

FRANET

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

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Part A:

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one of the examples provided, please review and revise the information as necessary, as the information provided may be outdated.

2.1 Scenarios

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

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

	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 police do not refer the victim to a support service in a systematic way. There is an obligation for the police to refer a victim to a support service, only for victims of stalking and if they are expressly requested to do so by the victim herself. ² Neither the national plan against violence ³ nor the protocols signed by the Equal Opportunities Department and the Ministries of the Interior ⁴ and Defence ⁵ mention the setting up of a formalised referral mechanism. However, at the local level, it is possible to identify protocols aimed at promoting practices of referral by the police ⁶ .
		b. If yes, please name the service(s)			Support services for victims of stalking – National network against violence ⁷
		c. Do the police routinely contact this service on behalf of the victim?		X	Pursuant to art. 11 of Decree Law nr. 11/2009 on stalking, the police, local health services and public institutions shall put the victim in contact with support services (National network against violence) if expressly requested to do so by the victim. There is no data on a systematic and effective implementation of this legislation. NGOs lament ineffective implementation at the local level. ⁸

² Decree Law no. 11 of 23 February 2009, art. 11, available at: <http://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legge:2009;11>

³ http://www.pariopportunita.gov.it/images/stories/documenti_vari/UserFiles/PrimoPiano/piano_nazionale_antiviolenza.pdf

⁴ http://www.pariopportunita.gov.it/images/stories/documenti_vari/UserFiles/protocollo_intesa_min_interno.pdf

⁵ http://www.pariopportunita.gov.it/images/stories/documenti_vari/UserFiles/PrimoPiano/Protocollo_stalking.pdf

⁶ [http://www.municipio.re.it/retecivica/urp/retecivi.nsf/PESIdDoc/647D345D2100301FC12579BF0038C642/\\$file/Protocollo%20contro%20violenza%2025.11.11.PDF](http://www.municipio.re.it/retecivica/urp/retecivi.nsf/PESIdDoc/647D345D2100301FC12579BF0038C642/$file/Protocollo%20contro%20violenza%2025.11.11.PDF)

⁷ <http://www.pariopportunita.gov.it/index.php/numeri-di-pubblica-utilita-sezione/117-numero-verde-1522-antiviolenza-donna>

⁸ <http://www.direcontrolaviolenza.it/>

		d. Which support service would in the end deal with such a case?			There is no specific rule on this regard. However the above mentioned National network against violence ⁹ would provide assistance. Its aims are to provide assistance in identifying anti-violence centres that are part of the network and operate at the local level through a dedicated website ¹⁰ .
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>Article 331 Criminal Code provides that the police report is transmitted immediately to the public prosecutor. According to article 609 <i>decies</i> of the Criminal Code, the Prosecutor, when proceeding in a case of sexual abuse of children, is under the duty to notify the Juvenile Court of the on-going investigation and the latter will intervene by activating the necessary support service in favour of the minor.</p> <p>In case of emergency, according to article 403 of the Civil Code, when a child is physically or morally abandoned or is brought up in an unhealthy or dangerous environment, the public authority, through local social services, is under a duty to place him/her in a safe place until it is possible to provide permanent protection for the child.</p> <p>The above described mechanism is what law prescribes in any case involving a report on child abuse. With regard to procedures actually followed by the police, our request of information to the Ministry of the Interior had no response¹¹. Where local protocols are stipulated, police normally refers to the local social services which will provide support to the victim throughout the investigation phase and the subsequent trial, if this is the case.</p>

⁹ <http://www2.pariopportunita.provincia.venezia.it/upload//00000027/00000077/00000164/centriantiviolenza.pdf>

¹⁰ <http://www.antiviolenzadonna.it>

¹¹ mailcospe ministero dell'interno, e-mail to the Department of Public Security on 05 Apr 2013, phone calls to the Department of Public security in Apr 2013, phone call to the Criminal Police Department in 6 May 2013. We received an e-mail from the Department of Public security on 30 May 2013 but the requested information was not provided

		b. If yes, please name the service(s)			Local social services in collaboration with NGOs operating at the local level.
		c. Do the police contact this service on behalf of the victim?			Information not available. A specific request about this section was sent to the Ministry of interior. The Department of Criminal Police was contacted too. Despite several attempts, neither the first, nor the second provided the requested information ¹² .
		d. Which support service would in the end deal with such a case?			The local social service which is entitled to adopt all necessary measures to protect and take care of the victim as well as to provide necessary support together with the social services' Office for Minors. The support services are frequently offered in collaboration with NGOs operating at the local level. ¹³
3	A person calls the police following a burglary in their apartment	a. Do the police routinely refer the victim to a support service?			Information not available. A specific request about this section was sent to the Ministry of interior. The Department of Criminal Police was contacted too. Despite several attempts, neither the first, nor the second provided the requested information ¹⁴ .
		b. If yes, please name the service(s)			
		c. Do the police contact this service on behalf of the victim?			Information not available. A specific request about this section was sent to the Ministry of interior. The Department of Criminal Police was contacted too. Despite several attempts, neither the first, nor the second provided the requested information. ¹⁵

¹² mail cospe ministero dell'interno, e-mail to the Department of Public Security on 05 Apr 2013, phone calls to the Department of Public security in Apr 2013, phone call to the Criminal Police Department in 6 May 2013. We received an e-mail from the Department of Public security on 30 May 2013 but the requested information was not provided

¹³ Law no 66 of 15 February 1996, art. 11.

¹⁴ mail cospe ministero dell'interno, e-mail to the Department of Public Security on 05 Apr 2013, phone calls to the Department of Public security in Apr 2013, phone call to the Criminal Police Department in 6 May 2013. We received an e-mail from the Department of Public security on 30 May 2013 but the requested information was not provided

¹⁵ mail cospe ministero dell'interno, e-mail to the Department of Public Security on 05 Apr 2013, phone calls to the Department of Public security in Apr 2013, phone call to the Criminal Police Department in 6 May 2013. We received an e-mail from the Department of Public security on 30 May 2013 but the requested information was not provided.

		d. Which support service would in the end deal with such a case?			
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	No. According to the protocol of understanding between the Ministry of the Interior and the Department of Equal Opportunities, the police are required to refer to UNAR's contact centre only cases that are not relevant under criminal law and which may nevertheless constitute racial discrimination. In turn, UNAR has to refer to the police cases of racist attacks that constitute criminal offenses. Though the protocol prescribes that coordination of the two types of referrals must be established and contact persons appointed, there is no data available on the effective implementation of such provision. ¹⁶
		b. If yes, please name the service(s)			
		c. Do the police contact this service on behalf of the victim?		X	In criminal cases it is up to the victim to report or not to UNAR. For cases of discrimination that fall under civil law, the police are required to refer to UNAR but do not contact UNAR on behalf of the victim ¹⁷ .
		d. Which support service would in the end deal with such a case?			UNAR Contact centre, under the conditions specified above
5	An elderly person is mugged on the way home from collecting their	a. Do the police routinely refer the victim to a support service?			Information not available. A specific request about this section was sent to the Ministry of interior. The Department of Criminal Police was contacted too. Despite several attempts, neither the first, nor the second provided the requested information ¹⁸ .

¹⁶ <http://www.governo.it/backoffice/allegati/63209-6723.pdf>

¹⁷ <http://www.governo.it/backoffice/allegati/63209-6723.pdf>

¹⁸ mail cospe ministero dell'interno, e-mail to the Department of Public Security on 05 Apr 2013, phone calls to the Department of Public security in Apr 2013, phone call to the Criminal Police Department in 6 May 2013. We received an e-mail from the Department of Public security on 30 May 2013 but the requested information was not provided

	monthly pension and is in urgent need of financial assistance	b. If yes, please name the service(s)			
		c. Do the police contact this service on behalf of the victim?			Information not available. A specific request about this section was sent to the Ministry of interior. The Department of Criminal Police was contacted too. Despite several attempts, neither the first, nor the second provided the requested information ¹⁹ .
		d. Which support service would in the end deal with such a case?			A national system of support of the elderly victims of crime does not exist. Specific support services can be identified at the local level. For example, the City of Milan offers free of charge insurance coverage up to a certain amount to people who are over 70 years of age, for financial losses due to theft and fraud. A special helpline has been set up at the Central Office of the local police which operates 24 on 24 hours and which can be contacted by people for help or to report situations of danger or to activate the insurance. ²⁰
6a	In relation to how police deal with victims, are there special measures in place for victims with a disability? If yes, describe them. If your answer is no, please provide a justification/explanation.		X	There is no official information on this point and neither are there special legislative or administrative provisions on this topic nor known practices at the local level. NGOs lament that there are no special measures in place and they suggest that a situation of underreporting is likely to exist ²¹	
6b	In relation to how victim support services deal with victims, are there special measures in place for victims with a disability? If yes, describe them. If your answer is no, please provide a justification/explanation.		X		

¹⁹ mail cospe ministero dell'interno, e-mail to the Department of Public Security on 05 Apr 2013, phone calls to the Department of Public security in Apr 2013, phone call to the Criminal Police Department in 6 May 2013. We received an e-mail from the Department of Public security on 30 May 2013 but the requested information was not provided

²⁰http://www.comune.milano.it/portale/wps/portal/CDM?WCM_GLOBAL_CONTEXT=/wps/wcm/connect/ContentLibrary/giornale/giornale/tutte+le+notizie+new/sicurezza+e+coesione+sociale+polizia+locale+protezione+civile+volontariato/rinnovata_assicurazione_over_70_furti

²¹ <http://www.associazionelibra.com/>

7a	In relation to how police deal with victims, are there special measures in place for victims who are migrants with illegal residency status ²² ? If yes, describe them. If no, please provide a justification/explanation.	X	If the victim is a minor he/she is referred to social services. In cases of severe forms of violence and human trafficking, the victims are referred to support services and where they collaborate during the investigations, they are granted a stay permit in accordance with article 18 Decree 286/1998 ²³ (social protection stay permit). Art. 22(12 bis) of the same decree provides for the possibility of issuing a stay permit for victims of labour exploitation as well. In the other cases, on request of the Public prosecutor, when the victim is considered important for the continuation of investigations, she/he is provided with a stay permit for “judicial” reasons (art. 11 c) bis) ²⁴ . In all other cases, a deportation procedure is started, unless the victim needs emergency health assistance.
7b	In relation to how victim support services deal with victims, are there special measures in place for victims who are migrants with illegal residency status ²⁵ ? If yes, describe them. If no, please provide a justification/explanation.	X	NGOs offering support services, provide support during the administrative procedure aimed at obtaining a stay permit under article 18 Legislative Decree 286/1998.
7c	Are migrants with illegal residency status excluded from accessing support from victim support organisations in practice?	X	With regard to cases regulated by the above mentioned article 18 migrants with illegal residency status who are victims are entitled to access support services. In all other cases, organisations may offer support or not depending on their policies on matters of equal treatment for migrants with illegal residence status and limitations attached to public funding (the government and local authorities require, as a condition for funding projects, that services be restricted to victims with legal residence status).

²² 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.’

²³ <http://www.normativa.it/uri-res/N2Ls?urn:nir:stato:decreto.legislativo:1998-07-25:286>

²⁴ <http://www.normativa.it/uri-res/N2Ls?urn:nir:presidente.repubblica:decreto:2004-10-18:334>

²⁵ Please note that that the usual FRA terminology (used in all official FRA publications) for migrants with illegal residency status is ‘migrants in an irregular situation.’ For the purposes of these guidelines however, reference will be made to ‘migrants with illegal residency status.’

8	Is access to victim support services dependent on a victim making a formal complaint to competent authorities (e.g. the police)?		X	There are no general rules or patterns of practice followed by NGOs and social services. The conditions of access are either defined by the statute of the association providing the service or by the agreement signed with the institution (private or public) providing financial support. For example, the Abele Group has two different tracks: the service offered under Daphne project (funded by the national government and the EC) requires a formal complaint in order to have access to the support service while the general support service (which is privately funded) does not require a formal complaint.
9	In practice, do victim support services afford preferential treatment to victims who have agreed to cooperate with a police investigation into the crime they have experienced (e.g. by dealing with them more rapidly than victims who are not cooperating with a police investigation)?		X	For victims of human trafficking, severe forms of labour exploitation and violence, in case of migrants with illegal residency status, the law prescribes that access to a stay permit is granted on condition that the victim cooperates with police investigation ²⁶ . In the other cases, a stay permit for “judicial” reasons is granted on request of the Public prosecutor, when the victim is considered important for the continuation of investigations. ²⁷
10a	In reference to part ‘c’ of questions 1-5, in the event that police contact victim support services on the victim’s behalf, is there an automatic transfer of the victim’s data? ²⁸		X	It is arguable that automatic transfer might be in contrast with the law on privacy. ²⁹ Moreover, as already said, art. 11 of Decree Law no. 11/2009 expressly prescribes that the police, the local health services and public institutions shall put in contact victims of stalking with support services only if they are specifically requested to do so by the victim.
10b	If the answer to 10a above is yes, is the police obliged to obtain the victim’s permission/consent for the data transfer?			

²⁶ Legislative Decree no.286 of 25 July 1998, art. 18 and 22.

²⁷ Presidential decree no. 394 of 31 august 1999, art 11

²⁸ 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.

²⁹ Legislative Decree no. 196 of 30 June 2003.

10c	Is there a legal basis for the communication/transfer of the victim's data? What is it?	X	Communication/transfer of the victim's data is subjected to the general provisions of the privacy law ³⁰ .
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2.2 Institutional aspects: role of state in victim support structure

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

2.2.1 Models of generic victim support

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

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

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

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
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³⁰ Legislative decree no. 196 of 30 June 2003.

IT				
Explanation/justification:	Explanation/justification:	Explanation/justification:	Explanation/justification:	Explanation/justification:
<p>A general victim support service does not exist in the Italian system. Instead, support is provided for specific categories of victims or on the basis of geographical areas or crime categories.</p> <p>However, a general framework is provided by Presidential Decree of 24 July 1977 nr. 616, that establishes that it is the responsibility of the regions to offer economic assistance to needy families of victims of crime, as well as to undertake special protection measures and that each region must act to promote and organise Victim Support Services. On the basis of these competences and of the competences recognised to regions in the area of urban safety and social services, victim support centres have been established in some regions. For example, Centro servizi per il sostegno psicotraumatologico per le vittime di reato – Comune di Milano; o Centro per le Vittime di reato e calamità Comune di Casalecchio di Reno; Fondazione Emiliano Romagnola per le vittime dei reati³¹</p>				

³¹ See I centri di assistenza e supporto alle vittime di reato, available at <http://www.assemblea.emr.it/garanti/attivita-e-servizi/difensorecivico/doc/q12-02.pdf>

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
IT	X	X	X	X	<p><i>Dipartimento Pari Opportunità, Presidenza del Consiglio dei Ministri</i> (Department of Equal Opportunities, under the Presidency of the Council of Ministers).</p> <p><i>Commissario per il Coordinamento delle iniziative di solidarietà per le vittime dei reati di tipo mafioso</i> (Commissioner for the coordination of solidarity initiatives in favour of victims of organised crime (mafia))</p> <p><i>Commissario Straordinario per il Coordinamento delle iniziative anti-racket e anti-usura</i> (Extraordinary Commissioner for the coordination of anti-racketeering and anti-usury initiatives)</p>	
2. Please provide a short description of which body (e.g. ministry, office for victims of crime, commission or any other body) has the overall or principal coordinating role in organising victim support services at national and federal level. If no one ministry or body has such a role, please provide an explanation/ justification.						
IT	No ministry has an overall or principal coordinating role in organising all victim support services. Each ministry manages specific aspects of support services. In relation to domestic violence, stalking, child abuse and discrimination, the Department of Equal Opportunities has a formal coordinating role of the initiatives of the government ³² . In relation to support services for children victims of sexual abuse, article 11 f the Decree states that support services are guaranteed by the social services of the Office for Minors, coordinated by the Department of Juvenile Justice at the Ministry of Justice. ³³					

³² President of Council of Ministers Decree 13 June 2008.

³³ <http://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:1996-02-15;66@originale>

	The Commissioner for the coordination of solidarity initiatives in favour of victims of organised crime (mafia) ³⁴ and the Extraordinary Commissioner for the coordination of anti-racketeering and anti-usury initiatives ³⁵ have a coordinating role in relation to victims of mafia and victims of racketeering and usury respectively.
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.?)	
	There is no a comprehensive legal basis. Instead, there are specific laws which provide for how support services, if any, should be organised in relation to a given category of crime. For example, articles 12 and 13 Law nr. 228/03 in relation to human trafficking ³⁶ ; article 11 Law nr. 66/1996 in relation to sexual child abuse. ³⁷

³⁴ http://www.interno.gov.it/mininterno/export/sites/default/it/temi/vittime_mafia/sottotema004.html

³⁵ <http://www.interno.gov.it/mininterno/export/sites/default/it/temi/antiracket/sottotema006.html>

³⁶ <http://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:2003-08-11;228!vig=>

³⁷ <http://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:1996-02-15;66@originale>

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)
<p>a Budgeted by the state for compensation</p>	<p>As to the two specialised areas we focused in phase 2 (child abuse and human trafficking), no forms of state compensation are provided. As agreed with FRA, the data on state compensation mentioned by this report refers to state compensation for victims of mafia. Moreover the report also refers to data on compensation for victims of usury and extortion. These are the only two categories of victims for which official data on state compensation are available, i.e. 1.000.000 EURO budgeted by the State for victims of usury and extortion and 1.027.385 EURO for victims of organised crime (mafia)³⁸. Besides victims of mafia, usury and extortion, the other categories of victims eligible for state compensation are: members of the judiciary, police or armed forces injured or killed during the course of duty or victims of terrorist actions; victims of terrorism or organised crime; road traffic victims; victims of circumscribed criminal episodes.³⁹ No data available on these categories of victims.</p>
<p>b Paid out by the state for compensation</p>	<p>The state paid out 47.280.111,20 EURO in 2012 for compensation in</p>

³⁸ <http://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:2011-11-12;183>

³⁹For a complete overview and references of the specific laws providing compensation for the above mentioned categories, http://www.giustizia.it/giustizia/it/mg_1_2_1.wp?facetNode_1=0_8&previousPage=mg_1_2&contentId=SAN30921

	<p>favour of the victims of mafia-related crimes.⁴⁰</p> <p>There are no official data available for other categories of victims</p>
c Budgeted by the state for generic victim support services (i.e. services not restricted to a particular category or categories of victims)	
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.	<p>The funding budgeted by the state with reference to 2013 is⁴¹:</p> <p>1.900.000,00 EURO for the implementation of the national plan against violence and for the prevention and fight against gender-based violence and stalking, and for support of victims such crimes.</p> <p>3.534.305,00 EURO for the national system of protection of victims of trafficking and exploitation</p> <p>The funding budgeted by the state with reference to 2012 is⁴²:</p> <p>5.104.018,84 EURO for the implementation of the national plan against violence and for the prevention and fight against gender-based violence and stalking, and for support of victims such crimes</p> <p>9.317.516,9 EURO for the national system of protection of victims of trafficking and exploitation</p> <p>The funding budgeted by the state with reference to 2011 is⁴³:</p> <p>18.659.049,00 EURO for the implementation of the national plan against violence and for the prevention and fight against gender-based violence and stalking, and for support of victims such crimes</p> <p>11.295.889 EURO for the national system of protection of victims of trafficking and exploitation</p> <p>A specific request on funding was sent to the Department of equal opportunities, but we received no response on this specific issue.⁴⁴</p>

⁴⁰http://www.interno.gov.it/mininterno/export/sites/default/it/assets/files/24/2012_11_21_statistiche_vittime_mafie_2012.pdf

⁴¹2013 preliminary budget of the Presidency of the Council of Ministers

http://www.governo.it/trasparenza_valutazione_merito/bilancio/bilancio_2013/nota_preliminare_2013.pdf

⁴² Balance of payment document of the Presidency of the Council of Ministers for 2012

http://www.governo.it/trasparenza_valutazione_merito/bilancio/Contofinanziario2012.pdf

⁴³ Balance of payment document of the Presidency of the Council of Ministers for 2011

http://www.governo.it/trasparenza_valutazione_merito/normativa/Bilancio_PCM_Conto_finanziario_2011.pdf

⁴⁴Contacts with the Department of Equal Opportunities: mail on 11 Apr 2013, phone call in Apr 2013, mail from on 29 Apr 2013, mail on 30 Apr 2013

	The data reported are the result of our in depth desk research.
e Paid out by the state for generic victim support services (i.e. services not restricted to a particular category or categories of victims).	
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.	<p>With reference to the money paid by the state in 2012, on the basis of the balance of payments document “conto finanziario 2012”⁴⁵ 331.780,40 EURO were actually paid during 2012 for the implementation of the national plan against violence and for the prevention and fight against gender-based violence and stalking, and for support of victims such crimes. On the basis of the same document, 2.156.819,01 are mentioned under the voice “still to be paid”. 522.425,68 EURO were actually paid for the national system of protection of victims of trafficking and exploitation. On the basis of the same document, 8.588.719,91 are mentioned under the voice “still to be paid”.</p> <p>With reference to the money paid by the state in 2011, on the basis of the balance of payments document “conto finanziario 2011”⁴⁶</p> <p>8.278,16 EURO were actually paid during 2011 for the implementation of the national plan against violence and for the prevention and fight against gender-based violence and stalking, and for support of victims such crimes. On the basis of the same document 15.130.000,00 are mentioned under the voice “still to be paid”.</p>

Contacts with the office with specific competence on human trafficking: mail on 11 Apr 2013 and 30 Apr 2013, phone call in Apr 2013 and May 2013. We received an e mail from the office on 15 May 2013 but no information was provided in relation to funding.

Contacts with the office with specific competence on child abuse: mail on 11 Apr 2013, mail on 29 Apr 2013, phone call in Apr 2013, mail on 3 May 2013, mail on 10 May 2013. We received an e mail from the office on 13 May 2013 but no information was provided in relation to funding.

⁴⁵ Balance of payment document of the Presidency of the Council of Ministers for 2012
http://www.governo.it/trasparenza_valutazione_merito/bilancio/Contofinanziario2012.pdf

⁴⁶ Balance of payment document of the Presidency of the Council of Ministers for 2011
http://www.governo.it/trasparenza_valutazione_merito/normativa/Bilancio_PCM_Conto_finanziario_2011.pdf

	<p>7.248,50 EURO were actually paid during 2011 for the national system of protection of victims of trafficking and exploitation. On the basis of the same document 10.766.262,28 are mentioned under the voice “still to be paid”.</p> <p>A specific request on funding was sent to the Department of equal opportunities, but we received no response on this specific issue. The data reported are the result of our in depth desk research⁴⁷.</p>		
Reimbursement by the state of expenses incurred	Yes	No	Comments
g Are there any victim support organisations that request money from victims who benefit from services? If yes, please name one such organisation and specify (under comments) whether there is a standard fee or whether this is decided on a case by case basis.		X	There are no cases of support organisations that request money from victims benefiting from their services.
h With respect to your chosen organisation, is the organisation reimbursed by the state for expenses incurred through the provision of support to victims? If yes, please specify the criteria for reimbursement (e.g. per victim?).	X		Anti-violence centres that are part of the network “ <i>D.I.R.E contro la violenza</i> ” ⁴⁸ receive funding from the State for the services they offer. They receive funding on the basis of expected expenditure. No reimbursement mechanism has so far been put in place.
i If the answer to h is ‘yes’, please specify whether the organisation is reimbursed regardless of the victim’s nationality (yes or no) and provide a short explanation in the comments field. More specifically, is a difference made between reimbursement for support provided to a) country nationals; b) EU country nationals and c) third country nationals?	X		There are no differences based on the nationality of the victim benefiting from their services
j Further to question i, is the organisation reimbursed for providing support to victims with illegal residency status? Please provide a short explanation under ‘comments’.	X		There are no general rules or patterns of practice followed by NGOs. The conditions

⁴⁷ Contacts with the Department of Equal Opportunities: mail on 11 Apr 2013, phone call in Apr 2013, mail from on 29 Apr 2013, mail on 30 Apr 2013

Contacts with the office with specific competence on human trafficking: mail on 11 Apr 2013 and 30 Apr 2013, phone call in Apr 2013 and May 2013. We received an e mail from the office on 15 May 2013 but no information was provided in relation to funding.

Contacts with the office with specific competence on child abuse: mail on 11 Apr 2013, mail on 29 Apr 2013, phone call in Apr 2013, mail on 3 May 2013, mail on 10 May 2013. We received an e mail from the office on 13 May 2013 but no information was provided in relation to funding.

⁴⁸ <http://www.direcontrolaviolenza.it/>

		of access are defined by the association providing the service or by the agreements signed with the institution (private or public) providing financial support. (as a condition of funding the state or local government might require the services to be restricted to victims with legal status) ⁴⁹ .
k Are there any factors that would discourage the victim support organisation in practice from supporting third country nationals? Please specify under comments.	X	In relation to undocumented migrants organisations might offer support or not, according to restraints arising from public funding (as a condition of funding the state or local government might require the services to be restricted to victims with legal status). ⁵⁰

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.	In 2012, in relation to victims of mafia, there were 908 applications (this number includes both individuals and associations) ⁵¹
b Received compensation from state sources.	In 2012, compensation was paid in 779 case out of 908 applications submitted ⁵²
c Approached generic victim support services (i.e. services not restricted to a particular category or categories of victims)	
d Approached specialised victim support services (i.e. services not restricted to a particular category or categories of victims)	There are no official data on the number of victims approaching specific support services. Every single association collects its own data. For instance, data

⁴⁹ Interview carried out in April 2013 with a representative of D.I.R.E contro la violenza

⁵⁰ Interview carried out in April 2013 with a representative of D.I.R.E contro la violenza

⁵¹http://www.interno.gov.it/mininterno/export/sites/default/it/assets/files/24/2012_11_21_statistiche_vittime_mafie_2012.pdf

⁵²http://www.interno.gov.it/mininterno/export/sites/default/it/assets/files/24/2012_11_21_statistiche_vittime_mafie_2012.pdf

provided by the network of anti-violence centres “*D.i.r.e. contro la Violenza*” show that the network offered support to 13.137 victims of violence, stalking and human trafficking.⁵³

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		<p><i>Giustizia, litigiosità, criminalità</i>, p. 252-338, available at: http://www3.istat.it/dati/catalogo/20120118_00/cap_6.pdf</p> <p>Italy (2011) Maria Giuseppina Muratore <i>La misurazione del fenomeno della criminalità attraverso le indagini di vittimizzazione</i>, available at; http://www.istat.it/it/files/2011/02/Muratore.pdf</p>	Both of them deal with under reporting to police and to support services.
Other national studies related to victims of crime (specify)	X		<p>Italy (2012) Zanasi Francesca Maria, <i>L'odioso reato di stalking. Misure cautelari, risarcimento del danno, giurisprudenza di merito</i>, Milano: Giuffrè.</p> <p>Italy (2010) Sandra Sicurella, <i>Vittime e istituzioni locali. Quale dialogo</i>, Bologna: Casa Editrice Clueb</p> <p>Italy (2012) S. Sicurella, <i>Violenza di genere, stalking e paura del crimine</i>, Bologna: Casa Editrice Clueb.</p>	<p>The book analyses the crime of stalking in legislation, victim protection and compensation. Special attention is paid to protective measures and decisions taken by judges of the Court of Milan following the law on stalking of 2009.</p> <p>Starting from the definition of "victim", the book, in the light of the findings of the survey carried out by the author, describes the various legal instruments provided for by the criminal justice system, national and international legislation and social services available to victims of crime.</p> <p>In the context of a wider European research on the phenomenon, this book brings the voice and the perceptions of students of the University of Bologna on the risk of</p>

⁵³ Data refer to 2011. http://www.women.it/dire/images/pdf/dati/dati_dire2012.pdf

			Italy (2012) A.Balloni, R. Bisi, R.Sette, <i>Vittime e Vittimologia</i> , Percorsi di studio e di ricerca, Bologna: Minerva Edizioni.	<p>becoming victims of stalking and of other crimes.</p> <p>This book brings together a number of researchers to address problems concerning victims and victimization, using an interdisciplinary and comparative approach. The aim is to outline possible and practical responses, through the analysis of the current international framework.</p>
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2.3 Victim Helplines

Please complete the information in the following table, providing details on whether the country has a national victim support helpline, who funds it, operates it etc. Where the answer is 'no', please provide a short justification or explanation of the situation in the comments field. For example, for question 3, if the helpline does not operate 24 hours a day, 7 days a week, place an X in the 'No' column and specify the operating hours under 'Comments'. Where 'Yes' or 'No' answers are not applicable (i.e. questions 9-15), please answer the question directly in the 'Comments' field. Please provide information for 2012. Where this is not possible, please provide a justification and give data for the latest year possible.

		Yes	No	Comments
1	Is there a helpline? If yes, please provide the name of the helpline and the contact details for the helpline (including the name of the body who runs it, contact phone number etc.) under 'Comments'.	X		<p>Currently there is no generic victim helpline in Italy. However different help lines provide support for specific categories of victims:</p> <ul style="list-style-type: none"> • 1522 – helpline dedicated to gender-based violence and stalking • 114 – helpline dedicated to child abuse • 800900000 – helpline dedicated to victims of usury • 800191000 – helpline dedicated to victims of mafia • 800300558 – helpline dedicated to female genital mutilation • 800901010 – helpline dedicated to victims of discrimination • 800290290 – helpline dedicated to victims of human trafficking • 800 66 96 96 – helpline dedicated to victims of violence at school and bullying
2	Does it operate 24/7? (If no, specify the days and times of operation under 'Comments').	X		These specific help lines operate as follows:

			<p>Help lines dedicated to gender-based violence and stalking, child abuse, human trafficking, discriminations operate 24/7.</p> <p>The helpline dedicated to victims of usury operate from Monday to Thursday 9.00 -19.00 and on Friday from 9.00-14.00</p> <p>The helpline dedicated to female genital mutilation operates from Monday to Friday 8.00-14.00 and 15.00 – 20.00</p> <p>The helpline dedicated to victims of mafia operates from Monday to Thursday 9.00 -17.00 and on Friday 9.00-14.00 (though it is actually operating not regularly)</p> <p>The helpline dedicated to victims of violence at school and bullying operates from Monday to Friday 10.00-13.00 and 14.00-19.00⁵⁴</p>
3	Does it operate nationwide? (If no, name the city or federal state in which it operates).	X	All help lines are supposed to operate nationwide, however we tried to contact from Milan the victim of mafia helpline, but we were not able to reach them.
4	Is the helpline free of charge?	X	
5	Does the helpline target all victims of crime? If no, please specify (under comments) which categories of victims can approach the helpline.	X	As already specified under above: categories of crime covered by the various help lines are gender-based violence and stalking, child abuse, human trafficking, discriminations, mafia, usury, female genital mutilation and bullying
6	Is the helpline state run (if no, describe the non-state actor(s) who runs it under 'Comments')	X	114 dedicated to child abuse which is managed by "Telefono Azzurro" ⁵⁵ 1522 dedicate to victims of violence and stalking is managed by "Telefono Rosa" ⁵⁶ The anti-trafficking helpline is managed by the City of Venice ⁵⁷
7	Is the helpline funded by the state?	X	All the helplines are funded by the state
8	Is the international EU victim support telephone number 116-006 available? ⁵⁸ If no, provide a justification and/or specify whether plans to implement this are underway.	X	The number 116-006 has been dedicated by the Independent Communications Authority to victim support helpline but it is not active yet. (see Decision 52/12/CIR). On the

⁵⁴<http://www.pariopportunita.gov.it/index.php/numeri-di-pubblica-utilita-sezione>

⁵⁵ <http://www.azzurro.it/it/cosa-facciamo/caso-di-emergenza/114-emergenza-infanzia>

⁵⁶ <http://www.telefonorosa.it/>

⁵⁷ <http://www.comune.venezia.it/flex/cm/pages/ServeBLOB.php/L/IT/IDPagina/9388>

⁵⁸ 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.

				basis of official data available it does not appear that there is a timeline for the activation of the number.
		Comments		
9	Please give a brief description (1-2 sentences) of the services provided by the helpline.	<p>The gender violence and stalking helpline offers psychological support on a local basis. Where support services operate, it arranges contacts with the national network against gender violence. Cases of emergencies are handled in collaboration with the police department.</p> <p>The trafficking helpline provides legal advice and contacts of support organisations.</p> <p>The discriminations helpline offers psychological support and legal advice, including legal advice to ensure access to justice.</p> <p>The child abuse helpline provides psychological support. The operators can refer the case to local institutions and services.</p> <p>The helpline dedicated to usury provides legal advice as well as the contacts of competent local institutions.</p> <p>The helpline dedicated to victims of mafia provides legal advice especially on compensation.</p>		
10	What was the operational budget (in EUR) for the helpline in 2012? Please specify under 'Comments'	<p>The only official information available are the following: 114 child abuse helpline - 700.000,00 Euros 800290290 <i>Anti-trafficking in humans</i> - 300.000 EURO⁵⁹</p>		
11	How many people were employed to run the helpline in 2012?	<p>Information not available. The Institution which is funding the helplines (Department of Equal opportunities) did not provide the requested information.⁶⁰</p>		
12	What form(s) does the helpline take? E.g. just phone-line; email, web forum, walk-ins	<p>All helplines operate through a toll-free phone number except for the anti-discrimination contact centre http://www.unar.it/ that, in addition, uses an online form to collect reports of cases of discrimination and the 114 helpline against child abuse which operates through a chat as well.⁶¹</p>		

⁵⁹ Source: Equal Opportunities Department

⁶⁰ Contacts with the Department of Equal Opportunities: mail on 11 Apr 2013, phone call in Apr 2013, mail from on 29 Apr 2013, mail on 30 Apr 2013

Contacts with the office with specific competence on human trafficking: mail on 11 Apr 2013 and 30 Apr 2013, phone call in Apr 2013 and May 2013. We received an e mail from the office on 15 May 2013 but no information was provided in relation to the number of people employed to run the helpline in 2012

Contacts with the office with specific competence on child abuse: mail on 11 Apr 2013, mail on 29 Apr 2013, phone call in Apr 2013, mail on 3 May 2013, mail on 10 May 2013. We received an e mail from the office on 13 May 2013 but no information was provided in relation to the number of people employed to run the helpline in 2012

⁶¹ <http://www.pariopportunita.gov.it/index.php/numeri-di-pubblica-utilita-sezione>

13	Of the possible ways to access the helpline, what is the most frequently used by persons contacting the helpline?	With regard to the anti-discrimination Contact Centre, a comparison of 2010 and 2011 shows some interesting variations. Access by phone lost ground to alternative ways, moving from 29.8% to 14.3% of relevant complaints. This loss was offset by reports received by e-mail, fax and letters, which increased by three percentage points on an annual basis and most of all, by complaints received via the internet which rose from 19.4% in 2010 to 29.7% in 2011. As for the 114 helpline, in 2011 contacts by telephone were 1,284 while in the first 8 months of 2012, phone contacts were 921, and contacts by chat from January to 31 December 2012 were 269 ⁶² .
14	Who operates the helpline? (e.g. Professional staff such as psychologists or lawyers; volunteers etc.)	Information not available. The Institution which is funding the helplines (Department of Equal opportunities) did not provide the requested information ⁶³ .
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'.	Only limited information available: 114 helpline recorded 1.284 contacts in 2011 and 921 from January to August 2012. ⁶⁴ 800-290-290 documented calls as follows: first calls: 727 irrelevant: 1496 jokes: 1808 subsequent calls: 417 ⁶⁵

⁶² <http://www.cirdi.org/wp/wp-content/uploads/2012/03/relazione-unar-parlamento-2011.pdf>

⁶³ Contacts with the Department of Equal Opportunities: mail on 11 Apr 2013, phone call in Apr 2013, mail from on 29 Apr 2013, mail on 30 Apr 2013

Contacts with the office with specific competence on human trafficking: mail on 11 Apr 2013 and 30 Apr 2013, phone call in Apr 2013 and May 2013. We received an e mail from the office on 15 May 2013 but no information was provided in relation to the profession of people operating the helpline.

Contacts with the office with specific competence on child abuse: mail on 11 Apr 2013, mail on 29 Apr 2013, phone call in Apr 2013, mail on 3 May 2013, mail on 10 May 2013. We received an e mail from the office on 13 May 2013 but no information was provided in relation to the profession of people operating the helpline.

⁶⁴ http://www.azzurro.it/sites/default/files/Materiali/InfoConsigli/Dati%20e%20Report/114_2006_2012_ultimo.pdf

⁶⁵ Source: Equal opportunities Department

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 police do not have a general obligation to provide victims with information concerning support services. An exception is the case of stalking (Article 612-bis of the Criminal Code). In this case police forces, health facilities and other public institutions which receive a criminal offense report from the victim of stalking, have the obligation to provide the victim all the information relating to anti-violence centres in the area, in particular, in the area of her residence. Police, health facilities and public institutions, where expressly requested by victims, put them in contact with victim support centres.
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	Only some categories of victims are systematically informed about compensation. It is the case of victims of racketeering, usury and extortion where the regulation ⁶⁶ on the functioning of the solidarity fund ⁶⁷ (art. 9 co 4) provides standard forms on compensation to be offered to victims by the public relation office of the Prefecture.
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	

⁶⁶ <http://www.normattiva.it/uri-res/N2Ls?urn:nir:presidente.repubblica:decreto:1999;455>

⁶⁷ <http://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:1999;44>

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	<p>The code of criminal procedure establishes the right in question for any person who is formally charged of some crime, with the aim of putting the person in the condition of understanding the charge and the on-going proceeding (art. 143 Criminal Procedure Code). Interpretation must be provided also for people who are to be deported⁶⁸.</p> <p>For the victim the right in question is instead limited to cases where the victim who does not understand or speak Italian wants or needs to make a declaration. (art. 143 Criminal Procedure Code).</p> <p>Art. 143 of the Criminal procedural code textually provides:</p> <p>"1. The defendant who does not know the Italian language has the right to have the free assistance of an interpreter, in order to be able to fully understand the charge made against him and to follow the on-going proceeding. The knowledge of the Italian language is presumed until proven otherwise for those who are Italian citizens.</p> <p>2. [...] The investigating authority shall appoint an interpreter when it is necessary to translate a text in a foreign language or a dialect not easily intelligible, or when the person who wants or needs to make a declaration does not know the Italian language. The declaration may also be made in writing and in such a case is recorded in the minutes with the translation done by the interpreter."</p> <p>The term "person" includes the victim. The right to have translated a document is only recognized in case of a written declaration, while it is up to the investigating authority to provide the victim with a translation of any other documents or information, when it is deemed necessary. The provision does not include a right to receive information to receive information from the police in the language of their choice.</p> <p>On the whole, it can be observed an imbalanced protection of the defendant's and of the victim's rights in this regard.</p>
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	There is no right of the victim to be informed about the decision not to proceed against the offender, unless the victim has expressly made a request to be informed when reporting the crime or afterwards (art. 408 Criminal Procedural Code).

⁶⁸Law 189 of 1992, art. 13.9

	(b) the time and place of the trial, and the nature of the charges.	X		The victim should be informed of the day, time and place of the first hearing (art.419 Criminal Procedure Code). At the end of the preliminary hearing, the judge decides whether or not to proceed. The decision is read out at the end of the hearing and shall be notified to the offended person, if not present at the hearing. (art. 424 Criminal Procedure Code).
	(c) any final judgment in a trial		X	The final decision is read at the end of the trial and is public. No communications are provided for in the Criminal Procedure Code.

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 to how to deal with victims of crime, is systematic training of the following categories of professionals who come into contact with victims of crime carried out (if yes, please indicate under 'comments' the nature of the training and whether it is on dealing with all victims or just certain categories of victims (e.g. victims of domestic violence):				
		Yes	No	Comments (max 2-3 sentences)
1	Police	X		Each police station has a group of operators (units) who deal specifically with vulnerable victims of certain types of offenses (sexual offenses, stalking). Operators who are not part of these units are not obliged to undergo special training. The decision to participate in the training dedicated to the victims of crime is left to the individual. Based on the 2011 Protocol signed between the Department of Equal Opportunities and the Ministry of the Interior, a training project for the police is being implemented. ⁶⁹ The "Carabinieri" have recently established a unit called "Persecution Acts" (Implementation of the Memorandum of Understanding between the Minister for Equal Opportunities and that of Defence) which provides for training. Moreover, at the local level, there are several opportunities of training for the police promoted by NGOs.

⁶⁹http://www.pariopportunita.gov.it/images/stories/documenti_vari/UserFiles/protocollo_intesa_min_interno.pdf

2	Prosecutors	X		As part of the compulsory training for newly appointed prosecutors, there is a one-day training course dedicated to the issue of victims of crime. Newly appointed prosecutors can also take an elective course on victims of crime. The life-long training school for the judiciary (prosecutors and judges) also includes elective courses dedicated to the same issue. ⁷⁰
3	Judges	X		As part of the compulsory training for newly appointed prosecutors, there is a one-day training course dedicated to the issue of victims of crime. Newly appointed prosecutors can also take an elective course on victims of crime. The life-long training school for the judiciary (prosecutors and judges) also includes elective courses dedicated to the same issue. ⁷¹
4	Court staff		X	No systematic training is provided for court staff but they may participate in courses organised by associations and NGOs working on victim protection.
5	Are Victim Support Organisations involved in this training? If yes, how are they involved? (e.g. they provide input through lectures; they fund the training; they organise and run the training themselves etc.)	X		Usually they receive funding for training programs and organising training themselves. ⁷²
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		As the support services are mainly provided by NGOs and local services, it is up to them to organise and offer training to their staff.
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.)			Lawyers are obliged to participate in compulsory training courses, as part of their professional duties but training on how to deal with victims of crime is not a mandatory subject. It is worth mentioning the protocols signed by the Department of Equal Opportunities and the National Bar Association aiming to improve training for lawyers in relation to

⁷⁰ <http://www.scuolamagistratura.it/calendario-generale-della-formazione.html>

⁷¹ <http://www.scuolamagistratura.it/calendario-generale-della-formazione.html>

⁷² http://www.casadonne.it/cms/index.php?option=com_content&task=blogcategory&id=18&Itemid=62

				victims of gender violence, stalking, discriminations and human trafficking ⁷³ . Currently the Department of Equal Opportunities is financing a pilot training project for health service operators on assistance for victims of gender violence and stalking ⁷⁴ .
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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)?	In the Italian legal system there is not a generic legal definition of victim. Legislator uses instead the concepts of "person offended by a crime", "injured party" and "aggrieved party". The term "victim" has been adopted only recently, following the implementation of European laws in sector legislation, both at State and regional levels.
2	Is there a separate definition of 'vulnerable victims' (as separate from the main or generic definition of 'victim')?	No, but the concept of vulnerable victims can be deducted from existing, specific provisions concerning certain categories of victims, due to their personal and particularly vulnerable conditions. Since this amounts to a non-exhaustive list of vulnerable victims it is arguable that the concept can be extended to cases not expressly envisaged by the law.
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?	No, but if the victim dies as a result of the crime, close relatives (not partners, same sex or not) may exercise the rights provided by the law on behalf of the dead victim. Moreover close relatives can bring a civil suit, as parties damaged by the crime, in the criminal proceedings or sue for damages in a separate civil proceeding (art. 90 Criminal Procedure Code).

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	X		In Italy the Public Prosecutor is obliged to prosecute <i>ex officio</i> when there is sufficient evidence to support a prosecution. In the case a public prosecutor decides not to

⁷³http://www.pariopportunita.gov.it/images/stories/documenti_vari/UserFiles/PrimoPiano/protocollo_intesa_dpo_consiglio_nazionale_forens_9nov2011.pdf

⁷⁴ <http://www.pariopportunita.gov.it/index.php/bandi-e-avvisi/47-avvisi/2122-avviso-finanziamento-progetti-pilota-di-formazione-degli-operatori-sanitari>

review of the decision not to prosecute?			go ahead with the prosecution, the victim who has expressly asked to be informed of the outcome of the investigations is notified of the decision (art 408 Criminal Procedure Code). The victim has the right to appeal against the decision of the Public Prosecutor before the Court and she/he has the right to examine the case-file of the investigations.
Who undertakes this review?			The judge (not the prosecutor) in charge of the case in the investigations phase.
Does the victim have the right to institute private prosecution in cases where the prosecutor drops charges? If yes, under what circumstances?	X		There is no form of private prosecution, except for the very limited criminal competence of the Justice of the Peace. In relation to this very limited case, the “offended person” can directly call the perpetrator before the judge after having previously informed the Public Prosecutor. ⁷⁵
Does the prosecutor’s office have a dedicated hotline or mechanism whereby victims can inquire about the progress of a case?		X	No hotline is provided for by the prosecutor’s office. The victim has access to information on the progress of the case through a lawyer.

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.

EXAMPLE: Germany	Yes	No	Comments (Max word count 80 words)
Do victims have a right to be heard during criminal proceedings?	X		The victim can be heard as a witness only when requested by the parties of the process or when ordered by the judge (art. 507 Criminal Procedure Code). If this is the case he/she is under a legal obligation to testify.
Do victims have a right to supply evidence during criminal proceedings?	X		Victims have the right to supply evidence during preliminary investigation (art. 327 bis and 391 bis Criminal Procedure Code) and in any phase of the criminal proceedings (art. 90 Criminal Procedure Code), except for the phase before the Court of Cassation. He/she can also ask to the prosecutor to promote investigations.
Is there a right for vulnerable victims to be questioned & testify in court in a protected manner – e.g. are screens in place when victims testify/video link available or other measures to separate victim from accused? Please specify whether this applies to all victims or just certain categories of victims (please specify):	X		There are no general provisions, but only specific ones. Victims of sexual crimes, human trafficking, slavery and persecutory acts can ask for the entire judicial hearing to be held behind closed doors. (art. 472.3 bis Criminal Procedure Code). When the victim is a minor, the judicial hearing is always held behind closed doors. When the victim of sexual crimes, human trafficking, slavery and persecutory acts is a minor or a person with disability, the lawyer or the victim can ask to testify behind a one-way mirror or using a telephone system (art. 498 co.4 ter Criminal Procedure Code). In the same cases, the victim can be heard in a pre-trial hearing. (art. 392 co. 1 bis). Certain categories of vulnerable victims (human trafficking and slavery) can be re-heard only on facts different from those covered by the first hearing (190 bis Criminal Procedure Code). In relation to cases in which minors are involved, the judicial police, the prosecutor and the defender, when questioning victims of sexual exploitation

⁷⁵ Legislative Decree 274 of 28 August 2000, art. 21.

			and abuse, must seek the help of an expert psychologist or child psychiatrist. (Lanzarote Convention, art. 351 co1 <i>ter</i> , art 362 co 1 <i>bis e</i> art. 391 co 5 <i>bis</i> Criminal Procedure Code). No direct cross examination is allowed in the case of minors. It is up to the President of the Tribunal to directly ask the minor questions proposed by the prosecutor, the defendant or the civil party (498 co. 4 Criminal Procedure Code). Victims of mafia and organised crime can testify and be questioned behind a screen that conceals their identity.
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2.6.4 Rights of victims at trial

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

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

		Yes	No	Description/justification (max 1-3 sentences)
1	Looking at your own criminal court system, is there a special unit or service for victims of crime providing support?		X	
2	Is there a separate waiting area for victims at court?		X	There are no specific provisions to prevent contact between the offender and the victim while the latter is waiting for the hearing to begin. Indeed there is a norm that obliges the victim who must testify to be present in court from the beginning of the hearing. (art. 145 implementing rules Criminal Procedure Code)
3	Is special seating reserved for victims at trial?		X	Victims who are claiming for compensation within the criminal proceeding, sit close to the defence lawyer who usually sits just behind / next to the Prosecutor (left side of room)
4	What other services are available?			Psychological assistance for minors. In relation to cases in which minors are involved, the judicial

				police, the prosecutor and the defence, when questioning victims of sexual exploitation and abuse, must seek the help of an expert psychologist or a child psychiatrist. (Lanzarote Convention, art. 351 co1 ter, art 362 co 1 bis e art. 391 co 5 bis Code criminal procedure).
5	Who provides the services (e.g. professional or specialised staff; volunteers etc)?			Professionals
6	In reference to question 5, do the service providers provide advice to prosecutors with respect to the safety, physical and psychological well-being, dignity and privacy of victims?	X		If requested by the prosecutor
7	Do they provide advice to judges with respect to the safety, physical and psychological well-being, dignity and privacy of victims?	X		If requested by the judge
8	Are the rights and protections that should be afforded to victims mentioned in the founding law (e.g. a statute) establishing the court?		X	
9	Do victims have the right to be accompanied by support persons during the trial?	X		Only specific categories of victims have the right to be accompanied by support persons. Law 66/1996 grants minors who are victims of sexual violence, psychological and affective assistance in every phase of the criminal proceedings. This allows for the presence of parents or any other suitable persons designated by the minor as well as by the services provided by the juvenile justice administration and by the local authority
10	Can victims access & copy trial records	X		The victim's right to access and copy documents varies in relation to the moment of the criminal proceedings. Before the prosecutor brings a charge, the victim can apply to have access to and copy records and the prosecutor can allow access (art. 116 of the Criminal Procedure Code). Afterwards, the victim has full access and can take copies of the documents of the proceeding. (implementing rules 131 Criminal Procedure code).

2.6.5 Legal aid for victims:

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

Categories of legal aid		A: Available to all victims of crime as a fundamental right of victims	B: Available to certain categories of victims; e.g. only victims of serious crime, only victims who are nationals of that country etc. (please specify which victims are entitled to such advice):	C: Subject to other criteria; e.g. an economic 'means test' (please specify):	D: Other (please specify)
1. Free legal advice	Place X in appropriate column		X		
	Comments:		It is necessary, in relation to free legal advice, to distinguish between the period before and after the reporting of the crime to the police. Before the crime is reported to the police, victims can have access to free legal advice through helplines dedicated to specific categories of victims or legal advice services provided by NGOs. After the crime is reported, free legal advice is granted through access to legal aid provided by the State. ⁷⁶		
2. Free legal representation	Place X in appropriate column		X		

⁷⁶Law 115 of 30 May 2002, art. 74, available at: <http://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.presidente.repubblica:2002-05-30;115!vig=>

	Comments:		<p>According to art 76 co 4 <i>ter</i>, in cases involving sexual abuse (art. 609bis, 609 quarter, 609 <i>octies</i> Criminal Code.) the victim of crime, being he or she a child or an adult, must be granted free legal aid, irrespective of his/her income. According to art, 10 Law 206/2004 victims of terrorism have the right to be defended at the expense of the state.⁷⁷</p> <p>Victims who intend to seek compensation in criminal proceedings are granted legal aid regardless of their nationality if their income in the previous year was not above the € 10.766,33⁷⁸. If the applicant lives with her/his family, the total income of the family is considered but the previous limit is increased by €1.032,91 for each member of the family. In civil proceedings the existence of a claim that is not manifestly ill-founded is required as well.</p> <p>Only personal income is considered in cases of proceedings where the applicant's interests are in conflict with the interest of his/her family members.</p>		
3. Exemption from court fees	Place X in appropriate column		X		
	Comments:		<p>There is complete exemption from court fees for victims to whom legal aid is granted In relation to cases in which the victim is not granted legal aid, and she intends to ask for compensation during criminal proceedings by taking part in the trial as civil party, the victims will be obliged to pay court fees only in case she actually obtains compensation. The amount the victim will have to pay depends on the amount of money she is granted at the end of the trial. If the courts recognizes compensation up to 1.100,00 €, the fee is equal to 37 €; from 1.100,00 € to 5.200,00, the fee is equal to 85,00 €; from 5.200,00 € to 26.000,00 €, the fee is equal to</p>		

⁷⁷ <http://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:2004;206>

⁷⁸ Decree of the Ministry of Justice 2 July 2012, available at: http://www.giustizia.it/giustizia/it/mg_1_8_1.wp?previousPage=mg_1_8&contentId=SDC787020

			206,00 €; from 26.000,00 € to 52.000,00 €, the fee is equal to 450,00 €; from 52.000,00 € to 260.000,00 €, the fee is equal to 660 €; from 260.000,00 € to 520.000,00 €, the fee is equal to 1.056,00 €; greater than 520.000,00 €, the fee is equal to 1.466,00 €. ⁷⁹		
4. Exemption from or reimbursement for expenses related to interpretation and/or translation	Place X in appropriate column		X		
	Comments:		There is complete exemption for victims to whom legal aid is granted (art. 102 Decree 115/02)		
5. Reimbursement for loss of earnings, travel and accommodation costs with regard to role in criminal or civil proceedings	Place X in appropriate column				X
	Comments:				Reimbursement is provided only for travel expenses when the victim is asked to appear in Court as a witness (art.46 Decree 115/02)

⁷⁹ Decree no.115/02, art. 107, available at: <http://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.presidente.repubblica:2002-05-30;115!vig=>

	The state	A victim support service	Both	Other (explain)
2. Who provides legal aid? place 'X' in one column only)			X	Some specific victim support services run by NGOs also provide free legal aid.

2.7 Compensation

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

	Victims' rights with regard to compensation	Yes	No	Comments and sources (max 2-3 sentences)
1	Do victims have the right to ask for compensation during criminal proceedings?	X		Victims have the right to ask for compensation during criminal proceedings by taking part in the trial as civil party (art. 74 Criminal Procedure Code).
2	Aside from compensation, do victims have the right to ask for other measures during criminal proceedings (e.g. return of property, reimbursement of expenses, measures for physical protection)?	X		Victims have the right to ask for return of property and compensation of pecuniary and non-pecuniary damages. Moreover, when requested by the prosecutor, the Court may order precautionary measures such as, injunction to leave the family house, not to contact or approach the places frequented by the victim (art. 282 bis e art. 282 ter Criminal Procedure Code). The Court may also oblige the offender to reside in a given location (art. 283 Criminal Procedure Code).
3	Is compensation paid by the offender?	X		As a general rule, the offender has to compensate the damages caused to the victim. However there are several solidarity funds which compensate loss to specific categories of victims: <ul style="list-style-type: none"> – members of the judiciary, police or armed forces injured or killed during the course of duty or victims of terrorist actions; – victims of terrorism or organised crime; – victims of usury; – victims of mafia; – road traffic victims; – victims of circumscribed criminal episodes.
4	Is there such thing as a 'victims of crime fund' that convicted persons must contribute to?		X	None of the solidarity funds is directly financed by convicted persons. However, the mafia, extortion and usury fund, financed by the State, is also funded through the

				sales of confiscated properties of criminal organisations.
5	Does compensation paid by the offender under a 'victims of crime fund' go towards victim support services?		X	Not directly, however, the national fund provided for under Law 228/03 aimed to finance support services for the victims of human trafficking is partly financed through the sales of confiscated properties of criminal organisations
6	Is compensation paid by the state?		X	
7	Will the State advance payment of the compensation if the offender does not pay? Under which conditions?	X		While the European directive 2004/80/CE refers, in a broader sense, to "violent crimes", compensation advanced by the state is limited to some categories of victims. Only when solidarity funds are established, does the state advance payment of compensation on demand and then recovers it, if possible, from the offender.
8	Does a compensation order exist?	X		Yes, if a court's decision grants compensation to the civil party.
9	Do prosecutors have the power to mediate between the offender and the victim?		IT	
10	Do prosecutors have the duty to attempt to obtain compensation from the offender?		IT	Only in very limited cases is compensation taken into consideration by prosecutors (and it is not a duty): <ul style="list-style-type: none"> • Cases under criminal jurisdiction of the Justice of the Peace (art. 34 and 35 274/2000) • In the area of Juvenile Justice the institutes of acquittal for irrelevance of the fact or judicial pardon - can channel - the reconciliation between victim and offender supporting the view that the offense has been mitigated (Art. 27 448/1988); the trial is suspended and the offender is put on probation with the possibility of asking the later to compensate damages or carry out activities in favour of the victim.⁸⁰
11	Is compensation, when paid by the offender to the victim, taken into account in decisions to prosecute?		IT	Only in very limited cases is compensation taken into consideration by prosecutors (and it is not a duty):

⁸⁰ Decree no.448/1988, art. 29, available at: <http://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:presidente.repubblica:decreto:1988-09-22;448!vig>

				<ul style="list-style-type: none"> ▪ Cases under the criminal jurisdiction of the Justice of the Peace (art. 34 and 35 274/2000) ▪ In the area of Juvenile Justice the institutes of acquittal for irrelevance of the fact or judicial pardon - can channel - reconciliation between the victim and the offender supporting the view that the offense has been mitigated (Art. 27 448/1988); the trial is suspended and the offender is placed on probation with the possibility of asking the later to compensate damages or carry out activities in favour of the victim. (art. 29 Decree 448/1988)
12	Is compensation, when paid by the offender to the victim, taken as a mitigating factor in sentencing?	IT		A mitigating factor in sentencing is recognized when the offender has, before the trial, fully repaired the damage, or has returned property. (art. 62 criminal procedure code)
13	Is there a limit from the time of the crime within which claims for compensation would have to be made? If yes, what is the time limit?	X		Claim for compensation has a 10 years limit which is suspended throughout the duration of the criminal proceeding.
14	Do third country nationals have the right to apply for compensation?	X		There are no differences on the grounds of the citizenship / nationality.
15	Do third country nationals with irregular status (i.e. residing in the country illegally) have the right to apply for compensation?	X		In theory, there is always the right to obtain compensation. However, the risk of being deported has a strong deterrence effect. As mentioned earlier, in cases of serious violence, human trafficking, sexual exploitation and serious labour exploitation, victims can obtain a stay permit for social protection or humanitarian reasons and subsequently they can apply for compensation. In the other cases on request of the Public prosecutor, when the victim is considered important for the prosecution of investigations she/he is provided with a stay permit for "judicial reasons". ⁸¹

16	Are there exceptions prescribed in law for different types of crimes? If yes, what are they?		X	
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2.8 Cross border support

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

	Victims' rights with regard to cross border support	Yes	No	Description (max 2-3 sentences per question)
1	Is there a formal system of cross-border referral of victims (to a victim support organisation in the state in which the victim lives) when the victim who has approached the VSO or competent authority is resident in another state?	X		The only legal provisions regulating cross-border support ⁸² concerns cases of free legal aid and compensation. A general formal system of cross-border referral of victims is not provided.
2	Can victims of crime report crimes in their own country if the crime was committed in another state?	X		In cases in which the offender is an Italian citizen and the crime committed in another country is punishable under Italian law by life imprisonment, or imprisonment for not less than three years, the offender can be prosecuted under Italian law. For the same crimes, Italian law applies, when the victim is an Italian citizen and the offender a foreigner. (art. 9 and 10 Criminal code)
3	Are victim support services made available to all victims, regardless of legal status, country of origin or nationality?		X	Victim support services, when offered, are made available to all victims regardless of their legal status, country of origin or nationality. However there are some restrictions with regard to migrants with illegal residency status, as mentioned earlier.
4	Describe any special mechanism for victims of crime from other countries to access support. E.g. via website etc.	NA	NA	
5	Is information made available to victims in different languages by the police? If yes, which languages?		X	Police has no legal obligations to provide information in different languages.
6	Is information made available to victims in different languages by victim support services? If yes, which languages?	X		The situation is different according to the various support service offered to victims. For example, the anti-violence helpline number 1522- offers support to victims in many languages including Italian, English, French, Spanish, Russian and Arabic. The helpline for victims of human trafficking provides support to victims in English, French, Spanish, Albanian, Romanian,

⁸² Law 116 of 27 May 2005 and law 204 of 6 November 2007, implementing directive n.8/2003 and n.80/2004.

				Russian, Belarusian, Ukrainian, Moldovan, Nigerian, Arabic, Chinese. For helplines run by NGOs, it is up to them to consider the necessity of offering information in different languages.
7	Do victim support services offer interpretation or translation services? If yes, in which languages?	NA	NA	
8	Does the main generic victim support organisation in your country maintain contact with victim support organisations in other countries? If yes, how? (E.g. through formal cooperation agreement; international consultative forums or conventions etc.)		X	In Italy there is no generic victim support organisation. However there are associations operating in specific fields which have contacts with victim support organisations in other countries and co-operate with them ((E.g. " <i>Dire Contro la Violenza</i> " is part of the network Wave ⁸³).
		Description (max 2-3 sentences per question)		
9	What is the mechanism for victims to apply for compensation once they are back in their own country?	In relation to Italian citizens who are victims of crime in another EU member state, the General Prosecutor of the Republic at the Court of Appeal where the victim resides is the authority which assists the cross border victim. The GP gives information to victims on the right to compensation, provides the compensation application form, receives and forwards the application providing assistance if needed during the entire procedure ⁸⁴ . Other EU citizens who are victims of crime committed in Italy applying for compensation in Italy, when compensation is provided for, can file the application to the Italian authorities through the specific authority of the Member State.		
10	What is the number of victims accessing victim support services who are non-nationals of the state?	Given that there is neither a coordinated system of victim support services, nor a separate service for foreign victims, it is impossible to provide any data.		
11	Describe any special mechanism for victims of crime from other countries to access support. E.g. via website etc.	NA		
12	Are there any measures put in place for the protection of a victim's right to privacy when dealing with cross border victims?	NA		

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 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**

⁸³ <http://www.wave-network.org/organizations/associazione-nazionale-dire-contro-la-violenza-donne-rete-contro-la-violenza>

⁸⁴ Law no. 204/2007, Article 1, implementing Directive n.80/2004.

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?

It is difficult to give an overview of the tradition of volunteerism in the area of victim support considering that there is no unique definition of the term volunteerism and therefore no comprehensive source collecting specific data. Moreover, the lack of a generic victim support service increases the difficulties of having a clear vision of volunteerism in victim support. According to available data⁸⁵, only 3.6% of volunteer services deal with the protection of victims of crime.

However, available data on all the sectors of volunteerism show that in the last ten years:

- *the number of volunteers is quite stable and represents 8,5%-9% of the Italian population;*
- *the number of associations is increasing while the number of volunteers remains stable;*
- *most volunteers work in the field of education, health and social assistance; only half the total of volunteers offer their work systematically while the other half work occasionally;*
- *the participation of women and men is balanced but only 34% of women have a leading role;*
- *the age group that is more active in volunteering is that between 55 and 64 years old.*

It is also possible to observe an increasing number of paid staff working in volunteer services (13% increase from 1997 to 2006). This trend is due to two main reasons; on the one hand, the growing professionalisation of volunteer services, on the other hand, the difficulties that people seeking jobs currently encounter in finding other jobs.

Finally, it must be pointed out that volunteer services frequently fill the gap of services that should be provided by public institutions.

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

2.10. The tradition of social work

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

⁸⁵ Italy (2011) Ministero del Lavoro e delle Politiche Sociali, Direzione Generale Volontariato, Associazionismo e Formazioni sociali, Div. III Volontariato - Osservatorio Nazionale per il Volontariato, IV rapporto- intermedio - biennale sul volontariato, Roma.

In Italy there is a long and established tradition of social work but it was only in 1990 (Presidential Decree n. 14- law 341/1990) that social work was recognised as a profession. As a consequence, to be a social worker now requires a university degree as well as registration in a professional register.

Social workers play a role in many situations concerning victims of crime, but only on specific support services. Their role is particularly important in cases of abuse of minors. In cases of child abuse, social services are entitled to adopt all necessary measures to protect and take care of the victim as well as to provide the necessary support requested by the Juvenile Court. Besides, social workers intervene on request by NGOs or other institutions which provide support services to other categories of victims.

2.11. Promising practices in the area of victim support

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

	Promising practice	Does a similar practice exist in your country?		Short description of the practice in your country, outlining similarities; differences etc. If there is no such practice, please provide a justification for this (e.g. this is not an issue; it is dealt with in other ways; it is a gap that still needs to be addressed)
		Yes	No	
1	Initiative to provide cross-border victims of crime with basic information: In May 2009, the Inter-Regional Crime Prevention working group of the <i>Grande Région</i> (LU, FR, DE, BE) published a basic information guide for victims, detailing what to do in the event one is a victim of a crime or an accident.		X	This is a gap that still needs to be addressed
2	Assistance to tourist victims of crime: e.g. In Ireland, the Irish Tourist Assistance Service (ITAS) is specialist service offering immediate support and assistance to tourists who are victimised while visiting Ireland. The Service is free and confidential. ITAS is run by staff and volunteers who speak a variety of languages.		X	This is a gap that still needs to be addressed
3	Schemes for compensatory fines to help fund support services: In addition to other funding sources, several EU Member States generate money for generic victim support services through a ‘Victims of Crime fund’ or the like, whereby persons convicted of an offence pay a fine to help the funding of services for victims of crime (for example, in BE, LT, NL, PL & SE).	X		It is dealt with in other ways. E.g. victims of human trafficking can have access to a fund that finances victim support services. The funding comes in part from the confiscation of properties of the convicted acquired in the course of the unlawful activity.
5	In some countries, victims can be accompanied in court by victim support services, ensuring a fuller realisation of	X		Not in a systematic way and only in specific cases: for example

	victims' rights and helping to prevent secondary victimisation.			psycho-social assistance is given to minors.
6	In some countries, victims are provided with free psychosocial and legal assistance throughout the entire criminal proceedings.	X		Not in a systematic way and only in specific cases: for example psycho-social assistance is given to minors.
7	Some countries have legal clinics that provide free legal assistance to victims of crime.	X		Recently some legal clinics have been established in Italy (University of Brescia, Roma 3, Turin). They do provide free legal assistance to victims of crime ⁸⁶ .
8	Some countries are exploring new and innovative ways of disseminating information to victims of crime in the form of web-based material, using social media and e-support etc. e.g. In SE, the Crime Victim Compensation and Support Authority initiated web-based information site called the Trial School which uses narrators' voices, texts, photographs, films and 3D animations to explain what happens at a court trial. Victim Support Finland (RIKU) operates a mobile phone service providing advice to crime victims through automatic text messages, while in NL; the Victim Support fund has a website and a smart phone app to guide victims to support organisations.		X	It is a gap that still needs to be addressed
9	Some countries have created a 'Victim's Charter' which, not a legally binding document in itself, rather aims to describe the criminal justice system to a victim of crime, setting out victims' rights and providing clear information in relation to various aspects of criminal proceedings, state agencies, victim support organisations etc. (e.g. what happens when a crime is reported; what to expect during the investigation process, which agencies are involved in providing support etc.).		X	It is a gap that still needs to be addressed
10	In SE referral from the police works effectively since several local BOJ victim support services operate on the same premises as the local police station which also is seen as a way to quickly identify victims. All police districts, in over 100 districts around Sweden, have a Crime Victim Emergency Service. People who have training in and experience of the issues faced by victims of crime are available at these offices.		X	It is a gap that still needs to be addressed
11	The multi-disciplinary, national referral system introduced in Bulgaria with regard to trafficking might be considered a promising practice.		X	
12	As part of the National Social Roma Inclusion Strategy in HU, Roma victim support volunteers are recruited to work in the volunteer support network. There is also a network of on-site legal aid stations led by an active member of the local Roma community, while the attorneys of the organisation are available online and provide free legal advice via Skype. Their area of operation also includes legal support to victims of hate crime.		X	It is a gap that still needs to be addressed

⁸⁶ <http://www.clinicalegale.jus.unibs.it/>

13	<p>Police forces in England and Wales have policies on dealing with repeat victimisation. An example of such a policy is the Thames Valley Police policy on repeat victimisation (drafted and audited in accordance with Human Rights Act 1998):</p> <p>Sample Extract from the policy:</p> <p>1. Rationale</p> <p>1.1 Research and organisational experience indicate that victims of crime and other incidents may be targeted for subsequent victimisation. This is particularly relevant in relation to offences of burglary, assault, domestic violence and hate crime.</p> <p>1.2 Repeat incidents often occur soon after the initial victimisation; therefore it is important to take preventative measures quickly. Likely victims must be identified 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 [...].⁸⁷</p>		X	It 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 not to betray the interests of the victim).</p>		X	Victims of sexual crimes, human trafficking, slavery and persecutory acts can request that the entire judicial proceeding is held behind closed doors. (art. 472 co 3 <i>bis</i> Criminal Procedure Code). When the victim is a minor the judicial hearing is always held behind closed door. When the victim of sexual crimes, human trafficking, slavery and acts of persecution is a minor or a person with disability, the lawyer or the victim can request to testify behind a one-way mirror or using a telephone system (art. 498 co.4 <i>ter</i> Criminal Procedure Code).
15	<p>In some countries, police, prosecutors and judges work for victim support organisations in an official capacity that forms part of their training (e.g. in Austria)</p>		X	It is a gap that still needs to be addressed.
16	<p>Other promising practices: please include any other promising practices in your country with regard to victim support and enabling victims' to exercise their rights.</p>		X	Protocol of understanding of the City of Reggio Emilia defining a common framework of intervention for NGOs and

⁸⁷ <http://www.thamesvalley.police.uk/pub-policiesandprocedures-repeat-victimisation.pdf>

			institutional actors dealing with victims of gender violence and stalking. ⁸⁸
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2.12 Role of the victim in practice

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

	Please choose the most appropriate description of how the victim is perceived in the criminal justice system	Place X in the appropriate box (choose only one)	Explanation (maximum word count 200)
1	The victim is seen essentially as a witness.		
2	In addition to 1, if the victim has suffered damage as a consequence of a criminal offence, importance is attributed to allowing the victim to claim compensation within the framework of criminal proceedings.		
3	In addition to 1 or 2, the victim is seen as a person who has suffered moral harm and therefore is in need and deserving of help.	X	According to the views expressed by prosecutors, lawyers and judges interviewed during the research and on the basis of the legal framework described above, this appears the most appropriate description of the role of the victim in the Italian criminal justice system. The victim has often an important role as witness of the prosecution. However she/he has also the right to claim compensation during criminal proceedings. In addition, certain categories of victims have the possibility to access special measures provided for in specific laws. (E.g. support services for victims of trafficking, compensation measures for victims of mafia, extortion and usury, physiological assistance during criminal proceedings for victims who are minors).
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		

⁸⁸[http://www.municipio.re.it/retecivica/urp/retecivi.nsf/PESIdDoc/647D345D2100301FC12579BF0038C642/\\$file/Protocollo%20contro%20violenza%2025.11.11.PDF](http://www.municipio.re.it/retecivica/urp/retecivi.nsf/PESIdDoc/647D345D2100301FC12579BF0038C642/$file/Protocollo%20contro%20violenza%2025.11.11.PDF)

	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. ⁸⁹ With regard to the following descriptions, please choose 'yes' or 'no' for each concerning the role of the victim in the criminal justice system of your country, and provide a short explanation.			
	Description of victims' role in EU Directive	Yes	No
1	The national system provides for a legal status as a party to criminal proceedings;	X	The victim can have a legal status during the criminal proceedings and be party when asking to bring a civil action in the criminal proceedings. (art. 74 Criminal Procedure Code).
2	The victim is under a legal requirement or is requested to actively participate in criminal proceedings, for example as a witness	X	There is no legal provision requiring the victim to actively participate in criminal proceedings. In fact, the prosecution is activated independently and the trial can take place without the victim. However one of the parties in the trial or the judge usually ask the victim to testify. In this case the victim is under a legal obligation to participate in the criminal proceedings. (art. 190 and 197 Criminal Procedure Code)
3	The victim has a legal entitlement under national law to actively participate in criminal proceedings and is seeking to do so, where the national system does not provide for a legal status as a party to the criminal proceedings.		X The national system provides the possibility for the victim to participate in the proceeding as a civil party. Unless the victim decides to participate in the proceeding in such a role, he/she has very limited legal prerogatives within the proceeding, at the most, a stimulating role towards the Public Prosecution. (art. 90 Criminal Procedure Code)

⁸⁹ See Recital 20 of the Victims' Directive, p 11, available at: <http://register.consilium.europa.eu/pdf/en/12/pe00/pe00037.en12.pdf> .

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*⁹⁰

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

Max 250 words

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

Max 150 words

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

Max 200 words

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.			

⁹⁰ Questions marked with * should NOT be answered by countries falling into category 'A' (in accordance with question 2.2.1)

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

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		Victims of sexual abuse are granted legal assistance irrespective of their income. In all other cases, the victim in order to benefit from legal aid is supposed to have an income lower than the limit provided for in the law.
b Free health/psychological assistance (e.g. crisis intervention centres)	X		Access to National Health Service is guaranteed to all. Urgent and essential treatments are independently of the legal status. Psychological assistance is guaranteed by national law only in the case of minors victims of sexual abuse. However there are different regions and local authorities which provide psychological assistance as well.
c Emergency financial assistance		X	
d Court accompaniment/support services		X	Only in the case of a minor who is a victim of sexual abuse.
e Other (specify)	X		There are several solidarity funds which compensate specific categories of victims for loss suffered: <ul style="list-style-type: none"> ▪ members of the judiciary, police or armed forces injured or killed in the course of their duties, or victims of terrorist actions; ▪ victims of terrorism or organised crime; ▪ victims of usury; ▪ victims of mafia; ▪ road traffic victims; ▪ victims of circumscribed criminal episodes.

3.4 (Failed) Attempts to establish national generic victim support service provider**⁹¹

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

⁹¹ **This question should ONLY be answered by countries falling into category 'A' (in accordance with question 2.2.1).

In the Italian legal system, there is a lack of legislation concerning victims. In recent years, a series of parliamentary initiatives have been taken. In 2008 a large number of parliamentarians presented the draft Bill nr. 77 establishing a framework for assistance, support and protection of victims. This proposal - already presented in 2003 (n. 2462) and in 2006 (n.112) and never approved - is based on Framework Decision of 15 March 2001 on the standing of victims in criminal proceedings. The objectives of the proposal are to: provide victims of crime with detailed information on their rights from a judiciary and administrative perspectives; introduce specific support services; increase the capacity of victims to actively participate in criminal proceedings; offer economic assistance to victims when the perpetrator has not been identified or is anyway incapable of offering compensation. The draft requires also the state to promote mediation between perpetrators and victims. The aim is to develop victim support services at the national, regional and local levels which are able to offer legal, medical, psychological and financial support to victims. The proposal is still pending to be examined by parliamentary Commissions. So far, there is no timeline for the examination of the proposal.⁹² The adoption of the directive 2012/29/UE has been widely discussed. For associations that offer support services to victims, experts and politicians interested in victims' protection, it has been of course a good opportunity to reopen the debate on the protection of victims of crime in Italy. It should be noted that a draft law that confers powers to the government on the transposition of some European directives, including Directive 2012/29/UE was discussed in the Senate on the 4th of July.⁹³ The examination of the bill will continue on 8 July 2013.⁹⁴

⁹² http://www.senato.it/leg/16/BGT/Schede_v3/Ddliter/29712.htm

⁹³ http://www.senato.it/leg/17/BGT/Schede_v3/Ddliter/cons/40746_cons.htm

⁹⁴ <http://www.senato.it/2987>

Annex 3 –list of specialised areas of victim support chosen in phase 2 (for countries with no generic victim support organisations)

IT	Domestic Violence and stalking
	<ul style="list-style-type: none"> • Fondazione Roberta Lanzino http://www.fondazionerobertalanzino.it/ • Telefono Rosa http://www.telefonorosa.it/ • Associazione di.re contro la violenza http://www.direcontrolaviolenza.it/ • Differenza donna http://www.differenzadonna.org/ • Artemisia http://www.artemisiacentroantiviolenza.it/ • Casa delle donne http://www.casadonne.it/cms/ • Associazione G.O.A.P. - Centro Antiviolenza http://www.goap.it/ • Gruppo Abele onlus http://www.gruppoabele.org
	<p data-bbox="292 768 587 801">Sexual Abuse of children</p> <ul style="list-style-type: none"> • Comunità alloggio "Hansel e Graetel" • Associazione Artemisia http://www.artemisiacentroantiviolenza.it/ • Cam Telefono Azzurro http://www.azzurro.it/ • CAIM - Centro Assistenza Infanzia Maltrattata V. Quintino Sella. 78, 70122 Bari, Puglia • CABMF Centro di Aiuto al Bambino Maltrattato e alla Famiglia http://www.caf-onlus.org/ • CbM - Centro per il Bambino Maltrattato e la cura della crisi familiare http://www.cbm-milano.it/ • Centro Antiviolenza "Il Melograno"-Conversano via Guido Reni n.27, 70010 Conversano (BA) • Centro Antiviolenza "La Luna nel Pozzo" http://www.centroantivienzabari.it/la-luna-nel-pozzo.html • Centro TiAMA http://www.centrotiama.it/ • CTA - Centro di Terapia dell'Adolescenza http://www.centrocta.it/ • FDAV - Fondazione L'Albero della Vita http://www.alberodellavita.org/