

Victim Support Europe Origins:

1987 - 2005

Introduction

In 2020, Victim Support Europe celebrates its 30th anniversary as a European network dedicated to ensuring that all victims of crime, no matter what the crime, no matter where in Europe they find themselves, can access the rights they are entitled to and get the support they need.

From humble beginnings as a group of like minded professionals and organisations wanting to change the victims field for the better, VSE has grown into a large non-profit organisation with a membership of almost 60, supporting over 2 million victims per year. Today, in 2020, the organisation is well respected by international and European institutions including the UN, Council of Europe and the EU as a leading advocate for victims of crime. VSE directly inputs into the work of these institutions as well as supporting the development of national laws, policies and services around Europe and beyond.

This paper aims to document the origins of the organisation from early conferences, through to the establishment of the European forum for Victim Services and finally to the creation of Victim Support Europe. Today, it represents the first thirty years of progress, and marks the start of the next chapter of its development.

CHAPTER 1: The Origins of Victim Support Europe

The Founding Meetings

1987 - The First Meeting of European Victim Support Organisations

In December 1987, a group of European national organisations, working with victims of crime, came together in Eerbeek, in the Netherlands, to exchange ideas and discuss issues of mutual interest and concern.

The first meeting in 1987 discussed a preparatory text written by several of the attendees. The text covered a wide range of topics, including an international perspective on ideological trends within the victims' movement, referral methods, availability of victims' services and reconciliation and mediation.

This summit was deemed a success and another was arranged to take place in Windsor, in the UK, the following year and would be funded by the UK Home Office. Thereafter, it was decided that meetings would be held annually in different countries around Europe, two delegates per country, with national organisations set up specifically to help victims of crime, would be invited to attend.

1988 - Second Annual Meeting of European Victim Support Organisations

In Windsor, representatives of European victim support services summed up both recent organisational developments and the difficulties faced in their work.

Many organisations positively indicated that attitudes towards victims' rights had changed over recent years. Several national organisations had built up good working relationships with police and prosecution services, leading to improved systems of referrals and modest levels of financial security. As a result, relationships between criminal justice systems and the community had improved.

On the negative side, several organisations had serious financial problems and found it difficult to achieve public recognition, which resulted in problems recruiting volunteers, gaining referrals, improving training and establishing boundaries between victim services and existing agencies.

Attendees at the 1988 Windsor meeting used the issues raised in that discussion to set the following priorities for their organisations and the Forum:

- To create more victim services and to establish national coverage
- To raise more money
- To increase victim referrals
- To expand to meet the needs of all victims, including victims of unreported crime
- To reach all communities, including racial and language minorities
- To improve training programmes for victim support workers
- To improve the services to special crime groups such as murder, sexual crime and racial harassment
- To support victims throughout the criminal justice process
- To improve relationships and establish boundaries between victim services and other voluntary and statutory agencies
- To improve public awareness of services provided

Purpose of co-operation in Europe

To clarify the purpose of setting up a European victim services organisation, three papers presented at the 1988 Windsor conference focused on the value of international cooperation.

These included

- International co-operation between UK Government departments;
- the Standing Conference of Probation Services in Europe; and
- International co-operation between voluntary organisations.

Attendees then agreed that the following were the key purposes of international cooperation:

- To provide a network of support and access to compensation for all those who become victims of crime in Europe, including those who become victims of crime whilst visiting other European countries.
- To exchange information, research and practical experience so that new knowledge can be more widely applied.
- To provide a forum for discussion and debate to stimulate new ideas and increase understanding of victims and victim related issues.
- To increase pressure for change by comparing developments in other similar countries and collectively through the Council of Europe and other international organisations.

Participants were surveyed on areas of work they would or would not undertake.

1989 – Third Annual Meeting of European Victim Support Organisations

At the 1989 Montpellier meeting, it was agreed that the Forum would become an official organisation

Chapter 2 - The founding of the European Forum for Victim Services (EFVS)

The establishment of the EFVS

1990 – Fourth Annual meeting and adoption of EFVS Constitution

Following the decision made in Montpellier the year before, the focus of the 1990 Annual meeting of European Victim Services, in Stockholm Sweden, was the adoption of a Constitution. This was achieved in the meeting and would mark the official establishment of the EFVS. (A full list of Forum meetings can be found in the appendix.)

Members had also agreed to meet annually to exchange support and good practice.

The EFVS was now established as a network of national non-governmental organisations that provide community and court-based services for victims of crime. Its purpose was to promote the development of victim services throughout Europe and the promulgation of policies for victims both in the context of criminal justice and in the wider social environment.

The EFVS was a registered non-governmental not-for-profit company. It had the legal status of a charitable company, registered with the Charities Commission and Companies House in the UK and is subject to English Company and Charity laws.

In the following chapters we cover the establishment of the Forum, its structure, policies, work and its relationship with international organisations.

EFVS's Founding Goals

- The founding goals of the Forum were to:
- Promote the development of effective services for victims of crime throughout Europe
- Promote fair and equal compensation for victims of crime throughout Europe, regardless of the victim's nationality
- Promote the rights of victims of crime in Europe during their involvement in the criminal justice system and with other agencies
- Exchange experience and information between member organisations to share best practices and knowledge.

Attendees agreed that the Forum's aims would be most effectively carried out using a range of communications methods. Forum publications included:

- An information leaflet explaining the Forum's work
- A directory, providing contacts details and information about support services in each country
- A six-monthly newsletter, published in April and November, which included a brief summary of developments in each country, for example, new research, training programmes and national and international legislation

- A website: www.euvictimservices.org, with contact details of member organisations, policy papers and information on accessing victims' services in Europe.

The Forum's influence increased as it gained consultative status with the Council of Europe and the United Nations and won funding from the European Union for a variety of projects designed to improve victim services across Europe.

The Forum had its own website, hosting information for practitioners and victims of crime, with links and contact details of its member organisations at www.euvictimservices.org (no longer active)

Constitution of the European Forum for Victims' Services

The Forum Constitution was initially written and prepared in Germany by Weisser Ring Germany. It was adopted at the AGM in Stockholm, Sweden in June 1990 and registered in Bulach, Switzerland on 5 October 1991. The Forum then became a legally registered organisation with a bank account.

In 1996, discussions began on registering the Forum in an EU country, to benefit from EU funding for various projects and because the Swiss organisation was undergoing challenges in maintaining the legal requirements of its constitution.

The idea was to transfer the constitution to the UK from Switzerland. Clifford Chance solicitors were asked to assist with the process of drafting the constitution according to UK charity law, and the Forum bank account was moved from Switzerland to London in January 1996.

The new constitution gave the Forum greater flexibility and greater financial protection for its members.

It was also amended to allow for:

- The Forum to be able to appoint a paid member of staff.
- More than one organisation per country to be allowed to sit on the Executive Committee: for example two organisations, the England and Wales Victim Support and Scottish Victim Support would both be able to attend from the UK.
- A provision for members of the Executive to be elected to specific posts on the Committee.
- Associate Membership

The new constitution was adopted at the 2001 Forum AGM. On 20 November 2001, the Forum was incorporated as a private limited company in the UK, under the Companies Act 1985. By 2003 the Forum was also registered as a UK charity.

EFVS Funding

The main sources of Forum funding were the membership fees and any financial support provided by the government and other agencies of the country hosting the Forum's annual conference. Executive Committee Members were expected to fund themselves, usually through the organisations they represent, although Grotius funding was available for one year. EU funding financed the 1996 and 2003 conferences and between 1995-2003, Sweden's Skandia insurance company provided financial assistance for members of Eastern European countries to travel to the Forum AGM and conference.

The Forum received funding for specific projects from EU programmes such as GROTIUS, MUSAS and PHARE.

In 2002, the Forum was able to employ two staff members, based in France, to assist with the EU funded Grotius project.

Members were agreed on the need for a paid Secretariat. Initially, the Forum and Victim Support UK agreed a contract for the unpaid secretarial work and central filing system being done by the National Office in England. However, as the work of the Forum increased, the Executive concluded that a permanent secretariat, in the first instance ideally consisting of one full time and one-part time member of staff, would require more permanent funding. The Forum's treasurer presented a discussion paper to Members in August 2004 on the possibility of funding staff through raising membership fees.

Chapter 3 – EFVS Structure

FORUM Membership

Membership of the European Forum was open to European non-governmental organisations that provide community and court-based services for victims of crime.

Membership was dependent on organisations complying with the standards set down in the 1999 policy paper, *Statement of Victims' Rights to Standards of Service*. The Forum constitution contained additional requirements and some key provisions included that member organisations must not discriminate against victims on grounds of age, sex, race, nationality, or type of crime committed nor should members engage in party politics or in campaigns concerning the sentencing of offenders. Membership had to be renewed every three years, the Forum was thus able to ensure that all members complied with Forum standards. Other than in exceptional cases, only one national organisation could join per country.

Eastern European Members

Forum members felt it important that Eastern European countries were represented and able to play active roles, despite financial difficulties representatives might have had in attending the meetings. Participation was greatly facilitated by the political developments in Eastern Europe during the 1990's.

From 1997, invitations, to send a delegate to the Forum's annual conference, were delivered to every East European country. In 1998, the Hungarian representative, Lenke Feher, completed a three-year study on the extent of services available for crime victims in Eastern Europe.

Between 1995-2003, the Forum received funding from the Swedish insurance company, Skandia, to help Eastern European members travel to the Forum AGM and conference. The European Union and UK Home Office also provided funding for this purpose whilst the EU funded Phare project, described later, played a valuable role in assessing and developing Eastern European victim support services.

Membership as of March 2005

As of 2005, the Forum's membership had grown to 18 national organisations from 15 European countries.

1989	England and Wales and Northern Ireland	Victim Support
	Belgium	ASBL
	Belgium	Slachtofferhulp Vlaanderen
	Scotland	Victim Support Scotland
	Republic of Ireland	Victim Support Ireland
	Portugal	Associação Portuguesa de Apoio à Vitima (APAV)
	Sweden	Brottsofferjourernas Riksförbund
	Netherlands	Slachtofferhulp Nederland
	France	Institute National d'Aide aux Victimes et de Médiation (Inavem)
	Switzerland	Weisser Ring/Anneau Blanc/Anello Bianco
	Austria	Weisser Ring
1990	Germany	Weisser Ring and Arbeitskreis der Opferhilfen (ADO)
1993	Hungary	Fehér Gyuru Közhasznú Egyesület
1996	Czech Republic	Billy Kruh Bezpečí
	Finland	Finnish Service for Crime Victims - Rikosuhripaivystys Suomessa
2000	Slovakia	Pomoc Obetiam Násilia
2002	Estonia	Ohvriabi
2004	Serbia	Victimology Society of Serbia
	Bosnia Herzegovina	

Associate Membership

In 2001, it was decided to allow governmental and other organisations associate membership with the Forum. For €200, governmental organisations could receive the newsletter, directory and any other publications published by the Forum. They could also send two paying delegates to the conference and attend the AGM as observers.

European Forum Observers

Observers have attended Forum conferences from its inception. Early attendees include the Norwegian and Portuguese Ministries of Justice, the UK Home Office and a Chief Psychologist from Malmo, Sweden.

Early on, the Norwegian and Danish Government-sponsored Victim Support organisations to attend regularly. However, governments did not join directly as membership was restricted at the time to non-governmental organisations.

Organisations providing services to victims, which met the Forum's standards of service, could put their contact details in the Forum directory and on the website.

The issue of the language to be used by the Forum was discussed on numerous occasions and the decision made each time was that the official language would be English.

The following organisations and government departments have attended the Forum's annual conference as observers:

Albania's Ex Politically persecuted association	Netherland's Universiteit Tilburg
Albanian Ministry of Justice	Netherlands International Victimology Website
Australian Victims of Crime Service	Norwegian Ministry of Justice
Bosnia Herzegovina State Commission for Tracing Missing Persons	Norwegian Ministry of Social Affairs
Bulgaria's Stop Crimes Organisation	Portuguese Ministry of Justice
Danish Victim Services	Serbia-Montenegro Victim Support
Denmark's National Police	Spanish Ministry of Justice
Finish Ministry of Social Affairs & Health	Stockholm University
French Ministry of Justice	Sweden's Criminal Injuries Compensation
Hungarian Ministry of the Interior	Sweden's Skandia Insurance
Japan - National police agency	Swedish Chief Psychologist from Malmo
Latvian Association of Independent Criminologists	Swedish National Authority for Support & Compensation
Lithuanian Academy of Law	UK's Parents of murdered children
Lithuanian Association for Victim Services	Home Office
Malta	USA's Coalition on Victims Equal Right

COMMITTEES

Executive Committee

The Executive Committee was initially known as the Forum Steering Committee and was made up of the hosts of the current and future annual meetings and three other members. The Forum established a principle of democracy and equality between all member organisations, regardless of size or wealth. For this reason, no one was initially appointed as Chair, instead, the current Conference organiser chaired meetings and was known as the co-ordinator.

In 1992, the Forum Executive decided to appoint one of its members as Chair to provide for greater continuity. Under the constitution, the Committee consisted of a chairperson, secretary, treasurer, the conference host for the coming year and two additional members responsible for work in progress. Members had to be elected specifically for a post.

The committee considered applications from new members, ensured the production of regular information leaflets, the Forum directory and newsletter, organised conferences and AGMs, co-ordinated Victims' Day events and identified and pursued funding opportunities for the Forum. The committee was also responsible for preparing accounts, an annual report and an annual return to

the Charity Commissioners. Decisions had to be made by a majority of votes, with the Chair having a casting vote.

See the appendix for a list of Forum members who have served on the Executive Committee.

Nominations Committee

To promote wider participation and regional representation, this committee s appointed at the AGM each year to seek suitable candidate nominations for members of the Executive Committee.

Training Committee

The Forum's AGM in Windsor in 2000 approved the establishment of a Training Committee.

Its first task was to establish a list of representative contacts in each Forum member country. Training related information was to be available in English on the Forum website as part of the directory of victim services, whilst links to members' websites would provide further information.

The Training Committee also proposed that the definition of 'appropriate training' for the purposes of the European Framework should be as follows:

Those who work with victims should be selected according to applicable criteria.

Training should be carried out by trainers with knowledge of Victim Support practices

Training should aim to influence participants' skills, knowledge and attitudes

The training should consider the Forum's policies, as defined in their policy papers

Those working with victims should receive regular support and supervision after the training programme, with ongoing training opportunities.

More information about the work of the Training Committee is available in the section on the EU funded Grotius project.

Chapter 4: The Policies of the European Forum

Policy Documents Published by the European Forum for Victims Rights

From the outset, specific policies have been enshrined in the constitution and literature of the European Forum. Firstly, the Forum was working for the victim, but not against the offender, so the rights of victims must have parity with those of the offender. All victims must be treated on a non-discriminatory basis. Victims' services should not be aligned to any political party.

The Forum published four key documents since its inception.

- Victims rights in the process of criminal justice
- The social rights of victims of crime
- Victims rights to standards of service
- Victims rights in the mediation process

1996 - STATEMENT OF VICTIMS' RIGHTS IN THE PROCESS OF CRIMINAL JUSTICE

Although other organisations had produced policy papers covering victims' rights, this document set out, for the first time, the rationale behind the importance of victim's rights.

Summary of victims' rights in the process of criminal justice

Guiding Principles

The rights of victims of crime must be accorded the same priority as those of the defendant
The process of dealing with the offender must not increase the distress or add to the problems of the victims of crime

Victims' Rights

Victims must have the right to:

- respect and recognition at all stages of the criminal justice proceedings
- receive information and clarification about the progress of their case
- provide information to officials responsible for decisions relating to the offender
- have legal advice available, regardless of their means
- protection both for their privacy and for their physical safety
- compensation both from the offender and from the State

1998 - THE SOCIAL RIGHTS OF VICTIMS OF CRIME

This paper was a major breakthrough, being the first international statement of rights, which went beyond the criminal justice system to other areas of policy affecting victims' lives.

Guiding principles

Democratic societies have an obligation to alleviate the effects of crime, including the adverse consequences that victimisation has on all aspects of life

Victims must be supported in a way that shows an understanding of all their problems

All victims of crime have the right to ask for their privacy, their physical safety and their psychological well-being to be protected

Victims' rights

Victims must have the right to:

- receive recognition by society of the effects of crime
- receive information regarding their rights and the services available
- have access to health care services
- receive financial compensation, where the crime results in a loss of income
- have access to appropriate home security measures
- receive support and protection in the workplace
- receive support and protection in educational establishments
- compensation
- have access to free victim support services
- have their privacy protected

1999 - STATEMENT OF VICTIMS' RIGHTS TO STANDARDS OF SERVICE

This was the first European statement on the standards required of both paid and professional service providers.

Guiding principles

Victims of crime should have a basic right to a system of free Victim Support services, staffed by trained volunteers or professionals.

The European Forum for Victim Services is committed to providing Victim Support services which:

- understand the common problems faced by victims
- inform victims of their rights
- provide psychological, emotional and practical support throughout the investigation and legal proceedings
- refer victims to specialist services, where necessary.

The Forum believes that these principles should be upheld by the Governments of every country in Europe.

Victims' rights

Victims of crime have a right to:

- equal access to Victim Support services
- support by selected and trained personnel
- support services which are free
- services that are confidential
- personal autonomy over decisions taken
- services that are independent

2005 - STATEMENT ON THE POSITION OF THE VICTIM WITHIN THE PROCESS OF MEDIATION

This statement was the first international protocol of mediation written from the perspective of the victim.

Guiding Principles:

- Mediation requires the involvement of the victim and it is, therefore, important that their interests are considered fully
- Mediation processes should only be used after free and informed consent of the parties has been received; the parties should be able to withdraw consent at any time
- Victim/offender mediation in criminal cases is different from similar processes of mediation in other areas of life- the mediation process must include the offender accepting responsibility for his act and acknowledging the adverse consequences of the crime for the victim
- It is vital that the mediator, and everyone involved in the mediation process, has received appropriate training on the issues concerning victims of crime, which will be relevant to the mediation process
- No programme should be described as “restorative” if it does not, as a priority, seek to heal the victim.

Victims’ rights

Victims of crime have a right to:

- have their status as a victim recognised by society and their position protected
- full information about the process and the potential outcomes as well as information about the procedures for supervising the implementation of any agreement reached during mediation
- information on where independent advice and support can be obtained
- take time to consider their decision and to take independent advice
- equal access to legal advice before, during and after the process, which should be included within the provisions of free legal aid
- a choice whether to meet with the offender or to negotiate via the mediator

Unpublished Policies from the Forum’s Annual General Meetings and Annual Conferences

New policy and discussion topics were regularly brought to the annual conferences for debate by Forum Members. On average, three policy resolutions have been discussed at each of the conferences since the Forum’s formal establishment in 1990. Conference themes have included compensation, reparation, mediation, developments in Eastern Europe, witnesses in the international court, cross-boundary victimisation and areas where victims’ rights may conflict with defendants and offenders.

Below is a summary of other policies adopted by the European Forum.

Child Victims

In 2004, the Forum adopted a resolution on assistance to children as victims of crime, following participation in the EU Musas project by several members of the Forum.

‘It is the policy of the European Forum for Victim Services that every Victim Support worker who is likely to come into contact with children, who are victims of crime, including those who are members of families who have become victims of crime, should receive, as part of their basic training, sufficient information to raise their awareness and understanding of the special issues affecting child victims and their special needs.

‘It is also the policy of the European Forum for Victim Services that victim service workers who become involved in the direct support of young victims must first receive more specialist training.’

Crime Prevention

The Forum discussed how far victim support organisations should become involved in crime prevention as part of their work. A paper on the ‘Role of the victim in connection with Crime Prevention’ was adopted in 2003.

The paper concluded that the primary role of victim support organisations should be the prevention of secondary victimisation, ‘Limiting or reducing adverse effects of crime is the very essence of the traditional objectives of providing victim support as defined [in the constitution of the European Forum]’.

Preventing repeat victimisation should also be an aim of victim support organisations – there is clear evidence that someone who has once been a victim of crime is more likely to be victim of crime again.

The paper acknowledged that primary crime prevention should not receive the same priority as the three conventional powers listed by the Forum, ie the promotion of effective services, legal rights and compensation for victims of crime.

However, primary prevention could also be included in the goals of victim support organisations in seeking cooperation with other bodies with relevant special expertise in that field, though this must never be at the expense of the three main objectives.

Domestic Violence

In 2004, the Forum adopted the following resolution, ‘It is the policy of the EFVS to support victims of all crimes in a non-discriminatory manner. We would therefore wish all members to offer a service to all victims who are experiencing domestic violence. It is also our policy that specialist training (internal or external) should be provided for this area of work.’

Witnesses in the International Courts

In 1993, the European Forum called upon the Secretary General of the United Nations to advocate improved rights for victims and witnesses in the International Criminal Tribunal for the former Yugoslavia:

- Victims and witnesses should be fully reimbursed for all expenses incurred in all phases of involvement in investigation and trial
- Witnesses should receive any protection necessary, including help in dealing with the media
- Witnesses should have full information concerning the processes and results of the trial
- As outlined in the United Nations Resolution on Victims of Crime, victims/witnesses should be able to participate in the proceedings in a manner appropriate to the legal framework of the Tribunal
- Qualified specialists in crimes against women and the victimisation of children should be appointed to the prosecution staff
- Prosecution staff should receive appropriate training and preparation
- There should be a fully funded office able to provide victims and witness assistance, with appropriately trained staff
- There should be separate waiting areas for defence and prosecution witnesses
- Where a child is a witness, or where the International Tribunal considers it appropriate for the witness's protection, the accused may not, if representing himself or herself, question the witness directly
- Space should be made available in the courtroom as appropriate for family members who are not witnesses
- Screens or facilities for giving evidence from a separate room should be provided where appropriate
- Child witnesses should be offered special protection and interview procedures
- Property should, where possible, be returned to its rightful owner – but where this is not possible, the value of the property should be placed in a fund for victims.

In 1999-2000, the Forum again debated what action should be taken by the European Forum to support the interests of witnesses giving evidence in the international courts.

It was noted, that support is given to witnesses at the court itself while they are giving evidence, however the real danger occurs when witnesses return to their own countries, particularly if they have been giving evidence against people with power, or government officials. However, even during the court case, their families may be in danger in their own countries.

Several international bodies were consulted on the most practical policy to be adopted for the protection of witnesses. Similar discussions took place within the Council of Europe, and the solution proposed by the Council of Europe is that all vulnerable witnesses should be permitted to give their evidence anonymously.

The Forum resolved to contact the Council of Europe to ask what progress has been made in promoting this policy and what steps could be taken by the Forum.

Compensation

Many of the Forum's key policies on compensation are contained in the Forum's 1998 policy paper, *The Social Rights of Victims of Crime*. Further discussions were in response to an EU consultation on compensation.

The European Forum believes that compensation should be paid by the state according to the principle of social justice. It is an important part of restoring the victims' confidence in the community in which they live and acknowledgment that the social values of the society have been breached. It does not imply that the State is responsible for the crime or is liable as a result of the

actions of the offender. Seen in this light compensation paid by the State can help prevent secondary victimisation.

Supporting the victim to cope with the effects of crime requires more than a financial response. In some countries, healthcare and rehabilitation services are provided free of charge and specific compensation for these purposes is not required. Similarly, social security provisions in many countries will help to replace loss of earnings. Any comparison of compensation provisions will therefore have to take account of all the social provisions that already exist in member states.

Although it is recognised that there may be other sources of compensation for a specific injury - most commonly being from the offender - this should not prevent the state assessing the need for compensation or from making timely payments to deal with the victims' immediate needs. Any payments by the offender later could then be paid directly to the state.

Victims should fully understand the eligibility requirements, as well as what can and cannot be reimbursed, to prevent an application being rejected and avoid secondary victimisation. The current rate of failed applications is over 50% in most member states and is clearly counterproductive to the intentions underlying the compensation programmes.

When violence has occurred, it is essential that victims receive adequate and appropriate financial compensation for their injuries, loss of earnings and emotional distress as soon as possible after the crime has occurred. Discrepancies in the amount of financial compensation available to victims based either on the crime experienced or the country in which the crime occurs is discriminatory.

Compensation should be made available in all countries in Europe for victims of crime against the person, at a level that reflects the value of awards already made to victims of road accidents and industrial injuries.

The eligibility criteria for types of crime should focus on violent crime, while those for injuries must include psychological as well as physical consequences.

This compensation should be provided equally to all people travelling or resident in Europe.

Reciprocal arrangements should be in place so that compensation may be claimed when travelling abroad. Access to state compensation in cross border situations should be facilitated through cooperation between officials in the victims' home country and the country in which the crime took place.

Compensation is based on the principle of financial damages payable for temporary or permanent losses or injuries. However, systems of compensation should emphasise the victim's plans for recovery and readjustment.

While financial compensation is often the only redress for victims available within the legal system, money alone can rarely offer a complete solution to the problems and distress caused by crime. Compensation should therefore take account of the social and psychological needs of victims and their families by providing help in dealing with the many administrative and legal procedures victims encounter.

Material damages, for example health care and subsistence, should be paid initially by the country in which the victim is resident, as should any long-term provisions - such as social security or payment for loss of income. The normal reciprocal arrangements that apply to healthcare should apply

equally when the injury or disability has been caused by crime. The country in which the crime has taken place should always pay for moral damages e.g. psychological harm, non-property related damages. All medical costs should be included as a minimum standard of compensation.

There should be a common definition of the degree of proof required from an applicant for state compensation and medical costs. All forms applying to common standards should be harmonised.

Time limits of no less than two years should be allowed for reporting a crime to the police. There should also be opportunities for discretion to be exercised in special cases, for example where the victim has been given misleading advice or if there are special circumstances, for example in crimes such as sexual or domestic violence where victims may need more time to make their decision to report the crime.

The Forum also suggested the idea of a tariff-system, which includes fixed levels of compensation for each type of injury, including rape and bereavement.

Other key recommendations:

- Awards of compensation for criminal injury should be disregarded for the purpose of assessing entitlements for social security.
- Emergency grants (not loans) should be available to victims dependent on state benefits, to enable them to replace essential household items stolen, damaged or destroyed by a criminal act.
- Compensation should not be reduced or denied on the grounds that a victim has been convicted of an unrelated criminal offence in the past.

In 2004, the EU adopted a Council Directive on compensation to crime victims with a view to ensuring that all member states have an easily accessible established scheme to provide victims of crime with 'fair and appropriate' compensation. There is more information about this Directive in the chapter on the Forum in the international arena.

Chapter 5: Projects Organised by the European Forum

The European Forum was awarded funding from the European Union to develop a number of projects to improve services for victims of crime in Europe.

GROTIUS

In October 1996, the European Commission's Directorate for Justice and Home Affairs introduced the Grotius funding programme to improve cooperation between legal practitioners.

The general objectives of the programme were 'to foster mutual knowledge of legal and judicial systems and to facilitate judicial cooperation between member states.' The Council specifically sought projects implementing the conclusions of the Tampère summit, including the rights of victims.

The Grotius Programme funded training programmes, exchanges and work experience, organisation of meetings, studies, research and the dissemination of information between EU countries. Projects involved at least three Member States or two and one applicant country. Applications were invited for specific projects under the heading "The development of a package of measures intended to promote assistance to victims of crime outside their member states of residence."

The Forum successfully applied for Grotius funding to pay for the 1996 and 1998 European Forum Conferences and the publication of the Forum's first booklet, *Statement of Victims' Rights in the Process of Criminal Justice* in 1996, and the 1998 booklet, *Statement of Victims' Rights to Standards of Service*.

In 2000, the Forum asked for funding to run the 14th Conference and AGM, which focused on Training Standards, followed by the setting up of a training database for all members, to be made available on the Forum website. However, funding was provided only to invite guests from all Eastern European countries.

In 2001, the Grotius II programme began. One of the specific objectives was to encourage networking between a variety of organisations and professions, with victim support services specifically mentioned in this context. One of the project's priorities was to promote knowledge of the criminal justice system and, in particular, the protection of victims and witnesses.

The Forum applied for funding under the heading of "The development of a package of measures intended to promote assistance to victims of crime outside their member states of residence." and won funding from Grotius for two projects, VSSNET and FORVIC (see below).

VSSNET had a budget of €161,000 and FORVIC €76,000. As part of these projects, funding was to include the Conference of the European Forum for Victim Services in May 2003, in Ireland.

For both the VSSNET and FORVIC projects, the 2003 conference was to be "the main event whereby national organisations for victims services and other project partners will be invited to evaluate the results of the work programme through plenary sessions and workshops by an examination of reports, introduced by members of the Executive Committee who are partners in the implementation of the project. It will also include other participants from national networks in membership with the Forum and special guests from countries where no national organisation exists."

VSSNET (Victim Support Services NETworking)

The VSSNET project was divided into several parts: reviewing the feasibility of establishing national support services; reviewing the feasibility of improving services for victims of crime; and the organisation of the 2003 conference.

The first objective, a review based on study visits, was to assess the feasibility of establishing national organisations for victim support services in member states where such facilities did not exist. The UK took the lead in supervising study visits to Italy, Denmark, Spain and Greece. The study visits spread an awareness of the achievements of services in other EU states and of the Forum's standards. The study visits also promoted a greater awareness of the EU's Framework Decision on the Standing of Victims in Criminal Proceedings.

The second objective of the programme was to evaluate the feasibility of improving services for crime victims through the production of a resource database of training and promotional materials, based on common standards, which are available for victim service organisations to share.

Forum members agreed it was important to distinguish between basic training that anyone working with victims of crime should undertake and specialised training, for example, for specific crimes. It was decided that this project would focus on basic training. The Forum's Training Committee devised a questionnaire for all Forum members to produce a list of training specialists, with their contacts details, and of training tools, to demonstrate the availability of training programmes and materials. This project also led to the identification of 11 areas where training could be based on common standards across European countries. This information will be made available on the Forum website.

The third project objective was the organisation of the 2003 annual European Forum for Victim Services conference. The Conference was held from 28 May to 1 June 2003 in Dublin and was attended by 65 participants from 12 countries. Delegates evaluated the various programme results and exchanged good practices.

Other positive Grotius Project outcomes are the creation of the European Forum website and an agreement by the Forum on minimum training standards as part of the European Framework. This was also the first time the Forum was able to employ salaried members of staff, based in France.

FORVIC (FOR VICTims)

The FORVIC two-part project was supervised by the Netherlands supported by the UK, Finland and France. The first task was to develop information booklets on victims' rights and the services available in each EU country, in all EU languages. Booklets, entitled *Promoting assistance to foreign victims*, were produced in an easy to read, standardized format. The information can be accessed by any victim in Europe, through the Forum website: it can also be printed off as leaflets by relevant organisations in any of the member states.

The second task was to examine the feasibility of creating a single European helpline number for victims of crime. It was concluded that it would be too complicated to set up a single Europe-wide phone number, it would be difficult to combine a professional support service with the necessary multi-language skills such a helpline would require.

PHARE EU PROGRAMME

The Phare or 'Rule of Law' project was financed by the European Union to assist the applicant countries of Central and Eastern Europe in their preparations for joining the European Union, especially to ensuring the compatibility of their legal systems. PHARE was first initiated in 1989 but the programme's remit has changed several times since then, most recently in 1997, when it was given a total 'pre-accession focus for the 10 accession countries in Eastern Europe'.

Phare's objectives were:

- Strengthening public administrations and institutions to function effectively inside the European Union
- Promoting convergence with the European Union's extensive legislation (the *acquis communautaire*) and so reduce the need for transition periods
- Promoting economic and social cohesion.

The UK and Italian Governments successfully applied for a PHARE grant to promote the development of victim and witness services in Eastern Europe. The grant enabled them to work with the 10 accession states to look at their standards of service for victims and witnesses and, where necessary, assist them in reaching standards compliant with the EU Framework. As part of the EU application process, the UK and Italy called upon the expertise of the European Forum and the National Association of Victim Support Schemes in the UK.

The first section of the PHARE victims' programme consisted of missions to each of the ten accession countries. In each case, an experienced member of the Forum teamed up with a UK criminologist to carry out the investigation. On the UK side, the project was co-ordinated with the UK Home Office and English academics, Paul Rock and Andrew Sanders.

Following the initial visits and the publication of the report, EU funding has been provided for further activities aimed at implementing the recommendations. The UK Home Office asked Victim Support and the Forum for assistance, and the Forum was provided with funding to pay the salary of a Project Manager.

Government and NGO representatives of the accession countries were invited to a workshop held in Dublin, in the autumn of 2002, to meet with members of the European Forum for Victim Services and other Western experts. The aim of this conference was to aid the accession states in developing their policies on the rights and support of victims of crime, and to establish good working relationships between the NGOs and government officials. At the conference, representatives of the accession states met with representatives of existing victim services in EU member states and drew up detailed workplans for their own victim services.

The conference was followed by a study visit to Paris, where the accession states were able to observe the practical implementation of victim-friendly procedures among the statutory agencies. They were also introduced to the national victims' organisation INAVEM and were able to observe examples of good practice in providing victim services.

Daphne EU FUNDING PROGRAMME

The European Commission's Daphne Programme was a four-year programme, set up in 2000 to support action in combatting violence against children, young people and women. All types of violence were covered, including domestic violence, violence in schools, violence towards minority groups such as handicapped people and ethnic minorities, verbal violence and sexual violence including extreme forms such as the trafficking and prostitution of children and women. The aim was not only to promote actions that would be 'victim-based' - centring on the needs of children, young people and women subject to or at risk of violence of all sorts - but to do this in a truly 'European' way, ie taking into account that violence knows no borders with joint analysis and shared experience improving the fight against crime.

In 1998, the European Forum applied to the Daphne Programme for funding for the Code of Practice and an international training conference for practitioners to exchange ideas and share best practice, however this was unsuccessful.

MUSAS Project

In May 2001, the Forum's AGM passed a resolution supporting the involvement of four Forum member countries in the Musas project. This project was funded by the EU Leonardo da Vinci Programme, to help child victims of crime. The project ran from November 2001 to June 2004 and Portugal, Belgium (Flanders), Netherlands and the UK participated in the project with France and Scotland joining later. The objectives were to:

- Raise awareness of the existence of children as victims
- Identify Victim Support policies and procedures for working with young people.
- Identify boundaries of the service and self-referral

The project resulted in the development of three training modules designed to support children and young people who had become victims of crime. Basic guidelines were developed in the form of a template and were sufficiently flexible to allow for variations between European countries, for example different legal frameworks for juveniles. Advanced guidelines were developed to deal with victims of traffic accidents and on communication with children.

This project led to the Forum's adoption of its resolution on child victims at its AGM in Helsinki in 2004.

On completion of the project, MUSAS team members began preparing a proposal for MUSAS II, to extend their training to all Forum Members and all EU countries. MUSAS-partners would support other organisations in developing procedures and training to help young victims, based on the MUSAS training template. MUSAS partners would also continue developing training materials dealing with subjects associated with victim support for young victims.

Chapter 6: The European Forum in the International Arena

The Council of Europe

The Forum was granted consultative status at the Council of Europe in 1996.

Before the establishment of the Forum, the Council of Europe had made three key recommendations regarding the treatment of victims:

- Recommendation R(85)11 on the position of the victim in the framework of criminal law and procedure was adopted in 1985. 'It is necessary to have more regard in the criminal justice system to the physical, psychological, material and social harm suffered by the victim, and to consider what steps are desirable to satisfy his needs in these respects.' The recommendation states that 'the needs of the victim should be considered to a greater degree, throughout all stages of the criminal justice process' and recommended guidelines for the police, prosecution service and the courts concerning their treatment of victims. A year later, the United Nations made a similar 'Declaration of basic principles of justice for victims of crime and abuse of power'.
- Recommendation R(87)21 on Assistance to Victims and Prevention of Victimisation was adopted on 17 September 1987. It noted that 'victimisation often has serious physical, psychological, social and financial consequences' and called on states to assess victims' needs and victimisation rates, raise community and public service awareness of victims' needs and ensure that public and private services can assist victims as required, including, for example, medical, social and material help, protection against the offender, information on the criminal justice process and assistance in claiming relevant compensation from the offender or state.
- Convention on the Compensation of Victims of Violent Crime. This convention came into force on 1st February 1988. The Convention requires states to compensate victims of intentional and violent offences resulting in bodily injury or death. The obligation to compensate is limited to offences committed on the territory of the state concerned, regardless of the nationality of the victim.

At the 1988 Forum meeting, delegates welcomed these policies but expressed regret that they were not legally binding and that organisations, providing victims' services, had not been involved in the development of guidelines they would have a major role in implementing.

The Forum resolved to lobby the Council of Europe to further improve the rights and services for victims of crime in Europe, ensure their implementation and to consult those working with victims across Europe.

That year, the Forum's Executive worked to increase its profile within the Council of Europe. The Council of Europe was encouraged to hold conferences or seminars on the practical implementation of the proposals and to monitor implementation.

National organisations urged their own governments to ratify the Convention on Compensation for Victims of Violent Crime and to consider how they could contribute to the work of the European preparatory meeting for the UN Congress.

In 2003, the Council of Europe asked Victim Support UK to draft a paper on the relevance of the Council's paper R(87)21 on assistance to victims of crime and the prevention of victimisation. The Forum advised that a new Recommendation be drafted in view of the extensive developments that had taken place in Europe and elsewhere since 1987.

The European Union

In the early years of the Forum, despite efforts to explain that the needs of victims of crime in Europe covers not only economic and social fields but also that of criminal justice, the European Union declined to act on victims' rights, believing these to be in the criminal justice purview, for which the EU had no competency.

In 1996, the Forum's policy statement on *The rights of victims of crime in criminal justice* was published at a special meeting of the European Parliament in Brussels, which coincided with the Forum's annual conference and AGM. The document was given to the charge of Anita Gradin, the Swedish Commissioner, Head of the Commission for Security, Justice and Freedom.

While in Brussels, Forum members took the opportunity to meet with several Members of the European Parliament. Contact remains strong with MEPs, who have expressed an interest in the Forum's work.

Following the 1996 conference, the Forum had several follow-up meetings with the Swedish Commissioner, who became very interested in the development of the rights of victims of crime. Ms Gradin's Commission set up a Committee of Experts, including Forum members Hans Klette (Sweden) and Helen Reeves (UK), which met between 1998-99.

The Expert Committee considered compensation, rights in criminal justice, social rights and victims' services, using Forum policy documents for guidance. The Committee also considered provisions for those who become victims of crime while travelling in countries other than their own within Europe.

The result was a report, *Crime victims in the European Union: reflections on standards and action*, that was adopted by the Commission on 14th July 1999 and endorsed by the Council of Ministers in Tampère in October 1999, enabling victims' rights to be included in the European Commission and Council Action Plan on Freedom, Security and Justice. Minimum standards were subsequently developed, "in the protection of the victims of crime, on crime victims' access to justice and on their rights to compensation for damages, including legal costs. In addition, national programmes should be set up to finance measures, public and non-governmental, for assistance to and protection of victims."

Since then, the rights of victims have become firmly established in the European Union's agenda.

Meanwhile, between 1997-8 the Forum's Executive continued to negotiate with MEPs to identify a committee of the EU willing to add victims of crime to its budget. The Committee for Public Safety agreed to add €200,000 to its budget by extending its interest in children and adolescents, who become victim of violent crime, and this was eventually given to the Daphne fund for allocation.

The EU Framework Decision on Victims of Crime

The Forum continued lobbying for victims' rights to become law in member states and both Portugal and France took the lead in petitioning the European Union in 2000, whilst those countries took the Presidency of the European Union.

The first draft of a framework document was drawn up in January 2000, when Portugal held the EU Presidency. Portuguese Victim Support members met with the Portuguese Minister of Justice to discuss the Forum's proposals and to seek funding to support a network of services across Europe. During the French Presidency, INAVEM persuaded French Ministers to give a higher EU priority to victims' rights and to obtain an endorsement for improving standards of finance.

The framework document, *Framework Decision 2001/220/JHA on the Standing of Victims in Criminal Proceedings*, was formally adopted by the European Union in March 2001. The crucial item is Article 12: Cooperation between Member States: "Each Member State shall foster, develop and improve cooperation between Member States in order to facilitate the more effective protection of victims' interests in criminal proceedings, whether in the form of networks directly linked to the judicial system or of links between victim support organisations".

The European Union 2001 Framework Decision is the first legally binding international protocol to have major implications for all, present and future, EU Member States. The Framework highlights issues of concern as well as setting out principles and rights to which victims of crime are entitled during criminal proceedings. The adoption of the Framework has allowed the Forum to apply for funding aimed at projects to improve victims' services in Europe.

Compensation

A Framework Decision on compensation for victims of crime was adopted by the Council of Ministers of the European Union on 29th April 2004. All members must establish schemes to provide victims of crime with 'fair and appropriate compensation' by 1st July 2005. Compensation is to be easily accessible in practice, regardless of where in the EU a person becomes the victim of crime, by creating a system for cooperation between national authorities, which will be operational by 1 January 2006.

The Forum welcomed the Council of Europe's Convention on Compensation for Victims of Violent Crime and called upon the Council of Europe to exhort all its members to ratify the Convention.

The United Nations

The Forum has assisted with the development of several UN initiatives to help victims of crime and in 1995, the European Forum was granted UN consultative status.

On 29 November 1985, the UN General Assembly adopted the *Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power*. This Declaration recommended measures to be taken on behalf of victims of crime at the international, regional, and national levels to improve access to justice and fair treatment, restitution, compensation, and assistance

In 1997, the UN Economic and Social Council passed a resolution on the "Victims of crime and abuse of power." Through representation on an international committee of Experts formed to consider the implementation of this resolution, Forum members from the UK, the Netherlands, France and Portugal assisted in drafting the Guide for Policymakers on the Implementation of the Declaration and a Handbook on Justice for Victims. The UN Handbook for Victim Assistance Practitioners was adopted in 1999.

These meetings led to a further UN resolution on 28 July 1998, *1998/21 United Nations Standards and Norms in Crime Prevention and Criminal Justice*, 'Recalling the recommendations of the Expert

Group Meeting on Victims of Crime and Abuse of Power in the International Setting, held at Vienna from 18 to 22 December 1995, as well as the expert group meetings on the same subject held at Tulsa, Oklahoma, United States of America, from 10 to 12 August 1996, at The Hague from 5 to 7 March 1997 and at Washington, D.C., on 26 and 27 February 1998, which highlighted the needs of victims of crime and abuse of power and the necessity of concerted action to protect and assist such victims’.

Forum representatives have continued to contribute to UN policy in:

- The Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, in Vienna in April 2000, where the subject of victims of crime and abuse of power was one of the four main topics.
- The UN Steering Group responsible for setting up the International Victimology Website (www.victimology.nl) as recommended by Resolution 1998/21 - United Nations Standards and Norms in Crime Prevention and Criminal Practice.
- The Forum has also had regular contact with the UN Office for Drugs Control and Crime Prevention at Vienna.

Other Forum Collaborations

As part of its remit to work closely with other organisations in order to improve the situation of victims of crime in Europe, the Forum has worked with the following organisations:

- Conference of Probation Services in Europe (CEP)
- World Society of Victimology
- Tourist Victims Organisations (an informal international organisation)
- ISPAC: (International Scientific and Professional Advisory Council of the United Nations Crime Prevention and Criminal Justice Programme).

Appendix 1: Organisations attending the founding Forum meetings:

	Country	Organisation
1.	Belgium	ASBL Aide et Reclassement Service Aide aux Victimes
2.	Belgium	Vlaamse Vereniging voor Forensisch velzijnswerk
3.	France	Aide aux Victimes et Mediation
4.	Germany	Weisser Ring and Opferhilfe
5.	Ireland	IAVS
6.	Northern Ireland	Victim Support
7.	Netherlands	Landelijke Organsatie Slachtofferhulp
8.	Portugal	Institute de Reinsercao Social
9.	Scotland	Scottish Association of Victim Support Schemes
10.	Spain	Servei d'Ajuda a la Victima del Delicte
11.	Sweden	Hjalp Brottsoffer
12.	Switzerland	Weisser Ring
13.	UK	National Association of Victim Support Schemes

Appendix 2: Forum Executive Members

The following have been members of the Steering or Executive Committee since the Forum's establishment

	Country	Name
14.	Sweden	Bjorn Lagerback
15.	Switzerland	Marc Hauser
16.	Portugal	Luis Miranda Pereira
17.	Netherlands	Marc Groenhuijsen
18.	Belgium	Eugeen Van Kerckhoven
19.	France	Jean-Luc Domenech
20.	Hungary	Jossef Vigh
21.	Sweden	Hans Klette
22.	Germany	Dieter Eppenstein
23.	UK	Helen Reeves
24.	France	Anne d'Hauteville
25.	Netherlands	Elly Vreeburg
26.	France	Luc Barret
27.	Hungary	Lenke Feher,
28.	Austria	Marianne Gammer
29.	Finland	Petra Kjallman
30.	Scotland	Alison Paterson
31.	Ireland	Lillian McGovern
32.	Czech Republic	Petra Vitousova
33.	Slovakia	Jana Siposova
34.	The Netherlands	Jaap Smit
35.	Portugal	Faye Farr

Appendix 3: Summary of Policy discussions and resolutions at Forum Conferences

Year	Place	Action
1987	Eerbeek, Netherlands	First meeting of European national organisations working with victims of crime.
1988	Windsor, UK	Second meeting. Decision made to meet annually.
1989	Montpellier, France	Decision made to form an official organisation. Issues of compensation and reparations were also discussed. 22nd February adopted as European Victims' Day.
1990	Stockholm, Sweden	Constitution agreed upon.
1991	Mainz, Germany	Training for volunteers, victims and the media, current findings in academic victimology
1992	Dublin, Rep. Ireland	Victims and the Police, Victims in the Criminal Courts, Compensation for Victims of Crime in Europe after 1992 – the Forum adopted the EU Convention on Compensation for Victims of Crime and passed two resolutions. 1) to campaign for EEC competency to deal with State compensation. 2) To call upon the Council of Europe to exhort all its members to ratify the Convention on Compensation for Victims of Violent Crime.
1993	Adelboden, Switzerland	Tourists and Victims, Domestic Violence, When Victims' and Offenders' Interests Conflict The Forum agreed a list of demands to put to the United Nation. See below.
1994	Falkirk, Scotland	Secondary victimisation, Victims Rights, Racially Motivated Crime.
1995	Lisbon, Portugal	The Forum adopted the Statement on Victims Rights in the context of criminal justice and began discussing victims' rights in the context of social welfare.
1996	Brussels, Belgium	Code of Practice, Paper on Social Rights.
1997	Budapest, Hungary	The Forum adopted the paper "The Social Rights of Victims of Crime". Also discussed tourists as victims and looked at an overview of Victim Support in Western Europe
1998	Strasbourg, France	The Code of Practice, Developments in Eastern Europe, Implementation of Social Rights.
1999	Vienna, Austria	The Forum adopted the new Standards of Service paper, Presentation of the Tilburg Research, International Courts, tourists as victims, training and fundraising issues.
2000	Windsor, England	The annual conference covered the issue of training only.
2001	Berlin, Germany	Victims' rights in Europe, with special attention to the issue of foreign victims Developments in the EU – Applications and implications of the proposed EU Framework document and the "Network of Services" Mediation & Restorative Justice, the new consultation document on state compensation Development of the PHARE programme

		The Forum approved a proposal on the Government's relationship with Governmental Organisations
2002	Prague, Czech Rep	Grotius, Victim/Offender mediation, Domestic Violence
2003	Dublin, Ireland	Victim/Offender mediation Racist Crime, hate crime, homophobic crime Tourism Victim Services People trafficking Domestic Violence "Position paper on the role of the Forum in connection with crime prevention." Repeat Victimization
2004	Helsinki, Finland	VS Workers Welfare – support for staff and volunteers Hate Crimes (Racist, Homophobic, Religious & Sexist Crimes) Cross Border Crime and consider any form of victimisation that is specifically suffered by foreigners
2005	Haarlem, Netherlands	Media and Victims, basic issues in victims' services and also workshops on a variety of subjects: (1) Hate crimes (2) Stalking (3) Trafficking (4) Domestic violence and/or abducted children (5) VSS workers welfare (2nd round) and (6) Framework decision (implementation issues).