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BEST PRACTICES IN VICTIMS' SUPPORT: REFERRALS, INFORMATION, INDIVIDUAL ASSESSMENT (VICToRIIA)

Research and Collection of Best European
Practices

Literature review
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Introduction

To ensure that victims of crime in Italy, Lithuania, Portugal and Romania have access to and are offered tailored victim support services suited to their needs, a literature review mapping practices related to referral systems, individual support needs assessment and the provision of information to victim has been produced.

The literature review is based on existing knowledge of experts and online research relying both on scientific publications and grey literature and focuses primarily on European Union (EU) Member States.

From existing understanding of the concepts of referral, individual assessment and provision of information, criteria have been developed and analysed as representing how a referral system, individual support needs assessment should be conducted and the ideal way in which the police and victim support services should provide information to victims of crime. The criteria will be further developed and presented with current practices in the report on european best practices.

REFERRAL

The right to access victim support services is one of the core rights of the 2012 EU Directive establishing minimum standards on the rights, support and protection of victims of crime (the Victims' Directive¹). Article 8 and 9 ensure the right of victims, and their family members, to access to confidential support services free of charge. This support should be available from the earliest moment possible after the crime was committed and should be made in accordance with the victims' individual needs.

The Victims' Directive further calls on all Member States to 'facilitate' referrals from the police and any other relevant entities to victim support services, to ensure that all victims are given equal access to victim support services. Lack of referrals is the single greatest barrier to victims' ability to access support services in the aftermath of crime². Research on the implementation of the Victims' Directive show that "one of several practical challenges faced in implementing the directive relates to weak links in the victim support system and inconsistent referral mechanisms"³.

1. Definition

The OSCE defines a national referral mechanism for trafficked persons as a "cooperative framework through which state actors fulfil their obligations to protect and promote the human rights of trafficked persons, co-ordinating their efforts in a strategic partnership with civil society"⁴. In the field of victims of crime a referral can therefore be defined as a cooperative framework in which actors ensure victims' rights and needs by referring victims to the support service available. The basic aims of a referral system are to ensure that all victims of crime are respected and that victims are provided with a path and access to the support services they might need on their journey to recovery.

1 Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA.

2 Opinion of the European Economic and Social Committee on the Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions – Strengthening victims' rights in the EU COM(2011)274 final and on the Proposal for a Directive of the European Parliament and of the Council establishing minimum standards on the rights, support and protection of victims of crime COM(2011)275 final – 2011/0129 (COD), section 4.5.5.

3 The Victims' Rights Directive 2012/29/EU, European Implementation Assessment, European Parliamentary Research Service, Dr Amandine Scherrer & Ivana Kiendl Krišto, December 2017, available at: [http://www.europarl.europa.eu/RegData/etudes/STUD/2017/611022/EPRS_STU\(2017\)611022_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2017/611022/EPRS_STU(2017)611022_EN.pdf)

4 National Referral Mechanisms, Joining Efforts to Protect the Rights of Trafficked Persons, A Practical Handbook, OSCE/ODIHR, 2004.

A range of different referral systems have been put in place throughout different legal and support systems. In most cases, the police play the most prominent role in referring victims to support services.

The way victims will be referred to support services by the police will depend on the approach to referral. Current referral schemes usually fall into either an 'opt-in' system. The police give the victims the information about available support services and ask victims whether they want their details to be passed on to a support services.

In a handful of systems, however, another approach has been taken - the 'opt-out' approach to victim support. Victim Support Europe stresses that in the 'opt-out' system victims are referred automatically to access victims support services, who proactively approach victims with offers of support, with the power of the victim to decline the support at any time⁵. This is the case in the Netherlands where victims' contact details will be passed from the police to victim support service unless the victim objects. In other systems, the police only gives information about the support services available. Reaching out to the support service, stating their needs and asking for support is left up to the victims themselves.

In Germany, there is no automatic standardised referral system. The only obligation that lies on police officers is to inform the victim about their rights and the available victim support services in the country. It is then up to the victim to contact Weisser Ring Germany to seek for support⁶.

A research conducted by Victim Support Scotland in 2012 suggests that the vast majority of victims would prefer to proactively receive an offer of support without having to formally request it⁷. The opt-out system seems to have more benefits compared to the opt-in system. The existence of automated national referral mechanisms leads to a largest number of victims accessing support services and receiving the assistance they need. Automatic referrals through the 'opt-out' approach will ensure that all victims are offered the possibility to access support from a professional victim support organisation. The opt-out and opt-in options can be found in the different forms of referrals such as the automatic referral from the police to a victim support organisation or in the referral from a generic victim support service to a more specialist support service.

5 Handbook for implementation of legislation and best practice for victims of crime in Europe, Victim Support Europe, 2013, available at: http://victimsupporteurope.eu/activeapp/wp-content/files_mf/1385974688NewVersion-VSEHandbookforImplementation.pdf.

6 Interview with Weisser Ring Germany.

7 Justice from a victim perspective - Results of research project into punitive attitudes, concept of justice and priorities in the aftermath of crime, Victim Support Scotland, 2012.

1. 1. Different forms of referrals

Research have identified three models of referral that are currently in practice in EU Member States. Referral systems vary in each country, however a good referral system should be designed to formalise cooperation between law enforcement agencies and victim support services dealing with all victims of crime.

1. 1. 1. Self-referral

A self-referral system takes place when victims themselves find the information about a victim support service, make contact with the service and ask for support. This form of referral allows victim to choose their own support provider and leave their contact details in a phone call, on an online form or by sending an email to a victim support service and be contacted by a support worker.

Self-referral is not a part of this study as it does not include the action of a competent authority to refer the victim to a support service.

1. 1. 2. Referral by the police to Victim Support services

The referral by the police to victim support services is the most common form of referral. Usually, when a victim reports a crime, the first contact is the police. Police plays the most prominent role in referring victims to access support services. In a research on police referral to victim support, the authors concluded that in most EU countries the police is held responsible for informing victim about support services in the country⁸.

Studies on the effects of law and the legal system on the behaviour, emotions, and mental health of people, found that the simple fact of providing a leaflet or a brochure with information about victim support services to victims of crime and leaving it up to the victim to contact the service is far from ideal⁹. It is true that this model respects the autonomous decision of the victim to seek or not seek support. However, the European Union Agency for Fundamental (FRA) highlighted that, in this model, victim is being provided with plenty of information usually in the immediate aftermath of their victimisation, when they are most stressed by their

⁸ Police referral to victim support, F. W. Winkel, T. D. Wohlfarth, E. Blaauw, *Crisis the Journal of Crisis Intervention and Suicide Prevention*, May 2004

⁹ Wexler DB, Schopp RF. Therapeutic jurisprudence: A new approach to mental health law. In DK Kagehiro, WS Laufer, (Eds.), *Handbook of psychology and law*, 1992

situation and not fully capable of taking the most informed decision or grasping all the information¹⁰.

In addition, some effects of victimisation only kick-in after a certain period of time has passed and by that time, victims' may feel that it is already too late to seek support, or tend to underestimate the consequences of their victimisation, especially in circumstances of mass victimisation.

For example, many victims of terrorism who have not suffered serious injuries, relativise their victimisation as less important. Comparing themselves to others who suffered death or severe injuries, they start wrongly thinking that their suffering is not worthy of anyone's attention or not a priority and take a long time to seek support. In an opt-out system, however, a support worker would reach out, make sure that such victims understand that their suffering is real and deserve support. In such circumstances their suffering would be validated and victims will be more likely to accept the offer of support and start recovering sooner. A similar description fits also victims of other forms of crime – e.g. victims of attempted sexual assault comparing themselves with victims of rape etc.

An automatic referral system between the police and victim support services, therefore, comes out as a better solution as it provides earlier access to support services for a larger number of victims.

In Northern Ireland, the police do not ask victims whether they want their details to be passed on to a victim support service, the referral is automatic¹¹.

This automatic referral comes with one major concern. Namely, when the police refer a victim to a victim support service and transfer the information about the victim and the case, strong legal safeguards regarding the victim' privacy and personal data must be in place.

There are two different approaches to overcoming this concern. The police may ask the victims for their consent to the transfer of their contact data and some basic information on the offence to a support service. It is then up to the victim support service to contact the victim in due course and offer support.

Exceptionally, there will be situations in which the police are entitled to refer a victim to the support service without their explicit consent (in countries where other lawful bases for processing and sharing victim data are provided for by law, such as a legal obligation, a legitimate interest or a public task).

¹⁰ Victims of crime in the EU: the extent and nature of support for victims, European Union Agency for Fundamental Rights (FRA), 2014.

¹¹ Interview with Victim Support Northern Ireland

This model can be appropriate depending on the seriousness of the crime and victim's circumstances, i.e. mass-victimisation, serious crimes or victims with particular vulnerabilities can be some of the grounds for such referral. In some cases, the police will also refer victims directly to specialised service provider (this often happens for victims of domestic violence or victims of trafficking). In many cases they have memorandum of understanding with the specific institutions and are able to immediately ensure the safety of a victim by offering her a shelter for instance.

In Austria, in the case of restraining order, the police directly refer victims to specialised institution such as Centres for protection against violence¹².

Obviously, police referral to victim support services can only be discussed in the context of victims reporting the crime to the police. However, the EU Victims' Rights Directive guarantees support to all victims, regardless of whether they report the crime or not. Hence, the Directive includes a requirement not only on the police but also on 'other relevant agencies' to refer victims to victim support services. Consequently, all agencies that come into contact with victims as a result of victimisation should refer them to victim support services to limit the impact of crime. This includes hospitals, embassies, consular agencies, schools, social housing other social welfare agencies or any other instances which might become aware of the victimisation and the victim.

1. 1. 3. Referral by generic Victim support service to other support

Usually, the primary referral of victims from the police or other authorities and agencies will be to the generic victim support provider – the one with capacities to support (at least to an extent) all victims of all crimes. It is common that the generic victim support services refer victim to other specialist supports such as a women shelter, social services, a psychologist or a medical professional etc. However, this secondary referral implies an effective individual assessment to determine what support a victim would need and will be discussed further in the section on individual assessment.

In Israel NATAL only provides support to victims of war and terror. Whenever a victim of crime, i.e. a victim of rape, contacts NATAL for support, they would do a 'warm handover' to the NGO which provides support to victims of rape¹³.

2. Importance of referring a victim of crime for further support

Following victimisation, victims need to address a series of adverse physical, psychological and financial consequences. This includes fear, trauma, powerlessness, vulnerability, loss of control, isolation, depression and the realisation of one's mortality¹⁴. Depending on one's personal situation, character or circumstances of the crime, a similar experience may only cause some minor concern for some individuals, while for others it can lead to a traumatic crisis. The person's own personality, history, background or resources will influence the reaction.

Regardless of the adverse consequences, these different situations may be successfully addressed by a specialised advice or expertise offered by professional victim support organisations. According to studies, many victims of crime, their loved ones and the witnesses of crime may benefit from professional help that is outside of their own social network¹⁵. They will need support and answer to various questions and situations. These may be attended by personalised legal advice, court's assistance and advocacy, witness assistance service, emotional support, emergency accommodation or other services¹⁶.

Referrals to victims' support services, enable to see victims in their own context and to adjust the support interventions to the individual's life situation¹⁷. Victim support services are professional services that understand the consequences of a crime on victims, assess individual needs of victims, provide information in comprehensible language, address the victims' needs as required by individual situation (for example, by establishing a personal safety plan) and refer to further specialised services if needed.

13 Interview with NATAL Israel

14 See for example in the context of domestic violence Cerulli C., Poleshuck E., Raimondi C., Veale S. and Chin N. (2012), "What Fresh Hell Is This?" Victims of Intimate Partner Violence Describe Their Experiences of Abuse, Pain, and Depression, *Journal of Family Violence*, Volume 27 (8), pp. 773-781.

15 Ibid.

16 Queensland Government (2017). Domestic and Family Violence. Referral to Specialist Services Model. Available at: https://www.health.qld.gov.au/_data/assets/pdf_file/0021/465132/dv-referral-model.pdf

17 Thurnberg S., Ahonen L. and Degner J. (2015), Crime victims in limbo: the importance of collaboration between the municipal social services and victim support organisations, *Nordic Social Work Research*.

Victim support is fundamental to victims and provides a crucial next level tier of help for people affected by crime or personal trauma. Research from the United States for example indicates that rape survivors who had the assistance of a rape victim advocate had more positive experiences with legal and medical systems than those who did not have an advocate¹⁸.

A good system of referral to relevant victim support services is important for a variety of reasons¹⁹. In this respect, the police as the point of the first contact plays the most significant role. Duty to systematically and automatically refer to victims' support services is an important precondition to ensure equality of access²⁰. Referrals to available and accessible, general or specialised, services enable to limit the impact of a crime on victims.

Goolkasian notes that referrals may prove useful from the perspective of the criminal justice process in the sense that when victim's needs are satisfied they are more willing to provide testimony²¹ and enable the collection of evidence. Early intervention by victim services enhances the victims' safety and increases the likelihood of the victims cooperation²². Referrals may ensure necessary health-care responses to the aftermath of a crime, including vaccinations, prevention and/or treatment of short and long term health problems²³. Referrals may ensure timely responses to the crisis situations. These are important because as experience suggest victims may be best served within the immediate time (four hours) after the incident²⁴. FRA research also suggests that referrals may also minimise administrative burden and the number of actions placed on victims, as the support system should avoid "handing the victim over from on support provider to another, where unnecessary"²⁵. A special category of referrals constitutes emergency referrals which enable immediate access to emergency services for victims of violence and other tragic/traumatic events²⁶.

18 Australian Institute of Criminology (2013). ACT victims of crime referral project final report. Citing Campbell R. (2006), Rape survivors' experiences with the legal and medical systems: Do rape victim advocates make a difference? *Violence Against Women* 12(1), pp. 30–45.

19 Rikosuhripäivystys (2019). Why is it important to refer a victim of crime to further support? Available at: <https://www.riku.fi/en/refer+your+customers+to+riku's+service/why+is+it+important+to+refer+a+victim+of+crime+to+further+support/>.

20 Ibid. See also Day A et al. 2010. Integrated responses to domestic violence: Legally mandated intervention programs for male perpetrators. *Trends & Issues in Crime and Criminal Justice* no. 404. Canberra: Australian Institute of Criminology. Morton M., Bergen A., Crann S., Bader D., Horan M., and Bonham L. (2014). The Guelph-Wellington Sexual Assault and Domestic Violence First Response Protocol evaluation research: Relationships are the foundation.

21 Goolkasian G. (1986), *Confronting domestic violence: a guide for criminal justice agencies*, National Institute of Justice, Research in Brief, US Department of Justice.

22 Ministry of Public Safety and Solicitor General, Policing and Community Safety Branch (2007), *Referral Policy for Victims of Power-Based Crimes: Family Violence, Sexual Assault, and Criminal Harassment*.

23 Sexual Assault Response Team (2018). *National Guidelines on Referral and Forensic Clinical Examination Following Rape and Sexual Assault* (Ireland).

24 Hotchkiss L., Jeffrey N. and Lychek, M. (2018). *Current and promising practices for increasing victims' service use and referrals*. Guelph: Community Engaged Scholarship Institute. Research Shop.

25 European Union Agency for Fundamental Rights (2014). *Victims of crime in the EU: the extent and nature of support for victims*.

26 Hovell F. M., Seid A. G. and Liles S. S. (2006), *Evaluation of a Police and Social Services Domestic Violence Program: Empirical Evidence Needed to Inform Public Health Policies*. *Violence Against Women* Vol 12(2).

Referrals also enable to raise awareness of the types of support available to victims and to encourage the development of partnership working to reduce duplication of services and identify gaps in service delivery²⁷. Referrals enable to deliver a coordinated multi-disciplinary response empowering victims and increase their independence²⁸.

This is because, as noted by the Government of Queensland, Australia, referrals allow continuity of care, victim directed care and transparency which assist in the safe and responsive sharing of information²⁹. Hovell et al also found that referrals within community policing have promoted a collaboration between criminal justice and social service agencies³⁰. If referrals work properly, they may align the goals of the police, the prosecution and victim support services³¹. Referrals function as a system with feedback and communication, as a communication channel for sending and receiving information between the law enforcement and victims' support services³².

As observed by Hotchkiss et al. this may encompass information on investigation thus held the police accountable, so that referrals do not function as mere evasive measures instead of an arrest³³. Referrals may also enable culture shift – strengthening victim-centred approach by inter-agency cooperation and mutual learning. They may therefore encourage good practice in the treatment of victims by all organisations involved in victims' support and protection.

3. Criteria of an effective referral system

A model referral system would have the ultimate aim to refer the victim to the appropriate victim support organisation, whilst minimising any harm to the victim during the process. Extensive desk research allowed to identify the following criteria as the main conditions for a respectful and accurate referral system:

27 Tapley J. and Wedlock E. (2016), Sharing and collaborating – Improving outcomes for victims of crime, British Society of Criminology Conference.

28 Ministry of Public Safety and Solicitor General (2007).

29 Queensland Government (2017). Domestic and Family Violence. Referral to Specialist Services Model.

30 Hovell et al. (2006).

31 Belknap J. and McCall D. K. (1994), Woman Battering and Police Referrals, *Journal of Criminal Justice*, Vol. 22, No. 3, pp. 223-236.

32 Cf. Miller L. S., Hess K. M. and Orthmann C. M. H. (2011), *Community Policing: Partnerships for Problem Solving*, Delmar CENGAGE Learning, p. 180-181.

33 Hotchkiss et al. (2018).

1

All victims of crime are referred

2

The referral is conducted in a timely manner

3

The referral is conducted in a victim-centred approach

4

Privacy and protection of data are respected

5

The referral is conducted through safe channels of communication

3. 1. All victims of crime are referred

Whether they have reported the crime to the police or not, all victims of crime should have the opportunity to be referred to a professional victim support service. It is important to note that referral is not limited to a single group of victims, such as victims of domestic violence or victims of human trafficking. Knowing that each victim will react differently to a crime, each victim will have different needs and each victim will need a different type of support. By referring all victims of crime to victim support services, the police ensure that victim will be well taken care of and reduce re-victimisation.

In England, police will automatically refer all victims, of all crimes, to Victim Support unless the victim asks the police not to³⁴.

3. 2. The referral is conducted in a timely manner

A well-functioning referral mechanism from police to victim support services is crucial to ensure that victims receive timely and appropriate support. It is recognised that victim services, provided in a timely manner, play a critical

34 Interview with Victim Support England and Wales

role in reducing the harmful effects of victimisation and re-victimisation. A study from 2002 has revealed that more than 60% of the victims who developed posttraumatic stress disorder (PTSD) 3 months after reporting to the police did not engage in contacts with victim support services because they were not referred in time³⁵. After identifying the needs of the victims, victims support services can also refer victims to more specialist services such as a hospital, a shelter, social services etc. Referral from a generic support service to a more specialist support will depend on the services that the first service is able to provide.

In Germany, when the police meet the victim where the crime happened, they usually immediately give the information about the victim support services available. The victim can then contact Weisser Ring or another organisation to seek support. The latest point to provide the information to the victim is when they officially report the crime

3.3. The referral is conducted in a victim-centered approach

The referral should always be conducted in a victim-centred manner. The Office for Victims of Crime, one of the component of the Office of Justice Programme of the U.S. Department of Justice, defines a victim-centred approach as a method in which the victim's wishes, safety and well-being take priority in all matters and procedures³⁶. A victim-centred approach is defined as "the systematic focus on the needs and concerns of a victim to ensure the compassionate and sensitive delivery of services in a non-judgmental manner"³⁷.

Such an approach aims at minimising re-victimisation by providing appropriate and tailored support and services and empowering the victim as an engaged participant in the process. It is crucial that police officers who are in contact with victims receive appropriate training on how to deal with victims of crime. The whole process of gathering the information about the victim and the crime should be done in a sensitive and victim-centred manner.

35 Wohlfarth T, Winkel FW, Van den Brink W. Identifying crime victims who are at high risk for posttraumatic stress disorder: Developing a practical referral instrument. Acta Psychiatrica Scandinavica 2002.

36 Victim-Centered Approach, Human Trafficking Task Force e-Guide, Office for Victims of Crime, Training and Technical Assistance Center, available here : <https://www.ovcttac.gov/taskforceguide/eguide/1-understanding-human-trafficking/13-victim-centered-approach/>.

37 Id.

Victim Support Finland is providing training to police officers on how to deal with victims of crime and to explain the importance of referral to victim support services³⁸.

3.4. Privacy and protection of data are respected

When referring a victim to victim support services, the police may be required to share personal data of the victim. Depending on the applicable legislation (the GDPR, processing of personal data by law enforcement agencies³⁹ and national legislation governing victims support services), the consent of the victim to have their information shared with a victim support service may need to be recorded⁴⁰.

In Israel, when NATAL needs to refer a victim to another victim support organisation, they need to record the consent of the victim to pass their details. If victims do not want to receive the documents to sign in their personal email, they have the possibility to open a new account to ensure privacy and safety. If victims do not want or cannot access email, they can go to another NGO which provides support to victims, sign the paper there and this organisation will send NATAL the signed form⁴¹.

3.5. The referral is conducted through safe channels of communication

Moreover, **safe channels of communication** should be adopted to transfer the victim's data from the police to a victim support organisation or from a victim support organisation to another service, such as encrypted emails or special software, to ensure the protection of data.

³⁸ Interview with Victim Support Finland.

³⁹ Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data.

⁴⁰ Requirement from the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

⁴¹ Interview with NATAL

Victim support services is also responsible for collecting and storing the data in a safe and controlled location.

In England and Wales, and in Northern Ireland the police and Victim Support services use Criminal Secure Justice Email technology which encrypts the contents of an email when it is sent.

In conclusion, a referral system should ensure that adequate information about the victim and the circumstances of their victimisation are duly transferred to the support provider, who will then reach out to the victim and offer support in a proactive manner, following up when necessary. This can have multiple benefits: the support provider will be able to identify victims' needs early, victim will be in a position to receive appropriate support sooner, secondary victimisation through requiring the victim to repeat the same basic information numerous times will be prevented. As a result, victim's recovery will take less time and will be more complete.

PROVISION OF INFORMATION

'The two words 'information' and 'communication' are often used interchangeably, but they signify quite different things. Information is giving out; communication is getting through.'
- Sydney J. Harris⁴²

⁴² Sydney J. Harris was a journalist for the Chicago Sun-Times who became popular for his weekday column which he started writing in 1944.

The provision of information is an indispensable first step to ensuring that victims of crimes are aware of their rights and available support services. Simply put, a victim who is not aware of their rights cannot exercise them, as a victim who is not aware of available support services cannot access them. Ensuring that victims are aware of these two elements defines the options available for victims of crime, as well as the likelihood that they will report the crime and receive adequate support in its aftermath.

In order to provide guidance on how to improve the quality of information provision on the rights of victims of crime, as well as the support services available to them, simply providing information without considering the method of communication is futile. The provision of information cannot be examined in a vacuum. Rather, exactly how that information is communicated and understood is essential, as information that is not understood, or inaccessible, fails entirely its objective to inform.

The following literature review will delve into the subject of information provision to victims of crime. Using existing knowledge as a starting point, findings from scientific and grey literature will build upon the present understanding of informing victims of crime, in the aim of providing criteria to identify the best European practices in the provision of information.

The plethora of guidance offered by victim support organisations and human rights institutions will be paired with scientific journals will also be examined, offering an insight into the effect of trauma on the human brain, and how to best provide information to individuals living with PTSD, anxiety disorders, and the many other consequences of trauma.

As such, the identification and collection of European best practices in providing information to victims of crime will examine the particularities of informing victims of crime, and the skills necessary for information providers to effectively communicate with them. Victims and victim services alike relate that reciting a written text or handing out a pamphlet does not equate to effective information understanding. Best European practices in information provision adopt adaptive communication techniques to meet individual factors, achievable by truly understand the effects of victimisation and how this alters the ability to ingest, memorise and comprehend information.

1. Methodology

Victim Support Europe has been working on protecting victims' rights and improving victim services for the last 30 years, and in doing so has extensively explored the subject of information provision to victims of crime.

Based on existing experience on the provision of information, coupled with previously conducted research in the field, it is generally accepted that the most effective way of analysing victims' needs, problems and good practices with respect to information is to approach the subject from the victim's point of view. This victim-centric approach examines the experiences of victimisation, and how this phenomenon can induce difficulties in understanding information in the aftermath of a crime. This in turn leads to the promotion of victim-sensitive information provision.

This method is made possible through analysing various sources of knowledge; notably scientific journals and grey literature, which explore the consequences of trauma on the human brain, as well as various reports and handbooks which offer expert guidance on communicating with victims of crime. Through the collation of these resources, criteria for identifying a best practice in information provision to victims of crime has been identified.

Reviewed literature is sourced through online research, Victim Support Europe's internal library, and material provided from stakeholders and victim support organisations. Direct interviews with professionals working directly with victims of crime, as well as victims themselves, offers an invaluable source of expertise.

Bearing in mind the time restrictions for delivering the current report, the scope of information provision has been limited to information provided from law enforcement agencies to victims, and from victim services to victims. However, it is important to note that all agencies of first contact⁴³ should implement a victim-sensitive approach to providing information. In this light, criteria for the effective provision of information is as applicable to all agencies as it is for members of the police or for victim service professionals.

⁴³ 'agencies of first contact' referring unexclusively to: police stations, hospitals and all medical structures (GP clinics, mental health centres, minor injury services, sexual health clinics, etc.), educational facilities, children's services, social services, court houses, helplines and victim support services.

2. Legal Basis

Providing information to victims about their rights and available sources of support is a non-negligible factor to supporting victims and preventing secondary victimisation, because only victims who are aware of their rights can exercise them, and only victims who are aware of support services can access them.

The importance of communicating information in a victim-oriented and victim-sensitive manner is emphasised in the 2012 Victims' Rights Directive, which establishes a series of rights, support and protection standards for all victims of crime in Europe:

'Information and advice provided by competent authorities, victim support services and restorative justice services should, as far as possible, be given by means of a range of media and in a manner which can be understood by the victim. Such information and advice should be provided in simple and accessible language. It should also be ensured that the victim can be understood during proceedings. In this respect, the victim's knowledge of the language used to provide information, age, maturity, intellectual and emotional capacity, literacy and any mental or physical impairment should be taken into account. Particular account should be taken of difficulties in understanding or communicating which may be due to a disability of some kind, such as hearing or speech impediments.'

- Directive 2012/29/EU of the European parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council framework decision 2001/220/JHA, (21)

This legal basis paves the road for methods of communication which take into consideration the individual factors of each victim, as well as emphasising the necessity for information to be 'understood' rather than simply 'provided'.

3. The importance of effective information provision

Victim support organisations and human rights institutions offer copious amounts of guidance on how best to provide information to victims of crime, through highlighting shortcomings in current practices and recommendation

for improvements. In this literature review, these professional insights are paired with scientific journals which explore the impact of trauma on the human brain. Pairing these two knowledge sources offers a deeper understanding of how victimisation affects information comprehension, whilst providing for further reflection on improving the quality of services for victims across Europe and beyond. Collating this multi-sectorial research, alongside existing knowledge, it is currently postulated that the provision of information systematically fails to be **available, accessible, easy to understand, accurate, repeated, and adapted to meet individual needs.**

3. 1. Available information

Victims across Europe report that they do not receive information about their rights nor about available support services upon first contact with law enforcement agencies, or other agencies of first contact⁴⁴. A lack of information contributes to victims not being sufficiently informed of their rights and the existence of available support services. In some instances, information providers are either not informed themselves, or fail to inform victims upon first contact. In other cases, information is not made available in commonly frequented and pertinent locations such as hospitals, educational facilities, embassies, transport hubs or social services. Furthermore, 'available information' does not always equate to 'accessible information' (detailed in the subsequent point), which renders it effectively unavailable to certain individuals, as the following citation illustrates:

c) information on compensation for victims is not available Under the Victims Rights' Directive information should be provided in different formats - corroborating with scientific studies, victims's testimonies and practical expertise highlighting that information for victims needs to be offered in different forms and a number of locations to actually reach victims⁴⁵. In many Member States information for victims is only available in one format or in very limited number of locations. Some Member States do not have a website dedicated to providing victims with information on compensation. In other countries, the website is dedicated to victims of terrorism. When it comes to cross-border compensation, the information is often not available in other languages other than the official language of the country.

⁴⁴ E.g.: "Strengthening victims' rights: from compensation to reparation", Report of the Special Adviser, J. Milquet, to the President of the European Commission Jean-Claude Juncker, March 2019.

⁴⁵ European Commission - Press release, 2017 EU Citizenship Report: Commission promotes rights, values and democracy, Brussels, 24 January 2017: http://europa.eu/rapid/press-release_IP-17-118_en.htm

“Strengthening victims’ rights: from compensation to reparation”, Report of the Special Adviser, J. Milquet, to the President of the European Commission Jean-Claude Juncker, March 2019.

Another reason why victims may not exercise their rights following a crime is due to the general lack of awareness amongst European citizens of victims’ rights. As Věra Jourová, Commissioner for Justice, Consumers and Gender Equality, remarked:

‘87% of Europeans are aware of their EU citizenship, which is more than ever before, but they are not always aware of the rights that come with EU citizenship.’

Here, the necessity for awareness campaigns and the provision of information in public places is a key component to providing available information.

Lastly, information may only be available at certain times, such as at the stage of reporting the crime. Victims who do not reach victim services after reporting a crime may only hear this vital information once, at a time when they are experiencing high levels of trauma and may not be suitably disposed to receive important information. The necessity to repeat information at different stages over a period of time is fundamental, particularly when informing individuals suffering from the adverse effects of trauma. Point 5 below provides more detail on this matter.

3.2. Accessible information

Article 9 of the United Nations (UN) Convention on the Rights of Persons with Disabilities defines accessibility as:

‘appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas’⁴⁶.

When discussing the provision of information, the term ‘accessible’ can refer to a multitude of important considerations:

⁴⁶ United Nations Convention on the Rights of Persons with Disabilities, 2006

3. 2. 1. Information Accessibility

The ICT4IAL project (ICT for Information Accessibility in Learning)⁴⁷, a multi-disciplinary network of European and international partners, under the European Agency for Special Needs and Inclusive Education, created 'Guidelines for Accessible Information'⁴⁸. These guidelines, accompanied by an explicative website⁴⁹, provide instructions as to how to render information accessible under different formats. The importance of accessible information is explained in the Guideline's introduction:

During this time of technical innovation, every person can potentially become an author of information that is used for learning, but not everyone needs to be an expert in making information accessible.

However, it is important for everyone to be aware that information may not be accessible to different users depending on the way it is presented.

Currently the World Health Organization (WHO) states:

- Over a billion people, about 15% of the world's population, have some form of disability.*
- Between 110 million and 190 million adults have significant difficulties in functioning.*
- Rates of disability are increasing due to population ageing and increases in chronic health conditions, among other causes (WHO, 2014).*

Some 15% of the world's population cannot access information, unless it is made accessible.

Guidelines for Accessible Information, p6.

⁴⁷ The Guidelines for Accessible Information is an open source collection of instructions and resources on how to create accessible materials with text, image, audio and video, which can be applied to all types of information produced.' - <https://www.ict4ial.eu/>, accessed: 14.04.19

⁴⁸ Guidelines for Accessible Information, ICT For Information Accessibility In Learning (ICT4IAL), European Agency for Special Needs and Inclusive Education, 2015. English version: https://www.ict4ial.eu/sites/default/files/Guidelines%20for%20Accessible%20Information_EN.docx Accessed: 14.04.19

⁴⁹ <https://www.ict4ial.eu/>, op. cit.

Within the *Guidelines*, the different types of information analysed are text, image, audio and video. These formats of information can be shared or delivered through different media channels, such as electronic documents, online resources, videos and printed material.

When discussing **text accessibility**, the two major considerations are **navigability** and **structure**. According to ICT4IAL, in order to make text accessible to all users, text must be easy to navigate. Online, as in hard copy, the content of the text must be clearly outlined, such as through a content's page. A well structured text is the best way to achieve navigability. Text structure is essential to render information accessible, as a well structured document can be easily converted to assistive technologies or other formats preferred by the user. For example, a well-structured text transfers most efficiently to technologies such as speech recognition or Braille computer displays⁵⁰.

There are many methods to render **image-based information** accessible. As a starting point, the use of **alternative text** offers a written explication to an image, much like a descriptive caption, describing what the image is. Alternative text allows read-aloud technologies to include important pieces of key information from a website, which would otherwise be ignored. Alternative text can also be used to enable users who have difficulties reading human emotions to decipher images of people and personal situations.

The **colour** of the image is another important factor. When creating image-based information, the use of red, green, yellow and lighter greys can be problematic for certain users, as can information which relies on colour alone to convey a message. Similarly, **sufficient contrast** is necessary for users to be able to differentiate between different colours, as well as between text and background colours or images.

Online images must also be capable of being enlarged whilst keeping its quality, and this **scalability** is an important feature which should function on all devices and content tools the user may use.

In 2014, the World Health Organisation estimated there are 285 million people worldwide who, due to visual disabilities, have difficulties reading online content. 39 million of those people are blind and cannot access visual online content⁵¹.

For many of these individuals, access to **audio-based information** is essential. To make audio information accessible, it should be coupled with another type of information format, such as written text. Online content which already uses audio, such as video information, should have an audio-only substitute.

50 As an example of a Braille display tool: http://humanware.com/en-europe/products/blindness/braille_displays

51 Global data on visual impairment, WHO, 2014

Video-based information is an **inclusive format** for providing information to a broad spectrum of users, as it can be accessed by those who cannot access audio information (through the use of closed caption), as well as users who require an audio description of what can be seen. Additionally, video-based information permits for the use of subtitles for multi-lingual accessibility.

Text accessibility	- Navigability - Structure
Image accessibility	- Alternative text - Use of colour - Sufficient contrast
Audio accessibility	- Combined with another type of information - Audio-only / video-only
Video accessibility	- Inclusive information - Subtitles

ICT4IAL guidelines, in résumé

3. 2. 2. Socio-economical, political and geographical accessibility

In 2015, the European Commission - DG Justice commissioned the *Study on the socio-economic impact of new measures to improve accessibility of goods and services for people with disabilities*⁵².

This study aimed at *'exploring the merits of adopting EU regulatory measures to substantially improve the proper functioning of the Internal Market for accessible goods and services, including measures to step up the use of public procurement'*.

The study argues that a failure to improve accessibility in certain areas, including in the provision of information, hinders disabled people's economic, social and political participation in society. Specifically on the subject of information, the study set out the following three recommendations for future action:

⁵² Available online, with supporting documents, accessible via: <https://ec.europa.eu/social/main.jsp?catId=1202&langId=en&moreDocuments=yes> Accessed: 14.04.19

1. Promote other appropriate forms of assistance and support to persons with disabilities to ensure their access to information;
2. Promote access for persons with disabilities to new information and communications technologies and systems, including the Internet;
3. Promote the design, development, production and distribution of accessible information and communications technologies and systems at an early stage, so that these technologies and systems become accessible at minimum cost.

The following section 4. *Simple and easy to understand*, discusses how the linguistic and technical complexity of information can render it inaccessible when recourse to a lawyer is not financially viable. In this case, the **economic** status of a victim can decide whether information is accessible:

Legal aid can amount to the provision of basic legal information on proceedings or a service, and offers the possibility of tailored legal advice, even capable of providing for individual assistance, or it could include the provision of a legal representative for free. According to the EU Fundamental Rights Agency report on victim support in the EU, only 7 Member States offer free legal advice to all victims, with a further 19 Member States limiting it to certain groups, and 19 more adopting additional eligibility criteria⁵³. The UK does not provide any free legal advice. It should also be noted that some countries apply both limitations⁵⁴.

The **geographical presence of information**, when not online, can also render it inaccessible, and is an important consideration when examining best practices in information provision to *all* victims in a given country. As European victims of crime are generally not aware of their rights⁵⁵, they may only be informed of them - as well as the existence of victim services - upon reporting the crime at a police station, symbolising their first contact with an appropriate authority.

Geographical factors which contribute to an inaccessibility of information may arise when, for example, victims in remote, rural areas do not have access to a local police station. In the same view, where victim services are found only in the capital, or major, cities, the information and support they offer is inaccessible to victims in remote locations without realistic means of transport.

53 Victims of crime in the EU: the extent and nature of support for victims, 2014: <https://fra.europa.eu/en/publication/2014/victims-crime-eu-extent-and-nature-support-victims>

54 Ibid

55 European Commission - Press release, 2017, Op. Cit.

Social-political obstacles may also deter certain marginalised groups from reporting a crime, thus missing out on accessing information concerning their rights and victim services⁵⁶. For example, in Australia, remote indigenous communities which are socially, and to much extent – politically, marginalised, are less likely to report a crime than any other community⁵⁷. The European Union Agency for Fundamental Rights prove that the same findings are applicable to Roma communities across Europe⁵⁸.

Many studies in recent years have illustrated the lack of access to the rights and services of undocumented migrant victims of crime.

Undocumented migrants are unlikely to report a crime⁵⁹ due to the fear of deportation⁶⁰ and police violence⁶¹, a plight they face across Europe during their journey.

A study into **ethnic factors** influencing rates of reporting violence in the UK in 2012 showed that black and minority ethnic victims are less likely than other groups to report a crime because of language difficulties or past negative experiences with the police⁶².

There exists an indefinite number of **individual challenges**, which prevent or hinder victims from reporting, effectively acting as a barrier to accessing information. According to a 2017 study by Women’s Aid, victims with disabilities are less likely to report physical or psychological abuse perpetrated by their carer because of the personal dependence for every day assistance⁶³.

Similarly, many prominent studies have demonstrated how victims of domestic violence and intimate-partner abuse are often prevented from reporting by the control held over them by the perpetrator, who aims to isolate the victim, removing their autonomy as well as their access to sources of information and support⁶⁴.

56 E.g. Underreporting Of Rape In Minority Communities, PAVE. Available online at <https://www.shatteringthesilence.org/latest-news/underreporting-of-rape-in-minority-communities/>

57 Non-disclosure of violence in Australian Indigenous communities, Matthew Willis, 01.2011. <https://aic.gov.au/publications/tandi/tandi405>

58 EU-MIDIS European Union Minorities and Discrimination Survey, Data in Focus Report | The Roma, 2009

59 PICUM, Do you think someone who is a victim of a crime or abuse should be able to access justice? Available: <https://picum.org/focus-area/justice/>

60 Dart, Tom, Fearing deportation, undocumented immigrants wary of reporting crimes, The Guardian, 23 March 2013.

61 Médecins du Monde Belgique, Violences policières envers les migrants et les réfugiés en transit en Belgique, October 2018

62 Thiara, R.K. and Roy, S. (2012) Vital Statistics 2 Key Findings Report on Black, Asian, Minority Ethnic and Refugee women and children facing violence and abuse. London: Imkaan

63 Women’s Aid (2018) Survival and Beyond: The Domestic Abuse Report 2017. Bristol: Women’s Aid.

64 Schechter, S. (1982) Women and male violence: the visions and struggles of the battered women’s movement. Cambridge, MA, USA: South End Press; Stark, E. (2007) Coercive control. How Men Entrap Women in Personal Life. U.S.A: Oxford University Press; Kelly, L., Sharp, N. and Klein, R. (2014) Finding the Costs of Freedom How women and children rebuild their lives after domestic violence. London: Child and Woman Abuse Studies Unit and Solace Women’s Aid; Myhill, A. and Hohl, K. (November 2016) “The “Golden Thread”: Coercive Control and Risk Assessment for Domes-

Likewise, researchers at The University of Leeds discovered under-reporting amongst victims with physical and/or mental disabilities, due to inaccessibility of police services and the absence, or unsatisfactory standard, of adapted communication tools and support⁶⁵.

Linguistically speaking, information that is only available in the country's national language(s), is available but not accessible to victims who do not understand that **language**.

Socio-economical, political, geographical and individual challenges to the provision of information demand structural changes, which reach far beyond the aim of providing a criteria for, and examples of, best practices for the provision of information. However, it is important that information providers are aware of their existence, so that law enforcement agencies and victim services can design innovative ways of making communication channels accessible to all victims of crime, independent of their situation. Outreach victim support projects, free and anonymous phone lines, and reporting firewalls at police stations are all examples of initiative projects which seek to inform the most vulnerable and marginalised victims are all explored, amongst many others, in the next chapter on Best Practices.

3.3. Simple and easy to understand information

In research conducted as part of Victim Support Europe's contribution to the EU Special Advisor's 2019 report on *'how to improve access to compensation for victims of crime'*⁶⁶, stakeholders, victim support service professionals and victims alike testified to the complex and incomprehensible nature of information concerning their rights. The above citation from a national expert on compensation for victims of crime highlights how even professionals face difficulties understanding the legal framework attached to victims' rights.

'We have the problem that the law is really complicated, they [victims] receive information that is too difficult to understand. Too much information, information that is not transparent at all. These are problems that we already have. [...] Even for us, it is hard to understand. Especially for victims and small organisations.' Interview with national compensation authority, conducted by VSE, November 2018.

tic Violence', Journal of Interpersonal Violence.

⁶⁵ Woodin, S., Shah, S. and Tsitsou, L. (2014) Access to specialised victim support services for women with disabilities who have experienced violence. Published online: University of Leeds.

⁶⁶ "Strengthening victims' rights: from compensation to reparation", Report of the Special Adviser, J. Milquet, to the President of the European Commission Jean-Claude Juncker, March 2019.

The unfavourable relationship between information digestion and post-traumatic stress disorder has been widely commented on⁶⁷, which emphasises the need for victims (who are often highly traumatised immediately after the crime) to have access to **simple and easy to understand information**.

Article 3.2 of the Victims' Rights Directive stipulates that:

'Member States shall ensure that communications with victims are given in simple and accessible language, orally or in writing. Such communications shall take into account the personal characteristics of the victim including any disability which may affect the ability to understand or to be understood.'

'Simple and accessible information' refers to the need to have clear and easy-to-understand guidance which can be understood by all readers, despite any individual difficulties. Efforts to simplify information successfully include the Dutch practice, championed by the organisation Slachtofferhulp Nederland⁶⁸, wherein all information concerning victims' rights and services is provided at B1 level⁶⁹:

We aim to offer all communication in a way that all victims can understand it, and to do so we need to bring it to a B1 level – and that is exactly what you see on the websites for victims.'

- Interview with Victim Support Netherlands

67 Samuelson KW. Post-traumatic stress disorder and declarative memory functioning: a review. *Dialogues Clin Neurosci.* 2011;13(3):346-51; Andrews, B., Brewin, C. R., Rose, S., & Kirk, M. (2000). Predicting PTSD symptoms in victims of violent crime: The role of shame, anger, and childhood abuse. *Journal of Abnormal Psychology*, 109(1), 69-73.; Bisson, J. I., & Shepherd, J. P. (1995). Psychological reactions of victims of violent crime. *British Journal of Psychiatry*, 167, 718-720.; Dunmore, E., Clark, D. M., & Ehlers, A. (2001). A prospective investigation of the role of cognitive factors in persistent Posttraumatic Stress Disorder (PTSD) after physical or sexual assault. *Behaviour Research and Therapy*, 39, 1063-1084.

68 <http://www.slachtofferhulp.nl>

69 The Common European Framework of Reference for Languages defines B1 as: The ability to express oneself in a limited way in familiar situations and to deal in a general way with nonroutine information. Example: CAN ask to open an account at a bank, provided that the procedure is straightforward.

3.4. Accurate information

Research previously conducted by Victim Support Europe illustrates that information is sometimes **inaccurate or contradictory** with other sources of information. This can be caused by information not **being updated**, or being **misunderstood by professionals** working directly with victims. As one national stakeholder informed VSE during an interview, information provided within the same service may differ depending on the varying degree of comprehension within the team of support workers.

Official sources are often **contradictory**, with issues being found at both a national and European level (in particular discrepancies being identified in information provided on the E-Justice portal and information provided by national victim organisations).

Ensuring that information is accurate demands internal monitoring and verification procedures. Offering an example of this practice, Victim Support Northern Ireland schedules regular policy reviews and website reviews of their online and printed information, as well as disseminating an annual report on changes in victims' rights and services to their professional partners and wider networks of victim services.

3.5. Information which is repeated at different stages

Due to the effects of trauma, victims may have challenges understanding and retaining information. This is why information providers should strive to repeat information at different stages throughout the course of their communication with the victim.

Scientific studies demonstrate the neurological, structural manifestation of disassociation, a common symptom of PTSD:

'Trauma researchers looked inside the brains of people who have suffered emotional trauma. The first scan was while they remembered neutral events in their lives. The second scan was taken as they were exposed to scripted versions of their traumatic memories. During the scanning, the images actually showed dissociation happen in the brains of these PTSD patients. When they remembered a traumatic event, the left frontal cortex shut down, particularly Broca's area (the centre for speech) [...] This suggests that when people relive their traumatic experiences, the frontal lobes become impaired and, as a result, they have trouble thinking and speaking.' - How Trauma Impacts the Brain, Theresa Burke, Ph.D.

Dissociation can prevent the victim from having clear thoughts about the crime, in turn affecting their ability to process information concerning their rights as a victim, or support following their experience. As victimisation can induce a fluctuant state of mental health, it is important to repeat information at different stages as the victim becomes more perceptive to the message and communication techniques used. Moreover, victims may experience memory loss in the immediate aftermath of a crime, which once more promotes the necessity of repeated information over a certain period of time.

3. 6. Information which meets individual needs

*'Having suffered a crime, victims are particularly vulnerable; therefore, during this vulnerable period, officers perform a difficult and responsible role – they can relieve the traumatic experience or considerably intensify it.'*⁷⁰

Using a victim-centric approach to the provision of information, information may be tailored in a victim-sensitive manner, tailored to meet individual needs. For example, best practices which meet the needs of disabled victims exist in the domain of information provision, as does examples of information tailored to children. Meeting the individual needs of all victims of crime is not an easy feat, as they can be varied, specific and difficult to predict. However, one defining feature is a common consequence of victimisation, and often overlooked when creating victims' information: **trauma**.

WHAT IS SECOND VICTIMISATION?

'Secondary victimisation refers to behaviours and attitudes of social service providers that are "victim-blaming" and insensitive, and which traumatise victims of violence who are being served by these agencies. Institutional practices and values that place the needs of the organization above the needs of clients or patients are implicated in the problem. When providers subjugate the needs and psychological boundaries of rape victims to agencies' needs, victims feel violated.' Secondary Victimization of Rape Victims: Insights from Mental Health Professionals Who Treat Survivors of Violence, R. Campbell and S. Raja, University of Illinois at Chicago. Published: Violence and Victims, V. 14 (3), 1999.

Crime victims suffer tremendous amounts of trauma, regardless of the type of crime they endured. The effects of trauma can be devastating, touching every aspect of the victims' life. Physical and psychological trauma are direct results of criminal victimisation, but whilst physical injuries may heal over time, victims often carry the burden of psychological trauma with them for many years, if not for a lifetime. The Crime Victim's Book echoes the testimonies of victims, that those who do not receive the appropriate support in the aftermath of a crime, or those who are not treated in a victim-sensitive manner, are more likely suffer from **secondary victimisation**⁷¹, furthering the effects of trauma. In order to provide victim-sensitive and victim-oriented information, information providers must have a thorough understanding of how trauma affects victims, and how it in turn effects their ability to process, understand and retain information.

Victim support professionals testify that victimisation, whether direct or indirect, induces certain psychological consequences, such as feelings of depression, anxiety, fear, shame, guilt, and anger⁷². Additionally, victims may express difficulties concentrating, sleeping, working, caring for loved ones and sharing their experience with others. However, the neurobiological processes underlying these psychological manifestations remain poorly understood. Many reputable studies demonstrate the negative impact trauma can cause to neurobiological functioning, and go as far as suggesting that victims of trauma may experience structural abnormalities to their brains, which can affect their ability to process information concerning the crime, or to remember information.

The most significant neurological impact of trauma is seen in the hippocampus where PTSD patients show a considerable reduction in the volume of the hippocampus. This region of the brain is responsible for memory functions. It also plays an important role in encoding new information, processing past experiences, feelings, thought and controls our emotional responses by transforming sensory stimuli into emotional and hormonal signals, then refers this information to other parts that control behaviour⁷³. Where this neurological ability has been underdeveloped, challenges in understanding information arise.

71 The Crime Victim's Book. Bard, Morton and Dawn Sangrey. (1986). Secaucus, NJ: Citadel Press.

72 Victim of the System, The experiences, interests and rights of victims of crime in the criminal justice process, P.Rossetti, A. Mayes, A. Moroz, April 2017, Victim Support UK

73 Alterations in brain structure and function associated with post-traumatic stress disorder, Bremner JD., Seminars in Clinical Neuropsychiatry, 1999 Oct;4(4):249-55.

Many neurobiological researchers concur that PTSD can have a dramatic effect on a victim's ability to process information⁷⁴. According to prominent studies in the field, victims suffering from PTSD may find it difficult to organise information, they may lack concentration and focus, and will be more likely to have memory problems⁷⁵.

Through understanding the neurobiological consequences of trauma, a victim-sensitive approach may be appropriately implemented. NATAL, an Israeli NGO which specialises in offering information and support to victims of trauma (i.e. war and conflict), offer best practices in this field which will be developed upon in the upcoming chapter.

4. Criteria for identifying best practices on information provision

1

Information exists and is available in agencies of first contact

2

Information is accessible to all victims of crime

3

Information is simple and easy to understand

4

Information is accurate

5

Information is repeated to victims over time

6

Information is repeated to victims over time

74 Association of a History of Child Abuse With Impaired Myelination in the Anterior Cingulate Cortex: Convergent Epigenetic, Transcriptional, and Morphological Evidence, Pierre-Eric Lutz, M.D., Ph.D., Arnaud Tanti, Ph.D., Alicja Gasecka, Ph.D., Sarah Barnett-Burns, B.Sc., John J. Kim, B.Sc., Yi Zhou, B.Sc., Gang G. Chen, Ph.D., Marina Wakid, B.Sc., Meghan Shaw, B.Sc., Daniel Almeida, B.Sc., Marc-Aurele Chay, B.Sc., Jennie Yang, M.Sc., Vanessa Larivière, D.C.S., Marie-Noël M'Boutchou, M.Sc., Léon C. van Kempen, Ph.D., Volodymyr Yerko, Ph.D., Josée Prud'homme, B.Sc., Maria Antonietta Davoli, M.Sc., Kathryn Vaillancourt, B.Sc., Jean-François Thérout, M.Sc., Alexandre Bramoullé, M.Sc., Tie-Yuan Zhang, Ph.D., Michael J. Meaney, Ph.D., Carl Ernst, Ph.D., Daniel Côté, Ph.D., Naguib Mechawar, Ph.D., Gustavo Turecki, M.D., Ph.D., *The American Journal of Psychiatry*, 28th July 2017; Traumatic stress: effects on the brain, J. Douglas Bremner MD, *Dialogues Clin Neurosci*. 2006 Dec; 8(4): 445–461.; Cortisol levels during human aging predict hippocampal atrophy and memory deficits., Lupien SJ, de Leon M, de Santi S, Convit A, Tarshish C, Nair NP, Thakur M, McEwen BS, Hauger RL, Meaney MJ., *Nature Neuroscience* 1998 May;1(1):69-73.; How Trauma Impacts the Brain, Talking points from seminar for Rachel's Vineyard Ministries, Theresa Burke, Ph.D., Available online via: <http://www.rachelsvineyard.org/downloads/canada%20conference%2008/textofbrainpp.pdf>; Neural correlates of declarative memory for emotionally valenced words in women with posttraumatic stress disorder related to early childhood sexual abuse. Bremner JD, Vythilingam M, Vermetten E, Southwick SM, McGlashan T, Staib LH, Soufer R, Charney DS., *Biological Psychiatry*. 2003 May 15;53(10):879-89.

75 The psychobiology of PTSD: coping with trauma., Olf M¹, Langeland W, Gersons BP. *Psychoneuroendocrinology*. 2005 Nov;30(10):974-82.

4. 1. How to make information available

When discerning if information is sufficiently available, criteria for identifying best practices in this respect will focus on:

- Does information exist on official sources of information? Do national victim support services offer detailed information on victims' rights in person and online?

- The training of agencies of first contact (i.e. police) in the provision of information to victims of crime, in a victim-sensitive and respectful manner.

- The existence of information in public spaces, and institutions which are frequently visited by crime victims, such as hospitals, embassies, tourist information, etc.

- Awareness campaigns: Promoting the rights of victims of crime through awareness raising is essential to ensuring that victims of crime do not feel abandoned and unknowingly left to deal with the aftermath of crime alone. Awareness raising is already a priority at a European and international level. For example, the government of Canada promotes awareness raising of victims' rights and services through an annual 'Victims and Survivors of Crime Week'⁷⁶. Closer to home, the 22nd of February each year marks the European Day for Victims of Crime⁷⁷.

4. 2. How to deliver accessible information

Criteria for identifying best practices in accessible information will seek to identify whether:

- Information is available in multiple languages

- Information is available in multi-formats (text, audio, image, video)

- Each format of information is aligned to accessibility considerations as described in the ICT4IA Guidelines.

⁷⁶ 'Victims and Survivors of Crime Week is an annual outreach initiative of the Justice Canada Policy Centre for Victim Issues. The goal of Victims and Survivors of Crime Week is to raise awareness about the issues facing victims and survivors of crime and about the services, assistance and laws in place to help victims, survivors and their families. Victims and Survivors of Crime Week is also a time to acknowledge the work of service providers and their dedication to assisting victims and survivors of crime and their families.' Citation source and additional information: <https://www.victimsworld.gc.ca/fund-fond/apply-demande/instruc.html>

⁷⁷ For more information, visit Victim Support Europe's website for the 2018 event: <https://victimsupport.eu/news/european-day-victims-crime-22-february-2018/>

- Access to legal aid, which deciphers overly technical legal information, is accessible regardless of the individual victims' financial situation.

- Information concerning victims' rights and victim services are not geographically limited to metropolitan areas, but accessible also to remote, rural and marginalised communities.

- Projects and initiatives encouraging the reporting of crime, such as alternative reporting methods (text / online / phone), outreach community policing, or 3rd-party reporting.

- Information takes into consideration individual factors, and can be adapted to meet the intellectual needs of different victim groups, such as children or victims with disabilities.

4. 3. How to provide simple and easy to understand information

For information to be effective, it must be understood. Best practices around simple and easy-to-understand information will examine if:

- Information concerning victims' rights should be made available in a simple and easy-to-understand format.

- Technical language is simplified and understandable to individuals with no prior legal knowledge.

- The use of multi-format information can render it more easily understood.

4. 4. How to ensure information is accurate

Criteria establishing best practices for the provision of information will seek to identify the existence of:

- Monitoring mechanisms which verify information given to victims on a regular basis.

- Rectification process for inaccurate online and printed content.

- Functional professional networks which self-inform on changes to victims' rights and victim services.

4. 5. How to guarantee that information is repeated at different stages

Through understanding the adverse effects of victimisation, the need to repeat information multiple times during a period of time is essential to ensuring that information is understood, and that victims can effectively access the support they need. Criteria for identifying best practices which guarantee repetitive information provision include:

- Monitoring mechanism to record when information has been provided, and under which format.
- Information should be provided using multi-format communication tools
- Ongoing support should be offered
- Support should not be limited in time, and should be available immediately and years after the crime – whenever the victim is most comfortable addressing their experience and consequent support needs.
- Training of information providers to take into consideration the cognitive difficulties associated with PTSD and other forms of trauma, and how best to adapt communication techniques respectively.

4. 6. How to practice information provision which takes into consideration individual needs?

The criteria for identifying whether information takes into consideration individual needs will analyse whether:

- Victim-oriented and victim-sensitive communication techniques are utilised.
- Information providers are knowledgeable about the effects of traumatisation and how this influences the comprehension and memory of information.
- Communication tools and techniques are adaptable to meet individual needs.

By following the afore-mentioned criteria, the identification of best practices is based on multi-sectorial research sources, stemming from scientific journals

to the words of victims themselves. This holistic approach allows for the identification of Best Practices, which adopt a comprehensive approach to providing victims with individually tailored, sensitive and victim-oriented information.

The following chapter will present select practices from European victim support organisations, national authorities, and international practices from police agencies and trauma centres. Attention will be paid to the degree of 'transferability' of best practices, taking into consideration the financial, technological, logistical and human resources necessary to transfer best practices across borders.

INDIVIDUAL SUPPORT NEEDS ASSESSMENT

The Victims' Directive does not mention individual support needs assessment but refers in its article 22 to a "timely and individual assessment, in accordance with national procedures, to identify specific protection needs and to determine whether and to what extent they would benefit from special measures in the course of the criminal proceedings". This assessment only focuses on protection needs to protect victims of violence and harassment. National authorities often grant them specific measures which help prevent further aggression, re-victimisation or re-assault by the offender. This assessment is usually conducted by the police or the prosecution office.

Victims' needs may vary from one victim to another, however the European Commission agrees that the needs of victims can be grouped into 5 broad categories⁷⁸:

- Respectful treatment and recognition as victims;
- Protection from intimidation, retaliation and further harm by the accused or suspected and from harm during criminal investigations and court proceedings;

⁷⁸ European Commission, Victim's Rights, https://ec.europa.eu/info/policies/justice-and-fundamental-rights/criminal-justice/victims-rights_en

- Support, including immediate assistance following a crime, longer-term physical and psychological assistance and practical assistance;
- Access to justice to ensure that victims are aware of their rights and understand them, and are able to participate in proceedings;
- Compensation and restoration, whether through financial damages paid by the State or by the offender or through mediation or other form of restorative justice.

From this perspective, individual needs assessments conducted by prosecutors and the police in accordance with the Victims' Directive have only a limited reach; they are used only in the context of the prevention of re-offending and further aggression against victims, as one of the priorities of the Directive is to prevent secondary and repeat victimisation⁷⁹. This limitation is also underlined by the fact that not all victims report crime⁸⁰.

This early assessment of support needs is necessary as it is important to respond to specific needs of each victim as early as possible, which cannot be done without an individual approach. Researchers found that the need for emotional support and a single point of contact to be the most common needs of victims of all types of crime⁸¹. However, there are many other needs that will need to be provided for and responded to, depending on the victim's personal situation. A research conducted by the Dutch Ministry of Security and Justice and Leiden University highlights that victims of crime express a range of needs: emotional, psychological, information, about the criminal proceedings, practical and financial⁸², indicating that victim's needs is a complex area that needs to be properly addressed.

As every individual is different, every victim will react differently to a crime. While some victims may require substantial emotional support after the crime, others may only desire assistance applying for criminal injuries compensation. When looking at international evidence on what works to support victims of crime in their journey through the criminal justice system, Elaine Wedlock and Jacki Tapley have emphasised that victims' personal characteristics, experiences and social interactions "impact on victims' abilities to cope with victimisation, depending on their vulnerability and resilience, which in turn influences the type of support required"⁸³.

79 Klip A. (2015), On Victim's Rights and its Impact on the Rights of the Accused, *European Journal of Crime, Criminal Law and Criminal Justice* 23, p. 183.

80 Dunn P. (2007), Matching service delivery to need. In Walklate, S. (ed.), *Handbook of victims and victimology*. Cullompton: Willan Publishing. Chapter 10.

81 Button, M., Lewis, C., & Tapley, J. (2009). A better deal for fraud victims: Research into victims' needs experiences.

82 ten Boom, A., & Kuijpers, K. F. (2012). Victims' needs as basic human needs. *International Review of Victimology*, 18(2), pp. 155-179.

83 Elaine Wedlock and Jacki Tapley (2016) *What Works in Supporting Victims of Crime: A Rapid Evidence Assessment* (Victims' Commissioner and University of Portsmouth).

1. Definition

An individual needs assessment helps to establish the extent and nature of a victim's needs. Needs assessment is a strategic process aiming at identifying the needs of victims and the services available to meet those needs. Analysing health needs assessment, Judith Hooper defines needs assessment as the process of measuring the extent and the nature of the needs of a particular target population so that services can respond to them⁸⁴.

To ensure that the service offered to victims will meet their individual needs, victim support services should conduct an individual support needs assessment. Individual support needs assessments are used to determine and identify the victim support needs. Contrary to a risk assessment or a protection needs assessment the individual support needs assessment reflects the basic needs of victim after a crime.

It is recognised that victims' needs may also vary depending on the nature of the crime. As a consequence, victims' needs are variable. Research done by Victim Support Scotland reflects that while some victims of serious crime are able to move on with their life unaffected, victims of less serious crime may be very impacted by the event⁸⁵. Different factors will determine the impact of the crime on the victim, including factors such as personality, age, relationship with the offender, previous experience of victimisation, social background, seriousness of the crime etc.

Victims' needs also change over time. In a study on the experiences, concerns and needs of crime victims and witnesses, Stuebing argues that the most urgent needs in the aftermath of a crime are commonly emotional support or emergency repairs to secure the home⁸⁶. Bazemore, who looked into the long-term needs of victims, found that some needs such as the wish to be heard in the legal proceedings arise later, as the case proceeds⁸⁷.

In assessing the implementation of the Victims' Rights Directive in the different EU Member States, the European Parliamentary Research Service has found that the ways in which individual assessments are conducted vary greatly across the Member States⁸⁸.

84 Hooper J (1999) Health needs assessment: helping change happen. *Community Practitioner*, 72(9), 286-288

85 Case study regarding the setting up of a victim support service, *Experiences from Victim Support Scotland*, 2012

86 Stuebing, W. K., *Victims and witnesses: Experience, Needs and Community-Criminal Justice Response*. Ottawa: Department of Justice, 1984

87 Bazemore, G. (1999). Crime victims, restorative justice and the juvenile court: Exploring victim needs and involvement in the response to youth crime. *International Review of Victimology*, 6, 295-320.

88 The Victims' Rights Directive 2012/29/EU, *European Implementation Assessment*, December 2017.

There is no common model of assessment and many different forms are used: through helpline where the first contact is done, during a face to face interview with a designed questionnaire, or during a more flexible conversation where the victim is encouraged to talk without asking too many questions. The primary significance of individual needs assessment is to show respect and recognition of victims and their needs⁸⁹.

2. Importance of conducting an individual support needs assessment

Many modern systems and approaches to support for victims are centred around needs of victims. The policy vision in many countries has been to build the criminal justice system around victims, i.e. to revolve the criminal justice processes and decision-making around the victims' needs and interests⁹⁰. This presupposes a correct identification and assessment of victims' needs. The UK Ministry of Justice in its Research Series suggests that an effective assessment is "critical to meeting the needs of crime victims, and service providers used a range of tools in order to assess the needs of victims"⁹¹.

Needs of the victims are inextricably linked to the impact of the crime on the victims' lives⁹². The state-of-the-art literature therefore emphasises the individualisation of the experience as a matter of the impact of crime on victims⁹³. Although, the significance of individual support needs assessment varies depending on the stage of the victim's journey and by whom it is conducted (victim's services, police or the prosecution), its common purpose is to capture the individual experience of a victim and formulate a suitable response to it by a victim support organisation. In this sense, individual support needs assessment plays a special role in respect to victims of crime that need specific attention, including people with disabilities, elderly and children.

89 INVICTM (2018). Supporting Victims of Terrorism. Report of the INVICTM Symposium in Stockholm.

90 See for example Hall M. (2009), *Victims of Crime: Policy and Practice in Criminal Justice*, Willan Publishing, 1, citing Queen's Speech of 15 November 2009.

91 See Ministry of Justice (2012). Callanan M., Brown A., Turley C., Kenny T. and Roberts J., *Evidence and Practice Review of support for victims and outcome measurement*. Research Series 19/12.

92 Part Three in Victorian Law Reform Commission, *Review of the Victims of Crime Assistance Act 1996*, Supplementary Consultation Paper (2017) 176.

93 Segrave M. and Powell R. (2015), *Victimisation, Citizenship and Gender: Interrogating State Responses*, IN Wilson D. and Ross S. (eds.), *Crime, Victims and Policy. International Contexts, Local Experiences*, Springer. See also Erez E. and Sebba L. (1999), *From Individualisation of Offender to Individualisation of the Victim*, in Adler F. and Laufer W. (eds), *Advances in Criminological Theory*, pp. 171-198.

Because many needs will emerge and be defined throughout the victim's journey, individual support needs assessments are also used to make effective referrals to specialised support services⁹⁴. On the basis of an individual needs assessment, agencies and institutions may work together – find synergies on how best to address what a victim needs and identify who among them is best placed to provide the suitable services. The individual support needs assessment has the capacity to help to tailor the responses to the victims' needs, including better tailored information provision.

An effective individual support needs assessment therefore allows to find the match between the need and the support available⁹⁵. Such tailoring also means efficiency gains in organisations providing victim support. An effective individual needs assessment enables them to target victims only with services they need and discourages providing unnecessary services.

Conducting an individual support needs assessment is the key to ensuring that the required range and capacity of services is available and accessible to victims of crime⁹⁶. This brings another added value of the individual needs assessment: it may serve organisations providing victims' support services for evaluation of the offered services and lead to their self-monitoring⁹⁷. On a larger scale, as the work of the Victorian Law Reform Commission highlights, individual needs assessments and their evaluation may serve as an important evidence in the policy cycle and feed back into the policy research, for example on flexibility of compensation schemes if a variety in needs of victims is identified⁹⁸.

The expected outcome of conducting an individual needs assessment by victim support organisation may be manifold, aligned with the outcome sought by any victim support scheme, and include for example: (i) improved health and well-being, (ii) increased safety and perceptions of safety, (iii) re-integration, (iv) feeling informed and capacity to act upon the information and improved experience with the criminal justice system⁹⁹. The individual needs assessment helps to facilitate these outcomes. It encourages self-assessment of a victim and taking individual responsibility¹⁰⁰.

Self-assessment is a process through which victims analyse their responses,

94 Tapley J., Stark A., Watkins M. and Peneva B. (2014), A Strategic Assessment of Support Services for Victims of Crime in the South East, pp. 28-51. Available at: [https://researchportal.port.ac.uk/portal/en/publications/a-strategic-assessment-of-support-services-for-victims-of-crime-in-the-south-east\(60e9c8ee-9cff-4885-9d32-184c40a037ed\).html](https://researchportal.port.ac.uk/portal/en/publications/a-strategic-assessment-of-support-services-for-victims-of-crime-in-the-south-east(60e9c8ee-9cff-4885-9d32-184c40a037ed).html).

95 Ministry of Justice. Callanan et al. (2012).

96 Scottish Executive Effective Intervention Unit (2005). Needs Assessment: A Practical Guide to Assessing Local Needs for Services for Drug Users.

97 Cf. Victor C. R. (1996), Community Care and Older People, Stanley Thornes (Publishers) Ltd, pp. 45-46.

98 Victorian Law Reform Commission (2018). Review of the Victims of Crime Assistance Act 1996: Report Assessment of victims' needs and Victoria's existing victims of crime financial assistance scheme.

99 Ibid.

100 Tracy M. B. (2006), Needs Assessment. Good Practices for Intake Process. Available at: <https://www.ideals.illinois.edu/bitstream/handle/2142/46137/Needs%20Assessment%20for%20Good%20Practices%20for%20Intake%20>

attitudes, experience, expectations, needs and preferences. Given the legislative framework (i.e. the scope of rights under the Directive), it may also help potential beneficiaries of compensation to formulate their claims as per Article 9(1)(a) of the Directive or other domestic legal instruments.

There are however many challenges and difficulties in establishing and conducting an individual support needs assessment. Shapland for example notes that “expressed needs are to some extent culturally based. They are related to the expectations of victims as to the potential effects of the offence and to their knowledge of what remedies exist.”¹⁰¹ Moreover, victims’ needs frequently change over time¹⁰². Individual needs assessment therefore seeks to find out which matter is the most urgent for the victim, i.e. what the victim needs to solve first. Maguire for example cites research showing the event where property offenses are involved, victims considered the worst aspect of the offense, being emotionally upset or intruded upon privacy.

Therefore, in the first moments following a crime, emotional aspects may be taken over by other considerations, including financial or matters of the criminal justice system¹⁰³.

Finally, trauma caused by crime may propagate in communities and inter generations¹⁰⁴. Therefore, effective individual needs assessment and services provided on its basis may prevent trauma from re-occurring in subsequent generations.

3. Criteria of a tailored and appropriate individual support needs assessment

A model individual needs assessment would have the ultimate aim to identify the services the victim needs, whilst minimising any harm to the victim during the process. Extensive desk research allowed to identify the following criteria as the main conditions for a tailored and appropriate individual support needs assessment:

[Process.ppt?sequence=2.](#)

101 Shapland J. (1985), Victims, The Criminal Justice System and Compensation, The British Journal of Criminology, Vol. 24(2), p. 112

102 Dinisman T. and Moroz A. (2017), Understanding victims of crime. The impact of the crime and support needs. Victim Support UK.

103 Maguire M. and Corbett C. (1987), The Effect of Crime and the Work of Victims Support Schemes. Gower.

104 See for example Kühner A. (2002), Kollektive Traumata: Eine Bestandsaufnahme, Annahmen, Argumente, Konzepte, Berghof Report Nr. 9, Berghof Forschungszentrum für konstruktive Konfliktbearbeitung. See also Brunner M. (2012): “Criticizing “collective trauma”. A plea for a fundamental social psychological reflection of traumatization processes”, in C. Barrette, B. Haylock, & D. Mortimer (eds.): Traumatic Imprints. Performance, Art, Literature and Theoretical Practice. Oxford (Inter-Disciplinary Press), pp. 199-207.

- 1 All victims of crime undergo an individual support needs assessment
- 2 The individual support needs assessment is conducted in a timely manner and in a safe environment
- 3 The individual support needs assessment is conducted by a trained professional or volunteer
- 4 The individual support needs assessment is conducted in a victim-centred approach
- 5 The individual support needs assessment is designed to identify what service a victim needs

3. 1. All victims of crime undergo an individual support needs assessment

Every victim has individual reactions in the aftermath of crime. The impact of the crime cannot be only based on the nature of the crime or the personal characteristics of the victim, this is why it is crucial that **all victims of crime undergo an individual support needs assessment** during their first contact with a victim support service.

All the victim support organisations interviewed conduct an individual support needs assessment for all victims who come in contact with them.

3. 2. The individual support needs assessment is conducted in a timely manner and in a safe environment

The timing and the location of the needs assessment are crucial to avoid re-victimisation and to ensure that victims are confident enough to tell their story. It is important that the needs assessment takes place as soon as possible after the contact of the victim with a victim support service. Frans W. Winkel, Tamar Wohlfarth and Eric Blaauw reflects the importance of a timely needs assessment for victims of crime who will be in need of psychological support,

“for example through the screening for victims who are likely to develop PTSD or emotional adjustment disorder on the process of coping with their victimisation”¹⁰⁵. It is important to ensure that victims feel safe and confident while meeting with a support worker at a victim support service for the first time.

The Office for Victims of Crime of the U.S. Department of Justice recalls that selecting a location that makes the victims feel most comfortable and safe is important because such an environment is more likely to result in an *effective* assessment¹⁰⁶. It is rare to conduct a thorough assessment during the initial meeting with victims. Rather, a thorough assessment of needs takes place over several meetings, allowing victims to identify and prioritise their needs¹⁰⁷.

In the Netherlands, Slachtofferhulp offer 3 possibilities to meet victims: in their office, in a room of the city hall where the victim lives, or at the victim's home¹⁰⁸.

3.3. The individual support needs assessment is conducted by a trained professional or volunteer

Most of victim support organisations work with volunteers who are at the forefront when a victim comes to victim support organisation. Volunteers meet with victims shortly after a crime has been committed, and provide emotional support and advice to help them through this difficult period. Volunteers are therefore often the ones in charge of the individual assessments. Other professionals, such as lawyers, psychologists or social worker can also be in charge of identifying the need of a victim.

Training is crucial for volunteers and any other professionals in contact with victims of crime. Training should include extensive information on the rights of victims of crime, on the criminal proceedings, on methods to listen and interact with different groups of victims and how to identify specific needs of victims.

105 Police referral to victim support, F. W. Winkel, T. D. Wohlfarth, E. Blaauw

106 Office of Justice Programs, Office for Victims of Crime, Training and Technical Assistance Center, Human Trafficking Task Force e-Guide, Victim Interview Preparation, available at: <https://www.ovcttac.gov/taskforceguide/eguide/5-building-strong-cases/53-victim-interview-preparation/>

107 Office of Justice Programs, Office for Victims of Crime, Training and Technical Assistance Center, Human Trafficking Task Force e-Guide, Victim Service Provider Intake & Needs Assessment, available at: <https://www.ovcttac.gov/taskforceguide/eguide/4-supporting-victims/42-victim-service-provider-intake-and-needs-assessment/>

108 Interview with Slachtofferhulp

All the volunteers who are recruited with Weisser Ring Germany have to take a 6-day training before being in contact with victims. The volunteers are expected to abide by the standards set by Weisser Ring: they must accept training on different aspects of victim support and are expected to maintain their commitment to these standards throughout their time with the organisation¹⁰⁹.

3.4. The individual support needs assessment is conducted in a victim-centered approach

The needs assessment itself must be carried out in a victim-centred approach to better identify victims needs and empower victims to guide them in the healing process.

A victim-centred approach can include: prioritising the safety, privacy and well-being of the victim, developing and providing training so that volunteers and professionals are adequately prepared in questioning and responding to victims, limiting the number of times victims have to talk about what they went through, acknowledging and respecting victim's wishes¹¹⁰. The content of the assessment should be tailored to the characteristics of the victims and the nature of the crime. The assessment should also be updated as the status of the victim change¹¹¹.

NATAL designed their individual assessment on empathy and gradual disclosure. During the first conversation, the volunteer will hardly ask no question and let the victim talk. During the following interactions, the volunteer will gradually ask some questions, they explain to the victim why it is important that they ask these questions, but always in a non-intrusive way¹¹².

109 Interview with Weisser Ring Germany

110 The National Center for Victims of Crime, Victim-Centered Approach, available at: <https://victimsofcrime.org/docs/dna-protocol/baltimore-victim-center-approach.pdf?sfvrsn=0>

111 Victory Programs, Technical Assistance Program, Section 3 Assessing Clients' Needs, available at: <https://www.vpi.org/TAP/publications/PDworkbook/Section3.pdf>

112 Interview with NATAL

3.5. The individual support needs assessment is designed to identify what service a victim needs

The individual support needs assessment is designed to identify what service a victim needs. Studies show that a relaxed and open conversational assessment encourages victims to open up and talk about their needs and wishes¹¹³. Volunteers or professionals in contact with the victim need to be able to assess the needs, both practical and emotional and then arranging or directly give that support.

Victim Support Northern Ireland follows needs assessment forms which cover physical, psychological and financial impact of the crime on the victim¹¹⁴.

In conclusion, an individual support needs assessment should identify the needs of victims and the services available to meet those needs in a victim-centred approach. As every victim is different and has different reaction and needs to victimisation, a personalised assessment conducted by a trained professional or volunteer is crucial. A well conducted individual assessment will allow the victim to access tailored support by the victim support service and if necessary the victim will be referred to a more specialised institution.

¹¹³ Using conversations to assess and plan people's care and support, The principles of conversational assessment, Skillsforcare, available at: <https://www.skillsforcare.org.uk/Documents/Leadership-and-management/Workforce-commissioning/Conversational-assessment/Using-conversations-to-assess-and-plan-peoples-care-and-support.pdf>

¹¹⁴ Interview with Victim Support Northern Ireland.