

CROSS BORDER VICTIMISATION
The French Experience

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Workshop Session two

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INAEM, the French Victim Support and Mediation Institute, was created in 1986.

The fundamental missions of INAEM, the national federation of victim support associations, are to drive, coordinate and promote victim support actions and also to develop partnerships and agreements to this aim.

INAEM's objectives are:

- 1.To definite and to evaluate victim support missions
- 2.To coordinate and to support victim support associations, especially through its training body
- 3.Raising awareness among the professionals and the public concerning victim support and information
- 4.hosting and running since October 2001 a national victim support number called 08VICTIMES (08 842 846 37), which listens to crime victims and directs them to the associations close to their residence and to other services or competent bodies.

Recently, the **EU Directive** establishing minimum standards on the rights, support and protection of victims of crime establishes minimum rights that should be accessible for victims of crime in all EU Member States.

The Directive aims to ensure that, across the EU victims receive support and assistance accessing justice in cross-border cases : **Article 4 and 17, recital 51.**

Especially

- Victims get information about their rights and their case in a way they understand
- Victims receive support and assistance accessing justice in cross border cases

Cross Border victims normally face further obstacles than regular victims which might reinforce their victimisation experience :

- 1.linguistic difficulties
- 2.Unfamiliarity with the criminal justice sytem of the country
- 3.No information about social support victim

Cross border are often tourists, the short lenght of their stays means that it will be hard to accompany the criminal investigations and overall process

We have chosen to present the way who national and local victim support taken an specific interest in the issue of cross borders victims.

We have chosen to present some of them and try to identify the best methodology to care seriously and efficiency this type of victimisation.

Partnership between the Ministry of Foreign Affairs (MAE) and the INAVEM was formalized by the signature of a convention (since 2003), the object of this convention is the implementation of services of listening, psychological support, information about the rights and social support **in favour of the French nationals victims of breaches abroad**, that it is about individual violence, about accidents, about attacks or about collective disaster.

During the first contact with the local victim support, we can note three scenarios:

1. the victim lodged a complaint abroad at the time of the facts and has no news since the return in France => it requests to know consequences reserved for this complaint;
2. the victim didn't take initiative in the country of commission of the facts => it requests the help of the local victim support AAV with the aim of the fulfillment of such steps
3. the victim have difficulties to get back a copy of the criminal procedure launched abroad, which would be necessary for her to constitute a file in front of the Commission of Compensation of the victims of Breaches (CIVI) => the victim requests the help of local the victim support in relation with the INAVEM and the Foreign Affairs

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This follow-up in the long term, personalized by the victims and by their families, is an important and reassuring element for them, because there is often interlocutors' plurality at first, but the local AAV is going to have a real role of "electrical wire" ("main thread") towards the victim throughout the procedure - and even beyond-, to guide them in its steps and insure the link with all the actors called to intervene with them.

Several associations in the network have already taken an interest in the issue of tourist victims and some of these have good practices. We have chosen to present two of them.

The *Paris Aide aux Victimes* association

The Paris association has developed specific structures so as to best be able to welcome tourist crime victims.

The association has English-speaking staff and volunteers are available for other languages.

Thanks to an agreement signed with the Paris Bar, the association can identify a lawyer that speaks the victim's mother tongue. The association then makes the link between the victim and his lawyer if this is necessary.

When a tourist victim is welcomed by the association, the welcome staff ask for his e-mail address so that they can communicate with him via the Internet once he has returned to his country.

The association has specified that working over the Internet makes it possible to reduce telephone costs and solve problems linked to time differences.

Finally, the association gives the tourist victim the details of the victim support association in his country of residence.

The association has begun the translation of communication documents on its activities in English, Spanish, Chinese, Italian and German. It is now going to approach consulates to circulate these documents and make itself known among more tourists

In certain particularly tourist-heavy regions, the public authorities have put in place specific structures to improve the tourist welcome and adapt to new arrivals.

Police prefecture

In Paris, the Police prefecture has put in place a structure to improve the way in which foreign tourists are received, especially when they are victims of a crime. This structure was introduced in 2001 following several meetings with the Japanese Embassy. In fact, Japanese tourism is increasingly important in France. Their cultural difference has been detrimental to the Japanese because their “naivety” was rapidly exploited for all sorts of scams. The language barrier being added to this phenomenon, the Japanese Embassy wished something to be done to improve the welcome given to their nationals.

The *Direction de la Police Urbaine de Proximité* (local urban police) has therefore set up structures enabling these linguistic difficulties to be resolved. Given the success of these innovations, these structures have been extended to other languages.

Nowadays, a system has been put in place making it possible to identify policemen who speak foreign languages. These police officers wear a badge indicating the foreign language that they speak. They can also be specially sent to a situation where their skills are required. 25 foreign languages are listed. Since 2004, software under the name *Système d'Accueil des Victimes Etrangères* (SAVE – system to welcome foreign victims) has been created. It enables the complaint statement to be drawn up in French and in the language of the victim; twenty languages are available with this software.

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The Police Prefecture has forged with the Paris Tourist Office and the Chamber of Commerce and Industry. This partnership has given rise to several innovations: the introduction of kiosks set up in tourist spots in the summer, run by “Welcome Ambassadors” recruited by the Tourist Office. These young people receive training from Parisian police officers, especially with regard to prevention. In addition to their tourist welcome role, they are able to inform and guide tourist crime victims in reporting the crime to the police. Moreover, thanks to the Paris Tourist Office, meetings have been organised with police officers, hotel managers and restaurateurs. This has notably led to an initiative, at the pilot stage today, with a dozen hotels: hotel managers have a printed form providing assistance in reporting a crime in a large number of languages. They can thus help the person to fill it in and then contact the police station to make an appointment. This prevents the tourist from having to wait at the police station and having difficulty in making themselves understood.

INAEM, the mainspring of this recommendation:

Would act like a bridge between the french ministry of Foreign affairs and the french embassies in all EU countries

Would be a link with the european representation and embassies in the french territory

Would centralise technical and legal documents about on issues regarding tourist victims and the way to care of victims by other partners (Police, Justice, etc.).

Would give to the victim support associations the different documents about the legal process in numerous foreign languages.

Would collaborate with tourism professionals to create a special flyer where can find the first important information. The low number of tourist victims who contact the associations is certainly due to the unknowledge by tourism professionals of the existence ours services.

Would improve the national helpline the 08VICTIMES to allow the tourists to access to the associations. Specific training could be put in place taking account the impact of the crime on a tourist who has cultural differences.

Would invite the National Bar Council to include in its orientation a team of bilingual lawyers .

Would make an agreement with an association grouping together translators in many languages. This service will be available for victim support associations, primarily for the welcome staff, when they have difficulties communicating with a tourist victim.

Would support local victim support associations and help them to develop actions in favour of tourist victims.

The associations, the local contact:

Would draw up information flyers on their local structure
Would provide training to police personnel including how to deal with tourists.

Would draw up lists of professionals (doctors, lawyers, psychologists...) who speak a foreign language.
Would, if possible, have available personnel speaking foreign languages, especially psychologists and welcome staff.

Would create an emergency fund for victims' basic needs (food, accommodation).



The directive looks at the duality of the right to be /the right of : two spheres of the same mechanism : the essence and the technical abilities.

Our hope give the same importance to these two spheres , humanity and abilities, the one without the other will reduce the aim of the directive.