

Individual assessment of victims of crime

Levent Altan,
Executive Director


l.altan@victimsupporteurope.eu

Léa Meindre-Chautrand,
Policy Officer

lea@victimsupporteurope.eu

Introduction

- Victims needs
- Individual, targeted and flexible assessment
- Apply to all victims
- Situation in South Korea?
- Overcome victims myths and biases

An illustration of a hand holding a pen and writing on a notepad. The hand is white with blue shading, and the pen is purple. The notepad is orange and tilted. The background is a large, abstract shape in shades of blue and purple.

Why is individual assessment important from a victim's perspective:

EU Law - Victims' Rights Directive

Article 22

1. Member States shall ensure that victims receive 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 criminal proceedings, as provided for under Articles 23 and 24, due to their **particular vulnerability** to secondary and repeat victimisation, to intimidation and to retaliation.
2. The individual assessment shall, in particular, take into account:
 - a. The personal characteristics of the victim;
 - b. The type or nature of the crime; and
 - c. The circumstances of the crime.

Article 23 Right to protection of victims with specific protection needs **during criminal proceedings**

Article 24 Right to protection of **child** victims during criminal proceedings

Individual assessment in different contexts

- Individual assessment conducted by the **competent authority** to identify protection needs and measures **during criminal proceedings**
- Individual assessment conducted by **victim support services** to identify broader support needs

Individual assessment by the police

1. Determine **vulnerability** to repeated and secondary victimisation
2. Identify **specific protection needs** and **measures**
3. Identify **broader victims' needs** for potential referral



Determine vulnerability of the victim to identify protection needs and measures within the criminal proceedings

The individual assessment shall, in particular, take into account:

- **The personal characteristics of the victims:** age, gender, ethnicity, race, religion, etc.
- **The type or nature and the circumstances of the crime:** hate crime, sexual violence, discrimination etc.

Greater risk of suffering harm if the victim is considered as vulnerable

More specialised and detailed assessment should be conducted for vulnerable victims.

What are the protection measures under the Victims' Rights Directive?

- Special measures relating to the environment – WHERE?
- Special measures relating to the people dealing with specific victims: trained professional, same sex officer – WHO?
- Special measures relating to implementation: appropriate communication, protection of privacy – HOW?
- Example of facility dogs:
<https://www.dropbox.com/s/qd60gkxzng6ks41/Daze.mp4?dl=0>



Identify broader victims' needs for potential referral

Right to support as core right of the Victims' Rights Directive

Determine victims' support needs and refer to victim support

A coordinated network of victim support services



Individual assessment by victim support



- Process of measuring the extent and the nature of the needs of a particular target population so that services can respond to them
- Every victim is different: personalised assessment
- No common method to conduct the assessment
- Find out whether the service can meet those needs or need to refer to a more specialised body

What are the challenges in practice?

- Victim sensitive approach
- Objective approach to the individual assessment
- Bias and victims' myths
- Structure of the assessment:
 - Consistency across the country, inside police station
 - Conversation vs. Checklist?
 - How to record the assessment?
- Continuity and information sharing with other services
- Ensure the protection measures are actually adopted



European examples

1. Police assessment

EVVI project (EValuation of Vlctims)

2 phases questionnaire:

- Identify protection needs
- Determine protection measures

2. Victim support needs assessment

Victim Support Northern Ireland “client needs assessment and appointment record”



Key principles for an effective needs assessment (1/2)

- **Victim centred approach**
 - For all victims but some flexibility
 - Personal characteristics of the victim and nature of the crime
 - Avoid re-victimisation
 - Respectful treatment
 - Involvement of victims and respect victims' wishes
 - Empower victims

Key principles for an effective needs assessment (2/2)

- **Timely and safe**
 - Timely, repeated and updated assessment
 - In a safe environment
- **Training**
 - Case by case approach
 - Guidelines



In South Korea?

- Who is conducting the individual assessment?
- What is the process of the individual assessment?
- What information is important to know from the victim?
- Do you have good practices in place?
- What are the gaps and challenges you can identify?
- What could be improved?



Thank You



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