



# VICTIMS RIGHTS IN PRISON AND PROBATION

## Co-ordinating responses

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- o Umbrella network for national victim support organisations in Europe
- o 66 Members from 32 countries
- o Members: approx 3000 staff, 20000 volunteers, assist 2 million+ victims each year
- o Promotes, advocates for and facilitates establishment and development of victims rights and services in Europe
- o Helps victim support organisations to develop capacities, learn from each other, share best practice and cooperate.

# Role of Probation/Prison re Victims

Need to understand two aspects:

- o 1) Legal obligations on prison and probation arising from victims rights
- o 2) How come into contact with victims?
  - o Victims of prisoners
  - o Victims in prison
  - o Family of victims
- o How influence and engage with prisoners?
- o Who are your partners?

POINTS OF  
ENGAGEMENT

# Action for victims

Needs driven



Rights based



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# Needs of Victims/ Benefit of Action

NEEDS OF VICTIMS



Respect and  
Recognition



Protection



Support and  
information



Access to  
Justice



Compensation



## Benefits of action for victims

Recover from crime and avoid further victimisation

Avoid long term psychological issues

Help to accept, move on, start new life

## Benefits of action to society

Reduced health care costs and loss of economic activity

More stable and better functioning society

More effective, efficient justice system that people trust

# EU legislation on victims of crime

Type of Law	Title
<a href="#">Directive 2004/80/EC</a>	relating to compensation to crime victims
<a href="#">Council Framework Decision 2008/913/JHA</a>	on combating certain forms and expressions of racism and xenophobia by means of criminal law
<a href="#">Directive 2011/99/EU</a>	on the European protection order
<a href="#">Directive 2011/36/EU</a>	on preventing and combating trafficking in human beings and protecting its victims
<a href="#">Directive 2011/92/EU</a>	on combating the sexual abuse and sexual exploitation of children and child pornography
<a href="#">Directive 2012/29/EU</a>	establishing minimum standards on the rights, support and protection of victims of crime
<a href="#">Regulation (EU) No 606/2013</a>	on mutual recognition of protection measures in civil matters
<a href="#">Directive (EU) 2017/541</a>	on combating terrorism
<a href="#">Directive (EU) 2019/712</a>	On combating fraud and counterfeiting of non-cash means of payment

# EU Victims Directive - Overview

## Information and Support

- Information
- Support
- Making a complaint
- Interpretation and translation

## Participation in criminal proceedings

- Right to be heard
- Decision to not prosecute
- Restorative justice
- Legal aid
- Reimbursement
- Return of property
- Compensation in criminal proceedings
- Foreign victims – assistance and reporting in home country

## Protection and victims with specific needs

- General right to protection
- Avoidance of contact
- Protection in investigations
- Privacy
- Individual assessment
- Vulnerable victims and special protection measures

## Other Provisions

- Training
- Co-operation and co-ordination

# Victims Rights - prison and probation



Release – comms with victim

Appeals and further proceedings

Contacts by offender with victim  
– wanted/unwanted

Compensation



# Key elements to co-ordination?

Fundamental challenge: Success should not be random luck

- victims are not the primary concern of prison and probation
- How organise your service to:
  - be sufficiently knowledgeable on victims issues
  - be able to engage with those who work with victims and benefit from their expertise and help them benefit from yours
  - Identify action in individual cases

# How achieve change for victims?

## STRATEGIC AND CO-ORDINATED

National strategy, co-ordinating body, funding, know victims

### 1) Leadership

Vision  
Messaging  
Commitment  
Organisation change  
Strategy



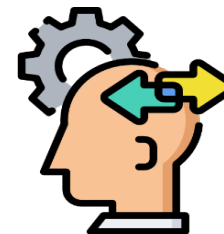
### 2) Structural

Rules and  
Procedures  
Infrastructure  
Multi-agency/co-ord  
mechanisms



### 3) Personal

Commitment  
Training  
Empathy –  
understand/know  
Communications



# Communication/ Information (A3-7)



# Requirements of the Directive

Help victims to understand and be understood

Interpretation and translation

Provision of information on rights and services to victims – 1<sup>st</sup> contact

Provision on information on the criminal proceedings, release offender

Information on impact of crime, reactions to crime and crime prevention

Awareness raising of rights amongst general population

# How look from prison/probation perspective?

- what information is provided by others and in what form?
  - How co-ordinate – same info? Same approach?
  - Core principles – simple, timing, repeat but not overwhelm
- What structures in place – to share info on victims, for victim about case etc. case management systems, victims file
- How identify vulnerable victims and share information to appropriate bodies?
  - Why needed and how relevant to info provision? – release of offender, comms about release, ensure safety of victim, efficiency and effectiveness of system

Thank you!

Victim Support Europe

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