

# Minimum rights for victims of crime in Europe

## Introduction

Crime can have long-term and detrimental consequences for victims and their families, not only for their physical, financial and emotional wellbeing but also for their attitudes towards society as a whole. Democratic societies have an obligation to alleviate the effects of crime, including the adverse consequences of victimisation. Being a victim of crime affects all aspects of life and may leave the person feeling anxious, angry, depressed and in some cases the person may suffer from post-traumatic stress disorders. Experience has shown that victims are more likely to cope effectively with the emotional consequences of crime and make a good recovery if they are provided with an early opportunity to talk openly and in confidence about their reactions.

# Minimum rights for victims of crime

People who fall victim to crime in the European Union are entitled to certain rights. Victim Support Europe believes that, as a minimum, the following rights and services should be provided to all victims of crime:

## 1 Right to respect and recognition

- All agencies and professionals throughout the entire justice process must recognise the role of the victim and treat the victim with respect
- All legal agencies involved should explain clearly who they are, their level of engagement in the case and what they expect of the victim

## 2 Right to an effective remedy

- People who fall victim to crime should be entitled to an effective remedy to their case within a reasonable time
- Victims should be recognised as having a legitimate interest in the case, which entitles them to be considered at all stages of the criminal justice process

## 3 Right to information

- Victims should, if they so desire, be informed of any updates in their case
- Information should be given in a format and language that the victim can understand
- Explanations should be given to how decisions were reached, such as the decision to reduce charges, accept a guilty plea etc. Even if the victim does not agree with the decision, he/she should be able to understand how it was reached
- Victims should be told who to contact to discuss the information provided

## 4 Right to specialist victim support services

- Each EU Member State should provide an independent victim support organisation
- Victim Support Europe may assist victims locating victim support services
- Victim support organisations may be able to provide:
  - information regarding the rights as a victim
  - emotional support
  - assistance to solve practical implications following the crime
  - information regarding the national criminal justice system and how to initiate legal proceedings
  - information about eligibility and assistance when claiming compensation for criminal injuries
  - where available, they can give more information and/or refer the victim to specialist services

## **5 Right to compensation**

- Victims of violent crime are entitled to fair and appropriate compensation for the injuries suffered as a result of the crime, regardless of where in the EU the crime was committed
- Each EU Member State should have a one or more authorities responsible for receiving and processing compensation claims from victims of violent crime
- Victims should not be required to pay for filing a compensation claim or for getting any of the required evidence

## **6 Right to protection**

- Everyone has the right to be safe in the European Community. Each EU Member State is required to ensure a suitable level of protection for victims and, where appropriate, their family
- Police stations should have facilities to welcome victims and take reports in a separate and safe environment
- All courts should establish separate waiting rooms and refreshment facilities for victims
- Victims' right to protection of family and personal life should ensure that only information that is relevant to the case should be disclosed. Medical records and previous events, unrelated to the crime, should never be disclosed
- Victims should have the right to refuse publication of their picture or intimate details of their case in the media

## **7 Right to services in accordance to needs**

- The needs of victims should be continually assessed to ensure they receive the most appropriate services in the aftermath of crime
- Specialised victim awareness training should become a fundamental requirement of foundation training for all professionals in contact with victims and witnesses of crime

## **8 Right to participation**

- Victims should have the right to participate and provide information before any key decisions are taken in their case. For instance, they should have the right to provide the court with information regarding the impact of the crime

## **9 Right as a witness**

- All Member States should establish support and information services to victims who are called to give evidence in court
- Victims should be offered access to special measures when giving evidence

## **10 Right to reimbursement of expenses**

- Victims should be entitled to have their costs for participating and/or attending the criminal justice proceedings reimbursed

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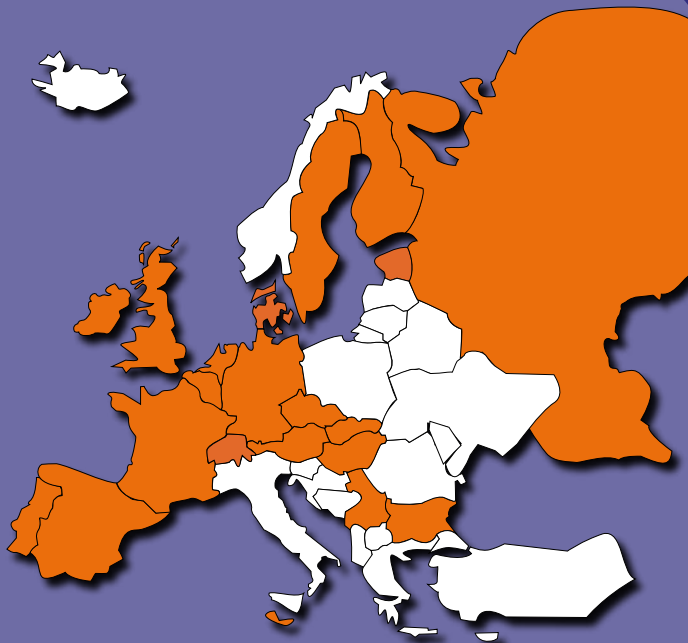
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**Victim Support Europe AISBL** – Association internationale sans but lucratif

**In orange indicated the members of Victim Support Europe**



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