

FRANET

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

Spain, 2014

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DISCLAIMER: This document was commissioned under contract as background material for a comparative analysis by the European Union Agency for Fundamental Rights (FRA) for the project 'Victim Support Services in the EU: An overview and assessment of victims' rights in practice'. The information and views contained in the document do not necessarily reflect the views or the official position of the FRA. The document is made publicly available for transparency and information purposes only and does not constitute legal advice or legal opinion.

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one of the examples provided, please review and revise the information as necessary, as the information provided may be outdated.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)
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		In any police station (of the state police, the police of the autonomous communities with their own police force, or the local police) the victim would be referred to a support service.
		b. If yes, please name the service(s)	-	-	OAV Offices for Support to Crime Victims [<i>Oficinas de Asistencia a las Víctimas de Delitos</i>], providing general support. SAF Family Support Service [<i>Servicio de Atención a la Familia</i>] of the Criminal Police.
		c. Do the police routinely contact this service on behalf of the victim?	X		According to the Action Protocol of the Police and Security Forces ² , which includes the coordination with judicial organs, the police is obliged to do so when gender violence is reported.

¹Aa, 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).

² Available at: www.msps.es/ssi/violenciaGenero/violenciaGenero/protocoloActuacion/ambJudicial/DOC/Protocolo_Actuacion_Fuerzas_Cuerpos_Seguridad_Coordinacion_Organos_Judiciales.pdf

		d. Which support service would in the end deal with such a case?	-	-	Information on rights, free legal aid, specific protection measures: contact numbers, transfer to safe location, direct personal protection, arrest of the aggressor. The service is provided by the OAV (see 1.b)
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		Always.
		b. If yes, please name the service(s)	-	-	GRUME (Minors Unit) of the National Police Corps OAV Offices for Support to Crime Victims Equivalent services of the autonomous communities.
		c. Do the police contact this service on behalf of the victim?	X		No regulation exists on comprehensive protection. The Basic Action Protocol on Child Abuse (Ministry of Labour and Social Affairs, 2007) ³ and the respective protocols of the autonomous communities are applied.
		d. Which support service would in the end deal with such a case?	-	-	Based on the best interests of the child: detection, notification and support regarding educational or health issues. Gender violence protection measures can be applied if the abuse of the child derives from this kind of violence. Any or all of the organizations described in 2.b, depending on the case, can provide the services.
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		When the report of the offence is drawn up, the police informs the victim of his/her rights and assists him/her in presenting declarations and claims.
		b. If yes, please name the service(s)	-	-	Police station of the National Police or the relevant Autonomic Police.
		c. Do the police contact this service on behalf of the victim?			This depends on the gravity and circumstances of the burglary. In minor cases, which are considered misdemeanours, full support is not provided.
		d. Which support service would in the end deal with such a case?	-	-	Help in reporting the crime. If conditions are met, free legal aid in case of trial. Legal guidance. If necessary, psychosocial support. Services are provided by national or regional law enforcement bodies (police), as described in 3.b.
4	A person is the victim of a racist attack by	a. Do the police routinely refer the victim to a support service?	X		In any police station (of the state police, the police of the autonomous communities with their own police force, or the local police) the victim would be referred to a support service.

³ Available at: www.observatoriodelainfancia.msssi.gob.es/documentos/Protocolo_contra_Maltrato_Infantil.pdf

	a gang of youths	b. If yes, please name the service(s)	-	-	OAV Offices for Support to Crime Victims. Network of Support Centres for victims of discrimination on racial or ethnic grounds, constituted by social entities.
		c. Do the police contact this service on behalf of the victim?	X		In case of physical or psychological injuries, the victim must be accompanied to the relevant medical service. The police will report the case to the Public Prosecutor's Office and/or the Court.
		d. Which support service would in the end deal with such a case?	-	-	Legal advice. Medical and/or psychological assistance. Aid by social services (may include financial aid). Possibility of admission to specialized centre. The support services are the OAV or the organizations of the Network of Support Centres described in 4.b.
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		Protecting the victims is part of the ordinary duties of any police force, but victims will be unlikely to receive direct financial support. Instead, they will be referred to support services.
		b. If yes, please name the service(s)	-	-	OAV Offices for Support to Victims of Crime. There is also IMSERSO, but this offers social services to the elderly, rather than support to elder victims. Direct financial support is only provided in case of violent crimes.
		c. Do the police contact this service on behalf of the victim?	X		The National Police launched a "Plan for Increased Security" [<i>Plan Mayor Seguridad</i>] ⁴ , which includes better police protection for robberies against elder people.
		d. Which support service would in the end deal with such a case?	-	-	Psychosocial assistance. Social assistance, including possible financial aid. Legal assistance. The services are provided by the OAV or the IMSERSO (see 5.b).
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		Dispersed measures: Support Unit for the Mentally Disabled of the Guardia Civil. CERMI (Spanish Committee representing the disabled) for victims of gender violence, terrorism, and traffic accidents with all kinds of disabilities. Also for disabled victims of harassment.
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		CERMI, depending of the kind of victim and the degree of disability, offers: free legal aid, full social care, provisional financial support for urgent needs, and priority access to social housing.
7a	In relation to how police deal with victims, are there special measures in place for victims who are migrants with illegal residency status ⁵ ? If yes, describe them. If no, please provide a justification/explanation.		X		Female victims of gender violence can obtain special residence independently from their spouse. Victims of human trafficking can also apply for specific protection. In general, protective measures may be offered irrespective of the legal situation of a migrant, depending on each case.

⁴ Available at: www.policia.es/org_central/seguridad_ciudadana/unidad_central_part_ciudadana/part_ciudadana_polic_mayor.html

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 ⁶ ? If yes, describe them. If no, please provide a justification/explanation.	X		Idem as previous question.
7c	Are migrants with illegal residency status excluded from accessing support from victim support organisations in practice?		X	Only in rare cases NGOs have reported cases of exclusion. In general, however, as victims that have access to all services (in particular in cases of human trafficking or gender violence).
8	Is access to victim support services dependent on a victim making a formal complaint to competent authorities (e.g. the police)?	X		Victimisation must always be shown, but depending on the case, the offence may be reported by a person or organisation other than the victim.
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 preferential treatment a cooperative victim may receive has nothing to do with the promptness of the support, but with the access to specific services or benefits. E.g. special residence in case of human trafficking or gender violence.
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? ⁷		X	This depends on whether the organisation does or does not provide the victim's data. In any case, any transferred data are subject to the confidentiality requirement of Organic Act 15/1999, of 13 December, on personal data protection [<i>Ley Orgánica 15/1999, de 13 de diciembre, de protección de datos de carácter personal</i>] ⁸ .
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		Yes, in all cases established in Organic Act 15/1999, of 13 December, on personal data protection [<i>Ley Orgánica 15/1999, de 13 de diciembre, de protección de datos de carácter personal</i>] ⁹ .
10c	Is there a legal basis for the communication/transfer of the victim's data? What is it?	X		Organic Act 15/1999, of 13 December, on personal data protection [<i>Ley Orgánica 15/1999, de 13 de diciembre, de protección de datos de carácter personal</i>] ¹⁰ and its implementing regulations.

⁵ 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.'

⁶ 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.'

⁷ 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.

⁸ Organic Act 15/1999, of 13 December, on personal data protection [*Ley Orgánica 15/1999, de 13 de diciembre, de protección de datos de carácter personal*]. Available at: www.agpd.es/portaleswebAGPD/canaldocumentacion/legislacion/estatal/common/pdfs/LOPD_consolidada.pdf

⁹ Organic Act 15/1999, of 13 December, on personal data protection [*Ley Orgánica 15/1999, de 13 de diciembre, de protección de datos de carácter personal*]. Available at: www.agpd.es/portaleswebAGPD/canaldocumentacion/legislacion/estatal/common/pdfs/LOPD_consolidada.pdf

¹⁰ Organic Act 15/1999, of 13 December, on personal data protection [*Ley Orgánica 15/1999, de 13 de diciembre, de protección de datos de carácter personal*]. Available at: www.agpd.es/portaleswebAGPD/canaldocumentacion/legislacion/estatal/common/pdfs/LOPD_consolidada.pdf

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).

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
EL, BG, IT, LT, LV, RO, and SI	HU, ES	NL	DE	
Explanation/justification:	Explanation/justification:	Explanation/justification:	Explanation/justification:	Explanation/justification:

<p>E.g. EL: A generic victim support organisation, institution or mechanism does not exist in Greece. Victim support services cover only certain groups of victims.</p>	<p>E.g. HU: The state basically acts as the sole general service provider for victims of crimes. The metropolitan and county offices of the Victim Support Service provide information on the rights and obligations that the victim has in criminal proceedings, on the available services and assistance, on the whereabouts of state and non-state service providers and on the means of avoiding re-victimisation.</p> <p>E.g. ES: In Spain, the public state support services are: the Victim Support Offices (OAV), which offer general protection (present in every province). The Victim Support Offices are dedicated to all victims of crime, but preferably those who have been victims of violent crimes resulting in death, serious injury, or injury to physical or mental health, and victims of crimes against sexual freedom, either direct or indirect. Thus, the OAV may attend the person who has suffered</p>	<p>E.g. NL: The main organisation providing victim support in the Netherlands is the organisation Victim Support Netherlands (VSN); a national NGO that offers legal, practical and emotional support and advice to victims of various kinds. In 2011, 80 % of the VSN funds were provided by the federal government, 14 % was provided by local authorities and the remainder of the funds came from different sources.</p>	<p>E.g. DE: Generic victim support services are carried out by a few large organisations and vary greatly in their organisational structure and aims. The majority of the organisations offering victim support are private service providers organised as independent, local charities. The biggest of these, <i>Weisser Ring</i>, receives no public funding and is financed mainly by membership fees, foundations, donations and allocations of fines by the courts.</p>	
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the crime directly or relatives or people of whom they were in charge (family, for example) when the crime has affected them in some way. In practice, although the OAV can attend all kinds of victims, it assists preferably those that have been the subject of violent crime. Assistance is provided according to the type of crime and the damage caused.

This support is complemented by the services offered by the autonomous communities and private organisations providing services funded (in part) with public money. In addition, specialized services exist, such as the CERMI for victims with disabilities, or the Support Offices for victims of persecution or violence during the Civil War or the Franco dictatorship.

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
ES	X	X	X	X		In Spain the Ministry of Health, Social Affairs and Equality is a single Ministry. The Ministry of Justice prepares the bills concerning victims (the Victims' Statute is being prepared) and the other ministries can collaborate in their elaboration.
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.						
ES	<p>In Spain, no "Victim's Statute" has been created yet allowing all services to be coordinated. Several organs exist, pertaining to different ministries, which are specialized in different types of victims, e.g.:</p> <ul style="list-style-type: none"> - Support Offices for Victims of Violent Crimes and Crimes against Sexual Freedom [<i>Oficinas de Asistencia a las Víctimas de delitos violentos y contra la libertad sexual (OAV)</i>], which fall under the Ministry of Justice and which are available in all autonomous communities and provinces. See: www.mjusticia.gob.es/BUSCADIR/ServletControlador?apartado=buscadorPorProvinciasForm&tipo=ATV&lang=es_es - Directorate General for the Support to the Victims of Terrorism (Ministry of the Interior). See: www.interior.gob.es/directorio-30/servicios-centrales-25/direccion-general-de-apoyo-a-victimas-del-terrorismo-41?locale=es - Unit for the Coordination of Support to the Victims of Traffic Accidents, which will be present in all the provincial offices of the national traffic service (recently set up). - The services for victims of gender violence in the autonomous communities. - Support service for victims of persecution or violence during the Spanish Civil War or the Franco dictatorship which falls under the Ministry of the Presidency and the Ministry of Culture. This service also exists in several autonomous communities. 					
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.?)						
ES	State legislation:					

Act 29/2011, of 22 September, on the recognition and comprehensive protection of the victims of terrorism [*Ley 29/2011, de 22 de septiembre, de reconocimiento y protección integral a las víctimas del terrorismo*]. Available at: www.boe.es/buscar/pdf/2011/BOE-A-2011-15039-consolidado.pdf

Act 35/1995, of 11 December, on aid and assistance to victims of violent crimes and sexual freedom [*Ley 35/1995, de 11 de diciembre, de ayudas y asistencia a las víctimas de delitos violentos y contra la libertad sexual*]. Available at: www.boe.es/buscar/pdf/1995/BOE-A-1995-26714-consolidado.pdf

Act 52/2007 of 26 December, by which rights are recognized and extended and measures are set up for those who suffered persecution or violence during the Civil War and the Franco dictatorship [*Ley 52/2007, de 26 de diciembre, por la que se reconocen y amplían derechos y se establecen medidas en favor de quienes padecieron persecución o violencia durante la guerra civil y la dictadura*]. Available at: www.boe.es/buscar/pdf/2007/BOE-A-2007-22296-consolidado.pdf

Organic Act 1/2004, of 28 December. [*Ley Orgánica 1/2004, de 28 de diciembre, de Medidas de Protección Integral contra la Violencia de Género*]. Available at: www.boe.es/buscar/pdf/2004/BOE-A-2004-21760-consolidado.pdf

Act 27/2003, of 31 July, regulating the Protection Order for Victims of Domestic Violence [*Ley 27/2003, de 31 de julio, reguladora de la Orden de Protección de las Víctimas de la Violencia Doméstica*]. Available at: www.boe.es/buscar/pdf/2003/BOE-A-2003-15411-consolidado.pdf

Criminal Code, with provisions for the victims of human trafficking for sexual exploitation, by the Organic Act 5/2010, of 22 June, amending Organic Act 10/1995, of 23 November, regarding the Criminal Code [*Ley Orgánica 5/2010, de 22 de junio, por la que se modifica la Ley Orgánica 10/1995, de 23 de noviembre, del Código Penal*]. Available at: www.boe.es/buscar/pdf/1995/BOE-A-1995-25444-consolidado.pdf

Organic Act 10/2011, of 27 July, amending Sections 31bis and 59bis of Organic Act 4/2000, of 11 January, on the rights and freedoms of aliens in Spain and their social integration [*Ley Orgánica 10/2011, de 27 de julio, de modificación de los artículos 31 bis y 59 bis de la Ley Orgánica 4/2000, de 11 de enero, sobre derechos y libertades de los extranjeros en España y su integración social*] with provisions concerning the victims of trafficking for labour exploitation. Available at: www.boe.es/buscar/pdf/2000/BOE-A-2000-544-consolidado.pdf

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.).

PRELIMINARY REMARK: The 2012 General Budget of Spain does not include a separate item directly and fully reserved for compensations to victims. The details provided here are the result of an analysis of all budgetary items of different ministries (Interior and Health, Social Affairs and Equality), that may be related to the protection, assistance and compensation of victims, as no distinction is made between these concepts. In some cases, the budget item includes compensation or aid to victims or victim support associations, but sometimes also allocations for other purposes, in which case it is not always possible to establish which part is specifically destined for the compensation of victims. The 2012 General State Budget can be consulted at:

www.sepg.pap.minhap.gob.es/Presup/PGE2012Proyecto/MaestroTomos/PGE-ROM/MnSerieRojaGastos.htm

At present, a legal reform is being prepared which includes a "Victim's Charter", of which the text has not yet been made public. It may be supposed that this reform will also clarify the funding allocated under the budget to aid and compensation for victims and victim associations.

For the year 2012, please specify the exact amount of funding:	Amount (in EURO)
a Budgeted by the state for compensation	Total overall (Interior and Health, Social Affairs and Equality): 210,652.88 (thousands of Euros). Distribution: - Ministry of the Interior: 21,197.70 (thousands of Euros) Ministry of Health, Social Services and Equality: 189,455.18 (thousands of Euros)
b Paid out by the state for compensation	No data are available on payments made.
c Budgeted by the state for generic victim support services (i.e. services not restricted to a particular category or categories of victims)	These data do not exist. They are included in the funding budgeted by the state for

			compensation.
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.			- Victims of terrorism: 21,197.70 (thousands of Euros) Victims of gender-based violence: 23,905.94 (thousands of Euros)
e Paid out by the state for generic victim support services (i.e. services not restricted to a particular category or categories of victims).			- Transfers to autonomous communities, families and non-profit institutions providing social support services; 49,838.84 (thousands of Euros) Direct aid to families and non-profit institutions: 110,843.29 (thousands of Euros)
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.			No data are available on payments made. The main organisations that receive funds are: - Autonomous communities and local entities. - Associations of terrorism victims - Associations of victims of gender violence Women's support institutions (Women's Institutes)
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		No information has been found indicating that any victim support organisation requests money from victims for the services rendered.
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		Victim support organisations do not receive reimbursement for individual services, but general funding

			for their overall services.
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	In general, when the victim is entitled to compensation, no distinction is made on the ground of nationality. The IPREM calculation sheets (www.irpf.eu/iprem.html) contain no indicators in this respect, meaning compensation is identical for all.
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	No special regulation exists on this aspect, so that compensation must be awarded irrespective of the victim's status.
k Are there any factors that would discourage the victim support organisation in practice from supporting third country nationals? Please specify under comments.		x	No such factors have been found to exist.

2.2.4 Capacity:

Concerning these data a written request for information was submitted to the Ministry of Justice (of which the FRA was duly informed), without reply. Several actions have been taken to obtain access to these data, but until now these have not been successful. If in the course of the evaluation this information is received, we will include them in the report.

For the year 2012, please specify the number of victims of crime that:	No of persons:
a Applied for compensation from state sources.	
b Received compensation from state sources.	
c Approached generic victim support services (i.e. services not restricted to a particular category or categories of victims)	
d Approached specialised victim support services (i.e. services not restricted to a particular category or categories of victims)	

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	X		Annual Reports of the State Prosecution Office 2012,	Chapter 2 of the Annual Report shows the yearly evolution of crime in the whole of

crime?			2011, 2010, 2009 and 2008 [<i>Memoria de la Fiscalía General del Estado 2012, 2011, 2010, 2009 y 2008</i>]. Available at: www.fiscal.es/Documentos.html?cid=1240559967610&pagename=PFiscal%2FPage%2FFGE_sinContenido	Spain and in each autonomous community based on the cases in which the Public Prosecutor's Office intervened.
			Ministry of the Interior, 2011 Statistical Yearbook [<i>Ministerio del Interior. Anuario Estadístico 2011</i>]. Available at: www.interior.gob.es/file/58/58114/58114.pdf	The yearbook consists of eleven chapters regarding the exercise of fundamental rights, public safety, drugs, penitentiary issues, traffic, asylum, documentation of Spanish citizens, support to the victims of terrorism, civil protection, conservation of nature and the environment, and a final chapter on other administrative activities, in particular appeals and compensations, public services and the general archive.
			Ministry of the Interior, Quarterly Crime Report 2012 [<i>Ministerio del Interior. Balance de criminalidad trimestral 2012</i>]. Available at: www.interior.gob.es/prensa-3/balances-e-informes-21/2012-1129	Contains the police data on the following security indicators: crimes and misdemeanours, intentional homicides, completed murders, robberies with violence or intimidation, burglaries, theft of motor vehicles, drug trafficking, damage to properties, and theft.
			The fight against the terrorism of ETA and international terrorism. 10 th Parliamentary Term (2012 -) [<i>Lucha contra el terrorismo de ETA y el terrorismo internacional. X Legislatura (2012-)</i>]. Available at: www.interior.gob.es/prensa-3/balances-e-informes-21/lucha-antiterrorista-contra-eta-y-el-terrorismo-islamista---x-legislatura-2011---1807	List of persons detained on account of terrorism.
			Ministry of the Interior. Detention of minors and the penitentiary system. General Technical Secretariat. Publications Centre, 2011 [<i>Ministerio del Interior. Internamiento de menores y sistema penitenciario. Secretaría General Técnica. Centro de Publicaciones 2011</i>].	Evolution of crime by minors.
			Security and Citizenship. Review of the Ministry of the	Half-yearly publication of the Ministry of the Interior. The first issue was published in

			Interior. General Technical Secretariat. Publications Service <i>[Seguridad y Ciudadanía. Revista del Ministerio del Interior. Secretaría General Técnica. Servicio de Publicaciones].</i>	2009, and the last in 2012.
			Spanish Review of Criminological Research <i>[Revista Española de Investigación Criminológica].</i>	Published by the Spanish Society of Criminological Research since 2003.
Other national studies related to victims of crime (specify)	X		A study on victims and victimisation processes <i>[Un estudio sobre la víctima y los procesos de victimización].</i> Morillas Fernández, Lorenzo David; Patró Hernández, Rosa María; Aguilar Cárceles, Marta María. Dykinson, 2011.	A study on the state of affairs in victimology, with special attention for the current processes of victimisation that concern society because of the high crime rates.
			Victimology: a study on victims and victimisation processes <i>[Un estudio sobre la víctima y los procesos de victimización].</i> Marta María Aguilar Cárceles, David Lorenzo Morillas Fernandez, Rosa María Patró Hernández. Dykinson, 2012.	This study has a double focus: a) a general focus, investigating the main issues related to victimology and victims, the importance of factors contributing to victimisation, victim-offender relations, the prevention of victimisation, and the current role of the victim in Spanish legislation; and b) an analysis of the main victimisation processes in current society: domestic violence, violent crime, sexual aggression and abuse, harassment at work and at school, and organized crime.
			Criminology and Justice <i>[Criminología y Justicia].</i> Electronic review. Available at: http://ci-worldnews.com/spain/index.php/es/libreria?task=showCategory&catid=59	Offers research on specific victims (minors, gender violence), as well as on restorative justice.
			Rights, support and protection of the victims of crime in the European Union <i>[Derechos, apoyo y protección de las víctimas de delitos en la Unión Europea]</i> Julio J. Muerza Esparza. <i>Actualidad jurídica Aranzadi</i> , Nº 857, 2013.	Comparative study on the rights, support and protection of crime victims.

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 the 016 helpline, ¹¹ which is a free confidential helpline, only for women who are victims of domestic violence. There is no general helpline for all kinds of victims.
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		Even if the autonomous communities have their own helplines for domestic violence, the 016 helpline remains available nationwide.
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	This helpline targets victims of domestic violence.
6	Is the helpline state run (if no, describe the non-state actor(s) who runs it under 'Comments')	X		The line 016 is offered by the Ministry of Health. ¹²
7	Is the helpline funded by the state?	X		
8	Is the international EU victim support telephone number 116-006 available? ¹³ If no, provide a justification and/or specify whether plans to implement this are underway.		X	No specific data available on this subject.
		Comments		
9	Please give a brief description (1-2 sentences) of the services provided by the helpline.	The 016 Helpline offers its service in 51 languages; offers support for women who are victim of domestic violence; it provides information and advice on victims' rights (rights in criminal proceedings, information rights with regard to the evolution of the proceedings, compensation claims, etc.); information on social resources, financial aid, access to sheltered housing, employment advice, on legislation on residence papers for foreigners; information regarding legal issues on criminal and civil affairs (children and family relations); and arranges the transfer of the calls to the 112 general emergency helpline if necessary, to the 900202010 child and adolescents helpline, or to the 900105090 helpline of		

¹¹Available at: www.msc.es/ssi/violenciaGenero/Recursos/telefono016/home.htm.

¹² Available at: www.msc.es/campannas/campanas07/telefono016.htm.

¹³ 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. |

		the Ministry of the Interior for trafficking in women and girls for the purpose of sexual exploitation. ¹⁴
10	What was the operational budget (in EUR) for the helpline in 2012? Please specify under 'Comments'	No specific data are available on this subject.
11	How many people were employed to run the helpline in 2012?	20
12	What form(s) does the helpline take? E.g. just phone-line; email, web forum, walk-ins	This helpline is also available through text telephone (DTS); through the website www.telesor.es ; and through mobile phone and pda.
13	Of the possible ways to access the helpline, what is the most frequently used by persons contacting the helpline?	Telephone calls.
14	Who operates the helpline? (e.g. Professional staff such as psychologists or lawyers; volunteers etc.)	In Spain, information and advice is provided by a team of 20 people, ¹⁵ specialised in domestic violence.
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'.	In 2012 the 016 helpline documented 55,810 relevant calls. This is 25.21% of the total number of times the helpline was contacted in 2012, according to the report on the period 2007-2012. ¹⁶

¹⁴ Available at: www.msc.es/ssi/violenciaGenero/Recursos/telefono016/home.htm.

¹⁵ Available at: [www.msc.es/ssi/violenciaGenero/Recursos/telefono016/DOC/Memoria016\(2007-2012\).pdf](http://www.msc.es/ssi/violenciaGenero/Recursos/telefono016/DOC/Memoria016(2007-2012).pdf).

¹⁶ Available at: [www.msc.es/ssi/violenciaGenero/Recursos/telefono016/DOC/Memoria016\(2007-2012\).pdf](http://www.msc.es/ssi/violenciaGenero/Recursos/telefono016/DOC/Memoria016(2007-2012).pdf).

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	However, in some cases, such as domestic violence, Article 31.3 of Organic Act 1/2004, of 28 of December, on comprehensive protection against domestic violence ¹⁷ , establishes that police forces must follow a protocol ¹⁸ which includes this obligation. See also the duty of information established in Article 15 of Organic Act 35/1995 of 11 of December, on aid and assistance to victims of violent crime and crime against sexual freedom. ¹⁹
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		Articles 771, 109 and 110 of the Criminal Code of Procedure [<i>Ley de Enjuiciamiento Criminal</i>] ²⁰ establish the duty to provide all victims with information concerning their rights, including compensation.
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		Articles 771, 109 and 110 of the Criminal Code of Procedure [<i>Ley de Enjuiciamiento Criminal</i>] ²¹ establish the duty to provide all victims with information concerning their rights.
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		Articles 398, 440, 441, 442 and 443 of the Criminal Code of Procedure [<i>Ley de Enjuiciamiento Criminal</i>] ²² establish the right to a free of charge translation for people who do not speak or understand Spanish or are deaf.
5	Are victims notified about their right to receive information about:			This information is mostly provided by the Court itself or through the police acting as "judicial police".
	(a) any decision not to proceed with or to end an investigation or not to prosecute the offender;	X		Article 15.4 of Organic Act 35/1995 of December 11th on aid and assistance to victims of violent crime and crime against sexual freedom. ²³

¹⁷ Organic Act 1/1994 on comprehensive protection against gender violence [*Ley Orgánica 1/2004, de 28 de diciembre, de Medidas de Protección Integral contra la Violencia de Género*]. Available at: www.boe.es/boe/dias/2004/12/29/pdfs/A42166-42197.pdf

¹⁸ Available at: www.observatorioviolencia.org/upload_images/File/DOC1182341620_PROTOCOLO_ACTUACION_POLICIA.pdf.

¹⁹ Organic Act 35/1995 of December 11th on aid and assistance to victims of violent crime and crime against sexual freedom [*Ley 35/1995, de 11 de diciembre, de ayudas y asistencia a las víctimas de delitos violentos y contra la libertad sexual*]. Available at: www.boe.es/buscar/doc.php?id=BOE-A-1995-26714.

²⁰ Royal Decree of 14 September 1882 approving the Criminal Code of Procedure [*Real decreto de 14 de septiembre de 1882 por el que se aprueba la Ley de Enjuiciamiento Criminal*]. Available at: www.boe.es/buscar/act.php?id=BOE-A-1882-6036.

²¹ Royal Decree of 14 September 1882 approving the Criminal Code of Procedure [*Real decreto de 14 de septiembre de 1882 por el que se aprueba la Ley de Enjuiciamiento Criminal*]. Available at: www.boe.es/buscar/act.php?id=BOE-A-1882-6036.

²² Royal Decree of 14 September 1882 approving the Criminal Code of Procedure [*Real decreto de 14 de septiembre de 1882 por el que se aprueba la Ley de Enjuiciamiento Criminal*]. Available at: www.boe.es/buscar/act.php?id=BOE-A-1882-6036.

²³ Organic Act 35/1995 of December 11th on aid and assistance to victims of violent crime and crime against sexual freedom [*Ley 35/1995, de 11 de diciembre, de ayudas y asistencia a las víctimas de delitos violentos y contra la libertad sexual*]. Available at: www.boe.es/buscar/doc.php?id=BOE-A-1995-26714.

(b) the time and place of the trial, and the nature of the charges.	X		Article 15.4 of the Organic Act 35/1995 of December 11th, on aid and assistance to victims of violent crime and crime against sexual freedom. ²⁴
(c) any final judgment in a trial	X		Article 15.4 of the Organic Act 35/1995 of December 11th on aid and assistance to victims of violent crime and crime against sexual freedom. ²⁵

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		In some areas, such as gender violence, police officers are trained by following several specialized courses, according to the Ministry of Interior. ²⁶
2	Prosecutors	X		There is systematic training in different areas, as shown by the 2012 Annual Report of the State Prosecutor's Office, ²⁷ and the training agreement on victims of human trafficking. ²⁸
	Judges	X		There is systematic training in all areas, including dealing with victims, such as the victims of sexual exploitation, as shown by the 2012 Annual Report of the General Council of the Judiciary. ²⁹

²⁴ Organic Act 35/1995 of December 11th on aid and assistance to victims of violent crime and crime against sexual freedom [Ley 35/1995, de 11 de diciembre, de ayudas y asistencia a las víctimas de delitos violentos y contra la libertad sexual]. Available at: www.boe.es/buscar/doc.php?id=BOE-A-1995-26714.

²⁵ Organic Act 35/1995 of December 11th on aid and assistance to victims of violent crime and crime against sexual freedom [Ley 35/1995, de 11 de diciembre, de ayudas y asistencia a las víctimas de delitos violentos y contra la libertad sexual]. Available at: www.boe.es/buscar/doc.php?id=BOE-A-1995-26714.

²⁶ Available at: www.interior.gob.es/press/la-policia-nacional-reitera-a-las-victimas-de-la-violencia-de-genero-a-su-familia-amigos-y-vecinos-la-importancia-de-denunciar-14508?locale=es.

²⁷ 2012 Annual Report of the State Prosecutor's Office [Memoria de la Fiscalía General del Estado 2012]. Available at: www.fiscal.es/cs/Satellite?c=Page&cid=1242052134611&language=es&pagename=PFiscal%2FPage%2FFGE_memorias&selAnio=2012.

²⁸ Agreement and framework protocol between the General Council of the Judiciary, the Ministry of the Interior, the Ministry of Justice, the Ministry of Labour and Immigration, the Ministry of Health, Social Policies and Equality, and the Public Prosecutor's Office on the protection of the victims of human trafficking [Acuerdo y protocolo marco de colaboración entre el CGPJ, el Ministerio del Interior, el Ministerio de Justicia, el Ministerio de Trabajo e Inmigración, el Ministerio de Sanidad Política Social e Igualdad y el Ministerio Fiscal para la protección de las víctimas de trata de seres humanos]. Available at: www.poderjudicial.es/cgpj/es/Poder_Judicial/Consejo_General_del_Poder_Judicial/Actividad_del_CGPJ/Memorias/Memoria_Anual/Memoria_anual_2012.

²⁹ 2012 Annual Report of the General Council of the Judiciary [Memoria del Consejo General del Poder Judicial 2012]. Available at: www.poderjudicial.es/cgpj/es/Poder_Judicial/Consejo_General_del_Poder_Judicial/Actividad_del_CGPJ/Memorias/Memoria_Anual/Memoria_anual_2012.

4	Court staff	X		There is systematic training in all areas, which may include dealing with victims.
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		This depends on the specific training activity.
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	No specific data are available on the subject.
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 Spanish Bar Associations [<i>colegios de abogados</i>] often offer training of victim support to lawyers and to any kind of professionals. There is training on victim support available for lawyers “pro bono” [<i>turno de oficio</i>] handling cases concerning domestic violence and sexual offences. ³⁰

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)?	<p>The term ‘victim’ refers to the person who is offended or has suffered damages as a result of a criminal offence. There is no general definition. However, in particular cases, there are laws that define what kind of person should be considered a victim of a criminal offence (for example: Act 29/2011 of September 22nd on the recognition and comprehensive protection of the victims of terrorism [<i>Ley 29/2011, de 22 de septiembre, de Reconocimiento y Protección Integral a las Víctimas del Terrorismo</i>],³¹ or Organic Act 1/2004 of December 28th on comprehensive protection measures against gender violence [<i>Ley Orgánica 1/2004, de 28 de diciembre, de Medidas de Protección Integral contra la Violencia de Género</i>].³²</p> <p>The term ‘the person who is offended’ refers to a general concept of victim of a crime, which is a person who has been directly or indirectly affected</p>

³⁰ For instance, see: www.euskonews.com/0205zbnk/gaia20502es.html.

³¹ Act 29/2011, of 22 September, on the recognition and comprehensive protection of the victims of terrorism [*Ley 29/2011, de 22 de septiembre, de reconocimiento y protección integral a las víctimas del terrorismo*]. Available at: www.boe.es/buscar/pdf/2011/BOE-A-2011-15039-consolidado.pdf

³² Organic Act 1/1994 on comprehensive protection against gender violence [*Ley Orgánica 1/2004, de 28 de diciembre, de Medidas de Protección Integral contra la Violencia de Género*]. Available at: www.boe.es/boe/dias/2004/12/29/pdfs/A42166-42197.pdf

		by a crime, whether this person has suffered damages or not. Therefore, the answer is YES (it refers to a concept of civil law as does the notion of the person 'who has suffered damages'), but NOT ONLY, because it also refers to any person who has been directly or indirectly affected by crime, whether this person has suffered damages or not. For instance, a person can be offended by so-called "attempted robbery" (uncompleted robbery), even though this person has not suffered any damages. This person is however a victim of a crime even though the robbery has not finally been consummated.
2	Is there a separate definition of 'vulnerable victims' (as separate from the main or generic definition of 'victim')?	No general definition of 'vulnerable victims' exists, but Spanish law recognises categories of victims, such as minors, who need special protection as a result of their vulnerability. This vulnerability justifies special provisions, such as Art. 433 of the Criminal Code of Procedure [<i>Ley de Enjuiciamiento Criminal</i>]. ³³
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?	Art. 1 of Act 35/1995 of December 11th on aid and assistance to victims of violent crimes and crimes against sexual freedom [<i>Ley 35/1995, de 11 de diciembre, de ayudas y asistencia a las víctimas de delitos violentos y contra la libertad sexual</i>] ³⁴ recognises direct and indirect victims. Article 2 of this includes family members like partners, children and parents.

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		In Spain, the Judge who is investigating is obliged to prosecute <i>ex officio</i> when there is sufficient evidence to support a prosecution. The public prosecutor also has the duty to be part of the prosecution. The victim has the right to appeal the decisions of the court, but does not have any right to appeal the decision of the public prosecutor not to be present anymore in that proceeding.
Who undertakes this review?			The court (depending on each instance) reviews the decision of the judge, but there is no court review of the decision of the public prosecutor not to be present anymore in a criminal proceeding.
Does the victim have the right to institute private prosecution in cases where the prosecutor drops charges? If yes, under what circumstances?	X		In cases where the court does not find grounds to continue the investigation and issues a decision to discontinue, the victim or injured party may appeal this court decision. If the public prosecutor's office decides not to continue its prosecution, the victim can still act as private prosecutor.
Does the prosecutor's office have a dedicated hotline or mechanism whereby victims can inquire about		X	There is no 'hotline', but victims can ask for information in the general ways established under the Criminal Code of Procedure.

³³ Royal Decree of 14 September 1882 approving the Criminal Code of Procedure [*Real decreto de 14 de septiembre de 1882 por el que se aprueba la Ley de Enjuiciamiento Criminal*. Available at: www.boe.es/buscar/act.php?id=BOE-A-1882-6036.

³⁴ Organic Act 35/1995 of December 11th on aid and assistance to victims of violent crime and crime against sexual freedom [*Ley 35/1995, de 11 de diciembre, de ayudas y asistencia a las víctimas de delitos violentos y contra la libertad sexual*]. Available at: www.boe.es/buscar/doc.php?id=BOE-A-1995-26714.

the progress of a case?			
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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		Article 24.2 of the Spanish Constitution ³⁵ recognises the fundamental right to defence, which includes the victim's rights as a party in criminal proceedings. Moreover, Art. 110 of the Criminal Code of Procedure ³⁶ recognises the right of the victim to be part in the criminal proceedings. However, victims also have the duty to testify as witnesses.
Do victims have a right to supply evidence during criminal proceedings?	X		As a consequence of the recognition of the right to be party to the criminal proceedings, pursuant to both Art. 24 of the Spanish Constitution ³⁷ and Art. 110 of the Criminal Code of Procedure ³⁸ , Spanish law permits the victim to participate in the legal proceedings and offers him/her the opportunity to be heard and submit evidence, ask questions and access records.
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		There is the possibility to have the victim separated from the accused in the court room, but this is for the Court to decide, depending on the circumstances in each case.

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

³⁵ Spanish Constitution [*Constitución Española*]. Available at: www.lamoncloa.gob.es/NR/rdonlyres/79FF2885-8DFA-4348-8450-04610A9267F0/0/constitucion_ES.pdf. In English: www.boe.es/legislacion/enlaces/documentos/ConstitucionINGLES.pdf

³⁶ Royal Decree of 14 September 1882 approving the Criminal Code of Procedure [*Real decreto de 14 de septiembre de 1882 por el que se aprueba la Ley de Enjuiciamiento Criminal*]. Available at: www.boe.es/buscar/act.php?id=BOE-A-1882-6036

³⁷ Spanish Constitution [*Constitución Española*]. Available at: www.lamoncloa.gob.es/NR/rdonlyres/79FF2885-8DFA-4348-8450-04610A9267F0/0/constitucion_ES.pdf. In English: www.boe.es/legislacion/enlaces/documentos/ConstitucionINGLES.pdf

³⁸ Royal Decree of 14 September 1882 approving the Criminal Code of Procedure [*Real decreto de 14 de septiembre de 1882 por el que se aprueba la Ley de Enjuiciamiento Criminal*]. Available at: www.boe.es/buscar/act.php?id=BOE-A-1882-6036

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		The management of the Victim Support Offices (<i>Oficinas de Asistencia a las Víctimas de Delitos, OAV</i>) is the responsibility of autonomic governments or local corporations when they have concluded management agreements to this end with the central government. The OAV of the autonomous communities that have not concluded such an agreement depend directly on the Spanish Ministry of Justice.
2	Is there a separate waiting area for victims at court?	X		
3	Is special seating reserved for victims at trial?		X	
4	What other services are available?	NA	NA	
5	Who provides the services (e.g. professional or specialised staff; volunteers etc)?	NA	NA	Ministry of Justice or the Department of Justice of the autonomous community.
6	In reference to question 5, do the service providers provide advice to prosecutors with respect to the safety, physical and psychological well-being, dignity and privacy of victims?	X		It is for the prosecutors to ask them for this information. It will depend on the case and on the judgment of the prosecutor.
7	Do they provide advice to judges with respect to the safety, physical and psychological well-being, dignity and privacy of victims?	X		It is for the judges to ask them. It will depend on the case and the criteria of the judge.
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	It depends on the case.
9	Do victims have the right to be accompanied by support persons during the trial?	X		This has to be decided or permitted by the judge in each case.
10	Can victims access & copy trial records	X		The access to the records of the criminal proceedings can be obtained under the general provisions of the Criminal Code, therefore the victim must be properly represented by a lawyer and a “procurador” to have this kind of access. The final decision is for the judge to be made in each case.

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:		<p>1. Legal aid for legal advice before the Court proceedings is available without means-testing for victims of domestic violence, terrorism, and traffic of persons, according to Art. 2.g) of Act 1/1996 on Free Legal Aid [<i>Ley 1/1996, de 10 de enero, de Asistencia Jurídica Gratuita</i>].³⁹</p> <p>2. Legal aid for legal advice before the Court proceedings is granted to any person with insufficient means, including victims of any kind of criminal offence, according to the means-test provided in Art. 3 of Act 1/1996 on Free Legal Aid [<i>Ley 1/1996, de 10 de enero, de Asistencia Jurídica Gratuita</i>].⁴⁰</p>		

³⁹ Act 1/1996 on Free Legal Aid [*Ley 1/1996, de 10 de enero, de Asistencia Jurídica Gratuita*], amended by Royal Decree-Law 3/2013 of February 22nd modifying the fees applied in the field of the administration of justice and the system of free legal aid [*Real decreto ley 3/2013 de 22 de febrero, por el que se modifica el régimen de las tasas en el ámbito de la Administración de Justicia y el sistema de asistencia jurídica gratuita*]. Available at: www.boe.es/diario_boe/txt.php?id=BOE-A-2013-2029.

⁴⁰ Act 1/1996 on Free Legal Aid [*Ley 1/1996, de 10 de enero, de Asistencia Jurídica Gratuita*], amended by Royal Decree-Law 3/2013 of February 22nd modifying the fees applied in the field of the administration of justice and the system of free legal aid [*Real decreto ley 3/2013 de 22 de febrero, por el que se modifica el régimen de las tasas en el ámbito de la Administración de Justicia y el sistema de asistencia jurídica gratuita*]. Available at: www.boe.es/diario_boe/txt.php?id=BOE-A-2013-2029.

			<p>According to Art. 3.1 of Act 1/1996 on Free Legal Aid [<i>Ley 1/1996, de 10 de enero, de Asistencia Jurídica Gratuita</i>],⁴¹ the means-test is applied to people who do not reach certain limits of income:</p> <p>a) Twice IPREM⁴² (2 x €532.51 per month) for people who are not part of a family unit.</p> <p>b) IPREM x 2.5 (2.5 x €532.51 per month) for people who are part of a family unit of less than 4 people.</p> <p>c) IPREM x 3 (3 x €532.51 per month) for people who are part of a family unit of 4 people or more.</p>		
2. Free legal representation	Place X in appropriate column		X		
	Comments:		<p>1. Legal aid for legal representation before the court proceedings is available without means-test for victims of domestic violence, terrorism and human trafficking, according to Art. 2.g) of Act 1/1996 on Free Legal Aid [<i>Ley 1/1996, de 10 de enero, de Asistencia Jurídica Gratuita</i>].⁴³</p> <p>2. Legal aid for legal representation before the court proceedings is granted to any person without means, including victims of any kind of criminal offence, according to</p>		

⁴¹ Act 1/1996 on Free Legal Aid [*Ley 1/1996, de 10 de enero, de Asistencia Jurídica Gratuita*], amended by Royal Decree-Law 3/2013 of February 22nd modifying the fees applied in the field of the administration of justice and the system of free legal aid [*Real decreto ley 3/2013 de 22 de febrero, por el que se modifica el régimen de las tasas en el ámbito de la Administración de Justicia y el sistema de asistencia jurídica gratuita*]. Available at: www.boe.es/diario_boe/txt.php?id=BOE-A-2013-2029.

⁴² IPREM is the "Index of income with multiple effects" (*Indicador de renta con efectos múltiples*) which is an amount established each year by the Government. For 2013 the IPREM is set at €532.51 a month.

⁴³ Act 1/1996 on Free Legal Aid [*Ley 1/1996, de 10 de enero, de Asistencia Jurídica Gratuita*], amended by Royal Decree-Law 3/2013 of February 22nd modifying the fees applied in the field of the administration of justice and the system of free legal aid [*Real decreto ley 3/2013 de 22 de febrero, por el que se modifica el régimen de las tasas en el ámbito de la Administración de Justicia y el sistema de asistencia jurídica gratuita*]. Available at: www.boe.es/diario_boe/txt.php?id=BOE-A-2013-2029.

			the means-test provided in Art. 3 of Act 1/1996 on Free Legal Aid [<i>Ley 1/1996, de 10 de enero, de Asistencia Jurídica Gratuita</i>].		
3. Exemption from court fees	Place X in appropriate column			X	
	Comments:			All people who are granted free legal aid are exempt from court fees, according to Art. 4 of Act 10/2012 of November 20 th . ⁴⁴	
4. Exemption from or reimbursement for expenses related to interpretation and/or translation	Place X in appropriate column				X
	Comments:				The interpretation or translation in Court is provided by the Court, therefore the victims do not have to pay anything.

⁴⁴ Act 10/2012 of November 20th regulating certain fees regarding the administration of justice and the National Institute of Toxicology and Forensic Science [*Ley 10/2012, de 20 de noviembre, por la que se regulan determinadas tasas en el ámbito de la Administración de Justicia y del Instituto Nacional de Toxicología y Ciencias Forenses*]. Available at: www.boe.es/diario_boe/txt.php?id=BOE-A-2012-14301.

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:					This must be requested in each case. Victims can ask for reimbursement because they participate in court proceedings not only as a party but as witnesses as well. According to Art. 241 of Criminal Code of Procedure, ⁴⁵ there is a compensation for witnesses. According to Art. 375 of the Code of Civil Procedure 2/2000 of January 7 th [<i>Ley de Enjuiciamiento Civil</i>] ⁴⁶ witnesses have a right to compensation.
		The state	A victim support service	Both	Other (explain)	

⁴⁵ Royal Decree of 14 September 1882 approving the Criminal Code of Procedure [*Real decreto de 14 de septiembre de 1882 por el que se aprueba la Ley de Enjuiciamiento Criminal*]. Available at: www.boe.es/buscar/act.php?id=BOE-A-1882-6036.

⁴⁶ Code of Civil Procedure [*Ley 1/2000, de 7 de enero, de Enjuiciamiento Civil*]. Available at: www.boe.es/buscar/doc.php?id=BOE-A-2000-323.

2. Who provides legal aid? place 'X' in one column only)	X			In each province, there are free legal aid technical commissions which decide on the petitions for free legal aid, according to Art. 9, 10 and 11 of the Act on Free Legal Aid [<i>Ley 1/1996, de 10 de enero, de Asistencia Jurídica Gratuita</i>]. ⁴⁷ The Spanish autonomous communities participate in these commissions.
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⁴⁷ Act 1/1996 on Free Legal Aid [*Ley 1/1996, de 10 de enero, de Asistencia Jurídica Gratuita*], amended by Royal Decree-Law 3/2013 of February 22nd modifying the fees applied in the field of the administration of justice and the system of free legal aid [*Real decreto ley 3/2013 de 22 de febrero, por el que se modifica el régimen de las tasas en el ámbito de la Administración de Justicia y el sistema de asistencia jurídica gratuita*]. Available at: www.boe.es/diario_boe/txt.php?id=BOE-A-2013-2029.

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		According to Art. 109 and Art. 110 of the Criminal Code [<i>Código Penal</i>] ⁴⁸ and art. 100 of the Code of Criminal Procedure [<i>Ley de Enjuiciamiento Criminal</i>] ⁴⁹ , the victim has the right to ask for compensation of damages resulting from the criminal offence. Therefore, during criminal proceedings the victim can ask for compensation against the prosecuted person, but also against third parties who can be found civilly responsible in order to pay for the compensation. However, the compensation will be decided by the judge in the final ruling of the case.
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		According to Art. 544 bis and 544 ter of the Code of Criminal Procedure ⁵⁰ , the victims of domestic violence or other serious crimes (such as homicide, torture and others provided in Art. 57 of the Criminal Code ⁵¹) can ask for measures or a protection order. Chapter 4 (Art. 61) of Organic Act 1/1994 on comprehensive protection against gender violence [<i>Ley Orgánica 1/2004, de 28 de diciembre, de Medidas de Protección Integral contra la Violencia de Género</i>] ⁵² also provides judicial protection measures for victims.

⁴⁸ Organic Act 10/1995 of December 23rd on the Criminal Code [*Ley orgánica 10/1995, de 23 de noviembre, del Código Penal*], available at: www.boe.es/buscar/doc.php?id=BOE-A-1995-25444.

⁴⁹ Royal Decree of 14 September 1882 approving the Criminal Code of Procedure [*Real decreto de 14 de septiembre de 1882 por el que se aprueba la Ley de Enjuiciamiento Criminal*]. Available at: www.boe.es/buscar/act.php?id=BOE-A-1882-6036.

⁵⁰ Royal Decree of 14 September 1882 approving the Criminal Code of Procedure [*Real decreto de 14 de septiembre de 1882 por el que se aprueba la Ley de Enjuiciamiento Criminal*]. Available at: www.boe.es/buscar/act.php?id=BOE-A-1882-6036.

⁵¹ Organic Act 10/1995 of December 23rd on the Criminal Code [*Ley orgánica 10/1995, de 23 de noviembre, del Código Penal*], available at: www.boe.es/buscar/doc.php?id=BOE-A-1995-25444.

⁵² Organic Act 1/1994 on comprehensive protection against gender violence [*Ley Orgánica 1/2004, de 28 de diciembre, de Medidas de Protección Integral contra la Violencia de Género*]. Available at: www.boe.es/boe/dias/2004/12/29/pdfs/A42166-42197.pdf

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	
5	Does compensation paid by the offender under a 'victims of crime fund' go towards victim support services?		X	
6	Is compensation paid by the state?		X	In the case of terrorism, the State pays compensation, but is a different one from the compensation to be paid by the offender.
7	Will the State advance payment of the compensation if the offender does not pay? Under which conditions?		X	
8	Does a compensation order exist?	X		This is part of the Court decision concerning the whole case.
9	Do prosecutors have the power to mediate between the offender and the victim?		X	
10	Do prosecutors have the duty to attempt to obtain compensation from the offender?		X	There is no specific duty other than the duty to ask for full responsibility deriving from a criminal offence.
11	Is compensation, when paid by the offender to the victim, taken into account in decisions to prosecute?		X	Nor the public prosecutor nor the judge consider the question of compensation to the victim when deciding to prosecute the offender, nor will the payment or non-payment of compensation influence the decision to prosecute.
12	Is compensation, when paid by the offender to the victim, taken as a mitigating factor in sentencing?	X		The payment of compensation may influence the decision of the case as a mitigating factor when preparing the ruling, according to Art. 21.5 of the Criminal Code.
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		If criminal proceedings are initiated, the time limit is the time limit for the prosecution of the criminal offence. According to Art. 121 of the Criminal Code ⁵³ , the time limit depends on the type of criminal offence. But it is also possible, once the time limit has expired, to ask for compensation under criminal proceedings, to start a civil lawsuit in order to obtain this compensation, taking into account the time limit for each civil action,

⁵³ Organic Act 10/1995 of December 23rd on the Criminal Code [*Ley orgánica 10/1995, de 23 de noviembre, del Código Penal*], available at: www.boe.es/buscar/doc.php?id=BOE-A-1995-25444.

				according to Art. 1961 of the Spanish Civil Code (<i>Código Civil</i>). ⁵⁴
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	

⁵⁴ Royal Decree of 24 July 1889 on the publication of the Civil Code [*Real decreto de 24 de julio de 1889 por el que se publica el Código Civil*]. Available at: www.boe.es/buscar/act.php?id=BOE-A-1889-4763.

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		Title V of RD 738/1997 ⁵⁵ provides for cross-border referral of victims with regard to compensation. With regard to other assistance, the OAV have not answered our information request.
2	Can victims of crime report crimes in their own country if the crime was committed in another state?	X		Art. 23 of the Organic Act on the Judiciary ⁵⁶ establishes the competence of the Spanish courts to prosecute offences perpetrated against Spanish citizens abroad.
3	Are victim support services made available to all victims, regardless of legal status, country of origin or nationality?	X		Migrants in an irregular situation, however, cannot apply for compensation (Art. 2 of RD 738/1997). ⁵⁷
4	Describe any special mechanism for victims of crime from other countries to access support. E.g. via website etc.	X		Victims of gender violence can call the national number 016 (available 24/7; 51 languages available). Tourists can call the SATE phone number (at least English and French).
5	Is information made available to victims in different languages by the police? If yes, which languages?	X		Written information on the rights of victims is available in the most common foreign languages. All foreigners are entitled to an interpreter when making a declaration.
6	Is information made available to victims in different languages by victim support services? If yes, which languages?	X		Apart from Spanish and, where applicable, the other official languages in Spain, at least in English and French.
7	Do victim support services offer interpretation or translation services? If yes, in which languages?			Yes, according to the Charter of Citizens' Rights (Art. 31), all aliens have the right to be assisted in their own language by the administration of justice and the organisations collaborating with it when they do not understand Spanish or the official language of the autonomous community. ⁵⁸
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			The OAV cooperate with the competent authorities in other countries to help victims from other countries obtain compensation, by facilitating information, documentation

⁵⁵ Royal Decree 738/1997 of May 23rd approving the Regulation on aid to victims of violent crime and crimes against sexual freedom [*Real Decreto 738/1997, de 23 de mayo, por el que se aprueba el Reglamento de ayudas a las víctimas de delitos violentos y contra la libertad sexual*]. Available at: www.boe.es/diario_boe/txt.php?id=BOE-A-1997-11304.

⁵⁶ Organic Act 6/1985 of July 1st on the Judiciary [*Ley Orgánica 6/1985, de 1 de julio, del Poder Judicial*]. Available at: www.boe.es/buscar/act.php?id=BOE-A-1985-12666.

⁵⁷ Royal Decree 738/1997 of May 23rd approving the Regulation on aid to victims of violent crime and crimes against sexual freedom [*Real Decreto 738/1997, de 23 de mayo, por el que se aprueba el Reglamento de ayudas a las víctimas de delitos violentos y contra la libertad sexual*]. Available at: www.boe.es/diario_boe/txt.php?id=BOE-A-1997-11304.

⁵⁸ Charter of Citizens' Rights [*Carta de los Derechos de los Ciudadanos*], Art. 31. Available at: www.poderjudicial.es/cgpj/es/Servicios/Atencion_Ciudadana/Guias_para_ciudadanos/Carta_de_Derechos_de_los_Ciudadanos.

	formal cooperation agreement; international consultative forums or conventions etc.)		and, where necessary, arrange for videoconferences or hearings.
		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?	The OAV provide the victims with information on the procedure and the necessary forms, which it will forward to the competent authority abroad (Art.89-92 RD 738/1997). ⁵⁹	
10	What is the number of victims accessing victim support services who are non-nationals of the state?	The OAV have not answered our information request regarding the general data for Spain. As an indication: In Catalonia 35,24% of victims assisted were non-nationals (Statistics OAV 2011). ⁶⁰	
11	Describe any special mechanism for victims of crime from other countries to access support. E.g. via website etc.	See question 4.	
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 special measures are in place. The general legislation on the protection of privacy and personal data processed by the public administrations are applicable, as well as the legislation on the protection of the privacy of victims in general (i.e. non-cross border cases).	

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?

⁵⁹ Royal Decree 738/1997 of May 23rd approving the Regulation on aid to victims of violent crime and crimes against sexual freedom [Real Decreto 738/1997, de 23 de mayo, por el que se aprueba el Reglamento de ayudas a las víctimas de delitos violentos y contra la libertad sexual]. Available at: www.boe.es/diario_boe/txt.php?id=BOE-A-1997-11304.

⁶⁰ Basic Statistics, Victim Support 2011 [Estadística Básica, Atenció a la víctima, 2011]. Available at: www20.gencat.cat/docs/Justicia/Home/Departament/estadistiques/dades_oav_2011.pdf.

Although in Spain there is a long tradition of volunteer work in general, average participation by volunteers has always been low compared to other European countries (Eurobarometer June 2011: 15% in Spain against EU27-average of 24%). The tradition of volunteerism in victim support is relatively short (starting in the 70's) and mainly related to the victims of specific crimes, such as terrorism or traffic accidents. Volunteer victim support is almost exclusively organized by "victim associations", of which there are many. There are no reliable statistics on the number of volunteers dedicated to victim support. Associations providing victim support only offer information on the amount of members they have – usually direct or indirect victims (i.e. family members) - but not on the number of volunteers working for them. There is limited information available on the profile of Spanish volunteers in general (gender, education level, etc.), but none whatsoever regarding the specific segment of volunteers in victim support.

- 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.**

For example, In Hungary, volunteerism in the field of victim support is a relatively new phenomenon. In the framework of the ACT Programme (*TETT Program az Áldozatokért és a Tettesekért*),⁶¹ implemented within the national development plan with the support of the European Social Fund, one of the key initiatives has been the organisation of volunteer networks to assist victims of crime, which has resulted in the recent (since February 2011) recruitment of 200 volunteers; including two in each sub-region situated in the nine counties covered by the ACT Programme. Based on the 'Hungarian National Social Inclusion Strategy' for 2012 to 2014 additional Roma volunteers will be recruited and involved in the volunteer's network.⁶² Victim support officers participate as mentors to volunteers & provide training.

Another country where volunteerism in the field of victim support is quite recent is **Croatia**, where an interesting – and economically reasonable - balance has been struck by combining the professional work of (paid) civil servants and (unpaid) volunteers. Recently established 'witness support offices' have enlisted the help of a network of trained volunteers, many of them law students, which now amounts to over 200. Support staff and volunteers do not give legal advice or carry out psychological counselling or psychotherapy, and do not talk about the content of the testimony of a witness or victim. Support officers and volunteers can give information to the victims/witnesses on organisations providing psychological counselling or psychotherapy.⁶³

⁶¹ www.tettprogram.hu.

⁶² Information is available in English at: <http://romagov.kormany.hu/hungarian-national-social-inclusion-strategy-deep-poverty-child-poverty-and-the-roma>

⁶³ Each office has a list of such organisations with contact information, divided by areas of activity and victims are given information about the options. Volunteers in victim and witness support departments in county courts are tasked with waiting for victims at court and accompanying them to separate waiting rooms; providing answers to questions related to court proceedings and explaining what to expect in the courtroom. They can also accompany the witnesses and spend time with them in the courtroom.

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?).

Spain has a long tradition of social work, going back to at least 1850. Over the past 40 years, the so-called “Third Sector for Social Action” (non-profit sector with social objectives) has institutionalized and professionalized considerably. Between 2008 and 2010, the number of paid staff in the sector increased by 106.932 persons, meaning the sector in 2010 represented 3,5% of the total labour market (against 2,7% in 2008). The number of third sector volunteers increased by more than 200.000 between 2008 and 2010, to a total of 1.075.414. Volunteers represent 53,2% of all people working in the sector. Women represent around 75% of all paid staff. 46,5% of paid staff is younger than 35 years, while in the total Spanish labour market this number is less than a third. The average paid worker in the third sector has a high level of education: 62,6% have a university degree against 26,4% of the overall labour market. Volunteers are also predominantly women (64,4%) and young people (46,9% under 35). The time that volunteers dedicate to third sector work is fairly limited. Around a third only collaborates occasionally with third sector organizations. Almost a fifth of volunteers collaborates more than 10 hours a week. Volunteers assist in giving direct support to beneficiaries (80,5% of organisations), awareness raising, campaigns, fundraising (76,4%), and organizational tasks and decision making (54,3%). Source: 2012 Yearbook of the Third Sector for Social Action in Spain [*Anuario del Tercer Sector de Acción Social en España 2012*], published by the Fundación Luis Vives.⁶⁴

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		The OAV provide victims in cross border situations with information and forms for requesting economic aid and compensation.
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		A similar service is offered in Spain by the Foreign Tourist Assistance Service (<i>Servicio de Atención al Turista Extranjero</i>).
3	Schemes for compensatory fines to help fund support		X	The victim support services are

⁶⁴ 2012 Yearbook of the Third Sector for Social Action in Spain [*Anuario del Tercer Sector de Acción Social en España 2012*]. Available at: www.fundacionluisvives.org/servicios/publicaciones/informe_anual_del_tercer_sector_de_accion_social_en_espana/index.html (summary in English).

	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).			funded from the general budget of the Spanish state and autonomous communities.
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 accompaniment during court proceedings is part of the standard services offered by the OAV. Often accompaniment to the police station is also possible.
6	In some countries, victims are provided with free psychosocial and legal assistance throughout the entire criminal proceedings.	X		Free psychosocial support is offered. Legal assistance is free depending on income level, except for victims of gender violence, terrorism and trafficking (always free).
7	Some countries have legal clinics that provide free legal assistance to victims of crime.		X	See previous question.
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	Apart from offering information through websites, flyers and phone lines, information on the generic victim support services is not provided in innovative ways. Specialized victim support associations, however, make an active use of social media and other new ways of communication.
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 Spanish government has elaborated a Victim's Charter (<i>Estatuto de la Víctima del Delito</i>), which it intends to include as a separate chapter in the proposed new Criminal Code of Procedure (which will therefore be legally binding).
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 Spanish police, where necessary, always provides victims with information on victim support services. Since 2003, police stations have special Prevention, Assistance and Protection Units (UPAP) for cases of gender violence.
11	The multi-disciplinary, national referral system introduced in Bulgaria with regard to trafficking might be considered a promising practice.	X		In October 2011, Spain adopted the Framework Protocol for the Victims of Human Trafficking (<i>Protocolo Marco de Protección de las Víctimas de Trata de</i>

				<i>Seres Humanos</i>). ⁶⁵
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		The nationally active Gipsy Secretariate (<i>Secretariado Gitano</i>) provides legal support and assistance to victims of discrimination on the ground of being Roma. Regional federations, such as the Catalan FAGiC, offer similar services.
13	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): Sample Extract from the policy: 1. Rationale 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. 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. 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 [...]. ⁶⁶		X	Spain has a Central Register for the Protection of Victims of Domestic Violence, containing information on all convictions, provisional measures and protection measures taken in cases of domestic violence. All parties participating in the administration of justice, including the victim support services, have access to this register, allowing them, among others, to detect possible repeat victimisation in an early stage.
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).	X		This type of (special) protection is common practice in Spain, especially in case of vulnerable groups, such as minors, victims of gender violence or witnesses. The rights of vulnerable victims will be established even more clearly in the proposed new Criminal Code of Procedure.
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	Information, training or support is only given on a voluntary basis.

⁶⁵ Framework Protocol for the Protection of Victims of Human Trafficking [*Protocolo Marco de Protección de las Víctimas de Trata de Seres Humanos*]. English version available at:

www.msssi.gob.es/ssi/violenciaGenero/tratadeMujeres/ProtocoloMarco/DOC/ProtocoloTrataEN.pdf (also in Spanish and French).

⁶⁶ www.thamesvalley.police.uk/pub-policiesandprocedures-repeat-victimisation.pdf

16	Other promising practices: please include any other promising practices in your country with regard to victim support and enabling victims' to exercise their rights.	X	Victims of gender violence, human trafficking and terrorism are exempt from paying judicial fees (Royal Decree 3/2013). ⁶⁷
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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.):

	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.	-----	-----
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.	X	Subjective perceptions apart, the Spanish criminal system clearly offers victims possibilities and rights reflecting all four perceptions described. Victims are seen as witnesses, are offered the possibility to claim (moral) damages and have the right to actively participate in criminal proceedings (associations representing specific categories of victims are also entitled do so).

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.⁶⁸ 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		The victim is offered the possibility to

⁶⁷ Royal Decree-Law 3/2013 of February 22nd modifying the fees applied in the field of the administration of justice and the system of free legal aid [Real Decreto-ley 3/2013, de 22 de febrero, por el que se modifica el régimen de las tasas en el ámbito de la Administración de Justicia y el sistema de asistencia jurídica gratuita]. Available at: www.boe.es/diario_boe/txt.php?id=BOE-A-2013-2029.

⁶⁸ See Recital 20 Of the Victims' Directive, p. 11 (<http://register.consilium.europa.eu/pdf/en/12/pe00/pe00037.en12.pdf>).

				take part in criminal proceedings as private prosecutor (Art. 110 Criminal Code of Procedure). ⁶⁹ The condition of victim is sufficient to do so; existence of damages is not a precondition for becoming a part in the proceedings.
2	The victim is under a legal requirement or is requested to actively participate in criminal proceedings, for example as a witness	X		All witnesses are legally obliged to testify (Art. 410 Criminal Code of Procedure). ⁷⁰ The victim is free to become a part in the proceedings as a private prosecutor.
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 does have a legal status under Spanish law and is legally entitled to actively participate in the criminal proceedings.

⁶⁹ Royal Decree of 14 September 1882 approving the Criminal Code of Procedure [*Real decreto de 14 de septiembre de 1882 por el que se aprueba la Ley de Enjuiciamiento Criminal*]. Available at: www.boe.es/buscar/act.php?id=BOE-A-1882-6036.

⁷⁰ Royal Decree of 14 September 1882 approving the Criminal Code of Procedure [*Real decreto de 14 de septiembre de 1882 por el que se aprueba la Ley de Enjuiciamiento Criminal*]. Available at: www.boe.es/buscar/act.php?id=BOE-A-1882-6036.

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*⁷¹

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

Although earlier initiatives were taken at an autonomic level to create generic victim support services (e.g. April 1985 in the autonomous community of Valencia), it was the Spanish state who took the initiative to create the Victim Support Offices (*Oficinas de Asistencia a las Víctimas*), being the first generic victim support service at a national level, within the framework of Act 35/1995 on Aid and Support to the Victims of Violent Crime and against Sexual Freedom (Art. 16).

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

Max 150 words

Although the basic funding for the Victim Support Offices came from the general state budget, in some autonomous communities, such as Andalusia, the provincial offices also received funding from the Welfare Projects (*Obra Social*) of regional savings banks.

⁷¹ Questions marked with * should NOT be answered by countries falling into category 'A' (in accordance with question 2.2.1)

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

Max 200 words

As indicated in the Explanatory Memorandum to Act 35/1995, when the Spanish act on victim support was adopted, social scientists had been insisting for quite some time that the fact that victims of (violent) crime did not receive any special attention or support after the offence caused a so-called “secondary victimization”. The Memorandum, moreover, refers to the fact that several international organisations, in particular the Council of Europe, had expressed their concern for the position of victims during and after criminal procedures (1983 Convention on the Compensation of Victims of Violent Crime; Recommendation of the Committee of Ministers on the Position of the Victim in the Framework of Criminal Law and Procedure). Finally, other European countries had already adopted relevant legislation and created generic victim support services.

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		The decrees implementing the OAV in each autonomous community already contain detailed descriptions of the tasks and duties of the victim support offices. In addition, some OAVs have adopted autonomic, provincial or local “Service Charters” that contain detailed performance or quality indicators (e.g. number of victims assisted by police, psychologists or specialized phone line within an established time limit; percentage of aggressors monitored in cases of gender violence). ⁷²

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
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⁷² See for example: Commitments Charter of the Support Service for Victims of Domestic Violence and Gender Violence of the City of Palma – Balearic Islands, p. 11 [*Carta de compromisos del servicio de asistencia a víctimas de violencia doméstica y de género del Ayuntamiento de Palma*]. Available at: http://policia.palmademallorca.es/portal/PALMA/policialocal/RecursosWeb/DOCUMENTOS/1/22_3498_2.pdf.

		# staff	hours contracted per week	# volunteers	hours contracted per week	Value of volunteer work
UK (England and Wales)	Victim Support	1,500	?	6,500	?	Approx EUR 25.1 million
Northern Ireland	Victim Support	60	?	213	23,309	?
Spain	The Victim Support Service (OAV) has not answered our information request regarding these data.					

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		Yes, if they meet the requirements of Act 1/1996 on Free Legal Assistance. ⁷³ All victims of gender violence, terrorism and human trafficking have this right 'per se' (RD 3/2013). ⁷⁴
b Free health/psychological assistance (e.g. crisis intervention centres)	X		In particular in case of victims of gender violence, terrorism and human trafficking.
c Emergency financial assistance	X		Victims who meet the requirements are entitled to provisional financial aid (Art. 8-10 of RD 738/1997).
d Court accompaniment/support services	X		This is a standard service offered by the OAV.
e Other (specify)			Victims of gender violence are entitled to comprehensive protection, including e.g. shelter and assistance in finding a (new) job.

⁷³ Act 1/1996 of January 10th on Free Legal Aid [Ley 1/1996, de 10 de enero, de asistencia jurídica gratuita]. Available at: www.boe.es/buscar/doc.php?id=BOE-A-1996-750.

⁷⁴ Royal Decree-Law 3/2013 of February 22nd modifying the fees applied in the field of the administration of justice and the system of free legal aid [Real Decreto-Ley 3/2013, de 22 de febrero, por el que se modifica el régimen de las tasas en el ámbito de la Administración de Justicia y el sistema de asistencia jurídica gratuita]. Available at: www.boe.es/diario_boe/txt.php?id=BOE-A-2013-2029.

3.4 (Failed) Attempts to establish national generic victim support service provider**75

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

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.

⁷⁵ **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

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’.

	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	Bureaux d’assistance aux victimes; Victim’s reception service in each of the 27 judicial districts and at the community level, assistance to victims is organized through Centres for Victims of Crime;
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. In Spain, no “Victim’s Statute” has been created yet allowing all services to be coordinated. Several organs exist, pertaining to different ministries, which are specialized in different types of victims, e.g.:

	<ul style="list-style-type: none"> - Support Offices for Victims of Violent Crimes and Crimes against Sexual Freedom [Oficinas de Asistencia a las Víctimas de delitos violentos y contra la libertad sexual (OAV)], which fall under the Ministry of Justice and which are available in all autonomous communities and provinces. See: www.mjusticia.gob.es/BUSCADIR/ServletControlador?apartado=buscadorPorProvinciasForm&tipo=ATV&lang=es_es - Directorate General for the Support to the Victims of Terrorism (Ministry of the Interior). See: www.interior.gob.es/directorio-30/servicios-centrales-25/direccion-general-de-apoyo-a-victimas-del-terrorismo-41?locale=es - Unit for the Coordination of Support to the Victims of Traffic Accidents, which will be present in all the provincial offices of the national traffic service (recently set up). - The services for victims of gender violence in the autonomous communities. - Support service for victims of persecution or violence during the Spanish Civil War or the Franco dictatorship which falls under the Ministry of the Presidency and the Ministry of Culture. This service also exists in several autonomous communities.
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, APAV</i>) - 15 victim support offices located throughout the country.
RO	
SE	The Swedish Association for Victim Support (<i>Brottsofferjourernas Riksförbund, BOJ</i>) 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)
	Name/short description of organisation(s)
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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.
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EL	
ES	The management of the Offices for Support to Victims of Crimes (<i>Oficinas de Asistencia a las Víctimas de Delitos, OAV</i>) 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 (<i>Rikosuhripäivystys / Brottsofferjouren</i>) 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.
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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>Brottsofferjourernas 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)

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.