

FRANET

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

Latvia, 2014

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1. Part A:

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one of the examples provided, please review and revise the information as necessary, as the information provided may be outdated.

2.1 Scenarios

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

	Scenario	Questions	Yes	No	Description (max 1-3 sentences)
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	There is neither generic victim support service, nor state funded support service for victims of domestic abuse. The police do not routinely refer the victim to a support service, only in isolated cases. ²
		b. If yes, please name the service(s)	-	-	In isolated cases – NGO resource centre for women “Marta”
		c. Do the police routinely contact this service on behalf of the victim?		X	

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).

² Information provided to the LCHR by the NGO Resource centre for women „Marta” and Crises Centre „Skalbes” by phone, July 2013.

		d. Which support service would in the end deal with such a case?	-	-	If available in the area – NGO, in many cases - none
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	Police is under an obligation to report the case to child custody court, and in case of sexual abuse having occurred in domestic surroundings, together with child custody court representative accompany the child to a crises centre. If the police separates the child from the family, if the child's life, health or development is seriously endangered because of violence or there are justified suspicions about violence against the child, as well as because of the lack of care or because of circumstances at home (social environment), then the child custody court should be informed about that no later than the next working day. ³
		b. If yes, please name the service(s)	-	-	
		c. Do the police contact this service on behalf of the victim?		X	Police is under an obligation to report the case to child custody court, and in case of sexual abuse having occurred in domestic surroundings together with child custody court representative accompany the child to crises centre. If the crime has happened outside the family, the police refer the child's lawful representative to social services who would further refer them to service providers for child victims. ⁴
		d. Which support service would in the end deal with such a case?	-	-	One of the 7 crises centres (affiliates of the Latvian Children's Fund) in the regions , or NGO "Dardedze" located in the capital Riga
	A person calls the police following a	a. Do the police routinely refer the victim to a support service?		X	No, there is no generic victim support service for victims of crime, including property crimes

³ Latvia, Protection of the Rights of the Child Law (Bērnu tiesību aizsardzības likums),, 19.06.1998, Section 27 Para 4³, available at http://www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Protection_of_the_Rights_of_the_Child.doc

⁴ Information provided by the State Police to the LCHR on 11 June 2013. Letter No .20/L-3165.

3	burglary in their apartment	b. If yes, please name the service(s)	-	-	
		c. Do the police contact this service on behalf of the victim?		X	No, there is no generic victim support service for victims of crime, including property crimes
		d. Which support service would in the end deal with such a case?	-	-	None
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	There is neither generic victim support service nor specialised support service for victims of hate crimes.
		b. If yes, please name the service(s)	-	-	
		c. Do the police contact this service on behalf of the victim?		X	
		d. Which support service would in the end deal with such a case?	-	-	
5	An elderly person is mugged on the way home from collecting their monthly pension and is in urgent need of financial assistance	a. Do the police routinely refer the victim to a support service?		X	No, there is no generic victim support service for victims of crime,
		b. If yes, please name the service(s)	-	-	
		c. Do the police contact this service on behalf of the victim?		X	No, there is no generic victim support service for victims of crime,
		d. Which support service would in the end deal with such a case?	-	-	

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	Sign language interpreters are provided. Police officers would generally visit the victim with a disability at home, rather than require him/her to come for an interview to the police station. ⁵
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	<p>No.</p> <p>In NGOs "Dardedze" (child victims of violence) and "Patvērums "Drošā māja"" (Shelter. Safe House, victims of trafficking) there are no special measures in place for victims with a disability, except for installed ramps for disabled persons.</p> <p>Legal assistance in general criminal proceedings is mandatory for persons with mental disability⁶.</p>
7a	In relation to how police deal with victims, are there special measures in place for victims who are migrants with illegal residency status ⁷ ? If yes, describe them. If no, please provide a justification/explanation.		X	An irregular migrant has the same procedural rights as any other victim of crime. There are no special measures in place.
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 ⁸ ? If yes, describe them. If no, please provide a justification/explanation.		X	There are no special measures. There is limited experience with such a group of victims. ⁹

⁵ Information provided by the State Police to the LCHR on 11 June 2013, Letter No 20/L-3165

⁶ Information provided over the telephone by a representative of the centre "Dardedze" in June 2013, and information provided over the telephone by a representative of the "Shelter "Safe House"" in May 2013

⁷ 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 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.'

⁹ Information provided over the telephone by a representative of the centre "Dardedze" in May 2013, and information provided over the telephone by a representative of the "Shelter "Safe House"" in May 2013

7c	Are migrants with illegal residency status excluded from accessing support from victim support organisations in practice?		X	If NGOs have funding, assistance would be provided to all victims, regardless of the legal status of the person. ¹⁰
8	Is access to victim support services dependent on a victim making a formal complaint to competent authorities (e.g. the police)?			<p>A victim of human trafficking is required to make an application in order to receive social rehabilitation services.¹¹</p> <p>Child victims of violence receive social rehabilitation services at the social rehabilitation centre after the child has been directed to the centre by the order of the social worker. This means that the application by the parents/guardians/foster family/orphans' [child custody] court has already been made. In case a parent brings the child to the centre, but the necessary documents are not in order, then the necessary help is provided as required, and also the necessary documents are prepared.¹²</p> <p>The NGO centre "Dardedze" (children, victims of violence) does not require a formal application for the receipt of assistance. However, if the assistance is provided within the framework of the project financed, e.g. by the Riga City Council, - a special form has to be completed about the person receiving assistance for reporting purposes to the grant giving organisation. If the assistance is provided from NGO's own resources – the form is not required.¹³</p>

¹⁰ Information provided by telephone by a representative of the centre "Dardedze" In May 2013

¹¹ Information provided by telephone by a representative of the "Shelter "Safe House"" in May 2013

¹² Information provided by telephone by a high-ranking member of the Zantes family crisis centre in May 2013

¹³ Information provided by telephone by a representative of the centre "Dardedze" in May 2013

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	<p>No (children, victims of violence).The heads of several crisis centres which provide rehabilitation services to the children victims of violence highlight that the provision of services does not depend on whether the person cooperates with the police or not.¹⁴</p> <p>The NGO "Shelter "Safe House"" provides help to victims of human trafficking regardless of whether the victim cooperates with the police or not, however, it is their task to facilitate the cooperation of the person with the police. This obligation is envisioned by the contract between the NGO and the State Police.¹⁵ The obligation to facilitate the cooperation of the client with the police means that the organisation informs the client (victim of trafficking) about the procedure, encouraging client "go the legal way". The person is also informed about the fact that sometimes the criminal proceedings may take very long time.¹⁶</p>
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? ¹⁷		X	The police do not transfer data to third parties. ¹⁸
10b	If the answer to 10a above is yes, is the police obliged to obtain the victim's permission/consent for the data transfer?		X	
10c	Is there a legal basis for the communication/transfer of the victim's data? What is it?		X	

¹⁴ Information provided by telephone by a high-ranking member of the Zantes Family crisis centre (Zantes ģimenes krīzes centrs) and a high-ranking member of Allazu Children and Family Support Centre (Allažu Bēmu un ģimenes atbalsts centrs) in May 2013.

¹⁵ Information provided by telephone by a representative of the "Shelter "Safe House"" in May 2013

¹⁶ Information, provided by telephone by a high-ranking member of the "Shelter "Safe house"" in July 2013

¹⁷ 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.

¹⁸ Information provided by the State Police to LCHR on 11 June. Letter No 20/L-3165

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
LV				
Explanation/justification:	Explanation/justification:	Explanation/justification:	Explanation/justification:	Explanation/justification:

<p>A generic victim support organisation, institution or mechanism does not exist in Latvia. Victim support services cover only certain groups of victims.</p> <p>From 01.06.2011 - 31.05.2013 the Centre for public policy "Providus" implemented the project "Support system for the victims of crime – in Latvia and elsewhere" funded by the European Commission. The project evaluated the effectiveness of the current victim rights and support measures. The project also aimed at establishing and developing in Latvia a comprehensive victim support model integrated in the legal system of Europe.¹⁹ One of the discussion panels at the conference "Support system for the victims of crime – Latvia's opportunities and challenges" held on 21-22 February 2013 focused on the future prospects of establishing an integrated victim protection and support system in Latvia.</p>				
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¹⁹ Latvia, Centre for Public Policy Providus (Sabiedriskais politikas centrs "Providus") (2011), Press release of the project " Support system for the victims of crime – in Latvia and elsewhere ", 8 December 2011, available at: www.providus.lv/public/27560.html , Information provided to the LCHR by a member of the Centre for Public Policy "Providus" in July 2013.

<p>During 14.09.2012 – 01.03.2013 the centre for public policy "Providus" conducted research "Mechanisms of victim compensation in the criminal proceedings in the European Union" co-financed by the European Commission. The project also aimed at providing recommendations in order to improve the victim compensation mechanism in Latvia.²⁰</p>				
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²⁰ Latvia, Centre for Public Policy Providus (Sabiedriskais politikas centrs "Providus") (2012), Press release of the research "Mechanisms of victim compensation in the criminal proceedings in the European Union", 14 September 2012, available at: www.providus.lv/public/27760.html

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
LV LATVIA			X Ministry of Welfare (Labklājības ministrija)			The Ministry of Welfare (Labklājības ministrija) is tasked with organising the administration of state funding for the provision of the social rehabilitation of children who have suffered from violence, and victims of human trafficking
E.G						
	X The Ministry of Justice (Tieslietu ministrija)					Funds for state compensation to victims are managed by the Legal Aid Administration (Juridiskās palīdzības administrācija) which is subordinated to the Ministry of Justice (Tieslietu ministrija)
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.						
LV LATVIA						
E.G						
LV LATVIA	According to Section 14 Para 1(2) of the Social Services and Social Assistance Law ²¹ , the Ministry of Welfare is tasked with organising the administration of funds granted from the state budget for the provision of the social rehabilitation of children who have suffered from violence and victims of the human trafficking. Funds for state compensation to victims are managed by the Legal Aid Administration subordinated to the Ministry of Justice.					

²¹ Latvia, Law on Social Services and Social Assistance (*Sociālo pakalpojumu un sociālās palīdzības likums*), 31 October 2002, available at www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Social_Services_and_Social_Assistance_Law.doc

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.?)

Payment of the state compensation to victims is regulated by the Law on State Compensation to Victims. The victims' right to receive state-funded rehabilitation services is regulated by the Social Services and Social Assistance Law. (Social Services and Social Assistance Law, Section 13 Para 1 (3,7))

2.2.3 Funding:

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

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

For the year 2012, please specify the exact amount of funding:	Amount (in EURO)
a Budgeted by the state for compensation	270,345.64 EURO
b Paid out by the state for compensation	270,345.64 EURO ²²
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.	
<u>Child victims of violence</u> – funding administered by the Latvian Children's Fund (Latvijas Bērnu fonds, http://www.lbf.lv/lang/lv/vardarbiba) which is further allocated to seven crises centres affiliates of LCF covering all regions in Latvia)	1,181,404 EURO (826, 983 LVL)
Victims of human trafficking – services provided by NGO "Patvērums.Drošā māja." (Shelter. Safe House)	69,268 EURO ²³ (48,488 LVL)
e Paid out by the state for generic victim support services (i.e. services not restricted to a particular category or categories of victims).	
Child victims of violence	
Victims of trafficking	
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.	
Child victims of violence - funding administered by the Latvian Children's Fund (Latvijas Bērnu fonds, http://www.lbf.lv/lang/lv/vardarbiba) which is further allocated to seven crises centres affiliates of LCF covering all regions in Latvia)	1,252, 832 EURO (LVL 876 983,00)

²² Latvia, Legal Aid Administration (Juridiskās palīdzības administrācija) (2012), available at <http://jpa.gov.lv/2012-gads/>

²³ Latvia, State budget expenditure 2012, available in Latvian at www.lm.gov.lv/upload/amatpersonuatalgojums/pb_pas_griez_2012.pdf

Victims of trafficking – services provided by NGO “Patvērums.Drošā māja.” (Shelter.Safe House)		132,000 EURO (92,400 LVL)	
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		NGO “Skalbes” provides consultations for a fee. The fees are standard. ²⁴ The Crisis Centre “Skalbes” has a price list for its services for natural and legal persons. E.g., consultations of a psychologist, psychotherapist for children and adults during the working days are 10 Lats (14,23 Euro) per 50 minutes, during the holidays – 20 Lats (28,46 Euro) per 50 minutes. The NGOs themselves have calculated the costs and set the fees; the state does not determine any fixed price for specific 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	
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?			

²⁴ Latvia, Crisis Centre “Skalbes” (Krīzes centrs “Skalbes”) (2012), Price list (in Latvian) is available on the website - www.skalbes.lv/konsultacijas

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	
k Are there any factors that would discourage the victim support organisation in practice from supporting third country nationals? Please specify under comments.			Organisations, which provide help to the victims, have had very limited or no experience in providing support to third country nationals. They could not identify any factors, which could prevent the provision of support to such persons. However, it was emphasised that the interests of the child are a top priority and a solution would be sought. ²⁵ Translation services are not provided. Assessment opinions are provided in Latvian. ²⁶

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.	560 ²⁷
b Received compensation from state sources.	477 ²⁸
c Approached generic victim support services (i.e. services not restricted to a particular category or categories of victims)	N/A
d Approached specialised victim support services (i.e. services not restricted to a particular category or categories of victims)	N/A

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	X		Marketing and Public	The aim of the survey was to assess the

²⁵ Information provided by telephone by a representative of the centre "Dardedze" in May 2013 and by NGO "Skalbes" in May 2013

²⁶ Information provided by telephone by a representative of the centre "Dardedze" in May 2013 and by NGO "Skalbes" in May 2013

²⁷ Latvia, Legal Aid Administration (Juridiskās palīdzības administrācija) (2012), available in Latvian at <http://jpa.gov.lv/2012-gads/>

²⁸ Latvia, Legal Aid Administration (Juridiskās palīdzības administrācija) (2012), available in Latvian at <http://jpa.gov.lv/2012-gads/>

reporting of crime?			Opinion Research Centre SKDS (2012). Prevalence of Crime in Latvia ²⁹	prevalence of crime and the reporting of crime by different segments of the population. 8% of the residents reported that they or their relatives have become the victims of crime during the last year. In 68% of the cases, information was reported to the Police, while in 31% of cases it was not. Some groups face the crime somewhat more often: young people 18 to 34 (10%), private sector employees (10%) and the residents of capital Riga (10%). The highest crime prevalence data was recorded in 2000 (16%), the lowest – in 2010 (6%).
			Centre for Public Policy "Providus" (2013). "Provisions for the needs of the victims of crime" (Noziedzīgos nodarījumos cietušo vajadzību nodrošinājums) ³⁰	Non-reporting about the crimes is a widespread phenomenon in Latvia, and depending on the type of crime the non-reporting may vary from 40% (burglaries) to 80% (violent crimes, unknown assailant). Most common crimes during the last five years were theft, burglary, fraud, pick-pocketing, while 14% of the residents were victims of violent crimes. Most often, the residents report to the police about property crimes (burglaries (homes and other property). Demands for bribes most often came from doctors or other medical personnel, while 31% of the surveyed acknowledged that the traffic police demanded bribes.
Other national studies related to victims of crime (specify)	X		Legal Aid Administration (LAA) (2010). "On the Availability and the Efficiency of the Received Services of the State Compensation to Victims" ³¹	The aim of the study was to seek the views of victims about the availability and efficiency of the state compensation received in 2009. The LAA sent 572 received 211 completed survey forms (36,9% response rate). The survey included 13 thematic questions and 5 questions about the characteristics of the respondents. 159 respondents (74%) received information about the right to compensation from the police, the prosecutor, or the court. Among the 211 respondents, most received compensations because of the person's death (67) or moderate bodily injuries (66). Most compensations (58%) were received during pre-trial criminal proceedings.

²⁹ Latvia, Market and Public Opinion Research Centre SKDS (Tirgus un sabiedriskās domas pētījumu centrs SKDS) available in Latvian at: [www.skds.lv/doc/Noziedzibas%20izplatiba%20 SKDS_%20112012.pdf](http://www.skds.lv/doc/Noziedzibas%20izplatiba%20SKDS_%20112012.pdf)

³⁰ Dzenovska, I., Judins A. (2012) Presentation www.slideshare.net/providus/veidojot-vienotu-un-efektvu-cietuo-aizsardzibas-un-atbalstistu-latvij-nkotnes-scenarij Information about the project and main findings are available in Latvian at: www.providus.lv/public/27837.html; Full report forthcoming in the 2nd half of 2013.

³¹ Latvia, Legal Aid Administration (Juridiskās palīdzības administrācija) (2012), "On the Availability and the Efficiency of the Received Services of the State Compensation to Victims" („Par valsts kompensācijas cietušajiem pieejamību un pakalpojuma saņemšanas efektivitāti”), available in Latvian at: www.jpa.gov.lv/uploads/filedir/aptauja_rezultati_secinajumi.pdf

			Latvian Centre for Human Rights (2008). Psychological Effects of Hate Crime – Individual Experience and Impact on Community (<i>attacking who I am</i>) ³²	The study' highlights the impact of hate crimes on victims, their families and their communities in Latvia. It provides a brief review of the literature on the subject and then highlights the main issues which emerged from interviews with victims of hate crimes (representatives of visible minorities, LGBT and Roma). The aim of the paper was to provide more effective arguments for the local audience of why specific responses to hate crime are needed, and why these crimes should receive priority attention.
			Centre for Public Policy "Providus" (2013). "Mechanisms of victim compensation in the criminal proceedings in the European Union" (Mehānismi cietušo kompensācijakriminālprocesā Eiropas Savienībā). ³³	The aim of the research is to analyse the legal framework and practical experience of victim compensation mechanisms of some EU countries, as well as to provide guidelines and recommendations in order to improve the victim compensation mechanism in Latvia.

2.3 Victim Helplines

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

	EXAMPLE: LATVIA	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		NGO "Skalbes" operates a helpline. Crisis telephone -(+371) 6722292 (Lattelecom, fixed phone line), 27722292 (Bite, mobile) The State Inspectorate For Protection Of Children's Rights (Valsts bērnu tiesību aizsardzības inspekcija) operates a toll-free helpline for child victims of violence: 80006008 or

³² Latvian Centre for Human Rights (2008). Psychological Effects of Hate Crime – Individual Experience and Impact on Community (*attacking who I am*), available in English at http://cilvektiesibas.org.lv/site/attachments/30/01/2012/Naida_noziegums_ENG_cietusajiem_Internetam.pdf

³³ Latvia, Centre for Public Policy "Providus" (2013). "Mechanisms of victim compensation in the criminal proceedings in the European Union" (Mehānismi cietušo kompensācijakriminālprocesā Eiropas Savienībā) The research was commissioned by the Ministry of Justice and conducted by the centre for public policy "Providus". The research was conducted within the framework of the project "Research on the mechanisms of victim compensation in the criminal proceedings in the European Union". Available in Latvian at: www.providus.lv/upload_file/Projekti/Kriminalitesibas/Meh.ciet.kompens.pdf

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2	Does it operate 24/7? (If no, specify the days and times of operation under 'Comments').	X		The helpline of "Skalbes" operates 24/7. The helpline of the State Inspectorate For Protection Of Children's Rights operates on work days 08:00-23:00; Saturdays 08:00-22:00, Sundays 10:00-23:00
3	Does it operate nationwide? (If no, name the city or federal state in which it operates).	X		Yes. Both the helplines operate nationwide.
4	Is the helpline free of charge?	X	X	The helpline of NGO "Skalbes" is not a toll-free -line, it works as normal fixed / mobile telephone line. The helpline of the State Inspectorate For Protection Of Children's Rights is free of charge
5	Does the helpline target all victims of crime? If no, please specify (under comments) which categories of victims can approach the helpline.	X		The helpline of NGO "Skalbes" is for all who require emotional support. The helpline of the State Inspectorate For Protection Of Children's Rights targets children and teenagers
6	Is the helpline state run (if no, describe the non-state actor(s) who runs it under 'Comments')		X	The helpline is run by NGO "Skalbes" The State Inspectorate For Protection Of Children's Rights is a state institution
7	Is the helpline funded by the state?		X	The helpline is co-funded by the NGO "Skalbes" and the municipality of Riga The helpline of the State Inspectorate For Protection Of Children's Rights is funded by the state
8	Is the international EU victim support telephone number 116-006 available? ³⁴ If no, provide a justification and/or specify whether plans to implement this are underway.		X	In Latvia the international EU victim support telephone number 116-006 is not available. It is not known when it would be available. There have been no discussions on this topic ³⁵
Comments				
9	Please give a brief description (1-2 sentences) of the services provided by the helpline.	The helpline offers psychological assistance and emotional support, and provides information about other options for receiving aid in Latvia, such as social services, psychiatrists, other NGOs, state / municipal services. ³⁶		

³⁴ 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.

³⁵ Information provided over the telephone by a member of the Criminal Law Department of the Ministry of Justice in May 2013

³⁶ Information provided to the LCHR by NGO "Skalbes" in May 2013

		The helpline of the State Inspectorate For Protection of Children's Rights provides psychological assistance to children and teenagers and assists with finding support in a crisis situation.
10	What was the operational budget (in EUR) for the helpline in 2012? Please specify under 'Comments'	<p>Crisis Centre "Skalbes" - 22,388 EUR³⁷ + 3,559 hours by volunteer consultants on helpline.³⁸</p> <p>There is no separate budget line for the children's helpline. It is included in a state programme "The operational budget of State Inspectorate For Protection Of Children's Rights and the Children Hotline." Helpline staff also has other obligations beyond work on the phone-line.</p> <p>2012 – 596,544 EUR (LVL 417 581)</p>
11	How many people were employed to run the helpline in 2012?	<p>Crises Centre "Skalbes" hotline n 2012 – 6 staff members, 12 volunteers.³⁹</p> <p>The hotline of the State Inspectorate For Protection Of Children's Rights employed seven professional psychologists during 2012.</p>
12	What form(s) does the helpline take? E.g. just phone-line; email, web forum, walk-ins	<p>NGO Skalbes - phone line, e-mail (skalbes@skalbes.lv) and web-forum www.stastiundzivo.lv.⁴⁰</p> <p>The hotline of the State Inspectorate For Protection Of Children's Rights includes a phone line and email.</p>
13	Of the possible ways to access the helpline, what is the most frequently used by persons contacting the helpline?	<p>Most frequently used form of "Skalbes" helpline is phone-line.</p> <p>The most frequent way to access the State Inspectorate For Protection Of Children's Rights hotline is via the phone.</p>
14	Who operates the helpline? (e.g. Professional staff such as psychologists or lawyers; volunteers etc.)	<p>Crisis telephone-line team consists of trained telephone counsellors-psychologists, lawyers, civil servants, psychology students.⁴¹</p> <p>The hotline for children is operated by professional staff</p>

³⁷ information provided to the LCHR by NGO "Skalbes" in May 2013

³⁸ Information provided to the LCHR NGO "Skalbes" in May 2013

³⁹ Information provided to the LCHR by NGO "Skalbes" in May 2013

⁴⁰ Information provided by NGO "Skalbes" in May 2013

⁴¹ Information provided by NGO "Skalbes" in May 2013

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'.	<p>In 2012, 3,020 calls about different crisis situations (from 2,942 adults and 78 children) were received by NGO.⁴²</p> <p>In 2012, the hotline of the State Inspectorate For Protection Of Children's Rights responded to 101,302 calls⁴³</p>
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2.4 Obligation of police to provide information

		Yes	No	Comments (max 2-3 sentences)
1	Are police legally obliged to provide all victims with information concerning victim support services? If yes, what is the legal basis for this obligation (e.g. name of the law)?		X	The Criminal Procedure Law ⁴⁴ does not envisage explicitly the obligation of the police to provide information to the victims about victim support services, etc. There is no mention of victim support services neither in the Criminal Procedure Law nor in the Law on the Police. The Law only provides that an investigator has a duty to perform all measures provided for in the Law for ensuring compensation, inform a person about the right to be recognised as a victim in criminal proceedings, and explain the rights before questioning (see 2.4.2,3)
2	Are police legally obliged to provide all victims with information concerning compensation? If yes, what is the legal basis for this obligation (e.g. name of the law)?	X		The Criminal Procedure Law does not envisage such obligation explicitly; however, according to Section 29 Para 1 (3) of the Criminal Procedure Law, an investigator has a duty to perform all measures provided for in the Law for ensuring compensation for harm.
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)?			A person directing the proceedings shall inform a person in a timely manner regarding the right to be recognised as a victim in criminal proceedings. (<i>Criminal Procedure Law, Section 96 Para 2</i>) Before questioning the rights and duties of a witness, victim shall be explained to him or her. (<i>Criminal Procedure Law, Section 151 Para 1</i>)
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		A victim has the right, in all stages of criminal proceedings to participate in criminal proceedings using the language that he or she understands, and, if necessary, using the assistance of an interpreter free of charge. (<i>Criminal Procedure Law, Section 97 Para 3, Section 11 Para 2</i>)
5	Are victims notified about their right to receive information about:			

⁴² (information provided by NGO "Skalbes" in May 2013 as well as information available at: www.skalbes.lv/aktualitates/vai-velies-atbalst-cilvekus-krizes-situacijas-klusti-par-krizes-talruna-konsultantu/422

⁴³ 2012 Children and Teenagers Hotline 116111 Activity Report, available in Latvian: www.bti.gov.lv/lat/zinas_par_iestadi/parskati_un_atskaites/?doc=3208

⁴⁴ Latvia, Criminal Procedure Law (*Kriminālprocesa likums*), 21 April 2005, available at www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Criminal_Procedure_Law.doc

	(a) any decision not to proceed with or to end an investigation or not to prosecute the offender;	X	The victim must be notified about termination of criminal proceedings, sending or issuing a decision not to prosecute or a copy. (<i>Criminal Procedure Law, Section 392 Para 5</i>)
	(b) the time and place of the trial, and the nature of the charges.	X	A victim has the rights to find out the place and time of the trial in a timely manner. Upon the completion of the criminal proceedings and the transferring a case to a court, a public prosecutor shall issue to a victim, on the basis of an application of such victim, copies of the materials of a case that applies to a criminal offence in which the person has been recognised as a victim in criminal proceedings or acquaint with these materials of the criminal case with the consent of a public prosecutor. <i>Criminal Procedure Law, Section 99 Para 1(1), Section 412 Para 5</i>
	(c) any final judgment in a trial	X	The victim has the right to familiarise him or herself with a court adjudication and to appeal a court adjudication in accordance with the procedures specified by law. <i>Criminal Procedure Law, Section 99 Para 1(8.,9)</i>

1.5 Training of practitioners on dealing with victims of crime

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

With respect with how to deal with victims of crime, Is systematic training of the following categories of professionals who come into contact with victims of crime carried out (if yes, please indicate under 'comments' the nature of the training and whether it is on dealing with all victims or just certain categories of victims (e.g. victims of domestic violence):				
		Yes	No	Comments (max 2-3 sentences)

1	Police			Victim related issues (2-4 hours) are included in separate subjects in the training programmes run by the State Police College. There is a 40-hour course on children's rights issues, and a 24-hour course to be re-taken every 5 years. A new 16 hour training course on victim's issues (covering different victim categories) developed by the SPC has been approved by the State Police and will start in September 2013. ⁴⁵ Selected training on different victims groups (children, victims of trafficking, victims of domestic violence) is organised by NGOs.
2	Prosecutors		X	There is no systematic training dealing with all victims, as the Prosecutors' Office does not have its own training centre. Prosecutors participate in various training courses on issues of rights of victims and victim support, including in training organised by Latvian Judicial Training Centre, as well as by NGO. A special training course (40 hours) has been developed by the General Prosecutors' Office on children's rights issues. ⁴⁶
3	Judges		X	There is no systematic training on victim's rights for judges. According to the Latvian Judicial Training Centre, separate lecture on victim's rights issues is rarely included the training programme; these issues may be included other lectures covering specific types of crime - human trafficking, road traffic offences etc. Occasional training has been organised by NGOs and foreign embassies (e.g. US embassy, Duluth multi-disciplinary model) ⁴⁷

⁴⁵ Information provided by the State Police College to the LCHR, 4 June 2013.

⁴⁶ Information provided by telephone by the Prosecutor of the Work System, Analysis and Management Department of the General Prosecutors' Office in May 2013

⁴⁷ Information provided by the Latvian Judicial Training Centre in May 2013

4	Court staff			<p>There is no systematic training on victim's rights for court staff.</p> <p>According to the Judicial Training Centre, separate lecture on victim's rights issues is rarely included the training programme; these issues may be included other lectures covering specific types of crime - human trafficking , road traffic offences etc.⁴⁸</p> <p>In 2012, the Judicial Training Centre organised 4 seminars/lectures, which covered the issues of the rights of the victims.</p>
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		<p>The NGO centre "Dardzedze" offers a training programme on the rehabilitation of child victims of violence for psychologists, psychotherapists and social workers.⁴⁹</p>
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,			<p>NGO "Darddedze" staff are systematically engaged in different domestic and international seminars.⁵⁰</p> <p>Staff of the rehabilitation centres for child, victims of violence attend training courses every year. The mandatory scope of the course is determined by legal acts. However, the NGO - Zantes family crisis centre has developed a separate internal regulation, which regulates the necessary additional training for the staff. Guardians are also obliged to complete training.⁵¹</p> <p>The requirements for the providers of social rehabilitation services, including the requirements for further professional training are determined by the Regulations Nr 291 "Requirements for the Providers of Social Services", approved by the Cabinet of Ministers on 3 June 2003.⁵² Paragraph 2.4 of the Regulations Nr 291 envisages that the social service providers should ensure regular further professional training every year for every employee working with clients: the heads of the institutions</p>

⁴⁸ information provided by the Latvian Judicial Training Centre in May 2013

⁴⁹ available at: www.centrsdarddedze.lv/lat/aktualitates/?doc=535

⁵⁰ information provided on the telephone by a representative of the centre "Darddedze" in May 2013

⁵¹ information provided by on the telephone by a high-ranking member of the Zantes family crisis centre in May 2013

⁵² Latvia, 03.06.2003 Regulations of the Cabinet of Ministers Nr. 291 „Requirements for the Social Service Providers”, in force since 07.06.2003, available in Latvian at: <http://m.likumi.lv/doc.php?id=75887>

				and the social workers should take at least 24 hours of training per year; organisers of social help, social care givers and social rehabilitators – at least 8 hours per year, other employees – according to the necessity. Paragraph 12 of the Regulations Nr 291 determines that the heads of the social rehabilitation institutions should provide the employees with trainings in child psychology, communication and children's rights.
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.)		N/A	Psychologists, psychotherapists and social workers are offered training by the NGO centre "Dardedze". ⁵³ According to the terms of the contract signed with the State children rights protection inspectorate, the Latvian Municipalities Training centre offers a free 40 hour course "Protection of the rights of the child" aimed at social workers, inspectors dealing with issues of minors, criminal police working with children, municipal police working with children, judges and others. ⁵⁴

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:

⁵³ Information available at: www.centrsdardedze.lv/lat/aktualitates/?doc=535

⁵⁴ information available in Latvian at: <http://lpmc.lv/lv/kursi/profesionala-pilnveide/bezmaksas-kursi/zina/article/bezmaksas-40-stundu-kursi-bemu-tiesibu-aizsardziba.html>

	Description	Explanation (max word count 200)
1	What is the main or generic legal definition of the term 'victim' (as provided for in national legislation)?	A victim in criminal proceedings may be a natural person or legal person to whom harm was caused by a criminal offence, that is, a moral injury, physical suffering, or a material loss. ⁵⁵ A victim in criminal proceedings may not be a person to whom moral injury was caused as a representative of a specific group or part of society. ⁵⁶
2	Is there a separate definition of 'vulnerable victims' (as separate from the main or generic definition of 'victim')?	No
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?	The children, parents, other family members, same sex partners and first responders of the victim of crime, are not included under the main definition of the term victim in the Criminal Procedure Law. However, if the person victim of crime dies, the victim in criminal proceedings may be the surviving spouse, one of the ascending or descending relatives of the deceased, or the adopter or a collateral relative of the first degree of such deceased (Criminal Proceedings Law, Section 95 Para 3) ⁵⁷ If harm has been caused to a minor person, the victim shall be represented by 1) a mother, father, or guardian; 2) one of the grandparents, a brother or sister of legal age, if the minor has lived together with one of such persons and the relevant kinsperson takes care of the minor; 3) a representative of an authority protecting the rights of children; 4) a representative of such non-governmental organisation that performs the function of protecting the rights of children. (C PL, Section 104 Para 2) In such cases all the rights of a victim belong completely to his or her representative, and the victim may not independently implement such rights, except for the rights of a minor to provide testimony and express his or her view. (C PL, Section 104 Para 4)

2.6.2. Decision not to prosecute

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

	Yes	No	Comments (Max word count 80 words)
If the prosecutor decides to discontinue a case, does the victim have the right to file for a review of the decision not to prosecute?	X		The victim must be notified about termination of criminal proceedings, sending or issuing a decision not to prosecute or a copy. (Criminal Procedure Law, Section 392 Para 5) A decision regarding termination of the criminal proceedings of an investigator or prosecutor may be appealed within 10 days from the day of the receipt of a copy of the decision or a notification regarding the decision taken. (Criminal Procedure Law, Section 339 Para 2)
Who undertakes this review?			Regarding the decision of a public prosecutor - higher-ranking public prosecutor. (Criminal Proceedings Law, Section 337 Para 2(2,3) If a person has appealed the decision of prosecutor and does not agree with the decision taken by the examiner of a complaint – higher-ranking public prosecutor, such person

⁵⁵Latvia, Criminal Proceedings Law, Section 95 Para 1,

www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Criminal_Procedure_Law.doc

⁵⁶ Ibid., Section 95 Para 2, www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Criminal_Procedure_Law.doc

⁵⁷ www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Criminal_Procedure_Law.doc

			may appeal such decision to the next higher-ranking public prosecutor, whose decision shall not be subject to appeal in pre-trial criminal proceedings. (<i>Criminal Proceedings Law, Section 337 Para 3</i>)
Does the victim have the right to institute private prosecution in cases where the prosecutor drops charges? If yes, under what circumstances?		X	If criminal proceedings have been terminated and not renewed, the victim has no right to institute private prosecution.
Does the prosecutor's office have a dedicated hotline or mechanism whereby victims can inquire about the progress of a case?		X	The prosecutor's office does not have a hotline or other special mechanism whereby victims can inquire about the progress of a case. The victim may turn to supervising prosecutor and ask about the progress of a case. To find out who is the supervising prosecutor of the criminal case, the victim can call the Prosecutor's Office, name the registration number of the criminal case and ask for the name and the telephone number of the supervising prosecutor. All further questions are to be addressed to the supervising prosecutor. ⁵⁸

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: Latvia	Yes	No	Comments (Max word count 80 words)
Do victims have a right to be heard during criminal proceedings?	X		A victim has the right to participate him/herself in the examination of a criminal case, express his or her view regarding every matter to be discussed, participate in an examination performed directly and orally of each piece of evidence to be examined in court and speak in court debates ⁵⁹
Do victims have a right to supply evidence during criminal proceedings?	X		In pre-trial criminal proceedings a victim has the right to submit applications regarding the performance of investigative and other operations and to familiarise him or herself with a decision on the determination of an expert-examination before the transferral thereof for execution, and to submit an application regarding the amendment thereof, if the expert-examination is conducted on the basis of his or her own application. (<i>Criminal Procedure Law, Section 98 Para 1(3,4)</i>)
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	X		The arrangements are more in common in case of minors (separate facilities for questioning, videotaping, videolinks), victims of violence, than adult victims. With video links now available in all 47 courts in Latvia, the options may increase for adult victims of violence. If the interests of criminal proceedings require, an investigative action may perform by using technical means. (<i>Criminal Procedure Law, Section 140 Par 1</i>) In cases of

⁵⁸ information provided over the telephone by a representative of the Chancellery of the Prosecutor's Office in May 2013

⁵⁹ Latvia, Criminal Procedure Law (Kriminālprocesa likums) Section 99 Para 1(3,4,5,7), 21 April 2005, available at: www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Criminal_Procedure_Law.doc

<p>victims or just certain categories of victims (please specify):</p>		<p>special procedural protection, if necessary, a protected person (for example, victim) may participate in a court session by using technical means, while the person him or herself is located outside of the court room. (<i>Criminal Procedure Law, Section 309 Para 2</i>)</p> <p>If a psychologist considers that a minor below 14, a minor, a victim of violence committed by a person upon whom the victim is materially otherwise dependent, or a minor a victim of sexual abuse, may be harmed by a direct interrogation, an interrogation by f technical means and a psychologist is to be performed. If an investigator or public prosecutor does not agree, the direct interrogation shall be performed only with the permission of the investigating judge, and in a court – with a court decision. (<i>Criminal Procedure Law, Section 153 Para 1</i>)</p> <p>A person directing the proceedings and another person invited by him or her shall be located in another room where technical means shall ensure that the person to be interrogated and the psychologist may be seen and heard. The person being interrogated shall be located together with the psychologist in a room that is suitable for a conversation with a minor, and in which it has been technically ensured that the questions asked by the person directing the proceedings are heard only by the psychologist (<i>Criminal Procedure Law, Section 153 Para 2</i>)</p>
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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	In Latvian criminal court system there is no special unit of service for victims of crime.
2	Is there a separate waiting area for victims at court?		X	Separate waiting areas for victims are only in few courts. It is impossible to establish such areas in every court, as most courts are housed in the buildings which were not built as court houses. There are no vacant rooms in the courts, and there are no possibilities to enlarge them. The videoconference equipment installed at courts should compensate lack of such rooms. Every court has at least one court room with such equipment; there is also portable equipment. ⁶⁰
3	Is special seating reserved for victims at trial?		X	There is no special seating reserved for victims in Latvian courts.
4	What other services are available?	N/A		-
5	Who provides the services (e.g. professional or specialised staff; volunteers etc)?	NA		In Latvian criminal court system there is no special unit or service for victims of crime.
6	In reference to question 5, do the service providers provide advice to prosecutors with respect to the the safety, physical and psychological well-being, dignity and privacy of victims?		X	In Latvian criminal court system there is no special unit or service for victims of crime.
7	Do they provide advice to judges with respect to the the safety, physical and psychological well-being, dignity and privacy of victims?		X	In Latvian criminal court system there is no special unit or service for victims of crime.
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	The Law "On Judicial Power" (which determines the court system in Latvia) does not mention the rights and protections that should be afforded to victims.
9	Do victims have the right to be accompanied by support persons during the trial?		X	In Latvian criminal court system there is no special unit or service for victims of crime.
10	Can victims access & copy trial records	X		According to Criminal Procedure Law, Section 484 Para 8, the victim may familiarise themselves with the trial records, if necessary, get a copy and, within three working days from the date the records are available, to comment on it.

⁶⁰ Information provided over the phone by the Court Administration in May 2013

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:			In exceptional cases the person directing the proceedings may decide on the granting the victim a an advocate , if the victim is a – poor or low-income person of legal age, if it is otherwise not possible to ensure the protection of the rights and interests of the person in	

				criminal proceedings. ⁶¹ In case of a minor, if the rights and interests are not ensured, his/her representatives have the right to submit a substantiated request, and a person directing the proceedings can grant an advocate as the representative of a minor victim.	
2. Free legal representation	Place X in appropriate column			X	
	Comments:			In exceptional cases (see above) in cases of adult victims of crime (<i>Criminal Procedure Law, Section 104 Para 5</i>) In cases of minors, his/her representatives may submit a	

⁶¹ Latvia, Criminal Procedure Law (Kriminālprocesa likums) Section 105 Para 6, 21 April 2005, available at: www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Criminal_Procedure_Law.doc

				substantiated request, and the person directing the proceedings can grant the minor, victim of crime, or his/her representative an advocate <i>Criminal Procedure Law, Section 104 Para 5)</i>	
3. Exemption from court fees	Place X in appropriate column	X			
	Comments:	For victims there are no court fees in criminal proceedings. In civil legal proceedings, a victim is exempt from state fee. <i>(CP Section 350 Para 4)</i>			
4. Exemption from or reimbursement for expenses related to interpretation and/or translation	Place X in appropriate column	X			
	Comments:	A victim has the right, in all stages of criminal proceedings, to participate in criminal			

		proceedings using the language that he or she understands, and, if necessary, using the assistance of an interpreter free of charge. (CPL Section 97 Para 3, Section 11 Para 2)			
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:	In criminal proceedings the victim is entitled to claim reimbursement of the procedural expenditures (expenses related to travel, accommodation, average work remuneration for the term wherein victim did not perform the work connection with participation in a procedural action). (CPL,			

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		A victim has the right to claim compensation for a caused harm at any stage of criminal proceedings up to the commencement of a court investigation in a court of first instance. (<i>Criminal Procedure Law, Section 351 Para 1</i>) The request for the state compensation shall be submitted to the Legal Aid Administration within one year after the day when a person has been recognised a victim. (<i>Section 9 of Law on State Compensation to victims</i>)
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		If the victim is threatened because he or she, e.g., has testified in the criminal proceedings, he or she has the right to request that a person directing the proceedings carry out the measures provided for by law for the defence of such person and the property. The defence measure may include: the commencement of another criminal proceedings for the investigation of the threat; the selection of a corresponding security measure for the persons in the interest of whom the threat has taken place; special procedural protection for the person who has been threatened; the assigning of law enforcement institutions the task of performing protection of the person or the property (<i>Criminal Procedure Law, Section 24 Para 1, 2</i>)
3	Is compensation paid by the offender?	X		Yes, compensation is paid by offender who has caused harm to a victim for moral injury, physical suffering, or financial loss. (<i>Criminal Procedure Law, Section 350 Para 1</i>)

				The state compensation shall be paid to the victim by the Legal Aid Administration. The perpetrator who has been found guilty of committing the criminal offence has a duty to repay to the State budget the State compensation paid to a victim. (Section 3 ¹ Para 1(2) of Law on State Compensation to victims)
4	Is there such thing as a 'victims of crime fund' that convicted persons must contribute to?		X	In Latvia, there is no "victims of crime fund". Draft amendments to the Criminal Procedure Law in 2007 envisioned establishment of the "victims' compensation fund" and every person, convicted of a criminal offence, would be obliged to pay to the fund certain amount depending on the severity of the crime. However, this provision was abolished in 2009 (former Section 354). The Ministry of Finance opposed the establishment of the fund, because the running of the fund would be completely financed by the state budget, because such fund does not generate income ⁶³ .
5	Does compensation paid by the offender under a 'victims of crime fund' go towards victim support services?		X	In Latvia, there is no "victims of crime fund".
6	Is compensation paid by the state?	X		A natural person who has been recognised a victim has a right to receive a state compensation for moral injury, physical suffering or financial loss resulting from an intentional criminal offence, if the criminal offence has resulted the death of the person or caused severe, moderate bodily injuries to the victim or the criminal offence has been directed against sexual inviolability of the person, the victim has been infected with human immunodeficiency virus, Hepatitis B or C or person is a victim of human trafficking. (Section 3 Para 1(4) of Law on State Compensation to victims)
7	Will the State advance payment of the compensation if the offender does not pay? Under			The State compensation is paid to the victim according to the criteria envisaged by law and regardless of

⁶³ Latvia, Grozījumi Kriminālprocesa likumā (Amendments to the Criminal Procedure Law)
<http://titania.saeima.lv/LIVS/SaeimaLIVS.nsf/0/2B26E9081FA5C037C225726E00291A38?OpenDocument>

	which conditions?			the fact whether the offender has paid the compensation.
8	Does a compensation order exist?		X	
9	Do prosecutors have the power to mediate between the offender and the victim?		X	According to experts, the duty for prosecutors to obtain compensation between offender and victim (may also take the form of mediation between victim and offender to obtain compensation) is available in AT, BE, NL & FR, CZ, FI, DE, HU, LT, LU, PL, RO, SL, SE.
10	Do prosecutors have the duty to attempt to obtain compensation from the offender?		X	According to experts, the duty for prosecutors to obtain compensation between offender and victim (may also take the form of mediation between victim and offender to obtain compensation) is available in AT, BE, NL & FR, CZ, FI, DE, HU, LT, LU, PL, RO, SL, SE.
11	Is compensation, when paid by the offender to the victim, taken into account in decisions to prosecute?		X	According to the experts BG, CY, DK, EE, EL, ES, IE, LV, MT and UK do not consider the question of compensation to the victim in the decision to prosecute the offender, while payment or non-payment of compensation may influence the decision to prosecute in AT, BE, CZ, FI, FR, DE, HU, IT, LT, LU, NL, PL, PT, RO, SI, SL & SE.
12	Is compensation, when paid by the offender to the victim, taken as a mitigating factor in sentencing?	X		According to Section 47 Para 1 (3) of Criminal Law, if the offender has voluntarily compensated the harm caused by the criminal offence to the victim it is considered to be mitigating circumstance.
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		A victim has the right to claim compensation for a caused harm in any stage of criminal proceedings up to the commencement of a court investigation in a court of first instance (<i>Criminal Procedure Law, Section 351 Para 1</i>). The request for the State compensation shall be submitted to the Legal Aid Administration within one year after the day when a person has been recognised a victim or learned about the facts which permit the person to make such request. (Law "On State Compensation to Victims", Section 9)

14	Do third country nationals have the right to apply for compensation?	X		<p>If harm to a person was caused as a result of a criminal offence, the person has the right to be recognised as a victim within the criminal proceedings, regardless of the fact whether the person is a third country national or whether he or she stays in Latvia legally or illegally. Once a person is recognised as a victim he or she has the right to request the compensation within the criminal proceedings according to the provisions of the law. The Law "On State Compensation to Victims" does not envisage exceptions for the irregular migrants to receive compensation.</p>
15	Do third country nationals with irregular status (i.e. residing in the country illegally) have the right to apply for compensation?	X		<p>If harm to a person was caused as a result of a criminal offence, the person has the right to be recognised as a victim within the criminal proceedings, regardless of the fact whether the person is a third country national or whether he or she stays in Latvia legally or illegally. One a person is recognised as a victim he or she has the right to request the compensation within the criminal proceedings according to the provisions of the law. The Law "On State Compensation to Victims" does not envisage exceptions for the irregular migrants to receive compensation.</p>
16	Are there exceptions prescribed in law for different types of crimes? If yes, what are they?		X	<p>The Criminal Procedure Law does not foresee any exceptions to the requests for compensation for different types of crime.</p> <p>The right to the state compensation is recognised in those cases, when the criminal offence has resulted the death of the person or caused severe, moderate bodily injuries to the victim, the person is the victim of the human trafficking or the criminal offence has been directed against sexual inviolability of the person or the victim has been infected with human immunodeficiency virus, Hepatitis B or C (the Law "On State Compensation to Victims" Section 3 Para 4)</p>

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	
2	Can victims of crime report crimes in their own country if the crime was committed in another state?		X	
3	Are victim support services made available to all victims, regardless of legal status, country of origin or nationality?	X		Yes, if the support is provided at the expense of the NGOs' own resources, the support is provided regardless of the legal status, ethnicity or country of origin of the victim. ⁶⁴
4	Describe any special mechanism for victims of crime from other countries to access support. E.g. via website etc.			The centre "Dardedze" does not have any such special mechanisms. Some information is available at the homepage ⁶⁵ . The "Shelter "Safe House"" does not have any such special mechanisms, but on national level information is available on the homepage www.cilvektirdznieciba.lv (i.e. human trafficking). ⁶⁶

⁶⁴Information provided over the telephone by a representative of the centre "Dardedze" in May 2013 and by a representative of the "Shelter "Safe House"" in May 2013

⁶⁵ Information provided over the telephone by a representative of the centre "Dardedze" in May 2013

⁶⁶ Information provided over the telephone by a representative of the "Shelter "Safe House"" in May 2013

5	Is information made available to victims in different languages by the police? If yes, which languages?		X	In the web-page of the State police information for victims is available only in Latvian.
6	Is information made available to victims in different languages by victim support services? If yes, which languages?	X		In NGO centre "Dardedze" information for victims is available in Latvian and Russian, as well as some information in English. Psychologist provides counselling in English. ⁶⁷ In the "Shelter "Safe House"" information for victims is available in Latvian and Russian ⁶⁸ .
7	Do victim support services offer interpretation or translation services? If yes, in which languages?	X	X	Centre "Dardedze" does not offer interpretation or translation services. The opinions are provided in Latvian, even if it requested in foreign language. ⁶⁹ The "Shelter "Safe House"" helps the clients translate the documents from/to English, German, and Ukrainian. The translation is paid for by the state according to the contract. Interpretation services are usually done by the volunteers of the NGO. ⁷⁰
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.)			N/A
Description (max 2-3 sentences per question)				
9	What is the mechanism for victims to apply for compensation once they are back in their own country?	The victim, who is a permanent resident of Latvia and to whom an injury has been caused as a result of a criminal offence in the territory of another European Union Member State, has the right to directly or through the Legal Aid Administration submit the request for the State compensation to the competent institution of the relevant European Union Member State. (<i>Law on State Compensation to Victims, Section 18 Para 1</i>)		

⁶⁷ Information provided over the telephone by a representative of the centre "Dardedze" in May 2013

⁶⁸ Information provided over the telephone by a representative of the "Shelter "Safe House"" in May 2013

⁶⁹ Information provided over the telephone by a representative of the centre "Dardedze" in May 2013

⁷⁰ Information provided over the telephone by a representative of the "Shelter "Safe House"" in May 2013

1 0	What is the number of victims accessing victim support services who are non-nationals of the state?	Fewer than 10 such persons accessed victim support services at the centre "Dardedze" in 2012, mostly in divorce cases. ⁷¹ During 2012, no non-nationals accessed victim support service. ⁷²
1 1	Describe any special mechanism for victims of crime from other countries to access support. E.g. via website etc.	The centre "Dardedze" does not have such special mechanisms; some information is available at the homepage ⁷³ . The "Shelter "Safe House"" does not have any such special mechanisms, but at national level information is available at the homepage www.cilvektirdznieciba.lv (i.e. human trafficking). Some information is available at the homepage. ⁷⁴
1 2	Are there any measures put in place for the protection of a victim's right to privacy when dealing with cross border victims?	Neither the centre "Dardedze", nor the "Shelter "Safe House"" envisage such measures, because there is hardly any experience with such cases. ⁷⁵

2.9. The role of volunteerism in victim support

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

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

⁷¹ Information provided over the telephone by a representative of the centre "Dardedze" in May 2013

⁷² Information provided over the telephone by a representative of the "Shelter "Safe House"" in May 2013

⁷³ Information provided over the telephone by a representative of the centre "Dardedze" in May 2013

⁷⁴ Information provided over the telephone by a representative of the "Shelter "Safe House"" in May 2013

⁷⁵ Information provided over the telephone by a representative of the "Shelter "Safe House"" in May 2013 and a representative of the centre "Dardedze" in May 2013

A consistent development of the volunteer movement Latvia started only in 1998⁷⁶. In the former Soviet Union there was considerable work being performed by the residents under the disguise of “voluntary”, but which was mandatory in reality, e.g. mandatory work on a designated day in spring with the purpose of cleaning the surrounding environment. Absenteeism would have to be justified, and in the absence of justification could cause repercussions.

During the last 12 months, 25% of Latvian residents had experience of volunteer work. Few people do voluntary work on regular basis: 4% do it once a week or more often, 4% - once or few times a month. 7% were involved in volunteer work once or few times over the six months period, while 10% did the volunteer work only once during the last year. Among those Latvian residents, who had experience with volunteer work during the last year, the majority (55%) were involved in the environmental and nature protection and cleaning activities (including joint public cleaning works). 29% were involved in organising and implementing cultural and arts activities, educational activities (27%), provision of professional assistance (25%). Around 1/5 of the volunteers participated in organising and conducting entertainment activities, children and youth activities, as well as in caring for the old people, disabled and children.

Although the environment and nature protection and cleaning activities were mentioned by largest number of volunteers, the actual number of hours spent on this activity was one of the smallest – on average eight hours per year. The biggest number of hours was spent by those who volunteered to care for the old people, disabled and children (one average 40 hours per year).

The total financial value of the volunteer work in Latvia in 2012 was 82,558 LVL (117,470 EUR), comprising 0,6% of Latvian GDP. 436 thousand Latvian residents spent at least one hour to the volunteer work; the total time spent on volunteer work nearly reached 33 million hours.⁷⁷

- 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.**

N/A

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?).

⁷⁶Latvia, Portal of Voluntary Work (Brīvprātīgo darba portāls)

www.brivpratigais.lv/index.php?option=com_content&view=article&id=59&Itemid=110

⁷⁷ Latvia, Laboratory of Analytical and Strategic Studies (2011), The Possibilities of Development of Volunteer Work in Latvia and its Contribution to National Economy [Brīvprātīgā darba attīstības iespējas Latvijā un tā ieguldījums tautsaimniecībā], p. 9-11, available in Latvian at http://izm.izm.gov.lv/upload_file/jaunatne/petijumi/IZM_BrivpratigaisDarbs_Zinojums_28112011.pdf

In Latvia, as in other former Soviet republics, social work is a relatively recent development. On 16 April 1991, the Board of the People's Education Ministry of the Republic of Latvia adopted a decision "On the Opening of the Social Worker Faculty" and since 1 September of the same year the first group of future social workers began "Social Work and Social Pedagogy" studies at a private university "Attīstība". During 1991-1994 the social work education programmes were established at three other universities. In 1996, "social worker" was officially recognised as a profession and included in Latvia's Classification of Occupations. At present, the social worker profession in Latvia has 12 specialisations. In 2002, Latvian Social Workers Code of Ethics and the social work profession standard were adopted. In 2003 the Social Services and Social Assistance Law determined that social work education is mandatory for those who conduct social work in municipalities and in any social institution providing social services and assistance. Until 2007 those social workers, who did not have social work education, were allowed continue their work on the condition that they are studying to acquire the necessary diploma. The current legislation provides that the social workers should have second-tier professional higher education or academic education in social work or caritative social work. The social care or social rehabilitation services and social assistance workers should have the first-tier professional higher education in social care, social rehabilitation or social assistance, or vocational secondary education in social care. According to the Social Services and Social Assistance Law, every municipality shall have at least one social work specialist per every 1,000 residents.

Social workers have an active role in the process of providing assistance to the child victims of unlawful activities. The social worker, upon the request by the parent, guardian, director of an institution or the orphans' court, provides his/her opinion about whether the child has the signs of psychological trauma and needs social rehabilitation, as well as coordinates the provision of social rehabilitation services to the child.

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	
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	
3	Schemes for compensatory fines to help fund support		X	

	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).			
5	In some countries, victims can be accompanied in court by victim support services, ensuring a fuller realisation of victims' rights and helping to prevent secondary victimisation.		X	
6	In some countries, victims are provided with free psychosocial and legal assistance throughout the entire criminal proceedings.		X	
7	Some countries have legal clinics that provide free legal assistance to victims of crime.		X	
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	<p>The homepage of the State Police features a special section which provides information (in Latvian) about the rights of the victims (www.vp.gov.lv/?id=506&said=506) the hotlines, as well as about psychological assistance opportunities (in Latvian) (www.vp.gov.lv/?id=377&said=506&topid=0)</p> <p>The homepage of the Legal Aid Administration provides information (in Latvian and in English) about the State compensation for the victims (www.jpa.gov.lv/kompensacijas-cietusajiem60), (www.jpa.gov.lv/uploads/filedir/vkc_buklets_2011.pdf), (www.jpa.gov.lv/kompensacijas-cietusajiem-eng) (www.jpa.gov.lv/uploads/filedir/jpa_vkc_052013_eng.pdf)</p> <p>Some other homepages are also providing information (in Latvian) about the rights of the victims in accessible way – www.bernskacietusais.lv un www.cietusajiem.lv</p>
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	

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	
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	
13	Police forces in England and Wales have policies on dealing with repeat victimisation. An example of such a policy is the Thames Valley Police policy on repeat victimisation (drafted and audited in accordance with Human Rights Act 1998): Sample Extract from the policy: 1. Rationale 1.1 Research and organisational experience indicate that victims of crime and other incidents may be targeted for subsequent victimisation. This is particularly relevant in relation to offences of burglary, assault, domestic violence and hate crime. 1.2 Repeat incidents often occur soon after the initial victimisation; therefore it is important to take preventative measures quickly. Likely victims must be identified immediately and subject to a targeted crime reduction initiative. 1.3 Every victim should be asked whether they have been subject to other offences. The primary means to prevent repeat victimisation is to arrest and prosecute the offender, although other tactical options are available [...]. ⁷⁸		X	
14	Many countries have practices in place to respect the rights of victims during court proceedings, particularly with regard to their rights to privacy and protection; e.g. the trial being conducted behind closed doors; witness' testimony being taken so they do not come into contact with accused (e.g. in SI, taking of testimony using technical devices (protective screen, voice disguising devices, transmission of sound from separate premises and other similar technical devices); ban on use of images related to the victimisation; other measures	X		The project "Modernisation of Courts in Latvia", implemented in cooperation with the Swiss Confederation was completed in 2012. Videoconference and audio recording equipment are installed in all 47 courts and 12 prisons in Latvia. For example, now there is no need to transport a person from the prison to the

⁷⁸ www.thamesvalley.police.uk/pub-policiesandprocedures-repeat-victimisation.pdf

	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).			court and thus, the victim (if he or she has arrived to the courtroom), can avoid meeting the perpetrator.
15	In some countries, police, prosecutors and judges work for victim support organisations in an official capacity that forms part of their training (e.g. in Austria)		X	
16	Other promising practices: please include any other promising practices in your country with regard to victim support and enabling victims' to exercise their rights.	NA	NA	

2.12 Role of the victim in practice

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

	Please choose the most appropriate description of how the victim is perceived in the criminal justice system	Place X in the appropriate box (choose only one)	Explanation (maximum word count 200)
1	The victim is seen essentially as a witness.		
2	In addition to 1, if the victim has suffered damage as a consequence of a criminal offence, importance is attributed to allowing the victim to claim compensation within the framework of criminal proceedings.		
3	In addition to 1 or 2, the victim is seen as a person who has suffered moral harm and therefore is in need and deserving of help.		
4	In addition to 1, 2 & 3, the victim is perceived as a person whose rights have been violated by the criminal offence and who therefore is entitled to see that justice is done and, to that end, to participate in criminal proceedings.	X	According to the definition provided by the first part of the Section 95 of the Criminal Procedure Law ⁷⁹ , the "victim" is a natural or legal person, who suffered damages as a result of the criminal offence (moral injury, physical suffering, or a material loss). The victim is entitled to moral and material compensation (part 1 of the Section 95 of the Criminal Procedure Law). The victim has the right to take part in all stages of the criminal proceedings (Sections 97, 98, 99, 100 and 101 of the Criminal Procedure Law).

⁷⁹Latvia, Criminal Procedure Law (Kriminālprocesa likums) 21 April 2005, available at: www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Criminal_Procedure_Law.doc

				However, on the whole, the Criminal Procedure Law was developed in order to ensure the progress of the criminal proceedings as such.
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. ⁸⁰ With regard to the following descriptions, please choose 'yes' or 'no' for each concerning the role of the victim in the criminal justice system of your country, and provide a short explanation.				
	Description of victims' role in EU Directive	Yes	No	Explanation (maximum word count 200)
1	The national system provides for a legal status as a party to criminal proceedings;		X	The rights and obligations of the victim within the criminal proceedings are determined by the Criminal Procedure Law. ⁸¹ The victim does not bring charges (does not realise the prosecution function) during the criminal proceedings; this is the function of the prosecution. However, according to the Section 18 of the Criminal Procedure Law, the parties involved in the criminal proceedings have their rights and obligations which ensures for such persons equivalent actualisation of the tasks and guaranteed rights specified in regulatory enactments.
2	The victim is under a legal requirement or is requested to actively participate in criminal proceedings, for example as a witness	X		A victim has a duty to participate in investigative actions. (Criminal Procedure Law, Section 103 Para 1)
3	The victim has a legal entitlement under national law to actively participate in criminal proceedings and is seeking to do so, where the national system does not provide for a legal status as a party to the criminal proceedings.	X		The victim is a person involved in the criminal proceedings, whose rights and obligations are determined by the Criminal Procedure Law. The victim does not bring charges (does not realise the prosecution function) during the criminal proceedings; this is the function of the prosecution.

⁸⁰ See Recital 20 Of the Victims' Directive, p 11 (<http://register.consilium.europa.eu/pdf/en/12/pe00/pe00037.en12.pdf>).

⁸¹ Latvia, Criminal Procedure Law (Kriminālprocesa likums) 21 April 2005, available at: www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Criminal_Procedure_Law.doc

				However, according to the Section 18 of the Criminal Procedure Law, the parties involved in the criminal proceedings have their rights and obligations which ensures for such persons equivalent actualisation of the tasks and guaranteed rights specified in regulatory enactments.
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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^{*82}

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

N/A

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

Max 150 words

N/A

⁸² Questions marked with * should NOT be answered by countries falling into category 'A' (in accordance with question 2.2.1)

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

Max 200 words

N/A

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.			

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
UK (England and Wales)	Victim Support	1,500	?	6,500	?	Approx EUR 25.1 million
Northern Ireland	Victim Support	60	?	213	23,309	?

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		In exceptional cases, the person directing the proceedings shall take a decision on the granting of the representative – advocate of a victim – poor or low-income person of legal age, if it is otherwise not possible to ensure the protection of the rights and interests of the person in criminal proceedings. (<i>Criminal Procedure Law, Section 104 Para 5</i>) ⁸³ If the rights of a minor and the protection of the interests thereof are encumbered or otherwise not ensured, or the representatives referred to in Paragraph two of this Section 104 of Criminal procedure Law, submit a substantiated request, a person directing the proceedings shall take a decision on the retaining of an advocate as the representative of a minor victim. <i>Criminal Procedure Law, Section 104 Para 5</i> The victim of trafficking in human beings can be provided with a representative (lawyer) if the situation / person meet the criteria established by the part 5 of the Section 104 of the Criminal Procedure Law.
b Free health/psychological assistance (e.g. crisis intervention centres)	X		Children victims of illegal activities (criminal acts, exploitation, sexual abuse, violence or any other illegal, cruel or dignity-degrading activity) and victims of human trafficking have the right to receive social rehabilitation services paid for by the state. The social rehabilitation services to the child victims of illegal activities, depending on circumstances, can be provided at their place of residence, or at the social rehabilitation institution. (Section 13 Para 1(7) and Section 13 Para 2 ⁴ of the Social Services and Social Assistance Law, Regulations of the Cabinet of Ministers Nr.1613, Regulations of the Cabinet of Ministers Nr.889)
c Emergency financial assistance		X	
d Court accompaniment/support services	X		NGO "Shelter "Safe House"", which provides social rehabilitation to the victims of human trafficking, accompanies its clients to the court and provides the necessary assistance at the court.

⁸³ Latvia, Criminal Procedure Law (Kriminālprocesa likums) 21 April 2005, available at: www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Criminal_Procedure_Law.doc

e Other (specify)			
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3.4 (Failed) Attempts to establish national generic victim support service provider**⁸⁴

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.

⁸⁴ **This question should ONLY be answered by countries falling into category 'A' (in accordance with question 2.2.1).

Max 250 words

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

During 14.09.2012 – 01.03.2013 the Centre for Public Policy "Providus" conducted research "Mechanisms of victim compensation in the criminal proceedings in the European Union" co-financed by the European Commission. The project, inter alia, aimed at providing recommendations to improve victim support in Latvia. The research concludes that there are several essential components of victim support, while there is no comprehensive victim support system. The authors propose the establishment of a Victim Support Fund, access to legal aid from the moment a person is recognised as a victim within the criminal proceedings, development of a model of inter-institutional cooperation, as well as consider the development of a new legal act – Victim Support Practice Code.⁸⁵

During 01.06.2011 - 31.05.2013 the centre for public policy "Providus" implemented the project "Support system for the victims of crime – in Latvia and elsewhere" funded by the European Commission. The project evaluated the effectiveness of the current victim rights and support measures. The project also aimed at establishing and developing in Latvia a comprehensive victim support model integrated into the legal system of Europe. One of the discussion panels at the conference "Support system for the victims of crime – Latvia's opportunities and challenges" held on 21-22 February 2013 within the framework of the project was devoted to the future prospects of establishing an integrated victim protection and support system in Latvia.⁸⁶

⁸⁵ "The Development of Compensation Mechanisms in Latvia. Summary" (Kompensējošo mehānismu attīstība Latvijā. Kopsavilkums), pp. 22-23, available in Latvian at: www.providus.lv/upload_file/Projekti/Kriminalitesibas/Kopsavilk.Meh.ciet.kompens.pdf

⁸⁶ Latvia, Centre for Public Policy Providus (Sabiedriskais politikas centrs "Providus") (2011), "Support system for the victims of crime – in Latvia and elsewhere" (Atbalsta sistēma noziegumos cietušajiem – Latvijā un citur), Press release, 8 December 2011, available at: www.providus.lv/public/27560.html, Information provided to the LCHR by the Centre for Public Policy "Providus" on 22 July 2013.

Annex 1 – Country codes

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

Annex 2 –list of generic victim support organisations by country

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

Countries shaded in green have been identified (on the basis of country reports submitted for phases 1 & 2 of the project) as not having any generic victim support organisations. These countries should please provide a short list of the main organisation(s) providing victim support in one of the two specialised areas of victim support focused on in the phase 2 country report (see annex 3 for a list). As a default, please select the area ‘Domestic violence and stalking’.

	Name/short description of organisation(s)
AT	In every of Austria’s nine provinces (<i>Bundesländer</i>), branches of national organisations and local victim support organisations are operative. Weisser Ring (NGO) is currently the largest general victim support organisation operating in Austria. Today, the White Ring operates out of a federal office in Vienna and nine branches in all Austrian provinces, as well as 14 representation offices at regional level.
BE	Bureaux d’assistance aux victimes; Victim’s reception service in each of the 27 judicial districts and at the community level, assistance to victims is organized through Centres for Victims of Crime;
BG	
CY	The Social Welfare Services which is the only umbrella service providing support to various victim “groups”, the rest of the initiatives are targeted on specific victim “groups” and are under the non-governmental sector. However, the services provided by the SWS are targeted mainly towards victims of domestic violence and victims of trafficking.
CZ	The Probation and Mediation Service (“PMS”); the White Circle of Justice
DE	The largest volunteer victim support service (operating nationwide) is the Weisser Ring e.V. In Berlin, Hamburg, Lower Saxony, Saxony, Mecklenburg-Western Pomerania and Hesse independent victim support charities (Opferhilfe e.V) run local offices. A nationwide coverage of professional victim support services does not exist, although a number of the professional support services are organised under the auspices of the umbrella organisation Working Group of Victim Support in Germany ‘ado’. In many states (Bavaria, Baden-Württemberg, Bremen, Saarland, Rhineland-Palatinate, Saxony-Anhalt, Schleswig-Holstein and Thuringia) generic professional victim support services as described above do not maintain offices. Here volunteer support services fill this gap.
DK	The Victim Support in Denmark (VID) (Offerrådgivningen, OID). The general victim support service in Denmark consists of 33 different general local entities with VID as their umbrella organisation.
EE	The citizen-initiated Union of Support to Victims of Crime “Victim Support” (Kuriteoohvrite Toetamise Uhing “Ohvriabi”), founded in 1994. It is still the only organisation that provides support to victims of crime in general, without specialisation to any type of victim group.
EL	
ES	The management of the Offices for Support to Victims of Crimes (Oficinas de Asistencia a las Víctimas de Delitos, OAV) is the responsibility of regional governments having the Spanish government used the ability to “set up management agreements entrusted with the Autonomous Communities and local Corporations”. In Spain, these are the only victim support services that can be considered to have a generic character because of dealing with many sorts of victims particularly since this very year.

FI	In 1994, Victim Support Finland (Rikosuhripäivystys / Brottsofferjouren) began its activities. It was the first organisation to offer victim support services and still is the only organisation providing services to victims of various different types of crimes, as most other third sector actors specialise in providing assistance to certain specific victim groups.
FR	The National Institute for Victims and Mediation (L'Institut national d'aide aux victimes et de médiation, INAVEM) was established in 1986 to promote greater coherence and activity for victim support services. Since June 2004, the INAVEM has had the status of federation, representing member associations (www.inavem.org.). Services for victims (services d'aide aux victimes, SAV) are members of the INAVEM. 150 associations are adherents to the INAVEM and provide psychological, logistic, financial and legal support to victims .
HR	County Court level: There are special departments for victim and witness support (Odjeli za organiziranje i pružanje podrške svjedocima i žrtvama), established at the following seven county courts as part of the court administration: Zagreb, Split, Rijeka, Osijek, Zadar, Vukovar, Sisak. Special departments provide victim and witness support in trials for all criminal offences.
HU	Metropolitan and county offices of the Victim Support Service. There are also a few NGOs that operate in the field of victim support. The White Ring Association is specialised in assisting victims of any crime and it provides similar services as the state agency, however the scope of its activities is rather limited due to financial burdens
IE	Various non-governmental victim support organisations – e.g. the Federation for Victim Assistance (10 branches); Support After Crime Services; ITAS.
IT	
LT	
LU	In Luxembourg there are few generic victim support organisations, as typically, each organisation is tasked with clear missions and has clear responsibilities. They are two; Waisse rank Service d'aide aux victimes du parquet general. Other organisations offer assistance to victims of a particular type of violence.
LV	Association "Shelter.Safe House" ("Patvērums. Droša māja.") – victims of trafficking Association "Latvian Children's Fund" (Latvijas Bērnu fonds) – child victims of violence – 7 affiliate organisations – crises centres in 5 regions, Association "Dardedze" – capital Riga
MT	Victim Support Malta (VSM).
NL	Victim Support Netherlands (VSN) (<i>Slachtofferhulp Nederland</i> , SHN).
PL	Support Network for Victims of Crimes (consisting of 16 regional support centres); social welfare centres (<i>ośrodki pomocy społecznej</i>), crisis intervention centres (<i>ośrodki interwencji kryzysowej</i>) or the support centres (<i>ośrodki wsparcia</i>), which offer support for people in various crisis situations.
PT	Portuguese Association for Victim Support (<i>Associação Portuguesa de Apoio à Vítima</i> , APAV) - 15 victim support offices located throughout the country.
RO	
SE	The Swedish Association for Victim Support (<i>Brottsofferjouernas Riksförbund</i> , BOJ) is the national umbrella organisation for victim support services with about 100 local victim service centres in Sweden.
SI	
SK	Non-governmental organizations are virtually the only active players in the field of victim support services. <i>Pomoc obetiam násilia</i> is the leading victim support service provider.
UK	Victim Support (England and Wales) Victim Support (Scotland) Victim Support (Northern Ireland)

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

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