

FRANET

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

Ireland, 2014

FRANET contractor: Milieu

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## 1. Part A:

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one of the examples provided, please review and revise the information as necessary, as the information provided may be outdated.

### 2.1 Scenarios

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

	Scenario	Questions	Yes	No	Description (max 1-3 sentences)
1	A female who has been beaten by her partner and calls the police	a. Do the police routinely refer the victim to a support service?	X		The An Garda Síochána (national police) Victims' Charter states that a victim of crime or traumatic incident will be told in writing about the Crime Victims' Helpline and other services available for victims of crime. In relation to victims of domestic violence, the Charter states "In cases of domestic violence we have a pro-arrest policy to protect spouses or partners and your family. We will also advise you about local support services." <sup>2</sup> However, recent research has suggested that not all victims receive information about the Crime Victims' Helpline and other support services, contrary to the Charter. <sup>3</sup>

<sup>1</sup> Aa, S. van der et al. (2009), *Project victims in Europe – Implementation of the EU Framework Decision on the standing of victims in the criminal proceedings in the Member States of the European Union*, Lisbon (see [http://www.apav.pt/vine/images/report\\_vine\\_eng.pdf](http://www.apav.pt/vine/images/report_vine_eng.pdf)).

<sup>2</sup> Ireland, An Garda Síochána (2010) Victims' Charter, Dublin: An Garda Síochána, [4] available at: [www.garda.ie/Documents/User/An%20Garda%20S%C3%ADoch%C3%A1na%20Victims%20Charter%20English%20Version.pdf](http://www.garda.ie/Documents/User/An%20Garda%20S%C3%ADoch%C3%A1na%20Victims%20Charter%20English%20Version.pdf).

<sup>3</sup> Ireland, Kilcommins, S., Leane, M., Donson, F., Fennell, C., and Kingston, A., (2010), *The Needs and Concerns of Victims of Crime in Ireland*, Dublin: Commission for the Support of Victims of Crime, [225], available at: [www.csvc.ie/en/CSV/Needs%20and%20Concerns%20Total%20\(PDF\).pdf/Files/Needs%20and%20Concerns%20Total%20\(PDF\).pdf](http://www.csvc.ie/en/CSV/Needs%20and%20Concerns%20Total%20(PDF).pdf/Files/Needs%20and%20Concerns%20Total%20(PDF).pdf).

		b. If yes, please name the service(s)	-	-	Crime Victims' Helpline. Police may also refer the victim to a national and/or local domestic violence support services such as Safe Ireland, Women's Aid, Cosc, local refuges etc., if appropriate.
		c. Do the police routinely contact this service on behalf of the victim?		X	The police may contact a service on behalf of a victim, but this is discretionary and it cannot be said that the police would "routinely" make such contact.
		d. Which support service would in the end deal with such a case?	-	-	Depending on the facts and/or location of the victim, the following support services would deal with the case: Women's Aid – a national organisation which provides confidential support and information to women and children living with domestic violence who need emergency or ongoing support. <sup>4</sup> Safe Ireland – a national organisation representing frontline domestic violence services in Ireland (including refuges). <sup>5</sup>

<sup>4</sup> Women's Aid website, available at: [www.womensaid.ie](http://www.womensaid.ie).

<sup>5</sup> Safe Ireland website, available at: [www.safeireland.ie](http://www.safeireland.ie).

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	<p>The An Garda Síochána (national police) Victims' Charter states that a victim of crime or traumatic incident will be told in writing about the Crime Victims' Helpline and other services available for victims of crime. In relation to sexual offences, the Charter states the police will "will show special sensitivity in relation to sexual offences, including provision of a Garda (police officer) of the same gender; provision of a doctor of the same gender as far as possible when asked; and provision of details about any local support organisations for victims of sexual offences.<sup>6</sup> However, recent research has suggested that not all victims receive information about the Crime Victims' Helpline and other support services, contrary to the Charter.<sup>7</sup></p> <p>The An Garda Síochána (national police) policy on the investigation of sexual crime, crimes against children and child welfare<sup>8</sup> states that "in all cases of sexual crime, the investigating member will provide the victim with a copy of the relevant sexual crime information literature and make the complainant aware of the relevant services in the area, such as the Rape Crisis Centre; Women's Aid/Refuge; Irish Society for the Prevention of Cruelty to Children; CARI (Children at Risk in Ireland), Barnardos, One In Four, Faoiseamh (Clerical Abuse); AMEN (Abused Men); Crime Victim's Helpline; Health Service Executive Social Workers; Safe Ireland (national body for women's frontline domestic violence services); Local Women's Support Groups; Local GP's; Family Law Courts; Legal Aid Board; Local Housing Authorities; any other agency which may be of assistance".</p> <p>Children First, the national guidance on child protection, states that where An Garda Síochána suspects that a child has been or is being the victim of emotional, physical or sexual abuse or neglect (whether wilful or unintentional), the HSE must be formally notified in accordance with the procedures set out in the guidance document.<sup>9</sup></p>
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<sup>6</sup> Ireland, An Garda Síochána (2010) Victims' Charter, Dublin: An Garda Síochána, [4] available at:

[www.garda.ie/Documents/User/An%20Garda%20S%C3%ADoch%C3%A1na%20Victims%20Charter%20English%20Version.pdf](http://www.garda.ie/Documents/User/An%20Garda%20S%C3%ADoch%C3%A1na%20Victims%20Charter%20English%20Version.pdf).

<sup>7</sup> See Ireland, Kilcommins, S., Leane, M., Donson, F., Fennell, C., and Kingston, A., (2010), The Needs and Concerns of Victims of Crime in Ireland, Dublin: Commission for the Support of Victims of Crime, [225], available at: [www.csvc.ie/en/CSVC/Needs%20and%20Concerns%20Total%20\(PDF\).pdf/Files/Needs%20and%20Concerns%20Total%20\(PDF\).pdf](http://www.csvc.ie/en/CSVC/Needs%20and%20Concerns%20Total%20(PDF).pdf/Files/Needs%20and%20Concerns%20Total%20(PDF).pdf).

<sup>8</sup> Ireland, An Garda Síochána (2010) Policy on the Investigation of Sexual Crime, Crimes Against Children and Child Welfare, Dublin: An Garda Síochána, [107] available at [www.garda.ie/Documents/User/WEB%20Investigation%20of%20Sexual%20Crime%20Crimes%20Against%20Children%20Children%20Welfare.pdf](http://www.garda.ie/Documents/User/WEB%20Investigation%20of%20Sexual%20Crime%20Crimes%20Against%20Children%20Children%20Welfare.pdf)

		b. If yes, please name the service(s)	-	-	Crime Victims' Helpline.
		c. Do the police contact this service on behalf of the victim?		X	The police may contact a service on behalf of a victim, but this is discretionary and it cannot be said that the police would "routinely" make such contact.
		d. Which support service would in the end deal with such a case?	-	-	CARI – Children at Risk in Ireland, an NGO which offers child centered specialised therapy and support to children, families and groups affected by child sexual abuse. <sup>10</sup>
3	A person calls the police following a burglary in their apartment	a. Do the police routinely refer the victim to a support service?		X	The An Garda Síochána (national police) Victims' Charter states that victim of crime or traumatic incident will be told in writing about the Crime Victims' Helpline and other services available for victims of crime." <sup>11</sup> However, recent research has suggested that not all victims receive information about the Crime Victims' Helpline and other support services, contrary to the Charter. <sup>12</sup>
		b. If yes, please name the service(s)	-	-	Crime Victims' Helpline.
		c. Do the police contact this service on behalf of the victim?		X	The police may contact a service on behalf of a victim, but this is discretionary and it cannot be said that the police would "routinely" make such contact.
		d. Which support service would in the end deal with such a case?	-	-	Crime Victims' Helpline.

<sup>9</sup> Ireland, Health Service Executive, (2011) Children First: National Guidance on the Protection and Welfare of Children (Dublin: Government Publications), [108] available at [www.hse.ie/eng/services/Publications/services/Children/cf2011.pdf](http://www.hse.ie/eng/services/Publications/services/Children/cf2011.pdf). The protocol for liaison between An Garda Síochána and the Health Service Executive in cases of suspected child abuse is set out at Chapter 7.

<sup>10</sup> CARI website, available at: [www.cari.ie](http://www.cari.ie).

<sup>11</sup> Ireland, An Garda Síochána (2010) Victims' Charter, Dublin: An Garda Síochána, [4] available at:

[www.garda.ie/Documents/User/An%20Garda%20S%C3%ADoch%C3%A1na%20Victims%20Charter%20English%20Version.pdf](http://www.garda.ie/Documents/User/An%20Garda%20S%C3%ADoch%C3%A1na%20Victims%20Charter%20English%20Version.pdf).

<sup>12</sup> Ireland, Kilcommins, S., Leane, M., Donson, F., Fennell, C., and Kingston, A., (2010), The Needs and Concerns of Victims of Crime in Ireland, Dublin: Commission for the Support of Victims of Crime, [225], available at: [www.csvc.ie/en/CSVC/Needs%20and%20Concerns%20Total%20\(PDF\).pdf/Files/Needs%20and%20Concerns%20Total%20\(PDF\).pdf](http://www.csvc.ie/en/CSVC/Needs%20and%20Concerns%20Total%20(PDF).pdf/Files/Needs%20and%20Concerns%20Total%20(PDF).pdf).

4	A person is the victim of a racist attack by a gang of youths	a. Do the police routinely refer the victim to a support service?	X		The An Garda Síochána (national police) Victims' Charter states that a victim of crime or traumatic incident will be told in writing about the Crime Victims' Helpline and other services available for victims of crime. In relation to victims of racist incidents, the Charter states that the police will "accurately record the incident; investigate the complaint; and put the victim in contact with the Garda Ethnic Liaison Officer in the victim's area." <sup>13</sup> However, recent research has suggested that not all victims receive information about the Crime Victims' Helpline and other support services, contrary to the Charter. <sup>14</sup>
		b. If yes, please name the service(s)	-	-	Crime Victims' Helpline.
		c. Do the police contact this service on behalf of the victim?		X	The police may contact a service on behalf of a victim, but this is discretionary and it cannot be said that the police would "routinely" make such contact.
		d. Which support service would in the end deal with such a case?	-	-	Crime Victims Helpline.
5	An elderly person is mugged on the way home from collecting their monthly pension and is	a. Do the police routinely refer the victim to a support service?	X		The An Garda Síochána (national police) Victims' Charter states that a victim of crime or traumatic incident will be told in writing about the Crime Victims' Helpline and other services available for victims of crime. <sup>15</sup> However, recent research has suggested that not all victims receive information about the Crime Victims' Helpline and other support services, contrary to the Charter. <sup>16</sup>

<sup>13</sup> Ireland, An Garda Síochána (2010) Victims' Charter, Dublin: An Garda Síochána, [4] available at:

<http://www.garda.ie/Documents/User/An%20Garda%20S%C3%ADoch%C3%A1na%20Victims%20Charter%20English%20Version.pdf>.

<sup>14</sup> Ireland, Kilcommins, S., Leane, M., Donson, F., Fennell, C., and Kingston, A., (2010), The Needs and Concerns of Victims of Crime in Ireland, Dublin: Commission for the Support of Victims of Crime, [225], available at: [www.csvc.ie/en/CSVC/Needs%20and%20Concerns%20Total%20\(PDF\).pdf/Files/Needs%20and%20Concerns%20Total%20\(PDF\).pdf](http://www.csvc.ie/en/CSVC/Needs%20and%20Concerns%20Total%20(PDF).pdf/Files/Needs%20and%20Concerns%20Total%20(PDF).pdf).

<sup>15</sup> Ireland, An Garda Síochána (2010) Victims' Charter, Dublin: An Garda Síochána, [4] available at:

[www.garda.ie/Documents/User/An%20Garda%20S%C3%ADoch%C3%A1na%20Victims%20Charter%20English%20Version.pdf](http://www.garda.ie/Documents/User/An%20Garda%20S%C3%ADoch%C3%A1na%20Victims%20Charter%20English%20Version.pdf)

<sup>16</sup> See Ireland, Kilcommins, S., Leane, M., Donson, F., Fennell, C., and Kingston, A., (2010), The Needs and Concerns of Victims of Crime in Ireland, Dublin: Commission for the Support of Victims of Crime, [225], available at: [www.csvc.ie/en/CSVC/Needs%20and%20Concerns%20Total%20\(PDF\).pdf/Files/Needs%20and%20Concerns%20Total%20\(PDF\).pdf](http://www.csvc.ie/en/CSVC/Needs%20and%20Concerns%20Total%20(PDF).pdf/Files/Needs%20and%20Concerns%20Total%20(PDF).pdf)

	in urgent need of financial assistance	b. If yes, please name the service(s)	-	-	Crime Victims Helpline
		c. Do the police contact this service on behalf of the victim?		X	The police may contact a service on behalf of a victim, but this is discretionary and it cannot be said that the police would “routinely” make such contact.
		d. Which support service would in the end deal with such a case?	-	-	Crime Victims Helpline
<b>6a</b>	In relation to how police deal with victims, are there special measures in place for victims with a disability? If yes, describe them. If your answer is no, please provide a justification/explanation.		X	The Garda Síochána Victims’ Charter contains a general statement under the heading “special needs” that for victims with any form of disability the victim’s special needs or requirements will be taken into account. However, this is a general statement and no further specific measures are contained in the Charter. <sup>17</sup>	
<b>6b</b>	In relation to how victim support services deal with victims, are there special measures in place for victims with a disability? If yes, describe them. If your answer is no, please provide a justification/explanation.		X	A 2012 report on access to justice for people with disabilities as victims of crime in Ireland found that “there is still a significant way to go in terms of people with disabilities being recognised as victims of crime with specific needs in Ireland, particularly in a context where current criminal law and capacity legislation remains outmoded and reinforces the vulnerability of people with disabilities.” <sup>18</sup>	
<b>7a</b>	In relation to how police deal with victims, are there special measures in place for victims who are migrants with illegal residency status <sup>19</sup> ? If yes, describe them. If no, please provide a justification/explanation.		X	The Garda Síochána Victims’ Charter makes no reference to special measures in place for victims who are migrants with illegal residency status.	

<sup>17</sup> An Garda Síochána Victims’ Charter, available at: [www.garda.ie/Documents/User/An%20Garda%20S%C3%ADoch%C3%A1na%20Victims%20Charter%20English%20Version.pdf](http://www.garda.ie/Documents/User/An%20Garda%20S%C3%ADoch%C3%A1na%20Victims%20Charter%20English%20Version.pdf).

<sup>18</sup> Ireland, Edwards, C., Harold, G., Kilcommins, S. (2012), Access to Justice for People with Disabilities as Victims of Crime in Ireland, Cork: UCC CCJHR, [197], available at: [www.nda.ie/cntmgmtnew.nsf/0/378104926A5AB35A802579C900409963/\\$File/NDA\\_Access\\_to\\_Justice.doc](http://www.nda.ie/cntmgmtnew.nsf/0/378104926A5AB35A802579C900409963/$File/NDA_Access_to_Justice.doc).

<sup>19</sup> Please note that the usual FRA terminology (used in all official FRA publications) for migrants with illegal residency status is ‘migrants in an irregular situation.’ For the purposes of these guidelines however, reference will be made to ‘migrants with illegal residency status.’

<b>7b</b>	In relation to how victim support services deal with victims, are there special measures in place for victims who are migrants with illegal residency status <sup>20</sup> ? If yes, describe them. If no, please provide a justification/explanation.		X	There are no special measures in place for victims who are migrants with illegal residency status. This is therefore a gap in the services in Ireland.
<b>7c</b>	Are migrants with illegal residency status excluded from accessing support from victim support organisations in practice?		X	Migrants with illegal residency status are not excluded from accessing support from victim support organisations in Ireland.
<b>8</b>	Is access to victim support services dependent on a victim making a formal complaint to competent authorities (e.g. the police)?		X	Access to victim support services in Ireland is not dependent on a victim making a formal complaint to competent authorities as victims may self-refer to one of the victim support organisations for assistance.
<b>9</b>	In practice, do victim support services afford preferential treatment to victims who have agreed to cooperate with a police investigation into the crime they have experienced (e.g. by dealing with them more rapidly than victims who are not cooperating with a police investigation)?		X	Based on interviews, victim support services do not afford preferential treatment to victims who have agreed to co-operate with a police investigation into the crime they have experienced.
<b>10a</b>	In reference to part 'c' of questions 1-5, in the event that police contact victim support services on the victim's behalf, is there an automatic transfer of the victim's data? <sup>21</sup>			As noted above, the police may contact a service on behalf of a victim, but this is discretionary and it cannot be said that the police would "routinely" make such contact. In some cases where the police make contact with victim support services on the victim's behalf, there may be a transfer of the victim's data but this would not automatically be the case in every situation.
<b>10b</b>	If the answer to 10a above is yes, is the police obliged to obtain the victim's permission/consent for the data transfer?			Yes.
<b>10c</b>	Is there a legal basis for the communication/transfer of the victim's data? What is it?			No.

<sup>20</sup> Please note that the usual FRA terminology (used in all official FRA publications) for migrants with illegal residency status is 'migrants in an irregular situation.' For the purposes of these guidelines however, reference will be made to 'migrants with illegal residency status.'

<sup>21</sup> For example, personal data (name, address etc.) as well as any relevant details relating to the incident being transferred rather than having to be supplied again by the victim.



## 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
		IE		
Explanation/justification:	Explanation/justification:	Explanation/justification:	Explanation/justification:	Explanation/justification:

		<p>IE: There are a number of generic victim support service providers in Ireland which are non-governmental run but rely strongly on state funding. In the 2011 Annual Report of the Commission for the Support of Victims of Crime (the most recent report available) the report states that the Commission granted funding to nine organisations providing services to victims of crime generally, including the Crime Victims Helpline, Support After Crime Services, the Federation for Victim Assistance, the Irish Tourist Assistance Service and Victim Support Ireland. The report states that In total, €493,936 was spent by the nine named generic victim support organisations in 2011 in servicing the needs of crime victims. This expenditure accounted for 41% of the funding allocated by the Commission and enabled the support of 8,996 victims.<sup>22</sup></p>	
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<sup>22</sup> Ireland, Commission for the Support of Victims of Crime (2012) Annual Report 2011, Dublin: CSVC, [18], available at: [www.csvc.ie/en/CSVC/Victims%20of%20Crime%20Annual%20Report%202011.doc/Files/Victims%20of%20Crime%20Annual%20Report%202011.doc](http://www.csvc.ie/en/CSVC/Victims%20of%20Crime%20Annual%20Report%202011.doc/Files/Victims%20of%20Crime%20Annual%20Report%202011.doc).

## 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
IE	X					The Victims of Crime Office is part of the Department of Justice in Ireland. The core mandate of the Victims of Crime Office is to improve the continuity and quality of services to victims of crime by State agencies and non-governmental organisations throughout the country. It works to support the development of competent, caring and efficient services to victims of crime. The Director of the Victims of Crime Office is a member of the independent Commission for the Support of Victims of Crime; the office provides the secretariat to the commission. The commission funds voluntary sector organisations to provide support to victims of crime.
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.						
IE	In 2008, a new executive office with the Department of Justice and Equality was established, entitled the <b>Victims of Crime Office</b> . In addition, the <b>Commission for the Support of Victims of Crime (established in 2005)</b> assists the <b>Victims of Crime Office</b> in the development of strategies and policies to support victims of crime with a view to improving cohesion and consistency of service and information available to victims of crime. In this way, the Commission for the Support of Victims of Crime and the Victims of Crime Office function as umbrella, funding and co-ordinating bodies.					

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.?)	
IE	<p>There is no legal basis for the Irish model of victim support. The Commission for the Support of Victims of Crime (the Commission) was established by the Minister for Justice and Equality in March 2005 with a three year remit to disburse funding for the support of victims of crime. The Commission was also tasked with undertaking a comprehensive review of the current and future needs of victims of crime with a view to devising a framework of victim support services into the future. In devising its Framework Document, the Commission met with the non-governmental organisations that provide support to victims of crime and also met with a number of the State's criminal justice agencies. In April, 2008 the Commission presented to the Minister for Justice and Equality the Framework Document - Recommendations for Future Structures and Services for Victims of Crime. This was published by the Minister in May 2008. The main recommendations of the Framework Document were (i) the establishment of a new full time Executive Office for the support of victims of crime in the Department of Justice and Equality; (ii) the reconstitution of the Commission for the Support of Victims of Crime; and (iii) the establishment of a Victims Consultative Forum, to represent victims' interests, and to engage with the Commission. All of these recommendations were accepted by the Minister. In September 2008, the Minister reconstituted the Commission for the Support of Victims of Crime and established the Victims of Crime Office. The first meeting of the Consultative Forum took place in January, 2009. The work of the Consultative Forum is ongoing; there were two meetings of the Consultative Forum in 2010, 2011 and 2012. These meetings focus on such topics as fundraising and philanthropy in the area of victim support services, discussions of proposed legislation which may impact victims, and implementation of the Victims Charter.</p>

### 2.2.3 Funding:

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

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

For the year 2012, please specify the exact amount of funding:	Amount (in EURO)
a Budgeted by the state for compensation	€4.016million Source: Criminal Injuries Compensation Tribunal
b Paid out by the state for compensation	€4.012million Source: Criminal Injuries Compensation Tribunal
c Budgeted by the state for generic victim support services (i.e. services not restricted to a particular category or categories of victims)	Data for 2012 not available. As noted above, in 2011, the total budget was €1,181,000; this budget was in respect of both generic and specialised victim support services. <sup>23</sup>
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.	Data for 2012 not available. As noted above, in 2011, the total budget was €1,181,000; this budget was in respect of both generic and specialised victim support services. <sup>24</sup>
e Paid out by the state for generic victim support services (i.e. services not restricted to a particular category or categories of victims).	Data for 2012 not available. In 2011, €493,936 was paid

<sup>23</sup> Ireland, Commission for the Support of Victims of Crime (2012) Annual Report 2011, Dublin: CSVC, [18], available at: [www.csvc.ie/en/CSVC/Victims%20of%20Crime%20Annual%20Report%202011.doc/Files/Victims%20of%20Crime%20Annual%20Report%202011.doc](http://www.csvc.ie/en/CSVC/Victims%20of%20Crime%20Annual%20Report%202011.doc/Files/Victims%20of%20Crime%20Annual%20Report%202011.doc).

<sup>24</sup> Ireland, Commission for the Support of Victims of Crime (2012) Annual Report 2011, Dublin: CSVC, [18], available at: [www.csvc.ie/en/CSVC/Victims%20of%20Crime%20Annual%20Report%202011.doc/Files/Victims%20of%20Crime%20Annual%20Report%202011.doc](http://www.csvc.ie/en/CSVC/Victims%20of%20Crime%20Annual%20Report%202011.doc/Files/Victims%20of%20Crime%20Annual%20Report%202011.doc).

			out by the State for generic victim support services. <sup>25</sup>
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.			Data for 2012 not available. In 2011, €711,749 was paid out by the State for specialised victim support services. Funding was allocated to 35 organisations providing specialised victim support services, with the breakdown as follows: 37% to organisations supporting victims of domestic violence such as Women's Aid, Amen, Domestic Violence (Advocacy Service) as well as numerous other local organisations and refuges. 13% was allocated to organisations supporting victims of sexual violence, including the Dublin Rape Crisis Centre, One in Four and the Rape Crisis Network. 3% was allocated to organisations supporting children, including Barnardos and CARI. <sup>26</sup>
<b>Reimbursement by the state of expenses incurred</b>	<b>Yes</b>	<b>No</b>	<b>Comments</b>
g Are there any victim support organisations that request money from victims who benefit from services? If yes, please name one such organisation and specify (under comments) whether there is a standard fee or whether this is decided on a case by case basis.	X		CARI is a voluntary organisation which provides child centered

<sup>25</sup> Ireland, Commission for the Support of Victims of Crime (2012) Annual Report 2011, Dublin: CSVC, [18], available at: [www.csvc.ie/en/CSVC/Victims%20of%20Crime%20Annual%20Report%202011.doc/Files/Victims%20of%20Crime%20Annual%20Report%202011.doc](http://www.csvc.ie/en/CSVC/Victims%20of%20Crime%20Annual%20Report%202011.doc/Files/Victims%20of%20Crime%20Annual%20Report%202011.doc).

<sup>26</sup> Ireland, Commission for the Support of Victims of Crime (2012) Annual Report 2011, Dublin: CSVC, [18], available at: [www.csvc.ie/en/CSVC/Victims%20of%20Crime%20Annual%20Report%202011.doc/Files/Victims%20of%20Crime%20Annual%20Report%202011.doc](http://www.csvc.ie/en/CSVC/Victims%20of%20Crime%20Annual%20Report%202011.doc/Files/Victims%20of%20Crime%20Annual%20Report%202011.doc).

		<p>specialised therapy and support to children, families and groups affected by child sexual abuse. The CARI Foundation makes a weekly charge for its clinical service. This includes all appointments, assessments and therapy sessions. This fee is regardless of numbers of sessions given to the client or client's family in the week. CARI encourages clients to pay full or part fees both as a way of valuing the therapy and to acknowledge the CARI Foundation's status as an organisation dependent on a variety of income sources. The amount the client or family is able to afford will be decided with them at assessment stage. The current fee range is €10-€60.<sup>27</sup></p>
<p>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?).</p>	<p>X</p>	<p>CARI is in receipt of funding from the Irish State; for example, in 2011, CARI received €322,386 from the Health Service Executive. In interview the CEO of CARI confirmed that this funding is paid by way of block grant and the organisation is not</p>

<sup>27</sup> CARI website, 'Child and Adolescent Therapy', available at: [www.cari.ie/our-services/child-and-adolescent-therapy](http://www.cari.ie/our-services/child-and-adolescent-therapy).

			reimbursed by the state for expenses incurred through the provision of support to victims.
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?			Not applicable
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'.			Not applicable
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 factors were identified that would discourage victim support organisations from supporting third country nationals.

#### 2.2.4 Capacity:

For the year 2012, please specify the number of victims of crime that:	No of persons:
a Applied for compensation from state sources.	291 (Source: Criminal Injuries Compensation Tribunal)
b Received compensation from state sources.	151 (Source: Criminal Injuries Compensation Tribunal)
c Approached generic victim support services (i.e. services not restricted to a particular category or categories of victims)	Data for 2012 not available. In 2011, 8,996 victims of crime approached generic victim support services. <sup>28</sup>
d Approached specialised victim support services (i.e. services not restricted to a particular category or categories of victims)	Data for 2012 not available. In 2011, 4,347 victims of crime approached specialised victim support services (3,147 approached domestic violence services, 1,119 approached sexual violence services and 81 victims)

<sup>28</sup> Ireland, Commission for the Support of Victims of Crime (2012) Annual Report 2011, Dublin: CSVC, [18], available at: [www.csvc.ie/en/CSVC/Victims%20of%20Crime%20Annual%20Report%202011.doc/Files/Victims%20of%20Crime%20Annual%20Report%202011.doc](http://www.csvc.ie/en/CSVC/Victims%20of%20Crime%20Annual%20Report%202011.doc/Files/Victims%20of%20Crime%20Annual%20Report%202011.doc).



approached children's services).<sup>29</sup>

### 2.2.5 Official/academic studies on victims

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

	Yes	No	Reference	Short description of the study's objectives and findings (2-3 sentences)
Studies on under reporting of crime?		X		
Other national studies related to victims of crime (specify)	X		Ireland, Kilcommins, S., Leane, M., Donson, F., Fennell, C., and Kingston, A., (2010), The Needs and Concerns of Victims of Crime in Ireland, Dublin: Commission for the Support of Victims of Crime, [225], available at <a href="http://www.csvc.ie/en/CSVC/Needs%20and%20Concerns%20Total%20(PDF).pdf/Files/Needs%20and%20Concerns%20Total%20(PDF).pdf">www.csvc.ie/en/CSVC/Needs%20and%20Concerns%20Total%20(PDF).pdf/Files/Needs%20and%20Concerns%20Total%20(PDF).pdf</a>	The primary objectives of this research project were to identify the self-defined needs of victims of crime and their families, to ascertain how victims inform themselves of the support services available, and to determine the extent to which victims believe that their needs are met by the criminal justice agencies and the organisations which provide support. The research found that under-reporting of crime continued to be an issue in Ireland; a need for greater training of police to sensitise them to the needs of victims; a need to increase awareness of the Crime Victims' Helpline; a need for more formal cooperation and referral systems between victim support organisations; and a need to improve victims' experience of the court process.

### 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.

IRELAND	Yes	No	Comments
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<sup>29</sup> Ireland, Commission for the Support of Victims of Crime (2012) Annual Report 2011, Dublin: CSVc, [18], available at: [www.csvc.ie/en/CSVC/Victims%20of%20Crime%20Annual%20Report%202011.doc/Files/Victims%20of%20Crime%20Annual%20Report%202011.doc](http://www.csvc.ie/en/CSVC/Victims%20of%20Crime%20Annual%20Report%202011.doc/Files/Victims%20of%20Crime%20Annual%20Report%202011.doc).

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	Name: Crime Victims' Helpline Contact Details: (Freephone)116 006; Text: 085 1 33 77 11 The Crime Victims' Helpline was established in 2005 with the aim of supporting, informing and empowering victims of crime and all those affected by crime. While the Helpline cooperates closely with An Garda Síochána (the national police force), it is a separate and independent Helpline, and all calls to the helpline are confidential.
2	Does it operate 24/7? (If no, specify the days and times of operation under 'Comments').	X	The Helpline's hours of operation are: Monday - 10.00am to 7.30pm Tuesday to Friday- 10.00am to 5.00pm Saturday - 2.00 pm to 4.00 pm Bank Holidays- 2.00 pm to 4.00 pm. Outside those hours, the Helpline states that a person may leave a message asking to be contacted and that it "will do so promptly."
3	Does it operate nationwide? (If no, name the city or federal state in which it operates).	X	
4	Is the helpline free of charge?	X	As noted above, there is a free phone number although costs may be incurred if a person chooses to contact the Helpline by text message.
5	Does the helpline target all victims of crime? If no, please specify (under comments) which categories of victims can approach the helpline.	X	
6	Is the helpline state run (if no, describe the non-state actor(s) who runs it under 'Comments')	X	As noted above, while the Helpline cooperates closely with An Garda Síochána (the national police force), it is a separate and independent Helpline which is staffed by volunteers.
7	Is the helpline funded by the state?	X	Data for 2012 not available. In 2011 the Commission for the Support of Victims of Crime allocated €68,600 to the Crime Victims Helpline. <sup>30</sup>
8	Is the international EU victim support telephone number 116-006 available? <sup>31</sup> If no, provide a justification and/or specify whether plans to implement this are underway.	X	
		<b>Comments</b>	
9	Please give a brief description (1-2 sentences) of the services provided by the helpline.	The Crime Victims Helpline is a national helpline established to 'listen, support and inform victims of	

<sup>30</sup> Ireland, Commission for the Support of Victims of Crime (2012) Annual Report 2011, Dublin: CSVC, [18], available at: [www.csvc.ie/en/CSVC/Victims%20of%20Crime%20Annual%20Report%202011.doc/Files/Victims%20of%20Crime%20Annual%20Report%202011.doc](http://www.csvc.ie/en/CSVC/Victims%20of%20Crime%20Annual%20Report%202011.doc/Files/Victims%20of%20Crime%20Annual%20Report%202011.doc)

<sup>31</sup> In 2010 the EU introduced an EU harmonised phone number (116 006) designated for use by victims of crime who need assistance in EU countries.

		crime'. The Helpline provides an independent and confidential service which aims to assist people who are victims of crime. The Helpline provides emotional support and informs callers about organisations available locally and nationally to support victims of crime. The Helpline also provides information on the criminal justice system, and liaises with Gardaí and other services on the caller's behalf, if he or she wants them to do so.
10	What was the operational budget (in EUR) for the helpline in 2012? Please specify under 'Comments'	The Crime Victims Helpline did not respond to requests for this information.
11	How many people were employed to run the helpline in 2012?	The Crime Victims Helpline did not respond to requests for this information for 2012. However, the 2010 Annual Report of the National Crime Victims Helpline states that there were 29 volunteers who staffed the helpline. <sup>32</sup>
12	What form(s) does the helpline take? E.g. just phone-line; email, web forum, walk-ins	Victims can contact the helpline by phone line, text message, fax or email.
13	Of the possible ways to access the helpline, what is the most frequently used by persons contacting the helpline?	The most frequently used way to access the helpline is by calling the helpline.
14	Who operates the helpline? (e.g. Professional staff such as psychologists or lawyers; volunteers etc.)	As noted above, the helpline is staffed by volunteers. The organisation places a major emphasis on the initial and ongoing training of volunteers. This is organised by the co-ordinator and administrative assistant and is achieved with the co-operation of some of the directors, a number of relevant agencies and the volunteers themselves.
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'.	The Crime Victims Helpline did not respond to requests for this information in 2012. In 2011, there were 3,253 contacts to the Helpline – comprising 2,868 calls and 385 contacts by email, fax and text. <sup>33</sup>

<sup>32</sup> Ireland, Crime Victims Helpline (2012) Annual Report 2011, Dublin: CVH, [23], available at: [www.crimevictimshelpline.ie/images/stories/crime\\_victims\\_helpline\\_annual\\_report\\_2011.doc](http://www.crimevictimshelpline.ie/images/stories/crime_victims_helpline_annual_report_2011.doc)

<sup>33</sup> Ireland, Crime Victims Helpline (2012) Annual Report 2011, Dublin: CVH, [23], available at: [www.crimevictimshelpline.ie/images/stories/crime\\_victims\\_helpline\\_annual\\_report\\_2011.doc](http://www.crimevictimshelpline.ie/images/stories/crime_victims_helpline_annual_report_2011.doc)

## 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	The Garda Síochána Victims Charter states that the police will provide victims with information in writing about the Crime Victims' Helpline and other services available for victims of crime or a traumatic incident. However, the Charter is not a legally binding document.
2	Are police legally obliged to provide all victims with information concerning compensation? If yes, what is the legal basis for this obligation (e.g. name of the law)?		X	The Garda Síochána Victims Charter makes no reference to informing victims regarding compensation. Furthermore, as noted above, the Charter is not a legally binding document.
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	The Garda Síochána Victims Charter states that the police will explain to victims what will happen and keep the victim informed of the criminal investigation. However, as noted above, the Charter is not a legally binding document.
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		It was confirmed in interview that victims who do not understand or speak the language are provided with free of charge interpretation in the language of their choice in order to make a statement in connection with the crime.
5	Are victims notified about their right to receive information about:			
	(a) any decision not to proceed with or to end an investigation or not to prosecute the offender;		X	The Garda Síochána Victims Charter states that the police will explain to victims what will happen and keep the victim informed of the criminal investigation. However, as noted above, the Charter is not a legally binding document.
	(b) the time and place of the trial, and the nature of the charges.		X	The Garda Síochána Victims Charter states that when a suspect is due to appear in court, the police will inform the victim of the time, date and location of the court hearing. However, as noted above, the Charter is not a legally binding document.
	(c) any final judgment in a trial		X	The Garda Síochána Victims Charter states that when a suspect is due to appear in court, the police will inform the victim of the final result of the criminal trial. However, as noted above, the Charter is not a legally binding document.

## 1.5 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	NA	NA	The Garda Síochána Victims of Crime office states that all members of An Garda Síochána will treat victims with dignity and respect, and will respond to victims needs in a caring and sensitive manner. There are 350 specially trained Family Liaison Officers (FLOs) who are appointed to liaise with victims and their families in particular cases, such as murder, kidnapping and road traffic fatalities. However, a 2010 report on the needs of victims of crime found that 40% of victims were dissatisfied with their overall dealings with An Garda Síochána and recommended that new Garda recruits should receive initial training and existing members of the Gardaí should receive in-service training, which sensitizes them to the needs of victims. <sup>34</sup> There was no information available on the specific content of the curriculum for garda training.

<sup>34</sup> Ireland, Kilcommins, S., Leane, M., Donson, F., Fennell, C., and Kingston, A., (2010), The Needs and Concerns of Victims of Crime in Ireland, Dublin: Commission for the Support of Victims of Crime, [225], available at: [www.csvc.ie/en/CSVC/Needs%20and%20Concerns%20Total%20\(PDF\).pdf/Files/Needs%20and%20Concerns%20Total%20\(PDF\).pdf](http://www.csvc.ie/en/CSVC/Needs%20and%20Concerns%20Total%20(PDF).pdf/Files/Needs%20and%20Concerns%20Total%20(PDF).pdf).

2	Prosecutors		X	The Director of Public Prosecutions Victims Charter states that prosecutors will treat victims with respect and take account of their personal situation, rights and dignity; will work with the Gardaí to make sure that victims are kept up to date on the case, especially if it is about a violent or sexual offence; and will arrange for the victim to talk to the prosecution solicitor and barrister before the court case begins. However, there is no reference to systemic training of prosecutors, and a 2007 study on services for victims of crime in Ireland recommended that provision of training in dealing with victims for prosecutors should be co-ordinated on a national basis to ensure consistency of service from State agencies. <sup>35</sup>
3	Judges		X	There is no systemic training of judges who come into contact with victims of crime. A 2007 study on services for victims of crime in Ireland recommended that provision of training in dealing with victims for judges should be co-ordinated on a national basis to ensure consistency of service from State agencies. <sup>36</sup>
4	Court staff		X	The Courts Service Victims Charter states that court staff will aim to provide a courteous, fair and sensitive service to victims of crime, and that the Courts Service will continue to talk to special user groups representing victims, at both regional and national levels. However, there is no reference to systemic training of court staff, and a 2007 study on services for victims of crime in Ireland recommended that provision of training in dealing with victims for court staff should be co-ordinated on a national basis to ensure consistency of service from State agencies. <sup>37</sup>
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.)	NA	NA	As noted above, there is no systemic training although some ad hoc training events may take place with input from victim support organisations.

<sup>35</sup> Ireland, Bacik, I., Heffernan, L., and Brazil, P., (2007) Report on Services and Legislation for Victims of Crime in Ireland, Dublin: CSVc, [121] available at: [www.csvc.ie/en/CSVc/...doc/Files/Research%20Document.doc](http://www.csvc.ie/en/CSVc/...doc/Files/Research%20Document.doc).

<sup>36</sup> Ireland, Bacik, I., Heffernan, L., and Brazil, P., (2007) Report on Services and Legislation for Victims of Crime in Ireland, Dublin: CSVc, [121] available at: [www.csvc.ie/en/CSVc/...doc/Files/Research%20Document.doc](http://www.csvc.ie/en/CSVc/...doc/Files/Research%20Document.doc).

<sup>37</sup> Ireland, Bacik, I., Heffernan, L., and Brazil, P., (2007) Report on Services and Legislation for Victims of Crime in Ireland, Dublin: CSVc, [121] available at: [www.csvc.ie/en/CSVc/...doc/Files/Research%20Document.doc](http://www.csvc.ie/en/CSVc/...doc/Files/Research%20Document.doc).

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	<p>There is no systemic training of victim support staff carried out on how to deal with victims of crime, although many victim support organisations emphasise the need for training of their own staff members and volunteers. A 2007 study on services for victims of crime in Ireland surveyed victim support organisations on whether they supported greater training of victim support groups, but this was given a low ranking by respondents with only five organisations placing this within the top three priorities for their organisation.<sup>38</sup></p> <p>An example of an ad hoc training event is a recent one day training event organised by the Dublin Rape Crisis Centre on “Working with issues of child sexual abuse”, a one day workshop for those who in the course of their work come into contact with adults and adolescents who have experienced child sexual abuse, and who want to enhance their understanding and skills to support these clients.</p>
7	Please briefly list any other category of officials coming into contact with victims that receive systematic training on how to deal with victims of crime (e.g. lawyers, restorative justice services etc.)	NA	NA	

## 2.6 Rights of victims in criminal proceedings

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

### 2.6.1 Definition of victim

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

	Description	Explanation (max word count 200)
1	What is the main or generic legal definition of the term ‘victim’ (as provided for in national legislation)?	A 2007 study on services for victims of crime in Ireland recommended the introduction of a comprehensive statutory charter for victims of crime which would include a legally binding definition of the status of “victim” and set out the legal rights and entitlements of victims. <sup>39</sup> Under the Civil Liability Act 1961, an ‘injured person’ is a person against whom a wrong is committed. However, there is limited to the application of the Act and is not fully equivalent to the term ‘victim’.
2	Is there a separate definition	As the term “victim” is not defined in Irish law, there is no separate

<sup>38</sup> Ireland, Bacik, I., Heffernan, L., and Brazil, P., (2007) Report on Services and Legislation for Victims of Crime in Ireland, Dublin: CSVc, [121] available at: [www.csvc.ie/en/CSVc/...doc/Files/Research%20Document.doc](http://www.csvc.ie/en/CSVc/...doc/Files/Research%20Document.doc).

<sup>39</sup> Ireland, Bacik, I., Heffernan, L., and Brazil, P., (2007) Report on Services and Legislation for Victims of Crime in Ireland, Dublin: CSVc, [121] available at: [www.csvc.ie/en/CSVc/...doc/Files/Research%20Document.doc](http://www.csvc.ie/en/CSVc/...doc/Files/Research%20Document.doc).



	of 'vulnerable victims' (as separate from the main or generic definition of 'victim')?	definition of "vulnerable victims".
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?	As the term "victim" is not defined in Irish law, parents, children, other family members and first responders are not included under the main definition of the term "victim" or as "indirect victims" or similar.

### 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 Ireland, the Director of Public Prosecutions Victims Charter states that reasons for a decision not to prosecute will only be given to the Gardaí who investigated the case. However, whenever possible, the Charter states that the Director of Public Prosecutions will give reasons in fatal cases to a member of the victim's family or household if they make such a request, in cases where the death took place on or after 22 October 2008. <sup>40</sup>  However, the Director of Public Prosecutions' Guidelines for Prosecutors states at para.12.3 that the Director of Public Prosecutions has given an undertaking "to examine any request from a victim of crime for a review of a decision not to prosecute and in appropriate cases to have an internal review of the decision carried out by an officer other than the one who first made the decision"; however, this would appear to fall short of giving victims a right to file for review of the decision not to prosecute. <sup>41</sup>
Who undertakes this review?			As noted above, if a review is undertaken, the review is carried out by an officer of the Director of Public Prosecutions other than the officer who made the initial decision.
Does the victim have the right to institute private prosecution in cases where the prosecutor drops charges? If yes, under what circumstances?		X	Under Irish law the victim does not have the right to institute private prosecution in cases where the prosecutor drops the charges.
Does the prosecutor's office have a dedicated hotline or mechanism whereby victims can inquire about the progress of a case?		X	The prosecutor's office does not have a dedicated hotline or mechanism whereby victims can inquire about the progress of a case. However, the Director of Public Prosecutions has produced a guide on going to court as a witness in a criminal trial, which states that "The prosecution solicitor will

<sup>40</sup> Ireland, Office of the Director of Public Prosecutions, Victims Charter, available at: [www.dppireland.ie/victims\\_and\\_witnesses/victims-charter](http://www.dppireland.ie/victims_and_witnesses/victims-charter).

<sup>41</sup> Ireland, Director of Public Prosecutions (2010), Guidelines for Prosecutors, available at: [www.dppireland.ie/filestore/documents/GUIDELINES\\_-\\_Revised\\_NOV\\_2010\\_eng.pdf](http://www.dppireland.ie/filestore/documents/GUIDELINES_-_Revised_NOV_2010_eng.pdf).



			work with Gardaí to make sure that you always know what is happening in the case.” <sup>42</sup> This places the primary responsibility on the police to inform the victim about the progress of the case rather than the prosecutor’s office.
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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	In Ireland, the victim is not a party in criminal proceedings. Under Irish law a prosecution is taken in the name of the Director of Public Prosecutions representing the public generally, rather than representing the victim of the alleged crime. A victim may be called to give evidence during criminal proceedings in Ireland, but has no right to be heard during such proceedings. A victim does have a right to make a victim impact statement to the court under section 5 of the Criminal Justice Act 1993 in respect of (a) a sexual offence within the meaning of the Criminal Evidence Act 1992, (b) an offence involving violence or the threat of violence to a person, and (c) an offence consisting of attempting or conspiring to commit, or aiding, abetting, counselling, procuring or inciting the commission of, an offence mentioned in paragraph (a) or (b). <sup>43</sup>
Do victims have a right to supply evidence during criminal proceedings?		X	As noted above, a victim may be called to give evidence during criminal proceedings in Ireland, but has no right to be heard during such proceedings.
Is there a right for vulnerable victims to be questioned & testify in court in a protected manner – e.g. are screens in place when victims testify/video link available or other measures to separate victim from accused? Please specify whether this applies to all victims or just certain categories of victims (please specify):		X	The Criminal Evidence Act 1992 makes limited provision for the giving of evidence by victims in court in a protected manner. These provisions only apply in respect of (a) a sexual offence, (b) an offence involving violence or the threat of violence to a person, or (c) an offence consisting of attempting or conspiring to commit, or of aiding, abetting, counselling, procuring or inciting the commission of, an offence mentioned in paragraph (a) or (b). Section 13 of the 1992 Act provides that evidence may be given by live television link if the person is under 17 years of age, unless the court sees good reason to the contrary, or in any other case, with the leave of the court. Section 14 of the 1992 Act provides that questions may be put to a witness in a criminal trial through an intermediary where the witness is under the age of 17. <sup>44</sup>

<sup>42</sup> Ireland, Office of the Director of Public Prosecutions, *Going to Court as a Witness*, 2010, Dublin: DPP, [32] at p.15, available at: [www.dppireland.ie/filestore/documents/information\\_booklets\\_-\\_revised\\_july\\_2010/ENGLISH\\_-\\_Going\\_to\\_Court\\_as\\_a\\_Witness.pdf](http://www.dppireland.ie/filestore/documents/information_booklets_-_revised_july_2010/ENGLISH_-_Going_to_Court_as_a_Witness.pdf)

<sup>43</sup> Ireland, Criminal Justice Act, 1993, Section 5, available at: [www.irishstatutebook.ie/1993/en/act/pub/0006/print.html#sec5](http://www.irishstatutebook.ie/1993/en/act/pub/0006/print.html#sec5).

<sup>44</sup> Ireland, Criminal Evidence Act, 1992, available at: [www.irishstatutebook.ie/1992/en/act/pub/0012/](http://www.irishstatutebook.ie/1992/en/act/pub/0012/).

## 2.6.4 Rights of victims at trial

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

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

		Yes	No	Description/justification (max 1-3 sentences)
1	Looking at your own criminal court system, is there a special unit or service for victims of crime providing support?		X	There is no special unit or service within the criminal court system providing support for victims of crime. However, the Courts Service does have customer liaison officers within each of its offices – these officers are the first point of contact for inquiries by victims. Customer liaison officers can arrange access to victim rooms, where available, reserve family seating in murder and manslaughter cases, and organise advance visits to courthouses. They can also provide contact details of voluntary organisations that offer support to crime victims. <sup>45</sup>
2	Is there a separate waiting area for victims at court?	X	X	Victim waiting rooms are available in some, but not all, courthouses in Ireland. The Courts Service Victims Charter states that “where possible, rooms will be specially set aside for

<sup>45</sup> Ireland, Courts Service Victims Charter, (2010) available at: [www.victimsofcrimeoffice.ie/en/vco/Chapter%203.pdf/Files/Chapter%203.pdf](http://www.victimsofcrimeoffice.ie/en/vco/Chapter%203.pdf/Files/Chapter%203.pdf).

				victims in all future refurbishment projects". <sup>46</sup>
3	Is special seating reserved for victims at trial?		X	There is no general provision for special seating being reserved for victims at trial in Ireland. However, the Courts Service Victims Charter states that "reserved seating is available for the family of the deceased in murder and manslaughter cases". <sup>47</sup>
4	What other services are available?			Victims can visit the courthouse before the trial, by prior arrangement and if needed. As noted above, the Courts Service also has customer liaison officers within each of its offices – these officers are the first point of contact for inquiries by victims. Customer liaison officers can arrange access to victim rooms, where available, reserve family seating in murder and manslaughter cases, and organise advance visits to courthouses. They can also provide contact details of voluntary organisations that offer support to crime victims. <sup>48</sup>
5	Who provides the services (e.g. professional or specialised staff; volunteers etc)?			Courts Service staff.
6	In reference to question 5, do the service providers provide advice to prosecutors with respect to the the safety, physical and psychological well-being, dignity and privacy of victims?		X	
7	Do they provide advice to judges with respect to the the safety, physical and psychological well-being, dignity and privacy of victims?		X	
8	Are the rights and protections that should be afforded to victims mentioned in the founding law (e.g. a		X	

<sup>46</sup> Ireland, Courts Service Victims Charter, (2010) available at: [www.victimsofcrimeoffice.ie/en/vco/Chapter%203.pdf/Files/Chapter%203.pdf](http://www.victimsofcrimeoffice.ie/en/vco/Chapter%203.pdf/Files/Chapter%203.pdf).

<sup>47</sup> Ireland, Courts Service Victims Charter, (2010) available at: [www.victimsofcrimeoffice.ie/en/vco/Chapter%203.pdf/Files/Chapter%203.pdf](http://www.victimsofcrimeoffice.ie/en/vco/Chapter%203.pdf/Files/Chapter%203.pdf).

<sup>48</sup> Ireland, Courts Service Victims Charter, (2010) available at: [www.victimsofcrimeoffice.ie/en/vco/Chapter%203.pdf/Files/Chapter%203.pdf](http://www.victimsofcrimeoffice.ie/en/vco/Chapter%203.pdf/Files/Chapter%203.pdf).

	statute) establishing the court?			
9	Do victims have the right to be accompanied by support persons during the trial?		X	There is no right in Irish law for victims to be accompanied by support persons during the trial. However, there are a number of voluntary services which offer support services to victims during the trial process, such as Victim Support at Court or V-SAC, a voluntary service in Ireland dedicated solely to court accompaniment for victims of crime, their families and witnesses. <sup>49</sup>
10	Can victims access & copy trial records	X	X	According to the Director of Public Prosecutions "The written record of the trial is called a transcript. The prosecution and defence teams may get the transcript after the trial is over and if there is an appeal. Only a judge can say whether you can see the transcript." <sup>50</sup> There is therefore no general right for victims to access and copy trial records, but such a request may be made to the judge by a victim; the judge then has a discretion whether to grant the victim's request.

<sup>49</sup> V-SAC website, available at: [www.vsac.ie](http://www.vsac.ie).

<sup>50</sup> Ireland, Office of the Director of Public Prosecutions, *Going to Court as a Witness*, 2010, Dublin: DPP, [32] at p.17, available at: [www.dppireland.ie/filestore/documents/information\\_booklets\\_-\\_revised\\_july\\_2010/ENGLISH\\_-\\_Going\\_to\\_Court\\_as\\_a\\_Witness.pdf](http://www.dppireland.ie/filestore/documents/information_booklets_-_revised_july_2010/ENGLISH_-_Going_to_Court_as_a_Witness.pdf)

### 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)
<b>1. Free legal advice</b>	Place X in appropriate column		X		
	Comments:		Under the Civil Legal Aid Act 1995 the Legal Aid Board provides legal aid or advice to a complainant in certain criminal cases involving prosecution for a range of sexual offences, including rape, aggravated sexual assault and incest. There is no general right to free legal advice or legal aid for victims of crime in Ireland.		
<b>2. Free legal representation</b>	Place X in appropriate column		X		
	Comments:		Section 34 of the Sex Offenders Act 2001 (which inserted a new section 4A into the Criminal Law (Rape) Act 1981) provides for separate legal representation of complainants (ie victims) where an application is made to admit previous sexual history. Where an accused person charged with rape or a sexual assault offence makes an application to cross-examine the victim regarding the victim's previous sexual history, section 4A(1) states that "the complainant shall be		

			<p>entitled to be heard in relation to the application and, for this purpose, to be legally represented during the hearing of the application. Certain procedural requirements are put in place to ensure the effective exercise of this entitlement. The defence must give the prosecution notice of its intention to make an application to admit previous sexual history as soon as practicable after the commencement of the trial or proceeding and the prosecution must notify the complainant, in turn, as soon as practicable after receiving such notice.</p> <p>Compliance with these notice requirements is a statutory precondition to the hearing of the application by the trial judge. Indeed, the judge is required to postpone the hearing of the application if he or she is not satisfied that the complainant has been afforded a reasonable opportunity to arrange legal representation. Section 35 of the 2001 Act renders the complainant eligible for legal aid for the purpose of being represented by a solicitor or barrister in relation to the application.<sup>51</sup></p>		
<b>3. Exemption from court fees</b>	Place X in appropriate column				X
	Comments:				Not applicable; victims are not subject to court fees in criminal proceedings.
<b>4. Exemption from or reimbursement for expenses related to</b>	Place X in appropriate column				X

<sup>51</sup> Ireland, Bacik, I., Heffernan, L., and Brazil, P., (2007) Report on Services and Legislation for Victims of Crime in Ireland, Dublin: CSVc, [121] at pp.40-43 available at [www.csvc.ie/en/CSVc/Research%20Document.doc/Files/Research%20Document.doc](http://www.csvc.ie/en/CSVc/Research%20Document.doc/Files/Research%20Document.doc).

<p><b>interpretation and/or translation</b></p>	<p>Comments:</p>				<p>Not applicable. An interpretation service is available in criminal proceedings by order of the court, to witnesses who do not speak English so that they can give their evidence, or to make a victim impact statement where the law or the court permits a statement to be made. The costs of such interpretation and/or translation are not levied on victims.</p>
<p><b>5. Reimbursement for loss of earnings, travel and accommodation costs with regard to role in criminal or civil proceedings</b></p>	<p>Place X in appropriate column</p>				<p>X</p>
	<p>Comments:</p>				<p>The gardai (police) are responsible for paying witnesses'</p>

					<p>expenses in criminal trials in Ireland. This is the cost to the victim of coming to court to give evidence. These expenses may include the cost of travelling, meals and, in some cases, accommodation. The Garda Superintendent (District Officer) in the area where the case is being taken will pay the expenses. In some cases, the witness may be able to get an advance on expenses before the case so that the victim can travel to court.</p>
	<b>The state</b>	<b>A victim support service</b>	<b>Both</b>	<b>Other (explain)</b>	
<b>2. Who provides legal aid?</b>	X			The Legal Aid Board is the sole provider of legal aid in Ireland and provides legal aid and advice on matters of civil law to persons unable to	



<b>place 'X' in one column only)</b>				afford legal representation <sup>52</sup> . The Legal Aid Board also provides legal aid for victims in rape/sexual assault trials where the accused has applied to cross-examine the victim regarding his or her previous sexual history, as set out above. This is the only circumstance in which legal aid is available in Ireland for a victim of crime.
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<sup>52</sup> Legal Aid Board website, available at: [www.legalaidboard.ie/LAB/Publishing.nsf/Content/Home](http://www.legalaidboard.ie/LAB/Publishing.nsf/Content/Home).

## 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?	IE		Section 6 of the Criminal Justice Act 1993 provides that a person convicted of an offence may be required to pay compensation in respect of any personal injury or loss resulting from that offence to any person who has suffered such injury or loss. <sup>53</sup> In deciding whether to make an order, the court must have regard to any evidence and to any representations made by or on behalf of the convicted person, the victim or the prosecutor. Thus, section 6 of the 1993 Act gives a court a discretion to make a compensation order, but the victim has no right under Irish law to ask for such compensation order to be made. The Criminal Injuries Compensation Tribunal is also available to provide compensation to victims of crime, however this operates entirely separately from any criminal proceedings.
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)?		IE	A victim who is giving evidence during the trial may request measures for protection from the police, for example if there has been intimidation or harassment of the victim by the accused. However, there is no procedure in Irish law setting out the rights of victims to ask for other measures during criminal proceedings.
3	Is compensation paid by the offender?	IE		The compensation order pursuant to section 6 requires the convicted person to pay the compensation to the victim. In deciding whether the make a compensation order, the court is required to have regard to the convicted person's means,

<sup>53</sup> Ireland, Criminal Justice Act, 1993, available at: [www.irishstatutebook.ie/1993/en/act/pub/0006/sec0006.html](http://www.irishstatutebook.ie/1993/en/act/pub/0006/sec0006.html).

				including his financial commitments.
4	Is there such thing as a 'victims of crime fund' that convicted persons must contribute to?		IE	There is no "victims of crime" fund in Ireland that convicted persons must contribute to.
5	Does compensation paid by the offender under a 'victims of crime fund' go towards victim support services?	NA	NA	NA
6	Is compensation paid by the state?	IE		The Criminal Injuries Compensation Tribunal administers the Scheme of Compensation for Personal Injuries Criminally Inflicted on behalf of the State in Ireland. The scheme is limited to victims who suffer a personal injury or death which is directly attributable to a crime of violence. The Tribunal does not accept applications for compensation arising out of loss or damage to property resulting from crime. It is also noteworthy that eligibility for compensation on grounds of personal injury is limited to physical injury and does not extend to cases where a victim has suffered psychological injuries
7	Will the State advance payment of the compensation if the offender does not pay? Under which conditions?		IE	There is no provision in Irish law for the State to advance payment of compensation to the victim if the offender does not pay.
8	Does a compensation order exist?	IE		In Ireland, a " <b>compensation order</b> " requires the perpetrator to pay compensation in respect of any personal injury or loss resulting from that offence to any person who has suffered such injury or loss. The compensation payable under a compensation order shall be of such amount as the court considers appropriate, having regard to the means of the perpetrator, to any evidence and to any representations that are made by or on behalf of the perpetrator, the injured party or the prosecutor, and shall not exceed the amount of the damages that, in the opinion of the court, the injured party would be entitled to recover in a civil action in respect of the injury or loss concerned. <sup>54</sup>

<sup>54</sup> Ireland, Section 6 of the Criminal Justice Act 1993 (No.6 of 1993), available at: [www.irishstatutebook.ie/1993/en/act/pub/0006/sec0006.html](http://www.irishstatutebook.ie/1993/en/act/pub/0006/sec0006.html).

9	Do prosecutors have the power to mediate between the offender and the victim?	AT, BE, NL FR CZ, FI, DE, HU, LT, LU, PL, RO, SL, SE	BG, CY, DK, EE, EL, ES, IE, LV, MT and UK	According to experts, the duty for prosecutors to obtain compensation between offender and victim (may also take the form of mediation between victim and offender to obtain compensation) is available in AT, BE, NL & FR, CZ, FI, DE, HU, LT, LU, PL, RO, SL, SE.
10	Do prosecutors have the duty to attempt to obtain compensation from the offender?	AT, BE, NL FR CZ, FI, DE, HU, LT, LU, PL, RO, SL, SE	BG, CY, DK, EE, EL, ES, IE, LV, MT and UK	According to experts, the duty for prosecutors to obtain compensation between offender and victim (may also take the form of mediation between victim and offender to obtain compensation) is available in AT, BE, NL & FR, CZ, FI, DE, HU, LT, LU, PL, RO, SL, SE.
11	Is compensation, when paid by the offender to the victim, taken into account in decisions to prosecute?	AT, BE, CZ, FI, FR, DE, HU, IT, LT, LU, NL, PL, PT, RO, SI, SL & SE.	BG, CY, DK, EE, EL, ES, IE, LV, MT and UK	According to the experts BG, CY, DK, EE, EL, ES, IE, LV, MT and UK do not consider the question of compensation to the victim in the decision to prosecute the offender, while payment or non-payment of compensation may influence the decision to prosecute in AT, BE, CZ, FI, FR, DE, HU, IT, LT, LU, NL, PL, PT, RO, SI, SL & SE.
12	Is compensation, when paid by the offender to the victim, taken as a mitigating factor in sentencing?	AT, BE, CZ, FI, FR, DE, HU, IT, LT, LU, NL, PL, PT, RO, SI, SL & SE.	BG, CY, DK, EE, EL, ES, IE, LV, MT and UK	According to the experts BG, CY, DK, EE, EL, ES, IE, LV, MT and UK do not consider the question of compensation to the victim in the decision to prosecute the offender, while payment or non-payment of compensation may influence the decision to prosecute in AT, BE, CZ, FI, FR, DE, HU, IT, LT, LU, NL, PL, PT, RO, SI, SL & SE.
13	Is there a limit from the time of the crime within which claims for compensation would have to be made? If yes, what is the time limit?	IE		Applications for compensation from the Criminal Injuries Compensation Tribunal must be made to the tribunal "as soon as possible but not later than three months after the incident." The tribunal has authority under the scheme to extend this time limit in circumstances where the applicant can show that the reason for the delay in submitting the application justifies exceptional treatment of the application. There is no time limit for fatal applications.

14	Do third country nationals have the right to apply for compensation?	IE		The Scheme of Compensation for Personal Injuries Criminally Inflicted <sup>55</sup> sets out the rules regarding who may claim compensation under the Scheme, as well as the rules regarding those who are limited or excluded from applying under the scheme. There is no restriction on the right of third country nationals to apply for compensation under the scheme.
15	Do third country nationals with irregular status (i.e. residing in the country illegally) have the right to apply for compensation?	IE		The Scheme of Compensation for Personal Injuries Criminally Inflicted <sup>56</sup> sets out the rules regarding who may claim compensation under the Scheme, as well as the rules regarding those who are limited or excluded from applying under the scheme. There is no restriction on the right of third country nationals with irregular status to apply for compensation under the scheme.
16	Are there exceptions prescribed in law for different types of crimes? If yes, what are they?		IE	The Scheme of Compensation for Personal Injuries Criminally Inflicted is a non-statutory scheme so the exceptions provided for by the scheme are not "provided by law". However, as noted above the scheme includes a number of exceptions, including at para.(9) "No compensation will be payable unless the Tribunal is satisfied that the injury is such that compensation of not less than £50 should be awarded."; para.(10) "No compensation will be payable where the offender and the victim were living together as members of the same household at the time the injuries were inflicted" and para.(12) "No compensation will be payable in respect of injuries inflicted in a traffic offence except in a case where there has been, in the opinion of the Tribunal, a deliberate attempt to run down the victim."

<sup>55</sup> Brochure on Scheme Of Compensation for Personal Injuries Criminally Inflicted, available at: [www.justice.ie/en/JELR/Scheme%2011.pdf/Files/Scheme%2011.pdf](http://www.justice.ie/en/JELR/Scheme%2011.pdf/Files/Scheme%2011.pdf).

<sup>56</sup> Brochure on Scheme Of Compensation for Personal Injuries Criminally Inflicted, available at: [www.justice.ie/en/JELR/Scheme%2011.pdf/Files/Scheme%2011.pdf](http://www.justice.ie/en/JELR/Scheme%2011.pdf/Files/Scheme%2011.pdf).

## 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?		IE	There is no formal system of cross-border referral of victims in Ireland when the victim who has approached the VSO or competent authority is resident in another state.
2	Can victims of crime report crimes in their own country if the crime was committed in another state?		IE	There is no basis in Irish law for victims of crime to report crimes in Ireland if the crime was committed in another state.
3	Are victim support services made available to all victims, regardless of legal status, country of origin or nationality?	IE		Victim support services in Ireland are made available to all victims regardless of legal status, country of origin or nationality.
4	Describe any special mechanism for victims of crime from other countries to access support. E.g. via website etc.			The Irish Tourist Assistance Service is a specialist service offering immediate support and assistance to tourists who are victimised while visiting Ireland. The Service is free and confidential. ITAS provides tourists who are victims of crime with emotional support and practical assistance, assistance with language difficulties, liaison with embassies, Gardaí (Police) and other agencies, assistance with organising money transfers, re-issuing stolen travel tickets, assistance with the cancellation of credit cards, arranging accommodation/meals if needed and will assist in addressing victims' medical needs.
5	Is information made available to victims in different languages by the police? If yes, which languages?	IE		The Garda Síochána Charter is available in a number of different languages, including Spanish, Russian, Romanian, Polish, Mandarin, Lithuanian, Latvian, Italian, French and Nigerian. This is a general document outlining the role of the police in Ireland.
6	Is information made available to victims in different languages by victim support services? If yes, which languages?	IE		Not all victim support services make information available to victims in different languages. However, some organisations do, such as the Irish Tourist Assistance Service, which has an information leaflet titled "Safety Tips for Tourists" which has been translated into Russian. Furthermore, the Commission for the Support of Victims of Crime has translations of the (non-binding) Victims' Charter on its website, available in French, Latvian, Lithuanian,

				Polish, Spanish and Chinese.
7	Do victim support services offer interpretation or translation services? If yes, in which languages?	IE		Not all victim support services offer interpretation or translation services. However, the Irish Tourist Assistance Service is an example of a victim support organisation in Ireland which does offer interpretation or translation services.
8	Does the main generic victim support organisation in your country maintain contact with victim support organisations in other countries? If yes, how? (E.g. through formal cooperation agreement; international consultative forums or conventions etc.)	IE		The co-ordinator of the Crime Victims Helpline co-ordinator participated in the Victim Support Europe Conference in Moscow on May 2011. This annual conference provides the Crime Victims Helpline with an opportunity to ensure that the organisation is aware of progress, trends and best practice in victim support throughout Europe and to develop contacts with victim support organisations in other countries.
		<b>Description (max 2-3 sentences per question)</b>		
9	What is the mechanism for victims to apply for compensation once they are back in their own country?			The Criminal Injuries Compensation Tribunal has been designated as the transmitting and receiving authority in Ireland pursuant to Council Directive 2004/80/EC of 29 April, 2004 which will assist victims to apply for compensation once they are back in their own country.
10	What is the number of victims accessing victim support services who are non-nationals of the state?			Data not available.
11	Describe any special mechanism for victims of crime from other countries to access support. E.g. via website etc.			There are no special mechanisms for victims of crime from other countries to access support in Ireland; however, many of the victim support services have websites which contain information on services and supports.
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 measures were identified which protect the victim's right to privacy when dealing with cross-border victims.

## 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?**

Crime Victims Helpline is a national helpline established to 'listen, support and inform victims of crime'. The helpline provides an independent and confidential service to people who are victims of crime. The Helpline provides emotional support and informs victims about organisations available locally and nationally to support victims of crime. The Helpline also provides information on the criminal justice system, and liaise with Gardaí and other services on the victim's behalf, if he or she requests such support. Trained volunteers are available to take calls on Monday - 10.00 a.m. to 7.30 p.m.; Tuesday to Friday - 10.00 a.m. to 5.00 p.m.; Saturday - 2.00 p.m. to 4.00 p.m.; Bank Holidays - 2.00 p.m. to 4.00 p.m. In 2011, there were a total of 3,253 incoming contacts with the helpline, including 2,868 calls and 385 contacts by email, fax and text. This represented a 12% increase over incoming contacts in 2010. In terms of the gender breakdown of those seeking support from the helpline, 67% were female and 33% were male. The breakdown of the types of crime in respect of which support was sought was as follows: assault 36%; sexual violence 17%; property crime (burglary and robbery) 14%; harassment 6%; criminal damage 3%; car theft 3%; domestic violence 3%; other (abduction, anti-social behaviour, arson, fraud, intimidation, road traffic collisions, and including homicide) 18%. From the beginning, the Crime Victims Helpline has been highly dependent upon volunteers, largely as a result of the lack of funding but also as a result of a recognition of the role of local communities in assisting and supporting victims of crime. The Annual Report of the Crime Victims Helpline 2011 acknowledges the vital role played by volunteers, stating "CVH could not continue to provide the service, which is so vital to people, who as a result of a crime are having difficulty in coping with life, without the contribution of the volunteers who operate the helpline." The organisation places a major emphasis on the initial and ongoing training of volunteers. This is organised by the co-ordinator and administrative assistant and is achieved with the co-operation of some of the directors, a number of relevant agencies and the volunteers themselves.

There is no information available regarding the typical profile of volunteers who work in the field of victim support. In general terms, however, it is clear that there is a strong culture of volunteerism in victim support services in Ireland; the vast majority of organisations surveyed cited the key role played by volunteers in the provision of their services.

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

NA

### **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?).



As noted by Skehill, “in researching the history of social work in Ireland, the particular history of the jurisdiction is important.”<sup>57</sup> Up to 1920, the Republic of Ireland and Northern Ireland were governed by Britain and the model of social work was based on the British model. Post-independence the Irish model remained based on the British model until the enactment of the Health Act 1947 which established health authorities for specified functional areas; although some of the functions of the health authorities included social work, much of the work in this regard continued to be performed by the Catholic Church. Subsequently, the Health Act 1970 was enacted which provided for the establishment of eight Health Boards to cover the country and under whose control social work was performed. This structure was ultimately replaced by the establishment of a national Health Service Executive pursuant to the Health Act 2004. The HSE provides health and social services throughout Ireland, including family, child and social services. The Health and Social Care Professionals Act 2005 provided for the establishment of the Health and Social Care Professionals Council which has the power to designate recognition of qualifications for the purposes of registration as a health and social care professional. The “Approved Qualifications for Social Workers Bye-Law 2011) (SI No.137/2011)<sup>58</sup> designates nine third level courses for the purposes of recognition by the National Social Work Qualifications Board for the purpose of awarding a National Qualification in Social Work. It does not appear that the history of social work is linked to the victim support services structure in Ireland in a systemic or structured way.

### 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.		NA	In Ireland, while the Commission for the Support of Victims of Crime has published the Victims’ Charter in a number of languages (namely French, Latvian, Lithuanian, Polish, Spanish and Chinese) there is no basic information guide for cross-border victims of crime detailing what to do in the event of a crime or accident. This is

<sup>57</sup> Ireland, Skehill C (2010) ‘History of Social Work in the Republic of Ireland’ Oxford Bibliographies On-line, Oxford University Press, Oxford.

<sup>58</sup> Ireland, Approved Qualifications for Social Workers Bye-Law 2011, available at: [www.irishstatutebook.ie/2011/en/si/0137.html](http://www.irishstatutebook.ie/2011/en/si/0137.html).

				therefore a gap that still needs to be addressed.
2	Assistance to tourist victims of crime: e.g. <b>In Ireland</b> , 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.	NA	NA	
3	Schemes for compensatory fines to help fund support services: In addition to other funding sources, several EU Member States generate money for generic victim support services through a 'Victims of Crime fund' or the like, whereby persons convicted of an offence pay a fine to help the funding of services for victims of crime (for example, in BE, LT, NL, PL & SE).		IE	There is no "Victims of Crime fund" in Ireland whereby a person convicted of an offence pays a fine to help funding of services for victims of crime. However, a sentencing court may require an offender to make a contribution to the "court poor box" <sup>59</sup> which may take the form of a payment to a specific charity, and some judges may direct payment to a victim support service. However, this is totally discretionary and even if an offender is ordered to make a contribution to the court poor box, the judge may nominate a local charity or service which is not connected with victim services, so in this way the scheme insofar as it is relevant is ad hoc.  Victim of violent crimes can also apply to Criminal Injuries Compensation Tribunal as discussed above.
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.	IE		A number of victim support organisations in Ireland offer a court accompaniment service. For example, Victim Support at Court (V-SAC) is a voluntary service in Ireland dedicated solely to court accompaniment for victims of crime, their families

<sup>59</sup> Ireland, Law Reform Commission (2004), Consultation Paper on the Court Poor Box, Dublin: LRC, [209], available at [www.lawreform.ie/ fileupload/consultation%20papers/cpCourtPoorBox.pdf](http://www.lawreform.ie/fileupload/consultation%20papers/cpCourtPoorBox.pdf).

				and witnesses. Similarly, CARI offers a court accompaniment support service (CASS) for child victims of sexual abuse. A specially trained court support officer prepares the child, on a practical level, before scheduled appearance at court (e.g. explaining court procedure and physical layout, with the help of age appropriate literature.); clarifies legal terminology and procedures for the family; accompanies the child and family to the court in advance of case date with a view to familiarising them with the court environment & interview suite; and offers continued support, up to and following, the sentence hearing where appropriate. <sup>60</sup>
6	In some countries, victims are provided with free psychosocial and legal assistance throughout the entire criminal proceedings.		IE	There is no provision in Irish law for free psychosocial and legal assistance throughout the entire criminal proceedings. This is a gap that still needs to be addressed.
7	Some countries have legal clinics that provide free legal assistance to victims of crime.		IE	There are no legal clinics in Ireland that provide free legal assistance to victims of crime. This is a gap that still needs to be addressed.
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.		IE	There are no similar practices in Ireland regarding use of new and innovative ways of disseminating material to victims of crime, although many victim support services do operate websites containing general information on their services. This is a gap that still needs to be addressed.

<sup>60</sup> CARI website, available at: [www.cari.ie/our-services/cass-court-accompaniment-support-service](http://www.cari.ie/our-services/cass-court-accompaniment-support-service).

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.).	IE	Ireland has adopted a non-binding Victims Charter and Guide to the Criminal Justice Service, <sup>61</sup> which describes the rights and entitlements of victims of crime in relation to the various state agencies who interact with victims of crime. The Charter is divided into eleven sections, which include the individual charters of the Crime Victims Helpline (voluntary organisation), Garda Síochána (the Gardaí), Courts Service, Director of Public Prosecutions (DPP), Prison Service, Probation Service, Legal Aid Board, Coroner Service and the Criminal Injuries Compensation Tribunal. Each section sets out the role of the service, what victims can expect from each service, and what victims can do if the service does not meet their expectations.
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.	IE	There is no equivalent form of co-operation between the police and local victim support services in Ireland. Some members of the police in Ireland have training in relation to victims, such as Family Liaison Officer, who are appointed to victims of crime and their families in serious cases such as murder or false imprisonments. There are 360 trained Family Liaison Officers in Ireland. <sup>62</sup>
11	The multi-disciplinary, national referral system introduced in Bulgaria with regard to trafficking might be considered a promising practice.	IE	The Anti-Human Trafficking Unit of the Department of Justice operates a "national referral mechanism" which refers to:

<sup>61</sup> Ireland, Victims of Crime Office (2010), Victims Charter and guide to the criminal justice system, available at: [www.victimsofcrimeoffice.ie/en/vco/Entire%20Charter.pdf/Files/Entire%20Charter.pdf](http://www.victimsofcrimeoffice.ie/en/vco/Entire%20Charter.pdf/Files/Entire%20Charter.pdf).

<sup>62</sup> Ireland, Garda Victim Liaison Office website, available at: [www.garda.ie/Controller.aspx?Page=1662](http://www.garda.ie/Controller.aspx?Page=1662).

			<p>(i) The comprehensive consultation structures involving Governmental, Non-Governmental and International organisations.</p> <p>(ii) The process by which a suspected victim of human trafficking is identified;</p> <p>(iii) The range of assistance and support services available to potential and suspected victims of human trafficking;</p> <p>(iv) How potential and suspected victims are referred or can apply to access each of those services.</p> <p>The range of assistance and support services available to victims of trafficking in Ireland vary depending on the status and requirements of the individual. The services available include:</p> <p>accommodation; medical care and planning; psychological assistance; material assistance; legal aid and advice; access to the labour market; vocational training and education; police services; crime prevention; repatriation; compensation; translation and interpretation services etc.<sup>63</sup></p>
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	IE	There are no similar practices in Ireland; this is a gap that still needs to be addressed.

<sup>63</sup> Ireland, Department of Justice and Equality, Anti-Human Trafficking Measures, available at: [www.justice.ie/en/JELR/Pages/WP09000005](http://www.justice.ie/en/JELR/Pages/WP09000005).

	crime.			
13	<p>Police forces in <b>England and Wales</b> have policies on dealing with repeat victimisation. An example of such a policy is the Thames Valley Police policy on repeat victimisation (drafted and audited in accordance with Human Rights Act 1998):</p> <p><b>Sample Extract from the policy:</b></p> <p><b>1. Rationale</b></p> <p>1.1 Research and organisational experience indicate that victims of crime and other incidents may be targeted for subsequent victimisation. This is particularly relevant in relation to offences of burglary, assault, domestic violence and hate crime.</p> <p>1.2 Repeat incidents often occur soon after the initial victimisation; therefore it is important to take preventative measures quickly. Likely victims must be identified immediately and subject to a targeted crime reduction initiative.</p> <p>1.3 Every victim should be asked whether they have been subject to other offences. The primary means to prevent repeat victimisation is to arrest and prosecute the offender, although other tactical options are available [...].<sup>64</sup></p>		IE	There are no initiatives in Ireland regard policies for dealing with repeat victimisation. This is a gap that still needs to be addressed.
14	<p>Many countries have practices in place to respect the rights of victims during court proceedings, particularly with regard to their rights to privacy and protection; e.g. the trial being conducted behind closed doors; witness' testimony being taken so they do not come into contact with accused (e.g. in SI, taking of testimony using technical devices (protective screen, voice disguising devices, transmission of sound from separate premises and other similar technical devices); ban on use of images related to the victimisation; other measures undertaken by judges or prosecutors (or jury?) in respect of victims' rights? (e.g. jurors in FR swear an oath pledge</p>		IE	In Ireland, the Criminal Evidence Act 1992 makes limited provision for the giving of evidence by victims in court in a protected manner. These provisions only apply in respect of (a) a sexual offence, (b) an offence involving violence or the threat of violence to a person, or (c) an offence consisting of attempting or conspiring to commit, or of aiding, abetting, counselling,

<sup>64</sup> <http://www.thamesvalley.police.uk/pub-policiesandprocedures-repeat-victimisation.pdf>

	not to betray the interests of the victim).			procuring or inciting the commission of, an offence mentioned in paragraph (a) or (b). Section 13 of the 1992 Act provides that evidence may be given by live television link if the person is under 17 years of age, unless the court sees good reason to the contrary, or in any other case, with the leave of the court. Section 14 of the 1992 Act provides that questions may be put to a witness in a criminal trial through an intermediary where the witness is under the age of 17. <sup>65</sup> There are no general measures in place for the protection of victims' privacy such as the use of screens or voice disguising technology.
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)		IE	There are no similar practices in Ireland. This is a gap that still needs to be addressed.
16	<b>Other promising practices:</b> please include any other promising practices in your country with regard to victim support and enabling victims' to exercise their rights.	NA	NA	

## 2.12 Role of the victim in practice

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

	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.	X	As a 2007 report on services for victims of crime in Ireland noted, "Historically, the victim played an active role in our system of criminal

<sup>65</sup> Ireland, Criminal Evidence Act, 1992, available at: [www.irishstatutebook.ie/1992/en/act/pub/0012/](http://www.irishstatutebook.ie/1992/en/act/pub/0012/).

				justice. Up to the early part of the nineteenth century, an onus rested on the victim of crime to privately prosecute the offender in the courts. The system assumed that the victim was financially and psychologically capable of pursuing the offender, was arbitrary, unjust and, ultimately, ineffective at combating crime. These deficiencies presaged a major shift in criminal justice in favour of public prosecution. Under this model, responsibility for the investigation of crime and the prosecution of offenders lies squarely with the State. The victim is not a formal party to the proceedings and his or her role is essentially limited to reporting the alleged offence to the gardaí and testifying as a witness for the prosecution at trial." <sup>66</sup>
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.			
In the new EU Victims' Directive, the Commission refers to the varying roles of victims in criminal proceedings in each Member State as being determined by one of the following criteria. <sup>67</sup> With regard to the following descriptions, please choose 'yes' or 'no' for each concerning the role of the victim in the criminal justice system of your country, and provide a short explanation.				
	<b>Description of victims' role in EU Directive</b>	<b>Yes</b>	<b>No</b>	<b>Explanation (maximum word count 200)</b>
1	The national system provides for a legal status as a party to criminal proceedings;		X	As noted above, in Irish law the victim is regarded as a witness in respect of criminal proceedings and

<sup>66</sup> Ireland, Bacik, I., Heffernan, L., and Brazil, P., (2007) Report on Services and Legislation for Victims of Crime in Ireland, Dublin: CSVC, [121] at p.20 available at: [www.csvc.ie/en/CSVC/Research%20Document.doc/Files/Research%20Document.doc](http://www.csvc.ie/en/CSVC/Research%20Document.doc/Files/Research%20Document.doc).

<sup>67</sup> Recital 20 Of the Victims' Directive, p 11 (<http://register.consilium.europa.eu/pdf/en/12/pe00/pe00037.en12.pdf>).



				does not have a separate status as a party in criminal proceedings. <sup>68</sup>
2	The victim is under a legal requirement or is requested to actively participate in criminal proceedings, for example as a witness		X	Under Irish law, victims are not under a legal requirement to participate in criminal proceedings.
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	Under Irish law, the victim does not have a legal entitlement to actively participate in criminal proceedings.

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<sup>68</sup> Ireland, Bacik, I., Heffernan, L., and Brazil, P., (2007) Report on Services and Legislation for Victims of Crime in Ireland, Dublin: CSVc, [121] at pp.40-43 available at: [www.csvc.ie/en/CSVc/Research%20Document.doc/Files/Research%20Document.doc](http://www.csvc.ie/en/CSVc/Research%20Document.doc/Files/Research%20Document.doc).

**IMPORTANT:**

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

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

**2 Part B:**

**3.1 Establishment of generic victim support organisations<sup>69</sup>**

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

The first victim support service in Ireland was Victim Support, which was established by non-state actors in order to meet the needs of victims of crime.

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

Until 2005, Victim Support, a voluntary registered charity, had been providing assistance to victims of crime for a number of years, and was almost entirely funded from public monies. However, according to the Annual Report of the Commission for the Support of Victims of Crime 2005,<sup>70</sup> by that time serious internal difficulties had given rise to grave concerns about governance, accountability for public funds and the very significant depletion of its activity and service levels. Accordingly, a decision was made by the Minister for Justice to withdraw funding from the Victim Support organisation with effect from 31st March 2005.

<sup>69</sup> Questions marked with \* should NOT be answered by countries falling into category 'A' (in accordance with question 2.2.1).

<sup>70</sup> Ireland, Commission for the Support of Victims of Crime (2006) Annual Report 2005, Dublin: CSVC, [18], available at [www.csvc.ie/en/CSVC/Annual%20Report%202005.doc/Files/Annual%20Report%202005.doc](http://www.csvc.ie/en/CSVC/Annual%20Report%202005.doc/Files/Annual%20Report%202005.doc).

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

The circumstances leading to the establishment of victim support services in Ireland were heavily linked with the tendency for victims of crime to be overlooked within the Irish criminal justice system. With increasing awareness of those needs, both nationally and internationally, the environment for crime victims began to change, with the establishment of victim support organisations offering support and assistance to victims of crime which had not previously been available.<sup>71</sup>

### 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	There are no formally adopted key performance indicators in relation to the quality of services provided by generic victim support services in Ireland. Individual victim support services may adopt informal performance indicators such as codes of conduct; for example, Women's Aid has published a Code of Practice on Domestic Violence which is intended to act as a best practice guide for organisations working with victims of domestic violence. <sup>72</sup>

### 3.2 Personnel (professional staff and volunteers)\*:

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

Country	Name of organisation	Professional staff		Volunteers		
		# staff	hours contracted per week	# volunteers	hours contracted per week	Value of volunteer work
Ireland	Crime Victims	The	The Crime	The Crime	The Crime	The Crime

<sup>71</sup> Ireland, Bacik, I., Heffernan, L., and Brazil, P., (2007) Report on Services and Legislation for Victims of Crime in Ireland, Dublin: CSVC, [121] at p.3 available at: [www.csvc.ie/en/CSVC/Research%20Document.doc/Files/Research%20Document.doc](http://www.csvc.ie/en/CSVC/Research%20Document.doc/Files/Research%20Document.doc).

<sup>72</sup> Ireland, Women's Aid, (2002) Code of Practice on Domestic Violence, Dublin: Women's Aid, [8] available at [www.womensaid.ie/download/pdf/code\\_of\\_practice\\_on\\_domestic\\_violence.pdf](http://www.womensaid.ie/download/pdf/code_of_practice_on_domestic_violence.pdf)

	Helpline	Crime Victims Helpline did not respond to requests for this information	Victims Helpline did not respond to requests for this information	Victims Helpline did not respond to requests for this information	Victims Helpline did not respond to requests for this information	Victims Helpline did not respond to requests for this information

### 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	There is no general right to free legal advice or assistance for victims in Ireland. However, section 34 of the Sex Offenders Act 2001 which inserted a new Section 4A into the Criminal Law (Rape) Act 1981, provides for separate legal representation of complainants where an application is made to admit previous sexual history and includes an entitlement to free legal aid in this regard.
b Free health/psychological assistance (e.g. crisis intervention centres)		X	There is no general entitlement to free health or psychological assistance for victims in Ireland provided by State services. However, in relation to certain specific categories of crime victims, such as victims of trafficking, such services may be available.
c Emergency financial assistance		X	There is no service providing emergency financial assistance to victims of crime in Ireland.
d Court accompaniment/support services		X	There is no state-run court accompaniment or support services for victims of crime in Ireland. However, a number of victim support services such as V-SAC and CARI offer a court accompaniment and support service.
e Other (specify)		X	There were no other state services to victims of crime identified.

### 3.4 (Failed) Attempts to establish national generic victim support service provider\*\*73

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

<sup>73</sup> \*\*This question should ONLY be answered by countries falling into category 'A' (in accordance with question 2.2.1).

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**

NA

## 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.

<b>FI</b>	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.
<b>FR</b>	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 ( <a href="http://www.inavem.org">www.inavem.org</a> ). 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.
<b>HR</b>	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.
<b>HU</b>	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.
<b>IE</b>	Various non-governmental victim support organisations – e.g. the Crime Victims Helpline, the Federation for Victim Assistance (10 branches); Support After Crime Services; ITAS.
<b>IT</b>	
<b>LT</b>	
<b>LU</b>	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.
<b>LV</b>	
<b>MT</b>	Victim Support Malta (VSM).
<b>NL</b>	Victim Support Netherlands (VSN) ( <i>Slachtofferhulp Nederland</i> , SHN).
<b>PL</b>	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.
<b>PT</b>	Portuguese Association for Victim Support ( <i>Associação Portuguesa de Apoio à Vítima</i> , APAV) - 15 victim support offices located throughout the country.
<b>RO</b>	
<b>SE</b>	The Swedish Association for Victim Support ( <i>Brottsofferjouernas Riksförbund</i> , BOJ) is the national umbrella organisation for victim support services with about 100 local victim service centres in Sweden.
<b>SI</b>	
<b>SK</b>	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.
<b>UK</b>	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)**

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