006) designated for use by victims of crime who need assistance in EU countries.

11	How many people were employed to run the helpline in 2012?	634 (employees and volunteers are in this number; number dating from 2011 since that is the earliest available annual report).
12	What form(s) does the helpline take? E.g. just phone-line; email, web forum, walk-ins	Phone-line and online chat.
13	Of the possible ways to access the helpline, what is the most frequently used by persons contacting the helpline?	Phone-line
14	Who operates the helpline? (e.g. Professional staff such as psychologists or lawyers; volunteers etc.)	The helpline is operated by volunteers, who get training to do so and are supported by professional staff.
15	Please specify the number of times the helpline was contacted in applic. If this information is not available, please provide a reason under 'comments'.	Numbers for 2011: total contacts: 73208 phone-line: 69457 Chat: 3751

2.4 Obligation of police to provide information

		Yes	No	Comments (max 2-3 sentences)
1	Are police legally obliged to provide all victims with information concerning victim support services? If yes, what is the legal basis for this obligation (e.g. name of the law)?	X		Article 3bis of the Preliminary Title of the Code of Criminal Procedure (CCP) provides that victims should be given information on, and referred to specialised victim support services. Article 46 of the Act of 5 August 1992 on the police function. Ministerial Circular 15ter regarding Police Victim Services states referring the victims to the adequate VSS as one of their tasks. Ministerial Circular GPI 58 of 4 May 2007 on the police assistance to victims in the integrated police force.
2	Are police legally obliged to provide all victims with information concerning compensation? If yes, what is the legal basis for this obligation (e.g. name of the law)?	X		The police are required to refer victims to VSS and to provide 'all the necessary information'. It includes information on how to take the status of 'injured person' and to become civil party to judicial proceedings (to claim compensation). There is no per se legal obligation to inform on compensation but it can be considered as falling under 'necessary information'. Article 46 of the Act of 5 August 1992 on the police function and Ministerial Circular 15ter regarding Police Victim Services.
3	Are police legally obliged to provide all victims with information concerning their rights and role in criminal proceedings? If yes, what is the legal basis for this obligation (e.g. name of the law)?	X		Article 3bis of the Preliminary Title of the Code of Criminal Procedure (CCP) provides that victims should be given information on how to take the status of 'injured person' and to become civil party to judicial proceedings and Ministerial Circular 15ter regarding Police Victim Services requires the police to inform victims regarding legal assistance.
4	Are victims who do not understand or speak the language provided with free of charge interpretation in the language of their choice (e.g. during any interviews or questioning of the victim by the police)	X		No legal obligation has been identified. In practice, the police will provide an interpreter, unless the police officer can write statements and speak in the victim's language. ¹⁷
5	Are victims notified about their right to receive information about:			
	(a) any decision not to proceed with or to end an investigation or not to prosecute the offender;	X		Victims are informed by the police that they can be notified on the below information by adopting the quality of 'injured party'. This is not equivalent to being a civil party to criminal proceedings, which must be done separately. By taking on the quality of 'injured party',
	(b) the time and place of the trial, and the nature of the charges.	X		

¹⁷ E-Justice Portal, available at: https://e-justice.europa.eu/content_rights_of_victims_of_crime_in_criminal_proceedings-171-BE-en.do?clang=en&idSubpage=1&member=1.

	(c) any final judgment in a trial	X		victims will receive information on the progress of the case. This quality can be obtained by giving a declaration before the secretary of the prosecutor's office or, since recently, at the police. To obtain the status of 'injured party' does not grant the person the status of civil party to the proceedings. The two statuses are separate. The former has only an information notification purpose, while the later allows victims to be party to the proceedings and claim compensation.
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2.5 Training of practitioners on dealing with victims of crime

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

With respect with how to deal with victims of crime, Is systematic training of the following categories of professionals who come into contact with victims of crime carried out (if yes, please indicate under 'comments' the nature of the training and whether it is on dealing with all victims or just certain categories of victims (e.g. victims of domestic violence):				
		Yes	No	Comments (max 2-3 sentences)
1	Police	X		The tasks of the Assistance to Victims Bureaus are to sensitise and train members of the police force, provide information regarding victim support and assist police officers in the assistance of victims. In addition, each local police force needs to appoint a specialised agent responsible for sensitising police officers to the needs of victims, spread information about victim support etc.
2	Prosecutors		X	
3	Judges		X	
4	Court staff		X	
5	Are Victim Support Organisations involved in this training? If yes, how are they involved? (e.g. they provide input through lectures; they fund the training; they organise and run the training themselves etc.)	X		They organise awareness-raising days, lectures, training and cooperation.

6	Is systematic training of victim support staff carried out on how to deal with victims of crime? If yes, please indicate the nature of the training,	X		There is a form of systematic training in the quality criteria that are set out for the VSS.
7	Please briefly list any other category of officials coming into contact with victims that receive systematic training on how to deal with victims of crime (e.g. lawyers, restorative justice services etc.)	NA	NA	The VSS for mediation must meet certain criteria regarding staff training, activities and professionalism.

2.6 Rights of victims in criminal proceedings

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

2.6.1 Definition of victim

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

	Description	Explanation (max word count 200)
1	What is the main or generic legal definition of the term 'victim' (as provided for in national legislation)?	The person, as well as his/hers surviving relatives, who suffered damage, including the violation of his/hers mental or physical integrity, and who suffered a moral or material loss that was directly caused by actions or negligence that are conflicting with the penal legislation. (as defined in the Ministerial Circular GPI 58). Both conditions do not have to be met. Either damage or moral/material loss suffices. The damage is an infringement of one's mental or physical integrity. The loss, on the other hand, is a moral or material damage or loss of a potential advantage. ¹⁸
2	Is there a separate definition of 'vulnerable victims' (as separate from the main or generic definition of 'victim')?	No, there is no separate definition in the legislation.
3	Are parents, children, other family members, same sex partner & first responders included under the main definition of the term victim? If not, are they included as 'indirect' victims or similar?	Yes: the victim is defined as the person, as well as his/hers surviving relatives, thus including parents, children, family members, and same sex partners. No: first responders are not included, since they are not relatives. There is no indication of a definition of indirect victims. They are, however, included in the potential beneficiaries from the Commission for financial aid to victims of intentional acts of violence and to occasional rescuers. They are also welcome in VSS.

¹⁸ Belgium, FOD Justitie, You are a victim (*U bent slachtoffer*), available at: http://justitie.belgium.be/nl/binaries/U%20BENT%20SLACHTOFFER_tcm265-138476.pdf and Criminal Policy Service, Victims, available at http://www.dsb-spc.be/web/index.php?option=com_content&task=view&id=43&Itemid=69&lang=dutch.

2.6.2. Decision not to prosecute

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

	Yes	No	Comments (Max word count 80 words)
If the prosecutor decides to discontinue a case, does the victim have the right to file for a review of the decision not to prosecute?		X	
Who undertakes this review?	NA	NA	
Does the victim have the right to institute private prosecution in cases where the prosecutor drops charges? If yes, under what circumstances?	X		The victim can always become a 'civil party' to the criminal proceedings or file a separate civil action, even when the prosecutor does not drop the charges. (S)He can then claim for compensation. When the public prosecutor decides not to prosecute, the victim can decide to file a civil complaint, which then institutes criminal proceedings and investigations, which could lead to the identification and punishment of the offenders. However, the civil party will have to pay all the costs made by investigating authorities if no offender could be found. ¹⁹
Does the prosecutor's office have a dedicated hotline or mechanism whereby victims can inquire about the progress of a case?		X	

2.6.3. Right to be heard

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

	Yes	No	Comments (Max word count 80 words)
Do victims have a right to be heard during criminal proceedings?	X		Victims have a right to be heard during criminal proceedings. This means that they are able to communicate all the elements that are necessary to assess the damage. Also, it is important to be able to give information concerning the facts and about how they experienced the infringement. This right is applicable to all the victims, not only those who are civil party to the proceedings (fundamental rights of the victim). ²⁰
Do victims have a right to supply evidence during criminal proceedings?	X		If a victims limits him/herself to just filing a complaint, he/she will only be informed over the date, hour and place of the trial. This will always be the case, regardless of the form the victim adopts. If, on the other hand, the victim decides to adopt the form of an injured party (as mentioned above), he/she can decide to add every document that he/she deems to be of importance. ²¹

¹⁹ Belgium, FOD Justitie, You are a victim (*U bent slachtoffer*), available at:

http://justitie.belgium.be/nl/binaries/U%20BENT%20SLACHTOFFER_tcm265-138476.pdf.

²⁰ Belgium, FOD Justitie, *U bent slachtoffer*, available at: http://justitie.belgium.be/nl/binaries/U%20BENT%20SLACHTOFFER_tcm265-138476.pdf.

²¹ Belgium, FOD Justitie, *U bent slachtoffer*, available at: http://justitie.belgium.be/nl/binaries/U%20BENT%20SLACHTOFFER_tcm265-138476.pdf.

Is there a right for vulnerable victims to be questioned & testify in court in a protected manner – e.g. are screens in place when victims testify/video link available or other measures to separate victim from accused? Please specify whether this applies to all victims or just certain categories of victims (please specify):		X	The victim can decide to be represented by his/her lawyer. If he/she does want to be present in the Courtroom when the offender is also present, the judge can ask the offender to leave during the testimony, but this is something that is rarely done. Children, however, can have their testimony done via audio-visual recording. In some cases, the trial will be held 'behind closed doors', which means that it is not accessible to the public. ²²
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2.6.4 Rights of victims at trial

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

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

		Yes	No	Description/justification (max 1-3 sentences)
1	Looking at your own criminal court system, is there a special unit or service for victims of crime providing support?	X		There is a Victim’s Reception Service, under the authority of the Ministry of Justice, who have so-called ‘justice assistants’ in each judicial district. They offer support to victims and their relatives and provide general information on the various steps of the criminal procedure.
2	Is there a separate waiting area for victims at court?	X		For criminal cases.
3	Is special seating reserved for victims at trial?	X		Victims sit on the right end side; while the offender sits on the left.

²² http://www.jeugdrecht.be/?action=artikel_detail&artikel=59

4	What other services are available?	NA	NA	There is a possibility for mediation.
5	Who provides the services (e.g. professional or specialised staff; volunteers etc)?	NA	NA	A governmentally recognised Service of Mediation (two options: Sugnommé and Médiante).
6	In reference to question 5, do the service providers provide advice to prosecutors with respect to the the safety, physical and psychological well-being, dignity and privacy of victims?		X	
7	Do they provide advice to judges with respect to the the safety, physical and psychological well-being, dignity and privacy of victims?		X	
8	Are the rights and protections that should be afforded to victims mentioned in the founding law (e.g. a statute) establishing the court?		X	
9	Do victims have the right to be accompanied by support persons during the trial?	X		They can be accompagnied by VSS by the Victims' Reception Service. ²³
10	Can victims access & copy trial records	X		Victims and their lawyers who are civil parties and injured parties can access trial records, but can not have a copy. ²⁴

²³ Belgium Portal, Victim reception, available at: <http://www.belgium.be/nl/justitie/Organisatie/justitieuizen/slachtofferonthaal/>.

²⁴ Article 5 bis of the Code of Criminal Procedure.

2.6.5 Legal aid for victims:

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

Categories of legal aid		A: Available to all victims of crime as a fundamental right of victims	B: Available to certain categories of victims; e.g. only victims of serious crime, only victims who are nationals of that country etc. (please specify which victims are entitled to such advice):	C: Subject to other criteria; e.g. an economic 'means test' (please specify):	D: Other (please specify)
1. Free legal advice	Place X in appropriate column	X			
	Comments:	Victims have the right to legal counsel, assistance and representation. ²⁵ There are two forms of legal aid: primary and secondary legal aid. Primary legal aid consists of initial legal advice or referral to a specialised organisation. This can be obtained			

²⁵ Right to legal aid is recognised in Article 23 of the Constitution.

		free of charge in different places, such as city hall, House of Justice in each judicial district, VSS, the Commission of Legal Aid where lawyers hold weekly legal aid hours and specialised bureaus. There is no handling of the case but just a referring to specialised organisations that will be able to take care of the case. ²⁶			
2. Free legal representation	Place X in appropriate column			X	
	Comments:			Secondary legal aid consists of legal representation partly or fully free of charge, depending on the fulfilment of	

²⁶ See more information on the Brussels legal aid website, available at <http://www.aidejuridiquebruxelles.be/>.

				certain conditions such as low income.	
3. Exemption from court fees	Place X in appropriate column			X	
	Comments:			When victims are required to pay for court fees, but are not able to, they can request an exemption. Depending on the financial situation there will be a full or a partial exemption.	
4. Exemption from or reimbursement for expenses related to interpretation and/or translation	Place X in appropriate column				X
	Comments:				The expenses related to interpretation and/or other translation are considered as court fees.
5. Reimbursement for loss of earnings, travel and accommodation costs with regard to role in criminal or civil proceedings	Place X in appropriate column		X		
	Comments:		- There is the Commission for financial aid to victims of intentional acts of violence and to occasional rescuers before which they can file a petition for financial help. The Commission also financially		

			supports victims when they do not receive financial compensation for the damage suffered in cases where the offender remains unknown and emergency compensation during the proceedings to cover medical expenses resulting from the offence.		
	The state	A victim support service	Both	Other (explain)	
2. Who provides legal aid? place 'X' in one column only)			X		

2.7 Compensation

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

	Victims' rights with regard to compensation	Yes	No	Comments and sources (max 2-3 sentences)
1	Do victims have the right to ask for compensation during criminal proceedings?	X		Yes, if they file a civil action before the examining judge and thus become a civil party. They can also claim for emergency compensation before the Commission for financial aid to cover certain damages/expenses. ²⁷
2	Aside from compensation, do victims have the right to ask for other measures during criminal proceedings (e.g. return of property, reimbursement of expenses, measures for physical protection)?	X		Yes, if they file a civil action before the examining judge and thus become a civil party. ²⁸
3	Is compensation paid by the offender?	X		
4	Is there such thing as a 'victims of crime fund' that convicted persons must contribute to?	X		The Commission/Fund of financial aid to victims of intentional acts of violence and occasional rescuers. When an offender is convicted to imprisonment for more than one year, the judge imposes an obligatory contribution of 25 EUR, which goes towards the fund. ²⁹
5	Does compensation paid by the offender under a 'victims of crime fund' go towards victim support services?		X	No, only to the victim itself.
6	Is compensation paid by the state?		X	The only form of state compensation is the compensation for victims of violent crimes via the Commission of financial aid under specific conditions.
7	Will the State advance payment of the compensation if the offender does not pay? Under which conditions?		X	If the offender does not pay, it is best to appoint a bailiff who will seize the goods owned by the perpetrator.

²⁷ Articles 28- 41 of the Act of 1 August 1985 on various measures and others. See also the Belgium Portal, available at: http://www.belgium.be/fr/justice/victime/aide_financiere/.

²⁸ Article 4 of the Code of Criminal Procedure.

²⁹ Ibid.

8	Does a compensation order exist?		X	
9	Do prosecutors have the power to mediate between the offender and the victim?	X		There is always possibility to turn to Services of Mediation.
10	Do prosecutors have the duty to attempt to obtain compensation from the offender?	X		
11	Is compensation, when paid by the offender to the victim, taken into account in decisions to prosecute?	X		
12	Is compensation, when paid by the offender to the victim, taken as a mitigating factor in sentencing?	X		
13	Is there a limit from the time of the crime within which claims for compensation would have to be made? If yes, what is the time limit?	X		. He/She can file a civil action for compensation during the entire trial, as long as there has not been a final decision.
He 14	Do third country nationals have the right to apply for compensation?	X		
15	Do third country nationals with irregular status (i.e. residing in the country illegally) have the right to apply for compensation?	X		
16	Are there exceptions prescribed in law for different types of crimes? If yes, what are they?		X	

2.8 Cross border support

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

	Victims' rights with regard to cross border support	Yes	No	Description (max 2-3 sentences per question)
1	Is there a formal system of cross-border referral of victims (to a victim support organisation in the state in which the victim lives) when the victim who has approached the VSO or competent authority is resident in another state?	X		There is a network of non-governmental victim support organisations, called 'Victim Support Europe' that aims to coordinate the work of victim support services throughout Europe and formulate a common European victim support policy.
2	Can victims of crime report crimes in their own country if the crime was committed in another state?		X	
3	Are victim support services made available to all victims, regardless of legal status, country of origin or nationality?	X		A victim of a crime committed on Belgian territory can benefit from the victim support services, regardless of their nationality, legal status or country of origin.

4	Describe any special mechanism for victims of crime from other countries to access support. E.g. via website etc.	X		Website, telephone, e-mail.
5	Is information made available to victims in different languages by the police? If yes, which languages?	X		Dutch, French, German, English.
6	Is information made available to victims in different languages by victim support services? If yes, which languages?	X		Dutch, French, German, English.
7	Do victim support services offer interpretation or translation services? If yes, in which languages?		X	
8	Does the main generic victim support organisation in your country maintain contact with victim support organisations in other countries? If yes, how? (E.g. through formal cooperation agreement; international consultative forums or conventions etc.)	X		At the European level, there is the 'Victim Support Europe' organisation, which aims to coordinate the work of victim support services throughout Europe and formulates a common European victim support policy. For the Flanders region, the <i>Steunpunt Algemeen Welzijnswerk</i> is a member of this organization. The Walloon region, however, is not represented.
Description (max 2-3 sentences per question)				
9	What is the mechanism for victims to apply for compensation once they are back in their own country?			For the Commission of Financial Aid, the crime has to have occurred on Belgian territory. If this is the case, and the victim resides in another EU-Country, he/she can be supported by an authority, appointed by their home country. ³⁰
10	What is the number of victims accessing victim support services who are non-nationals of the state?			Between 1 January 2012 and 11 March 2013, a total of 10 persons who did not have Belgian nationality applied for compensation with the Commission for Financial Aid for the Victims of intentional acts of violence and occasional rescuers. 8 of them received financial compensation. ³¹
11	Describe any special mechanism for victims of crime from other countries to access support. E.g. via website etc.			If the crime was committed on Belgian territory, but the victim comes from another EU country, he or she can receive support from an authority that is appointed by that EU country of origin. The list of supporting authorities and departments is available at the EU's website: http://ec.europa.eu/civiljustice , "Compensation for victims of crime".
12	Are there any measures put in place for the protection of a victim's right to privacy when dealing with cross border victims?			None that are known of or deviate from the ordinary protection of the right to privacy.

2.9. The role of volunteerism in victim support

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

³⁰ Leaflet, 'Financial aid to victims of intentional acts of violence',

http://justice.belgium.be/fr/publications/financi_le_hulp_aan_slachtoffers_van_opzettelijke_gewelddaden.jsp, p;14.

³¹ Written Question nr. 5-7902 to the Ministry of Justice, 11 March 2013, available at:

<http://www.senate.be/www/?Mlval=/Vragen/SchriftelijkeVraag&LEG=5&NR=7902&LANG=nl>

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

The practice of volunteerism for victims' support started booming in Belgium in the nineties. Following the example of countries such as The Netherlands and Great-Britain, governmental and non-governmental victim support organisations started working with volunteers. The idea was that this would be valuable for the victims and their surrounding communities, for the employees in victim support organisations and for society in general.³²

The use of volunteers in such organisations was re-evaluated in 2007. Researchers concluded that volunteerism brings many different benefits. First, it makes taking the leap to contact victim support services easier, since the person who is on the other side of the table or the line isn't as intimidating as a professional. Secondly, volunteers can restore the victims' faith in humanity, since they are the representatives of a community who want to help people without wanting something back. Also, it is a way of making people more conscious and raises awareness. It is designed to assure a faster, more active contact with the victims and a wider reach to victims and their surroundings. Last but not least, the economic aspect is not to be underestimated.

Currently almost every victim support service is benefiting from volunteerism. To ensure quality in delivery, volunteers are subject to a specific selection method following criteria and training elaborated in a volunteering vision statement. Even though they are not professionals, they are selected on their skills and have to follow a training programme, enabling them to provide help and care for the victims,³³

When looking at the requirements to become a volunteer, they are asked to spare four hours a week. This would be the minimum number of hours spent on volunteering work, though this is a flexible requirement. Volunteers serve for seven years.³⁴

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

NA

³² http://droitsdesvictimes.just.fgov.be/site/victimeNL/images/NL_109.pdf

³³ Belgium, Van Hove E., Verstraeten M. & Souffriau A. (2009), *Evaluatieonderzoek vrijwilligerswerking bij de hulp- en dienstverlening aan slachtoffers door de centra voor algemeen welzijnswerk*, available at: http://www.droitsdesvictimes.just.fgov.be/site/victimeNL/images/NL_102.pdf

³⁴ www.cawregiodendermonde.be/nl/index/php?option=com_content&view=section&id=14&Itemid=11

2.10. The tradition of social work

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

The job of a social worker has many aspects. One is to help victim support organisations.

At the level of judicial districts, the federal police deploy social workers to communicate between different police services on victim support services, to sensitise and support police officers with their victim support task and to launch projects in line with the National Security Plan.

Having a social worker in a communications role with victim support ensures a key benefit: conversations between victims and victim support services remain confidential.

Every social worker, including persons providing assistance for victims on behalf of the State, is bound to confidentiality.

A Bachelor degree in social work or social nursing from a school of advanced education (*hogeschool – haute école*) is required to become a social worker.

2.11. Promising practices in the area of victim support

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

	Promising practice	Does a similar practice exist in your country?		Short description of the practice in your country, outlining similarities; differences etc. If there is no such practice, please provide a justification for this (e.g. this is not an issue; it is dealt with in other ways; it is a gap that still needs to be addressed)
		Yes	No	
1	Initiative to provide cross-border victims of crime with basic information: In May 2009, the Inter-Regional Crime Prevention working group of the <i>Grande Région</i> (LU, FR, DE, BE) published a basic information guide for victims, detailing what to do in the event one is a victim of a crime or an accident.	X		BE: Prevention working group of the <i>Grande Région</i> published a basic information guide for victims, detailing what to do in the event one is a victim of a crime or an accident.
2	Assistance to tourist victims of crime: e.g. In Ireland, the Irish Tourist Assistance Service (ITAS) is specialist service offering immediate support and assistance to tourists who are victimised while visiting Ireland. The		X	It is dealt with in the same way as Belgian citizens: Assistance to Victims Bureau (Bureau politionele slachtofferhulp –

	Service is free and confidential. ITAS is run by staff and volunteers who speak a variety of languages.			Bureaux d'assistance aux victimes)
3	Schemes for compensatory fines to help fund support services: In addition to other funding sources, several EU Member States generate money for generic victim support services through a 'Victims of Crime fund' or the like, whereby persons convicted of an offence pay a fine to help the funding of services for victims of crime (for example, in BE, LT, NL, PL & SE).	X		Persons convicted of a sentence of more than one year imprisonment must pay a fine which will contribute to fund the Commission and Fund for Financial Aid to Victims of Deliberate Acts of Violence and to Occasional Rescuers which financially supports the victims.
5	In some countries, victims can be accompanied in court by victim support services, ensuring a fuller realisation of victims' rights and helping to prevent secondary victimisation.	X		The VSS can accompany the victim in court.
6	In some countries, victims are provided with free psychosocial and legal assistance throughout the entire criminal proceedings.	X		VSS offer psychological and legal assistance throughout the criminal proceedings.
7	Some countries have legal clinics that provide free legal assistance to victims of crime.	X		In case the victim cannot afford legal assistance, he/she can benefit from primary legal assistance (first legal advice) free of charge and secondary legal assistance (legal representation) free of charge or at a reduced fee depending on their income.
8	Some countries are exploring new and innovative ways of disseminating information to victims of crime in the form of web-based material, using social media and e-support etc. e.g. In SE, the Crime Victim Compensation and Support Authority initiated web-based information site called the Trial School which uses narrators' voices, texts, photographs, films and 3D animations to explain what happens at a court trial. Victim Support Finland (RIKU) operates a mobile phone service providing advice to crime victims through automatic text messages, while in NL; the Victim Support fund has a website and a smart phone app to guide victims to support organisations.	X		Generic Victim Support Services currently do not have such interactive and innovative information dissemination system. Following a documentary made by one victim of street harassment in the streets of capital of Belgium, Brussels, the Hollaback-organisation was created. The organisation uses street marks with Cray and a mobile phone application to indicate where women were victim of street harassment. The organisation does not provide specific legal or psychological help, but works like a forum

				where one can get information and talk to other victims. ³⁵
9	Some countries have created a 'Victim's Charter' which, not a legally binding document in itself, rather aims to describe the criminal justice system to a victim of crime, setting out victims' rights and providing clear information in relation to various aspects of criminal proceedings, state agencies, victim support organisations etc. (e.g. what happens when a crime is reported; what to expect during the investigation process, which agencies are involved in providing support etc.).	X		The National Forum on victims' policy has drafted a charter for victim's fundamental rights, which is not binding. ³⁶
10	In SE referral from the police works effectively since several local BOJ victim support services operate on the same premises as the local police station which also is seen as a way to quickly identify victims. All police districts, in over 100 districts around Sweden, have a Crime Victim Emergency Service. People who have training in and experience of the issues faced by victims of crime are available at these offices.	X		The Assistance to Victims Bureau (<i>Bureau politionele slachtofferhulp – Bureaux d'assistance policière aux victimes</i>) is present at the police station and provides a first support to victims and assist with administrative or practical support. The legal basis for the support provided by police officers to victims is article 46 of the Act of 5 August 1992 on Police Services (<i>Wet op het Politieambt</i>). It provides that "police officers provide support to the victims of crimes, particularly by providing them with the necessary information." This task was further regulated by the Ministerial Circular of 9 July 1999 on Police Victim Support ("Omzendbrief OOP 15ter betreffende politie'le slachtofferbejegening").
11	The multi-disciplinary, national referral system introduced in Bulgaria with regard to trafficking might be considered a promising practice.	X		In order to ensure the support of victims of trafficking, three specialised centres were set up and funded by the federal Government, the Regions and the Communities: - Payoke in Antwerp (Flemish Region) - Pag-Asa in Brussels

³⁵ Hollaback-organisation website available at: <http://brussels.ihollaback.org/>.

³⁶ The National Forum on Victims' policy Charter for victims' fundamental rights, available at <http://www.slachtofferrechten.just.fgov.be/site/index.php?lg=fr&idPage=Fr-12>.

				<p>- Sürya in Liège (Walloon Region)</p> <p>Victims of trafficking are referred to these centres by the police authorities or by social services, offices of the public prosecutor, labour prosecutor, the Immigration Office. Victims may also contact the centres themselves. The task of the centres is to provide support to victims of trafficking in the form of:</p> <ul style="list-style-type: none"> - psychosocial and medical support - administrative support - legal support.³⁷
12	<p>As part of the National Social Roma Inclusion Strategy in HU, Roma victim support volunteers are recruited to work in the volunteer support network. There is also a network of on-site legal aid stations led by an active member of the local Roma community, while the attorneys of the organisation are available online and provide free legal advice via Skype. Their area of operation also includes legal support to victims of hate crime.</p>		X	<p>There is no such legal advice through these channels, nor are there any plans to do so.</p>
13	<p>Police forces in England and Wales have policies on dealing with repeat victimisation. An example of such a policy is the Thames Valley Police policy on repeat victimisation (drafted and audited in accordance with Human Rights Act 1998):</p> <p>Sample Extract from the policy:</p> <p>1. Rationale</p> <p>1.1 Research and organisational experience indicate that victims of crime and other incidents may be targeted for subsequent victimisation. This is particularly relevant in relation to offences of burglary, assault, domestic violence and hate crime.</p> <p>1.2 Repeat incidents often occur soon after the initial victimisation; therefore it is important to take preventative measures quickly. Likely victims must be identified</p>		X	<p>There is no special policy in place for repeat victimisation, nor are there any plans to do so.</p>

³⁷ Information available on the CEOOR website, available at: <http://www.diversiteit.be/?action=onderdeel&onderdeel=97&titel=Centres+victimes&setLanguage=1>.

	<p>immediately and subject to a targeted crime reduction initiative.</p> <p>1.3 Every victim should be asked whether they have been subject to other offences. The primary means to prevent repeat victimisation is to arrest and prosecute the offender, although other tactical options are available [...].³⁸</p>			
14	<p>Many countries have practices in place to respect the rights of victims during court proceedings, particularly with regard to their rights to privacy and protection; e.g. the trial being conducted behind closed doors; witness' testimony being taken so they do not come into contact with accused (e.g. in SI, taking of testimony using technical devices (protective screen, voice disguising devices, transmission of sound from separate premises and other similar technical devices); ban on use of images related to the victimisation; other measures undertaken by judges or prosecutors (or jury?) in respect of victims' rights? (e.g. jurors in FR swear an oath pledge not to betray the interests of the victim).</p>		X	<p>Victims may request the judge to hold the trial behind closed doors. This is explicitly provided in the law as regards the victims of certain sexual offenses, such as rape or indecent assault. The judge may also recommend conducting the trial behind closed doors in the interests of a minor, or when the protection of the private life of the parties so requires.³⁹</p> <p>In addition, all victims have the right to privacy and to protection against any violations of that right, particularly immediately after the crime took place. Persons in charge of the investigation can only pose questions that are relevant for their investigation.⁴⁰</p>
15	<p>In some countries, police, prosecutors and judges work for victim support organisations in an official capacity that forms part of their training (e.g. in Austria)</p>		X	<p>That is not the case, since they are required to be unbiased.</p>
16	<p>Other promising practices: please include any other promising practices in your country with regard to victim support and enabling victims' to exercise their rights.</p>	NA	NA	<p>There is a proposal for a bill pending in the Chamber of Representatives to establish the function of Commissioner-general for victim rights. It will be his/her task to, among others, map existing regulations and initiatives in favour of victims.</p>

2.12 Role of the victim in practice

When it comes to perceiving or conceptualising victims of crime, certain ideal types or models can be distinguished. Based on your research and responses so far, please choose one from the following 4 descriptions of the role of the victim in the criminal justice system of your country (if possible indicating the most common view of legal

³⁸ <http://www.thamesvalley.police.uk/pub-policiesandprocedures-repeat-victimisation.pdf>

³⁹ Article 190 Criminal Code.

⁴⁰ Article 28quinquies par. 3-4 and Article 57 par. 3-4 Criminal Code.

practitioners (judges, prosecutors, lawyers) in your country. (If you believe that there are different perceptions of victims depending on various types of criminal offences, please consider cases of violent crimes.):

	Please choose the most appropriate description of how the victim is perceived in the criminal justice system	Place X in the appropriate box (choose only one)	Explanation (maximum word count 200)	
1	The victim is seen essentially as a witness.			
2	In addition to 1, if the victim has suffered damage as a consequence of a criminal offence, importance is attributed to allowing the victim to claim compensation within the framework of criminal proceedings.			
3	In addition to 1 or 2, the victim is seen as a person who has suffered moral harm and therefore is in need and deserving of help.	X	A victim is seen as someone who suffered harm and thus needs various types of support. In Belgium, under the condition that certain criteria are fulfilled, victims are granted legal support, psycho-social support and financial support. The victim can choose to be a part of the criminal proceedings by adopting the quality of 'injured party', or to be part of the investigation by filing a civil complaint, thus making themselves 'civil party', capable of claiming compensation. In criminal proceedings, however, it is the public prosecutor that plays the main part in court in attempting to get justice for the victim. Victim Impact Statements do not exist in Belgian legal proceedings.	
4	In addition to 1, 2 & 3, the victim is perceived as a person whose rights have been violated by the criminal offence and who therefore is entitled to see that justice is done and, to that end, to participate in criminal proceedings.			
In the new EU Victims' Directive, the Commission refers to the varying roles of victims in criminal proceedings in each Member State as being determined by one of the following criteria. ⁴¹ With regard to the following descriptions, please choose 'yes' or 'no' for each concerning the role of the victim in the criminal justice system of your country, and provide a short explanation.				
	Description of victims' role in EU Directive	Yes	No	Explanation (maximum word count 200)
1	The national system provides for a legal status as a party to criminal proceedings;	X		Victims can take on the status of injured party or civil party which allow

⁴¹ See Recital 20 Of the Victims' Directive, p 11 (<http://register.consilium.europa.eu/pdf/en/12/pe00/pe00037.en12.pdf>).

				them to participate actively in the proceedings (see above) explanation).
2	The victim is under a legal requirement or is requested to actively participate in criminal proceedings, for example as a witness		X	The victim can choose to not actively participate.
3	The victim has a legal entitlement under national law to actively participate in criminal proceedings and is seeking to do so, where the national system does not provide for a legal status as a party to the criminal proceedings.	X		When the prosecutor decides that (s)he does not want to pursue the charges, the victim can decide to file a civil action, which will bring the case to court.

IMPORTANT:

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

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

2 Part B:

3.1 Establishment of generic victim support organisations^{*42}

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

It was in the mid-eighties that attention turned to the victims of crime. Government initiatives began, such as the Commission for Financial Aid to victims of deliberate acts of violence and occasional rescuers, established by law on 1 August 1985.

Additionally in 1985, services for victims were initiated offering psychosocial counselling (*Service d'aide aux victimes/Dienst voor slachtofferhulp*). This initiative came from a state actor, specifically the French and the Flemish Community.

Over the years, the number of victim support services has grown exponentially, offering both generic and specialised services.

⁴² Questions marked with * should NOT be answered by countries falling into category 'A' (in accordance with question 2.2.1)

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

The Commission for financial aid to victims of deliberate acts of violence and occasional rescuers can grant compensation to individuals and their relatives after suffering physical or mental damage caused by such an act of violence. The victim first has to initiate a petition for financial help, and the costs associated with the operation of the commission are borne by the state; the Federal Justice Service (FOD/SPF Justice).⁴³ In addition, every person convicted of a crime carrying more than a year jail sentence is obliged to contribute 25 EUR to this fund.⁴⁴

The initiative for psychosocial support created in 1985 is financed by the French and Flemish Communities.⁴⁵

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

In the legislation creating Services for Victim Support, the government initially wanted to provide help for victims of crime in the context of forensic welfare care. The legislation stated that the newly recognised services would offer early help, guidance or re-integration, and could also specialise in victim support. Victim support was described as the material, moral and psychosocial help to people, victims of crime, and their relatives and surroundings. With the re-organisation of welfare services in the nineties, the entire structure changed; victim support became part of the Centre for General Welfare Care.

Also in the nineties, a large reform movement took off, aiming to recognise and improve the position of the victim in criminal proceedings happened, following the horror of the Dutroux affair (Belgian children sexual abuse scandal). Several recommendations were published by a Parliamentary Commission.⁴⁶

3.1.4 Quality standards

	Yes	No	Description (max 3-5 sentences)
Do formally adopted key performance indicators exist in relation to the quality of services provided by generic victim support services? If yes, please describe them.	X		Criteria and procedural guarantees for recognition and subsidization of non-governmental VSS exists. They must either carry out certain tasks and respect certain principles enacted by the law, or meet certain criteria regarding staff training, activities and professionalism. In any case they must file an application for recognition with an official notice, respectively at the

⁴³ Belgium, the Act concerning the organisation of an integrated police service structured on two levels (*Lor organisant un service de police intégré, structuré à deux niveaux, Moniteur Belge 5 janvier 1999*), 7 December 1998.

⁴⁴ Belgium, Decree concerning Social Support to Litigants (Décret relative à l'aide sociale aux justiciables, M.B. 15 aout 2001), 18 July 2001, http://www.droitsdesvictimes.just.fgov.be/site/victimeFr/images/Fr_leg_34.pdf.

⁴⁵ Belgium, Ministerial Circulaire 15ter regarding Police Victim Services (*Ministeriële richtlijn OOP 15ter van 9 juli 1999 betreffende de politie slachtofferbejegening*), 9 July 1999.

⁴⁶ Belgium, Law on the Police Services (*Wet op de politieambt*), 5 August 1992.

		Ministry for Welfare, Health and Family, or at the Ministry of Justice. ⁴⁷⁴⁸
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3.2 Personnel (professional staff and volunteers)*:

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

Country	Name of organisation	Professional staff		Volunteers		
		# staff	hours contracted per week	# volunteers	hours contracted per week	Value of volunteer work
BE	Centrum Algemeen Welzijnswerk	1718 ⁴⁹	+/- 37			

⁴⁷ Belgium, Decree concerning Social Support to Litigants (Décret relative à l'aide sociale aux justiciables, M.B. 15 aout 2001), 18 July 2001, http://www.droitsdesvictimes.just.fgov.be/site/victimeFr/images/Fr_leg_34.pdf.

⁴⁸ Belgium, Decree concerning the general welfare (*Décret relative à l'aide sociale générale*, M.B. 17 février 1998) 19 December 1997; Belgium, Order of the Flemish government to implement the Decree concerning the general welfare (*Arrêté du gouvernement Flamend portant exécution du décret du 19 décembre 1997 relatif à l'aide sociale générale*, M.B. 17 novembre 2001), 12 October 2001.

⁴⁹ www.caw.be/werken-bij-het-caw

3.3 Services provided by the state:

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

Services provided to victims by the state (free of charge)	Yes	No	Description
a Free legal advice by courts or free legal assistance	X		The state can offer free legal advice to all (primary legal aid), and when the victim fall under specific criteria, the victim can receive full free of charge legal representation or at a reduced price (secondary legal aid).
b Free health/psychological assistance (e.g. crisis intervention centres)	X		This is provided for on a national and regional level.
c Emergency financial assistance	X		The victim can apply for emergency financial assistance to the Commission and Fund for Financial Aid for the Victims of intentional acts of violence and occasional rescuers.
d Court accompaniment/support services	X		The victim support services can accompany the victim to court.
e Other (specify)		X	None.

3.4 (Failed) Attempts to establish national generic victim support service provider**50

Please describe whether there has ever been any attempt to establish a generic victim support service organisation in your country, specifying the year in which it was established and who attempted it (i.e. state or non-state actor). Why did it not succeed? If you cannot identify such an attempt, please explain the absence of the establishment of such an organisation (historical reasons etc.) and identify whether there is any discussion at government level/media etc. concerning the need to establish/improve services for victims.

Max 250 words

(NOT RELEVANT TO BELGIUM)

E.g. For example, in Latvia, the absence of victim support services during the soviet period may explain the slow realisation about the needs and rights of victims of crime. Moreover, since the restoration of independence in 1991 Latvia has neither had a strong women's movement nor victim support movement which may also explain lack of state funded support services for victims of domestic violence and other groups of adults, victims of violence.

⁵⁰ **This question should ONLY be answered by countries falling into category 'A' (in accordance with question 2.2.1).

Annex 1 – Country codes

Code	Name of country
AT	Austria
BE	Belgium
BG	Bulgaria
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
EE	Estonia
EL	Greece
ES	Spain
FI	Finland
FR	France
HR	Croatia
HU	Hungary
IE	Ireland
IT	Italy
LT	Lithuania
LU	Luxembourg
LV	Latvia
MT	Malta
NL	The Netherlands
PL	Poland
PT	Portugal
RO	Romania
SE	Sweden
SI	Slovenia
SK	Slovakia
UK	United Kingdom

Annex 2 –list of generic victim support organisations by country

	Name/short description of organisation(s)
AT	In every of Austria's nine provinces (<i>Bundesländer</i>), branches of national organisations and local victim support organisations are operative. Weisser Ring (NGO) is currently the largest general victim support organisation operating in Austria. Today, the White Ring operates out of a federal office in Vienna and nine branches in all Austrian provinces, as well as 14 representation offices at regional level.
BE	<ul style="list-style-type: none"> - At the federal level: Victims Reception Service (<i>Dienst Slachtofferonthaal - Service d'accueil aux victimes</i>): each Office of the Public Prosecutor has a victim reception service which employs 'judicial assistants' in order to support victims through the courts and the public prosecution. - Victim Support Services (<i>Services d'Aide aux Victimes-Slachtofferhulp</i>) provide assistance to victims of offences or facts qualified as offences at the regional level (Communities). - Nationaal Forum voor Slachtofferbeleid – National Forum for Victim Support Policy: was established in 1994 by the Ministry of Justice. They compile an inventory of regulatory initiatives, try to strengthen the position of the victim in the judicial procedure and draft a charter for victim rights. - The Commission and Fund for Financial Aid to Victims of Deliberate Acts of Violence and to Occasional Rescuers: financial support to victims. <p>Community competence:</p> <ul style="list-style-type: none"> - Flanders: Centre for Support to Victims of Crime (<i>Dienst Slachtofferhulp</i>); Centre for General Welfare Work <i>Centrum voor Algemeen Welzijnswerk</i>. - Walloon region: Centres for Help to Victims of Crime (<i>Service d'Aide aux Victimes</i>).
BG	
CY	The Social Welfare Services which is the only umbrella service providing support to various victim "groups", the rest of the initiatives are targeted on specific victim "groups" and are under the non-governmental sector. However, the services provided by the SWS are targeted mainly towards victims of domestic violence and victims of trafficking.
CZ	The Probation and Mediation Service ("PMS"); the White Circle of Justice
DE	The largest volunteer victim support service (operating nationwide) is the Weisser Ring e.V. In Berlin, Hamburg, Lower Saxony, Saxony, Mecklenburg-Western Pomerania and Hesse independent victim support charities (Opferhilfe e.V) run local offices. A nationwide coverage of professional victim support services does not exist, although a number of the professional support services are organised under the auspices of the umbrella organisation Working Group of Victim Support in Germany 'ado'. In many states (Bavaria, Baden-Württemberg, Bremen, Saarland, Rhineland-Palatinate, Saxony-Anhalt, Schleswig-Holstein and Thuringia) generic professional victim support services as described above do not maintain offices. Here volunteer support services fill this gap.
DK	The Victim Support in Denmark (VID) (Offerrådgivningen, OID). The general victim support service in Denmark consists of 33 different general local entities with VID as their umbrella organisation.
EE	The citizen-initiated Union of Support to Victims of Crime "Victim Support" (Kuriteoohvrite Toetamise Uhing "Ohvriabi"), founded in 1994. It is still the only organisation that provides support to victims of crime in general, without specialisation to any type of victim group.
EL	

ES	The management of the Offices for Support to Victims of Crimes (Oficinas de Asistencia a las Víctimas de Delitos, OAV) is the responsibility of regional governments having the Spanish government used the ability to "set up management agreements entrusted with the Autonomous Communities and local Corporations". In Spain, these are the only victim support services that can be considered to have a generic character because of dealing with many sorts of victims particularly since this very year.
FI	In 1994, Victim Support Finland (Rikosuhripäivystys / Brottsofferjouren) began its activities. It was the first organisation to offer victim support services and still is the only organisation providing services to victims of various different types of crimes, as most other third sector actors specialise in providing assistance to certain specific victim groups.
FR	The National Institute for Victims and Mediation (L'Institut national d'aide aux victimes et de médiation, INAVEM) was established in 1986 to promote greater coherence and activity for victim support services. Since June 2004, the INAVEM has had the status of federation, representing member associations (www.inavem.org.). Services for victims (services d'aide aux victimes, SAV) are members of the INAVEM. 150 associations are adherents to the INAVEM and provide psychological, logistic, financial and legal support to victims.
HR	County Court level: There are special departments for victim and witness support (Odjeli za organiziranje i pružanje podrške svjedocima i žrtvama), established at the following seven county courts as part of the court administration: Zagreb, Split, Rijeka, Osijek, Zadar, Vukovar, Sisak. Special departments provide victim and witness support in trials for all criminal offences.
HU	Metropolitan and county offices of the Victim Support Service. There are also a few NGOs that operate in the field of victim support. The White Ring Association is specialised in assisting victims of any crime and it provides similar services as the state agency, however the scope of its activities is rather limited due to financial burdens
IE	Various non-governmental victim support organisations – e.g. the Federation for Victim Assistance (10 branches); Support After Crime Services; ITAS.
IT	
LT	
LU	In Luxembourg there are few generic victim support organisations, as typically, each organisation is tasked with clear missions and has clear responsibilities. They are two; Waisse rank Service d'aide aux victimes du parquet general. Other organisations offer assistance to victims of a particular type of violence.
LV	
MT	Victim Support Malta (VSM).
NL	Victim Support Netherlands (VSN) (<i>Slachtofferhulp Nederland</i> , SHN).
PL	Support Network for Victims of Crimes (consisting of 16 regional support centres); social welfare centres (<i>ośrodki pomocy społecznej</i>), crisis intervention centres (<i>ośrodki interwencji kryzysowej</i>) or the support centres (<i>ośrodki wsparcia</i>), which offer support for people in various crisis situations.
PT	Portuguese Association for Victim Support (<i>Associação Portuguesa de Apoio à Vítima</i> , APAV) - 15 victim support offices located throughout the country.
RO	
SE	The Swedish Association for Victim Support (<i>Brottsofferjouernas Riksförbund</i> , BOJ) is the national umbrella organisation for victim support services with about 100 local victim service centres in Sweden.
SI	
SK	Non-governmental organizations are virtually the only active players in the field of victim support services. <i>Pomoc obetiam násilia</i> is the leading victim support service provider.

UK	Victim Support (England and Wales) Victim Support (Scotland) Victim Support (Northern Ireland)
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Annex 3 –list of specialised areas of victim support chosen in phase 2 (for countries with no generic victim support organisations)

BG	Domestic violence and stalking and trafficking in human beings.
EL	Domestic violence and stalking and trafficking in human beings.
IT	Trafficking in human beings and sexual abuse of children
LT	Domestic violence and stalking and trafficking in human beings.
LV	Sexual abuse of children and stalking and trafficking in human beings.
RO	Sexual abuse of children and stalking and trafficking in human beings.
SI	Domestic violence and stalking and trafficking in human beings.