

Victim Support Europe Contribution

**EVALUATION OF THE EUROPEAN UNION AGENCY FOR LAW
ENFORCEMENT TRAINING (CEPOL)**



About Victim Support Europe

Victim Support Europe (VSE) is the leading European umbrella organisation advocating on behalf of all victims of crime, no matter what the crime, no matter who the victim is. VSE represents 60 member organisations, providing support and information services to more than 2 million people affected by crime every year in 30 countries.

Founded in 1990, VSE has been working for almost 30 years for a Europe, and a world, where all victims have strong victims' rights and services, whether they report the crime or not. We work towards this mission through advocacy to improve European and international laws, through research and knowledge development and through capacity building at the national and local level.

Introduction

VSE strongly supports the work of CEPOL in delivering training to law enforcement. In many cases, law enforcement professionals are the first persons to enter in contact with a victim after a victimisation. For this reason, they need to receive appropriate and relevant training. VSE welcomes the newly adopted EU Victims' Rights Strategy for 2020-2025 which has a focus on developing training activities that effectively reach actors who are in contact with victims. There is a crucial need that the European Commission and CEPOL work together to improve training content and methods of communication with victims of crime among law enforcement agencies (LEA).

The way that police and other authorities are organised and interact with victims can have a substantial influence over their entire experience of the criminal justice system as well as their recovery. In short, police can significantly increase or decrease secondary victimisation and trauma in victims.

In considering the importance of CEPOL's work and priorities for victims, VSE would emphasise the following issues:

- **Victim focused training for the police is essential to effective, modern policing:** To create the most positive environment for victims to engage in criminal proceedings, requires that police services have specific training on victims' issues. Such training must be directed to both leaders and frontline officers to ensure that victim interactions are victim centric, and that police structures and protocols are designed with a victims' lens.
- **Training covering all victim groups and specialisms:** it is essential that specialist training is provided for specific types of crime such as child abuse or sexual violence. At the same time, foundational training on needs of victims, impacts of crime etc. – relevant to all victims must also be provided.
- **Soft skills as well as legal knowledge must be developed:** It is critical that training focusses not just on the rights of victims and procedures to be followed, but also develops soft skills and an understanding of victims and their needs as well as the impact of crime on victims.
- **Collaboration with victim experts and support services is critical:** Developing the most powerful and relevant training programmes requires a close collaboration between police trainers and experts in the victims field, in particular civil society actors directly supporting victims. A partnership approach which equally includes victims in the development and delivery of training will greatly heighten the success and impact of any training.

More specifically, VSE has proposed in brief some potential areas of focus for future training programmes. This is not intended as an exhaustive response but highlights some key issues.

I. Content of training

A victim-centered approach has been progressively developed across Europe as the 2012 Victims' Directive is implemented in the EU Member State. This approach incorporates the needs and rights, and in essence the well-being of victims, by prioritising a personalised and trauma-informed perspective when supporting and protecting the victims. To that end, the emerging need for the training of professionals in contact with victims, as well as increasing awareness and sensitivity-regarding the special needs of vulnerable victims, is of major importance.

Victims and witnesses often play a major role in police investigations and criminal proceedings. It is therefore in the best interest of both victims and the police, that officers engage in a professional and impartial manner with victims in order to receive high quality testimony whilst minimising harm to the victim from their participation.

All LEA professionals in contact with victims and witnesses, should be provided with training to ensure they can deal with victims' reactions to crime in a sensitive, impartial, professional manner. The level, type and frequency of training, including any specialist training, should be determined in accordance with the extent and nature of the professional's contact with victims and witnesses of crime.

Moreover, a rights based, victim centric approach to policing not only requires behavioural change in officers but also institutional awareness and development. Only through such organisational evolutions can services effectively enable safe reporting of crimes, efficient referral mechanisms to support services, consistent needs assessments, provision of timely and relevant protection measures and information – to name just some of the issues. Those changes are most likely to be achieved where police leaders understand victim's needs, the challenges they face when entering the police system and best practices from around the world to overcome those problems.

VSE recognises the already important work that CEPOL is doing and the training delivered to law enforcement authorities. However, as the EU priorities victim training in LEAs and justice authorities, it is evident that CEPOL should be a leader in the development of training methodology and content.

Below are a number of priorities for training recommended by VSE. These are suggested in additional to legal training focused on rights and laws.

1. General and specific scope of training

Traditionally, police training on victims' issues tends to centre around specific victims or crimes such as children abuse, domestic violence, or human trafficking.

It is important that such specialist training continues to be developed and delivered. Such specialist training should be expanded to cover for example more information on the rights and particular needs

of cross-border victims. This is of particular relevance considering the increased mobility of people in the EU and the increasingly globalised nature of crime.

At the same time, it is equally important that training is developed on broad ranging topics that are of relevance to all victims. This will help ensure basic principles and approaches are developed as well as promoting a more personalised understanding of victims where severe trauma or needs may exist despite the victim not falling into a traditionally vulnerable category. This might relate to the challenges and barriers victims face when seeking to report a crime, methods to facilitate reporting or put victims at ease. It could cover ways to put victims at ease, organise an interview room, managing interview timeframes around victim needs etc. Many of these issues will be covered through training on understanding victimisation, crime and victim needs.

2. Understanding victimisation, the impact of crime and victims needs

Understanding victimisation and its impact on an individual is also an essential element in police training. Victims of any crime can experience psychological trauma. The extent and consequences of the trauma will differ between individual victims. It is important that personnel can recognise signs of psychological trauma and its effects on human beings, and know how to respond appropriately. This is an important step in understanding the needs of victims.

The effects of trauma can occur immediately after a crime, or at a later stage and may last for a short period of time, or have may affect the victim over the longer term. The changed state and situation of a victim can be harmful in itself and may in addition affect their ability remember facts, may change their memory and affect their ability to participate in criminal proceedings. An understanding of these issues coupled with strategies to address them can greatly improve victim involvement.

Understanding victimisation and the impact of crime has two main objectives for LEAs:

- Help them to understand the concept of victimisation and its consequences on victims, to better be able to identify predictable needs;
- Helping them to communicate more clearly with victims, to support them better.

It is crucial that fundamental rights and in particular victims' rights are addressed in all activities as an integrated part of training for Law Enforcement officers.

Understanding these impacts should also link to training on victims' needs. This should cover needs related to respect, recognition, protection (from further victimisation and secondary victimisation), support, justice and compensation/ restoration. It is critical that these are understood as all actors in the justice system have a role in meeting these needs – whether directly or through connection others.

3. Communication skills

Secondary victimisation occurs when the victim suffers further harm not as a direct result of the criminal act but due to the manner in which institutions and other individuals deal with the victim. Secondary victimisation may be caused, for instance, by repeated exposure of the victim to the

perpetrator, repeated interrogation about the same facts, the use of inappropriate language or insensitive comments made by all those who come into contact with victims.

Police officers who practice good communication skills are better able to help victims express themselves and reclaim the control they lost as a result of their victimisation. Poor communications can further traumatise and re-victimise the victim and will result in an ineffectual process. CEPOL's training should include modules on listening and communication skills with victims of crime¹.

4. Wellbeing and resilience of LEA

An important aspect of training of law enforcement professionals in contact with victims is the police well-being in order to avoid vicarious trauma. Vicarious traumatisation refers to "the transformation in the officer's inner experience resulting from empathic engagement with victim's trauma materials." Through the inevitable participation in traumatic re-enactments, the officers are vulnerable through their empathic openness to the emotional and spiritual effects of vicarious traumatisation.

VSE suggests that CEPOL's training include trauma-informed training modules for professionals who enter in contact with victims of crime. A vicarious trauma-informed organisation recognises the challenges and assumes the responsibility for proactively addressing the impact of vicarious trauma through policies, procedures, practices, and programs. LEA professionals will learn how to cope with trauma and build resilience. The training should include understanding how the traumatic experiences of other people can affect a third person, knowledge and resources to care for oneself in order to better care for others. LEA professionals need to learn essential skills to prevent and combat the effects of vicarious trauma.

II. Development and delivery of training

VSE believes that is crucial to include victim support organisations and victims themselves in the development and delivery of training for law enforcement agencies. Victims and victims' associations should be heard at all stages of the development of the training as well as in the delivery of training. This can result in using interviews with victims (or a relative in those cases where the victim was unable to participate), and exploring case studies of their interactions with police.

It is necessary to have in place a clear process for discussion and decision making. The process must feel safe for victims to express themselves, allow for a respectful difference of views and enable a route for agreement. This may not be straightforward and may require some time. Whatever the approach, it should be kept in mind that it can be far more damaging for victims to establish consultation 'on paper' which doesn't genuinely listen to victims, than to not have consultation at all.

¹ Many training already exist on that topic, see for reference: https://victimsupport.eu/activeapp/wp-content/files_mf/1554799348HandbookforOfficersHRMI2.pdf, <https://ovc.ojp.gov/sites/g/files/xyckuh226/files/media/document/2010firstresponseguidebook.pdf>, http://www.eurocrime.eu/wp-content/uploads/2019/01/PROTASIS_Training-Manual.pdf, <https://ce4less.com/Tests/Materials/E055Materials.pdf>