

**FRANET**

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

**Czech Republic, 2014**

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## 2. 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.<sup>1</sup> 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one of the examples provided, please review and revise the information as necessary, as the information provided may be outdated.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)
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		According to the Czech Police headquarters, in cases where violent partners have been banned from the home under a protection order (§ 44 – 47 of the Law on the Police of the Czech Republic, No. 273/2008), a police officer informs the endangered person of the psychological, social and other services available for victims of domestic violence. A copy of the protection order is sent to the relevant intervention centre within 24 hours of the protection order.

<sup>1</sup> 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](http://www.apav.pt/vine/images/report_vine_eng.pdf)).

		b. If yes, please name the service(s)	-	-	Intervention centres under § 60a of the Law on Social Services (No. 108/2006).
		c. Do the police routinely contact this service on behalf of the victim?	x		In cases of domestic violence, intervention centres are contacted routinely, as stipulated in the above-mentioned Law on the Police of the Czech Republic.
		d. Which support service would in the end deal with such a case?	-	-	Intervention centres have been set up in every region of the Czech Republic. The nearest intervention centre in the region usually deals with the case.
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	Since July 2010, a psychological and crisis intervention system has been set up within the Czech Police. Children who are victims of intentional crimes are among the target groups to which the team of police psychologists provides help. Referral to a specialised support service may be part of the counselling (i.e. referral is not done routine). The new Law on Victims of Crime (No. 45/2013), effective as of 1 August 2013, requires that the police provide information to the victim on available victim support services.
		b. If yes, please name the service(s)	-	-	In August 2010, the Czech Police concluded an agreement with Bílý kruh bezpečí (White Circle of Justice) an NGO providing victim support, on the referral of victims. This agreement applies mainly to crimes resulting in death or serious bodily injury, and to rape. However, according to the Police headquarters, victims are in practice referred in cases of deep traumatisations. Police may also refer to other services (operating in the relevant regions).
		c. Do the police contact this service on behalf of the victim?	x		Yes, with the consent of the victim.
		d. Which support service would in the end deal with such a case?	-	-	Bílý kruh bezpečí or another victim support service operating in the relevant regions

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	Only in case of specific types of victims – children, elderly, disabled, at risk of social exclusion.
		b. If yes, please name the service(s)	-	-	In the above-mentioned cases, the referral would be to the Bílý kruh bezpečí or service providers in the relevant regions.
		c. Do the police contact this service on behalf of the victim?			Yes, with the consent of the victim.
		d. Which support service would in the end deal with such a case?	-	-	Bílý kruh bezpečí or service providers in the relevant regions.
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	Victims of hate crime are among the target groups to which the team of police psychologists provides help. See also 2.a.
		b. If yes, please name the service(s)	-	-	Bílý kruh bezpečí or service providers in relevant regions.
		c. Do the police contact this service on behalf of the victim?			Yes, with the consent of the victim.
		d. Which support service would in the end deal with such a case?	-	-	Bílý kruh bezpečí or service providers in relevant regions.
5	An elderly person is mugged on the way home from collecting their monthly pension and is in urgent need of financial	a. Do the police routinely refer the victim to a support service?			The elderly are among the target groups to which the team of police psychologists provides help. See also 2.a.
		b. If yes, please name the service(s)	-	-	Bílý kruh bezpečí or service providers in relevant regions.
		c. Do the police contact this service on behalf of the victim?			Yes, with the consent of the victim.

	assistance	d. Which support service would in the end deal with such a case?	-	-	Bílý kruh bezpečí or service providers in relevant regions.
<b>6a</b>	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.				According to the new Law on Victims of Crime (No. 45/2013), effective from 1 August 2013, victims with disabilities are considered “particularly vulnerable victims”. If they submit a request not to be confronted with the perpetrator in criminal proceedings, or to be interrogated or provided with interpretation by a person of a particular sex, the police must accommodate such a request. Interrogation must be conducted in a sensitive manner, by persons who are specifically trained and in such a way as to make no repetition necessary. Particularly vulnerable victims are entitled to legal representation free of charge or for reduced rates.
<b>6b</b>	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.				According to the new Law on Victims of Crime (No. 45/2013), effective from 1 August 2013, victims with disabilities, as particularly vulnerable victims, must receive professional assistance free of charge without undue delay.
<b>7a</b>	In relation to how police deal with victims, are there special measures in place for victims who are migrants with illegal residency status <sup>2</sup> ? If yes, describe them. If no, please provide a justification/explanation.				According to the Police headquarters, there are no special measures for victims who are migrants with illegal residency status. These victims may avail themselves of the status of “particularly vulnerable victim”, as defined in § 2, section 4 of the Law on Victims of Crime, i.e. if they are children, persons with disabilities, victims of trafficking in human beings, victims of crime against human dignity concerning sexuality, or crimes that included violence, if there is a danger of secondary victimisation with regard to the person’s age, sex, race, nationality, sexual orientation, religion, health status, intellectual maturity, ability to express him/herself, life situation or relationship to the suspect perpetrator. Measures are described in para 6a.

<sup>2</sup> Please note that 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.’

<b>7b</b>	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 <sup>3</sup> ? If yes, describe them. If no, please provide a justification/explanation.		x	Neither the Bílý kruh bezpečí nor the Probation and Mediation Service has adopted any special measures for migrants with illegal residency status.
<b>7c</b>	Are migrants with illegal residency status excluded from accessing support from victim support organisations in practice?		X	The Bílý kruh bezpečí, as well as the Probation and Mediation Service, also provides support for victims with illegal residency status.
<b>8</b>	Is access to victim support services dependent on a victim making a formal complaint to competent authorities (e.g. the police)?		X	Neither the Bílý kruh bezpečí nor the Probation and Mediation Service makes provision of its services conditional on a victim making a formal complaint to the competent authorities.
<b>9</b>	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	Neither the Bílý kruh bezpečí nor the Probation and Mediation Service provides preferential treatment to victims who have agreed to cooperate with the police.
<b>10a</b>	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? <sup>4</sup>		x	According to the Czech police headquarters, automatic transfer of the victim's data is only possible in cases of domestic violence when there is a person in danger (the endangering person having been banished from the household (see question No. 1). In other cases, transfer of victims' data is only possible on the basis of the free and voluntary written consent of the victim.
<b>10b</b>	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 are obliged to obtain the victim's consent in all cases.

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<sup>4</sup> 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.

10c	Is there a legal basis for the communication/transfer of the victim's data? What is it?	X	The legal basis for the communication/transfer of a victim's data is the Code of Criminal Procedure (No. 141/1961). § 8a is a general rule on the confidentiality of information in criminal proceedings. In the "preparatory phase" of criminal procedure, information on the identity of the victim is strictly confidential (may not be published). Criminal prosecuting authorities may communicate victims' data only with their explicit consent (§ 8d, section 2), or if it is necessary in order to fulfil legal rights and obligations (§ 8b, section 1).
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## 2.2 Institutional aspects: role of state in victim support structure

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

### 2.2.1 Models of generic victim support

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

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

**B: At least one generic victim support service provider exists at national level. The main provider or structure is state run and state funded**

**E (OTHER) – if you cannot place your country in any of the other categories, please describe**

CZ

**Explanation/justification:**

Under the new Law on Victims of Crime (No. 45/2013), effective as of 1 August 2013, Probation and Mediation Service centres will be listed *ex lege* in the newly-established Register of Victim Support Providers, administered by the Ministry of Justice. The Probation and Mediation Service has 74 centres, each at the seat of a district court. All other victim support services, such as the Bílý kruh bezpečí, will have to receive *accreditation* from the Ministry of Justice in order to be included in the Register of Victims Support Providers. The adoption of the Law on Victims of Crime is the culmination of a slow change in victim support services and their support by the government. Originally, the Bílý kruh bezpečí, a mainly state supported NGO, was (and still is) the major provider of complex services (legal, psychological and social) for victims of crime, with 9 offices across the Czech Republic. In 2011, the Probation and Mediation Service started to enhance its services for victims with a project called “Restorative justice”, described in Phase II of the FRA VSS study (Czech Republic). Bílý kruh bezpečí is a respected victim support service provider with a 20-year tradition, well known by the police as well as the general public. In terms of the complexity of its services, professional background and dedication of its volunteers, Bílý kruh bezpečí is certainly the leading victim support provider. The Probation and Mediation Service takes the lead in terms of the number of offices (74 centres) and staff (430 employees) as well as budget (8.6 mil. EUR). However, we must keep in mind that for the Probation and Mediation Service, victim support is only one task among others and that the PMS must (*ex lege*), work with perpetrators and their reintegration into society. For these reasons the Czech Republic has moved from group A to group E.

**Additional notes:**

Indeed, the BKB is a generic victim support service – its services are not limited to a particular group of victims, even though referral from the police is not done in all cases. As for the PMS, though the two functions included in one organisation – support to perpetrators and at the same time support to victims – are noteworthy, it is clearly intended by the lawmaker that the PMS acts more as a victim support service than it has acted until the adoption of the Law on Victims. The intent of the lawmaker can be assumed from the fact that the PMS does not have to receive any accreditation and is automatically part of the Register of victim support services.



## 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
CZ	X		X	X		Ministerstvo spravedlnosti (Ministry of Justice), Ministerstvo práce a sociálních věcí (Ministry of Labour and Social Affairs), Ministerstvo vnitra (Ministry of Interior).
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.						
CZ	<p>The Ministry of Justice has drawn up the Law on Victims of Crime (45/2013), effective as of 1 August 2013; from the date of its effectiveness, it will act as administrating body for the Register of Victim Support Services.</p> <p>The Ministry of Labour and Social Affairs provides funding for the provision of social services. The major victim support organisation – Bílý kruh bezpečí – operates as social service provider (e.g. in 2011 it received more than half of its funding from this ministry).<sup>5</sup></p> <p>The Ministry of the Interior has a role in crime prevention; it provides funding for NGOs active in domestic violence, violence against children and trafficking in human beings (see also Phase I of the FRA VSS study, Czech Republic).</p>					
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.?)						
CZ	Support for activities of victim support services is stipulated in § 38 of the Law on Victims of Crime (No. 45/2013).					

<sup>5</sup> Annual report of the Bílý kruh bezpečí, available online: [www.bkb.cz](http://www.bkb.cz).

### 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	6 mil CZK (EUR 240 000)
b Paid out by the state for compensation	6.412.036 CZK (EUR 256 000)
c Budgeted by the state for generic victim support services (i.e. services not restricted to a particular category or categories of victims)	Generic victim support services are mainly financed as "social services". There are several types of social services provided to various target groups by almost 5 000 providers. Victim support services (in current practise mainly the BKB) may apply for funding as part of this massive amount of providers. It is not possible to say what was the extent of funding "budgeted" for victim support services under the funding of social services.
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.	3 316 000 CZK (EUR 132 640)
e Paid out by the state for generic victim support services (i.e. services not restricted to a particular category or categories of victims).	2 768 000 CZK (EUR 110 720) – subsidies paid by the Ministry for Labour to the Bílý

			kruh bezpečí.
f Paid out by the state for specialised victim support services (i.e. services restricted to a particular category or categories of victims; such as child victims or victims of human trafficking). In addition, please name the specialised victim support services that received state funding.			1 950 000 CZK (EUR 78 000) – subsidies and public procurement by the Ministry of the Interior
<b>Reimbursement by the state of expenses incurred</b>	<b>Yes</b>	<b>No</b>	<b>Comments</b>
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		Subsidies provided by the Ministry of Labour and Social Affairs serve to reimburse the organisation for the provision of social services. Subsidies cover personal and operational costs.
i If the answer to h is 'yes', please specify whether the organisation is reimbursed regardless of the victim's nationality (yes or no) and provide a short explanation in the comments field. More specifically, is a difference made between reimbursement for support provided to a) country nationals; b) EU country nationals and c) third country nationals?	x		The victim's nationality makes no difference to the level of reimbursement.
j Further to question i, is the organisation reimbursed for providing support to victims with illegal residency status? Please provide a short explanation under 'comments'.	x		The victim's nationality makes no difference to the level of reimbursement.
k Are there any factors that would discourage the victim support organisation in practice from supporting third country nationals? Please specify under comments.		x	

#### 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.	134
b Received compensation from state sources.	67
c Approached generic victim support services (i.e. services not restricted to a particular category or categories of victims)	Bílý kruh bezpečí, 2011 (data for 2012 are not available yet): 7 662 (all types of contact: personal, phone, in writing). Probation and Mediation Service: offered support to 4 900 clients in 2012.

<p>d Approached specialised victim support services (i.e. services not restricted to a particular category or categories of victims)</p>	<p><b>La Strada Czech Republic (help for persons endangered by trafficking in human beings) – 601 clients in 2012. Supported by an Interior Ministry programme(prevention of domestic violence): 233 clients.</b></p> <p>This programme aims to support organisations who focus on prevention of domestic violence, in line with the government action plan against domestic violence.</p> <p><b>Statistics of domestic violence intervention centres: 1118 clients in 2012. Intervention centres have also other sources of funding.</b></p>
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### 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		Kuchta, J., Válková, H. a kol. (2005): <i>Základy kriminologie a trestní politiky</i> (The basics of criminology and penal politics), Prague, C. H. Beck.	This publication has a broader context of criminology. It describes under reporting of crime as a phenomenon of crime latency.
Other national studies related to victims of crime	x		Vitoušová, P. (2010): <i>Pomoc obětem kriminality v České republice</i> (Helping victims of crime in the Czech	Handbook for victims of crime – how to report a crime, what are the rights of victims in criminal proceedings, how to apply for compensation, how to act as a

(specify)			Republic), Prague, Bílý kruh bezpečí	witness in court.
			Koubek, M. (2011): <i>Sexuálně zneužívané děti</i> (Sexually abused children), Prague, Bílý kruh bezpečí	Handbook for general public – what is the current state regarding sexual abuse of children in the Czech Republic, short case studies, what are the obligations of institutions, applicable criminal law provisions, psychological impacts of sexual abuse, where to look for help.
			League for Human Rights (2008): <i>Jak si poradit v pozici oběti trestného činu</i> (What to do if you are a victim of crime), Brno, League for Human Rights.	Legal handbook – rights of victims, their role in criminal proceedings, compensation rights. The handbook contains a list of victim support organisations and model examples of legal submissions. Available at: <a href="http://lp.cz/publikace/jak-si-poradit-v-pozici-obeti-trestneho-cinu/">http://lp.cz/publikace/jak-si-poradit-v-pozici-obeti-trestneho-cinu/</a> .
			Blatníková, Š.: (2010): <i>Sexuální zneužívání jako forma závažné organizované kriminality</i> (Sexual exploitation as a form of serious organized crime), Prague, Institute for Criminology and Social Prevention.	Academic study mapping, describing and analysing cases commercial sexual exploitation as a form of organised crime. The study analysed 19 organized criminal groups in cases of trafficking in children, child prostitution and child pornography. Available at: <a href="http://www.ok.cz/iksp/docs/378.pdf">http://www.ok.cz/iksp/docs/378.pdf</a> .
			Ministry of the Interior (2008) “Novináři o oběti trestných činů” (Journalists and victims of crime), Prague, Press office of the Ministry of the Interior.	A guide for journalists on the reporting of victims of crime, produced together with the Bílý kruh bezpečí.

## 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.

	EXAMPLE: AUSTRIA	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	X		Pomoc obětem kriminality (Help for crime victims) – Bílý kruh bezpečí. The helpline is non-stop:

	who runs it, contact phone number etc.) under 'Comments'.			+420 257 317 110.
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		
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 all victims, including burglary and theft.
6	Is the helpline state run (if no, describe the non-state actor(s) who runs it under 'Comments')		X	Bílý kruh bezpečí
7	Is the helpline funded by the state?	X		Yes, the state funds 90% of the costs of the helpline.
8	Is the international EU victim support telephone number 116-006 available? <sup>6</sup> If no, provide a justification and/or specify whether plans to implement this are underway.		X	According to the information provided by the Ministry of Justice, the ministry is not working on the introduction of the EU victim support number.
		<b>Comments</b>		
9	Please give a brief description (1-2 sentences) of the services provided by the helpline.			The helpline provides professional social counselling, as well as legal counselling for victims of crime. It is run as "phone crisis helpline", which is a legal term for a type of social service.
10	What was the operational budget (in EUR) for the helpline in 2012? Please specify under 'Comments'			2 430 000 CZK (EUR 97 200)
11	How many people were employed to run the helpline in 2012?			26
12	What form(s) does the helpline take? E.g. just phone-line; email, web forum, walk-ins			If needed, a whole range of services may follow – personal counselling, short-term therapy, guidance in criminal proceedings, weekend therapeutical sessions, financial help provided by a private foundation.
13	Of the possible ways to access the helpline, what is the most frequently used by persons contacting the helpline?			Media and internet.
14	Who operates the helpline? (e.g. Professional staff such as psychologists or lawyers; volunteers etc.)			Operators have to be at least high school graduates, and they also receive 150 hours of accredited training designed especially for those aiming to work for this helpline. Most of the operators have a university degree.

<sup>6</sup> 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.

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'.	2505 phone calls and 21 text messages in 2011.
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## 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		§ 8, section 1/b of the Law on Victims of Crime.
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 obliged to provide information on the right to receive financial aid from the state (§8, section 1/g of the Law on Victims of Crime). The obligation to provide information on compensation lies with victim support organisations (§ 9/c of the Law on Victims of Crime).
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		(§8, section 1/e of the Law on Victims of Crime
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		§2, section 14 of the Criminal Procedure Code stipulates the right of every person who does not speak Czech to use his or her mother tongue or the language he or she speaks. The new Law on Victims of Crime (No. 45/2013) will broaden the right to interpretation for victims; however, certain information will not be translated (the final judgement), or be only translated if it "is possible".
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		This information is provided at the request of the victim - § 11, section 1/a of the Law on Victims of Crime.
	(b) the time and place of the trial, and the nature of the charges.	x		§ 198, section 2 of the Criminal Procedure Code
	(c) any final judgment in a trial	x		§ 11, section 1/a, 2 of the Law on Victims of Crime – this information is available at the request of the victim.

## 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 to 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		<p>All police officers undergo basic vocational training, where they learn how to communicate with victims of crime. Specific groups of police officers (e.g. specialists in the criminal police) for contact with victims of particular crimes (domestic violence, sexual offences) or people who are disadvantaged in terms of age (children and adolescents). The police also currently has a team of police psychologists/tutors who work in the system of victim assistance and train crisis intervention specialists among members and employees of the Czech police force who provide victims of crime with initial and acute psychological help.</p> <p>A prescribed number of hours working with organizations providing assistance to victims does not form part of police officer training. Many policemen, however, also work as volunteers in various non-profit organizations providing assistance to victims of crime.</p>
2	Prosecutors	x		<p>Training sessions for prosecutors are carried out by the Justice Academy, and focus among other things on the topic of crime victims. Prosecutors have also been partners in the project "Restorative justice – support and counselling for victims of crime", together with the Probation and Mediation Service and the Association of Civic Counselling Centres. In 2012, the Justice Academy organised several seminars focusing on criminal law, looking at victims of crime among other issues.</p>



3	Judges	x		Training sessions for judges are carried out by the Justice Academy; these training sessions are focus on the topic of crime victims among other issues. In 2012, the Justice Academy organised several seminars focusing on criminal law, looking at victims of crime among other issues
4	Court staff	x		The same information applies as for judges.
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		<b>The Police</b> cooperate with various organizations providing assistance to victims of crime. These organizations are also involved in the training of police officers. In 2010 organisations such as the Bílý kruh bezpečí participated in the training of police psychologists/tutors to help the victims. <b>The Probation and Mediation Service</b> cooperates with external agencies and experts who work with victims of crime and have long-running practical experience in the field of working with victims of crime. Cooperation consists of consultations on preparing the content and form of training in hiring these experts as professional trainers as part of our educational system. For the training organized by the <b>Judicial Academy</b> , experts in the field are invited to some of the seminars They include representatives of organizations providing assistance to victims of crime. However, there is no fixed number of hours allotted to working with these organizations; it takes the form of occasional cooperation in the form of lectures.
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		The expert staff of the <b>Probation and Mediation service</b> are in daily contact with organizations that provide assistance to victims of crime, discussing individual cases. They also have the opportunity for internships at these organizations. The Probation and Mediation Service also draws inspiration and experience from abroad, thanks to cooperation with probation services in Europe and overseas, and with organizations dedicated to the implementation of programs of restorative justice. Staff at the Bílý kruh bezpečí have to undergo 150 hours of accredited training – phone crisis intervention, domestic violence, criminal proceedings, civil

				proceedings, victimological aid, and service quality standards.
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	-

## 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)?	According to the Law on Victims of Crime (No. 45/2013), § 2, section 2: "A victim of a crime is a natural person who has suffered (or allegedly suffered) injury to his or her health, damage to his or her property or non-proprietary loss, or to whose detriment the perpetrator has enriched him/herself.
2	Is there a separate definition of 'vulnerable victims' (as separate from the main or generic definition of 'victim')?	Yes. § 2, section 4 of the Law on Victims of Crime, stipulates that "particularly vulnerable victims are: children, persons with disabilities, victims of trafficking in human beings, victims of crime against human dignity with regard to sexuality, or crimes that included violence, if there is a danger of secondary victimisation with regard to the person's age, sex, race, nationality, sexual orientation, religion, health status, intellectual maturity, ability to express him/herself, life situation or relationship to the suspected perpetrator.
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?	This is so only in the event of the death of the victim and does not apply to all "family members" – only direct descendants and predecessors are included, plus brothers and sisters, spouses, registered partners and de facto partners (if de facto partners are considered next of kin). First responders are not included.

### 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		Victims may file complaints in cases when the prosecutor decides to discontinue the case (§ 171 and 172 of the Criminal Procedure Code). Complaints must be submitted within 3 days of the date that the decision was announced.

Who undertakes this review?			Superior public prosecutor or the court. Complaints are always submitted to the relevant body that decides the matter (police or public prosecutor). In case this body does not accommodate the complaint, it then goes to the superior body (which is the public prosecutor for complaints to the police, the court or superior public prosecutor for complaints to the public prosecutor). These are always courts or prosecutors in the relevant district/region.
Does the victim have the right to institute private prosecution in cases where the prosecutor drops charges? If yes, under what circumstances?		x	-
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.

Czech Republic	Yes	No	Comments (Max word count 80 words)
Do victims have a right to be heard during criminal proceedings?	X		Victims also have the right to view criminal files, participate in negotiations regarding the guilty plea and punishment, to take part in the main hearing and to express their views before the criminal matter is finished.
Do victims have a right to supply evidence during criminal proceedings?	X		The right of a victim to provide evidence is stipulated in § 43, section 1 of the Criminal Prosecution Code.
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		Every victim has the right to request that he or she is questioned in a protected manner – in the case of vulnerable victims (as defined above), the authorities are obliged to accommodate such a request (§ 17 of the Law on Victims of Crime). To prevent visual contact, the usual means are those using video technology (§ 20, section 4, of the Law on Victims of Crime), if possible.

### 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	
2	Is there a separate waiting area for victims at court?		x	Such spaces currently do not, for the most part, exist at each court (though the right exists, the rooms have not been built in all courts as it depends on finances etc.) However, one of the rights that the new Law on Victims of Crime provides for victims is the right to protection from secondary victimization. Measures aiming to reduce the risk of secondary victimization resulting from law enforcement procedures, include prevention of direct contact between the victim and the suspect. If the victim is particularly vulnerable, the competent authority shall grant the request, with the only exception regarding the nature of the act being performed (e.g. confrontation). Even in these exceptional cases, it is necessary to ensure there is no contact prior to the operation and beyond. The need to prevent contact before and after the act of criminal procedure is best met by the use of separate waiting rooms for victims in court buildings and buildings of other criminal prosecuting bodies. These are being created in some courts, but their implementation is dependent on the financial possibilities of the state.
3	Is special seating reserved for victims at	x		The victim of crime, if he or she has a procedural position within criminal

	trial?			proceedings as the injured party, is seated next to the public prosecutor. Viewed from the judges' table, this is on the right side, in front of the podium. If there is not enough space, victims will be seated at a special table next to the prosecutor's table § 41, section 2 of the Instruction of the Ministry of justice No. 505/2001-Org, Inner and office rules of procedure).
4	What other services are available?		x	The courts alone do not organize or offer services for victims of crime. They do, however, cooperate with trustees, representatives and other persons providing advice and support to victims, within the framework provided by the legislation.
5	Who provides the services (e.g. professional or specialised staff; volunteers etc)?	NA	NA	
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?	NA	NA	
7	Do they provide advice to judges with respect to the the safety, physical and psychological well-being, dignity and privacy of victims?	NA	NA	
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		This right has been newly established by the Law on Victims of Crime (No. 45/2013) and will be effective as of 1 August 2013, § 21.
10	Can victims access & copy trial records	x		Yes - § 65, section 1 of the Criminal Procedure Code (No. 141/1961).

### 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)
	Place X in appropriate column		X		
1. Free legal advice	Comments:		Free legal advice and representation is available to: 1. Victims, who, as the injured party, have submitted a compensation claim and who certify that they do not have enough financial resources to cover the costs (§ 51a, section 1 of the Criminal Procedure Code) 2. Certain categories of victims (even if they have not submitted a compensation claim) who certify that they do not have enough financial resources to cover the costs: - particularly vulnerable victims (see 2.6.1., para 2), - victims who have suffered severe bodily injury as a result of intentionally committed crime, - survivors of victims who have died (§ 51a, section 1 of the Criminal Procedure Code, effective as of 1 August 2013).		

<b>2. Free legal representation</b>	Place X in appropriate column		x		
	Comments:		Free legal advice and representation is available to: 1. Victims, who, as the injured party, have submitted a compensation claim and who certify that they do not have enough financial resources to cover the costs (§ 51a, section 1 of the Criminal Procedure Code) 2. Certain categories of victims (even if they have not submitted a compensation claim) who certify that they do not have enough financial resources to cover the costs: - particularly vulnerable victims (see 2.6.1., para 2), - victims who have suffered severe bodily injury as a result of intentionally committed crime, - survivors of victims who have died (§ 51a, section 1 of the Criminal Procedure Code, effective as of 1 August 2013).		
<b>3. Exemption from court fees</b>	Place X in appropriate column	x			
	Comments:	No court fees apply within criminal procedure.			
<b>4. Exemption from or reimbursement for expenses related to interpretation and/or translation</b>	Place X in appropriate column				x
	Comments:				§2, section 14 of the Criminal Procedure Code stipulates the right of every person who does not speak

					<p>Czech to use his or her mother tongue or the language he or she speaks. The costs of interpretation must be borne by the party who suggested it. If the victim is requested by the court to act as a witness, the costs of interpretation are borne by the court. In other cases, reimbursement of costs is assessed on a case-by-case basis; if, however, it is needed only by the victim and is not necessary for the court to proceed, the costs of interpretation are borne by the victim.</p>
<p><b>5. Reimbursement for loss of earnings, travel and accommodation costs with regard to role in criminal or civil proceedings</b></p>	<p>Place X in appropriate column</p>				<p>x</p>
	<p>Comments:</p>				<p><b>In criminal proceedings:</b> The costs of a victim who has successfully applied for compensation must be borne by the perpetrator. In other cases (when the victim has not received a</p>



					<p>compensation order from the criminal court), the court may decide that the perpetrator is obliged to cover the costs of the victim anyway (§ 154 of the Criminal Procedure Code).</p> <p><b>In civil proceedings:</b> If the victim was referred to the civil courts, he or she is exempt from court fees (§ 11, section 2/t of the Law No. 549/1991, on Court fees).</p>
	<b>The state</b>	<b>A victim support service</b>	<b>Both</b>	<b>Other (explain)</b>	
<b>2. Who provides legal aid? place 'X' in one column only</b>				X Victim support service (only legal information) or attorney (legal representation).	

## 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.

	<b>Victims' rights with regard to compensation</b>	<b>Yes</b>	<b>No</b>	<b>Comments and sources (max 2-3 sentences)</b>
1	Do victims have the right to ask for compensation during criminal proceedings?	x		§ 43, section 3 of the Criminal procedure code – victims may ask that the court orders the perpetrator to pay compensation for damage, non-proprietary loss, as well as unjust enrichment.
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)?			Victims may ask for reimbursement of expenses (§ 154 of the Criminal Procedure Code). Victims whose health or life are endangered in relation to criminal proceedings may be granted physical protection under the Law on special protection of witnesses and other persons in relation to criminal proceedings (No. 137/2001).
3	Is compensation paid by the offender?	x		If he or she is found guilty and the court decides that he or she is obliged to pay compensation to the victim.
4	Is there such thing as a 'victims of crime fund' that convicted persons must contribute to?		x	The Ministry of Justice is considering establishing such a fund, but has not started legislative work in this regard.
5	Does compensation paid by the offender under a 'victims of crime fund' go towards victim support services?		x	The Ministry of Justice is considering establishing such a procedure, but has not started legislative work in this regard
6	Is compensation paid by the state?		x	Certain categories of victims may apply for financial aid according to the Law on the provision of financial aid to victims of crime (No. 209/1997). Most of the provisions of this law have been incorporated into the new Law on victims of crime, and the financial aid sums have been increased.
7	Will the State advance payment of the compensation if the offender does not pay? Under which conditions?		x	This situation is covered only by the above-mentioned law. Victims may ask for financial aid in order to overcome a worsened social situation, where this was caused by the crime.

8	Does a compensation order exist?		x	
9	Do prosecutors have the power to mediate between the offender and the victim?	AT, BE, NL FR CZ, FI, DE, HU, LT, LU, PL, RO, SL, SE	BG, CY, DK, EE, EL, ES, IE, LV, MT and UK	In some cases of diversions from criminal proceedings, the question of whether the perpetrator has compensated the victims is relevant. The role of prosecutors in diversions is important, since it is they who may suggest their application. Their “power” to mediate is not explicit in the law, but if, in the event of a particular diversion, the consent of the victim is relevant, they may “mediate” between the offender and the victim. They may also use the Probation and Mediation Service to assist.
10	Do prosecutors have the duty to attempt to obtain compensation from the offender?	AT, BE, NL FR CZ, FI, DE, HU, LT, LU, PL, RO, SL, SE	BG, CY, DK, EE, EL, ES, IE, LV, MT and UK	Obtaining compensation from the offender is a necessary condition in some cases of diversions from criminal proceedings. Explicit (general) duty of prosecutors to attempt to obtain compensation from the offender may be only derived from the new section 14 of § 2 of the Code of Criminal procedure: <i>“Criminal prosecuting bodies are obliged to enable the injured party to fully exercise his or her rights (...), so that he or she is able to exercise his/her rights fully (...).”</i> This provision will be effective as of 1 August 2013.
11	Is compensation, when paid by the offender to the victim, taken into account in decisions to prosecute?	AT, BE, CZ, FI, FR, DE, HU, IT, LT, LU, NL, PL, PT, RO, SI, SL & SE.	BG, CY, DK, EE, EL, ES, IE, LV, MT and UK	According to the experts BG, CY, DK, EE, EL, ES, IE, LV, MT and UK do not consider the question of compensation to the victim in the decision to prosecute the offender , while payment or non-payment of compensation may influence the decision to prosecute in AT, BE, CZ, FI, FR, DE, HU, IT, LT, LU, NL, PL, PT, RO, SI, SL & SE.
12	Is compensation, when paid by the offender to the victim, taken as a mitigating factor in sentencing?	AT, BE, CZ, FI, FR, DE, HU, IT, LT, LU, NL, PL, PT, RO, SI, SL & SE.	BG, CY, DK, EE, EL, ES, IE, LV, MT and UK	According to the experts BG, CY, DK, EE, EL, ES, IE, LV, MT and UK do not consider the question of compensation to the victim in the decision to prosecute the offender , while payment or non-payment of compensation may influence the decision to prosecute in AT, BE, CZ, FI, FR, DE, HU, IT, LT, LU, NL, PL, PT, RO, SI, SL & SE.

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		Compensation claims may be made within the framework of criminal proceedings. Statutory limits for criminal prosecution depend on the upper limit of the possible sentence of deprivation of liberty (depending on the type of the crime). Once criminal proceedings start, the compensation claim must be made at the beginning of the trial, at the latest (§ 206 of the Criminal Procedure Code).
14	Do third country nationals have the right to apply for compensation?	x		Compensation claims are not dependent on nationality.
15	Do third country nationals with irregular status (i.e. residing in the country illegally) have the right to apply for compensation?	x		Compensation claims are not dependent on residency status.
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.

	<b>Victims' rights with regard to cross border support</b>	<b>Yes</b>	<b>No</b>	<b>Description (max 2-3 sentences per question)</b>
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 no formal system of cross-border referral. However, the Bílý kruh bezpečí is a member of Victim Support Europe. The Probation and Mediation Service does not have a system of cross-border referral in place, but they deal with these cases on individual basis.
2	Can victims of crime report crimes in their own country if the crime was committed in another state?	x		Czech nationals can report the crime committed against them abroad, if the act is punishable as a crime in the country in question (principle of universality, § 7 of the Criminal Code, Law No. 40/2009).
3	Are victim support services made available to all victims, regardless of legal status, country of origin or nationality?	x		Yes.
4	Describe any special mechanism for victims of crime from other countries to access support. E.g. via website etc.			The Bílý kruh bezpečí has an English version of its website. The Probation and Mediation Service has leaflets in foreign languages for victims.
5	Is information made available to victims in different languages by the police? If yes, which languages?	x		According to the Code of Criminal Procedure, as well as the new Law on Victims of Crime, the police are obliged to

				provide information in a language that the victim understands.
6	Is information made available to victims in different languages by victim support services? If yes, which languages?	x		The Bílý kruh bezpečí provides information in Czech, Slovak, English, Russian and French. The Probation and Mediation Service has leaflets in foreign languages for victims but did not specify which.
7	Do victim support services offer interpretation or translation services? If yes, in which languages?		x	The Bílý kruh bezpečí does not provide interpretation services. The Probation and Mediation Service makes use of interpretation and translation services when needed in individual cases.
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		The Bílý kruh bezpečí is a member of Victim Support Europe. The Probation and Mediation Service has common projects with the UK, Scandinavian countries, Croatia and Canada.
			<b>Description (max 2-3 sentences per question)</b>	
9	What is the mechanism for victims to apply for compensation once they are back in their own country?			The best way for victims who are not nationals of the Czech Republic is either to appoint a representative here in the Czech Republic, or to leave a contact address for the court, so that they are informed about the proceedings and may react.
10	What is the number of victims accessing victim support services who are non-nationals of the state?			Neither the Bílý kruh bezpečí, nor the Probation and Mediation Service keeps track of these statistics.
11	Describe any special mechanism for victims of crime from other countries to access support. E.g. via website etc.			Apart from English language version of websites (Bílý kruh bezpečí, Probation and Mediation Service), there are no special measures in place.
12	Are there any measures put in place for the protection of a victim's right to privacy when dealing with cross border victims?			NO.

## 2.9. The role of volunteerism in victim support

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

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

The work of the major victim support NGO in the Czech Republic – Bílý kruh bezpečí – was based on the work of volunteers from the beginning. In 1991, it was founded as a voluntary association of eight professionals who had a common mission – to help improve the situation of victims of crime<sup>7</sup>. The numbers of volunteers has grown over the years – in 2006, the organisation had only 160 volunteers. In 2013, the organisation had 226 volunteers working in 9 places in the Czech Republic.

In 1999, one of the volunteers of the Bílý kruh bezpečí conducted a questionnaire survey among volunteers<sup>8</sup>. The survey confirmed that the majority of volunteers also work with victims of crime in their regular jobs, but with limited possibility to help them. This is different in comparison to voluntary work for the Bílý kruh bezpečí (The comparison is between regular job (police, prosecutor) and volunteerism at the BKB).

In 2006, the Bílý kruh bezpečí celebrated 15 years of its existence. On this occasion, it issued a publication summing up the major steps that had been taken and giving voice to some of its volunteers.<sup>9</sup> Most of its volunteers have a university degree, mostly in law or psychology. Their average age in 2006 was 35 years. These voluntary counsellors have various professions: police investigators, judges, attorneys, teachers, psychiatrists, social workers, psychologists, court experts, probation officers, journalists, and also students and retired people. In 2005, these volunteers dedicated 1256 hours of their time to victims of crime. Today, they dedicate 765 hours weekly, including a non-stop telephone helpline.

- 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.**

-

## **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?).

<sup>7</sup> Bílý kruh bezpečí (2006):1991 – 2006. Prague, 2006

<sup>8</sup> A brief description is available in: Zpravodaj Bílého kruhu bezpečí, 2/2000.

<sup>9</sup> *ibid.*

The Czech Republic has developed social work, which since 2007 have been regulated by Act No. 108/2006 Coll., on social services, which describes the types and forms of social services. Acts to be within the individual social services carried out are described in detail in the Decree No. 505/2006 Coll., which implements certain provisions of the Act on Social Services. In the framework of social services, assistance can be provided to victims primarily in specialized counselling centres, in the framework of professional social counselling, which, apart from social counselling, also includes psychological and legal assistance. Furthermore, they may be provided by emergency assistance in a limited time period provided to persons who are in danger of death or injury, this service includes the provision of accommodation, providing meals and social therapeutic activities. Consequently, victims of crime may receive assistance in shelters, which also includes the provision of accommodation, providing meals and social therapeutic activities. Social service can be provided to them within therapeutic services, such as social rehabilitation, social activation services.

## 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	This is a gap that needs to be addressed.
2	Assistance to tourist victims of crime: e.g. In Ireland, the Irish Tourist Assistance Service (ITAS) is specialist service offering immediate support and assistance to tourists who are victimised while visiting Ireland. The Service is free and confidential. ITAS is run by staff and volunteers who speak a variety of languages.		x	This is a gap that needs to be addressed.
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		x	This is a gap that needs to be addressed.

	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).			
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 new Law on Victims of Crime (No. 45/2013) has introduced a "trustee" – a person who is chosen by the victim and may accompany them throughout the proceedings.
6	In some countries, victims are provided with free psychosocial and legal assistance throughout the entire criminal proceedings.	x		The new Law on Victims of Crime (No. 45/2013) has made it possible for particularly vulnerable victims to receive psychological and legal assistance free of charge.
7	Some countries have legal clinics that provide free legal assistance to victims of crime.	x		In the Czech Republic, legal clinics exist as student associations at law faculties.
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	This is a gap that needs to be addressed.
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		This role is fulfilled by numerous information leaflets and brochures of the Bílý kruh bezpečí (also described under "studies").
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	x		In mid-2010, a police system to help victims of crime was created. Crisis interventionists provide victims of crime with initial acute psychological assistance and provide important



	training in and experience of the issues faced by victims of crime are available at these offices.			information, while follow-up care is provided by external organizations. The police website includes information for victims of crime. For the future, the police force is preparing more detailed information for to victims of crimes, in accordance with the new Law on Victims of Crime (No. 45/2013).
11	The multi-disciplinary, national referral system introduced in Bulgaria with regard to trafficking might be considered a promising practice.	x		A national referral system for victims of trafficking also exists in the Czech Republic. It is coordinated by the Ministry of the Interior, and involves the police and relevant non-governmental organisations.
12	As part of the National Social Roma Inclusion Strategy in HU, Roma victim support volunteers are recruited to work in the volunteer support network. There is also a network of on-site legal aid stations led by an active member of the local Roma community, while the attorneys of the organisation are available online and provide free legal advice via Skype. Their area of operation also includes legal support to victims of hate crime.	x		A specialized NGO "In Iustitia" focuses solely on hate crime and provides relevant legal counselling to victims of hate crime.
13	<p>Police forces in <b>England and Wales</b> 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><b>Sample Extract from the policy:</b></p> <p><b>1. Rationale</b></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 immediately and subject to a targeted crime reduction initiative.</p> <p>1.3 Every victim should be asked whether they have</p>		x	There are no explicit policies. The topic of secondary victimisation is covered in training.

	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 [...]. <sup>10</sup>			
14	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).			Since 2007, the Ministry of the Interior has established over 30 special interrogation rooms for children. These rooms are adapted for children – they do not look like ordinary interrogation rooms. They are equipped so as to evoke a safe and comfortable environment.
15	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)		x	In the Czech Republic, some volunteers of the Bílý kruh bezpečí who provide counselling, are also judges. However, their contribution is only voluntary.
16	<b>Other promising practices:</b> please include any other promising practices in your country with regard to victim support and enabling victims' to exercise their rights.	NA	NA	

## 2.12 Role of the victim in practice

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

	<b>Please choose the most appropriate description of how the victim is perceived in the criminal justice system</b>	<b>Place X in the appropriate box (choose only one)</b>	<b>Explanation (maximum word count 200)</b>
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		

<sup>10</sup> <http://www.thamesvalley.police.uk/pub-policiesandprocedures-repeat-victimisation.pdf>

	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		In the drawing up of this report, the Supreme Prosecutor's office was contacted and confirmed a description in 4. However, this view goes beyond everyday practise and definitions in law. Now criminal prosecuting bodies and courts will have to adjust their practice towards real participation of the victim in criminal 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. <sup>11</sup> 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.				
	<b>Description of victims' role in EU Directive</b>	<b>Yes</b>	<b>No</b>	<b>Explanation (maximum word count 200)</b>
1	The national system provides for a legal status as a party to criminal proceedings;	x		The position of the injured party as an independent party in the criminal proceedings is confirmed in literature. <sup>12</sup>
2	The victim is under a legal requirement or is requested to actively participate in criminal proceedings, for example as a witness		x	The only legal requirement to participate in criminal proceedings is if the victim is acting as witness. Anybody may be requested to act as a witness upon the request of the court (§ 97 of the Code of criminal procedure).
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	The victim is party to criminal proceedings, to the extent that the crime committed has had an impact on his or her financial, proprietary, psychological or similar situation.

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

<sup>12</sup> Jelínek, J. (1998): „Poškozený v českém trestním řízení“ (Injured party in the Czech criminal procedure), Praha, Karolinum.

## **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\*<sup>13</sup>**

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

**Max 250 words**

The oldest organisation working in victim support is the Bílý kruh bezpečí. Established in 1991, it has now been active for more than 20 years. The Bílý kruh bezpečí was founded on the initiative of eight people: two journalists, a police psychologist, a law lecturer, a policeman, a judge, a criminologist and a sports master. Four of these founders have worked for the organisation for more than 15 years. The organisation has three main aims: to provide direct help to victims, to take part in crime prevention and to do its best to improve the rights of injured parties in criminal proceedings. The aim of the organisation was never to have large numbers of passive members – it has always cooperated with professionals, mainly lawyers and psychologists. The work of the Bílý kruh bezpečí is based on volunteers, who still form the majority of its counsellors.<sup>14</sup>

The Probation and Mediation service (PMS) was established in 2001. Its establishment has followed a gradual process of introducing alternative methods in the criminal law. In 1994, the first Anglo-Saxon element of criminal law, was introduced – diversions in criminal law. Similar institutes followed in the 1990s. After the establishment of the PMS, alternative methods of probation and mediation started to being used more widely. The PMS is currently paying even more attention to crime victims, as confirmed by the adoption of the new Law on Victims of crime (No. 45/2013).

<sup>13</sup> Questions marked with \* should NOT be answered by countries falling into category 'A' (in accordance with question 2.2.1)

<sup>14</sup> Bílý kruh bezpečí (2006):1991 – 2006. Prague, 2006.

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

**Max 150 words**

During the first three years of the existence of the Bílý kruh bezpečí, the organisation had to cover its activities by donations from the original members (founders). Later, it started to receive subsidies from the Ministry of Health, Ministry of Interior and Ministry of Labour and Social affairs. The development of the organisation was significantly improved when it received a three year grant from the American Ashoka organisation (1998-2001). The organisation also spread its activities into the regions. It started to establish regional offices, which has led to funding possibilities from regional governments.

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

**Max 200 words**

The Bílý kruh bezpečí was founded on the initiative of eight people: two journalists, a police psychologist, a law lecturer, a policeman, a judge, a criminologist and a sports master. Four of these founders have worked for the organisation for more than 15 years. The organisation has three main aims: to provide direct help to victims, to take part in crime prevention and to do its best to improve the rights of injured parties in criminal proceedings.

### 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.			Quality standards for social services were described in detail in Phase II of the FRA VSS study. Quality standards specific to victim support organisations will be also adopted under the new Law on Victims of Crime (No. 45/2013). A Justice Ministry decree is currently under preparation.

### 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
CZ	White Circle of Justice	17 full time, 29 part	765	226	765 (non-stop helpline included)	Approx EUR 3 366/week (average)

		time				wage/hour: 4,4 EUR).
<b>CZ</b>	Probation and Mediation service	430 full time	42,5	0	-	-

### 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		Free legal advice and assistance are available only to certain categories of victims (vulnerable victims), as defined by the new Law on Victims of Crime (No. 45/2013), see also above.
b Free health/psychological assistance (e.g. crisis intervention centres)	x		Free health and psychological assistance are available only to certain categories of victims (vulnerable victims), as defined by the new Law on Victims of Crime (No. 45/2013), see also above. Crisis intervention centres are available for victims of domestic violence.
c Emergency financial assistance		x	Emergency financial assistance is available to anyone who falls within the social system as a person in need (they need not be a victim of crime). Victims of crime may also apply for financial aid under the Law on the provision of financial aid to victims of crime (No. 209/1997), in order to overcome a worsened financial situation. Most of the provisions of this law have been incorporated into the new Law on Victims of Crime, and the financial aid sums have been increased.
d Court accompaniment/support services	x		The new Law on Victims of Crime (No. 45/2013) has introduced a "trustee" – a person who is chosen by the victim and may accompany them throughout the proceedings.
e Other (specify)			-

### 3.4 (Failed) Attempts to establish national generic victim support service provider\*\*15

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

<sup>15</sup> \*\*This question should ONLY be answered by countries falling into category 'A' (in accordance with question 2.2.1).

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**

*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.*

## **Annex 2 –list of generic victim support organisations by country**

In accordance with question 2.2.1a, please review the list and short description of structure of generic victim support organisations operational in your country and edit as necessary, ensuring that all significant victim support providers (especially those operating at national level) are mentioned.

**Countries shaded in green 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 please provide a short list 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>Name/short description of organisation(s)</b>
<b>CZ</b>	The Probation and Mediation Service ("PMS"); the White Circle of Justice