



Support VoC 

Transnational Recommendation Report
In order to contribute to the effective
implementation of the Directive
2012/29/EU

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Family & Childcare Centre – KMOP



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Introduction and Research Questions

Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime (in the following: “The Directive”) was adopted on 25 October 2012. The Directive states that Member States must ensure access for victims and their family members to general victim support and specialist support, in accordance with their needs (Article 8). However, there are still eight Member States that have yet to establish the generic victim support services (Article 8), among which are Bulgaria, Cyprus, Greece, and Italy. In order to address this gap, the project entitled “*SupportVoC – Development of a Generic Support Services Model to enhance the Rights of Victims of Crime*” seeks to contribute to the promotion and protection of rights of victims in the aforementioned countries.

In particular, the ‘SupportVoC Project’ is funded by the Justice Programme (2014-2020) of the European Union and it is implemented by a Consortium of six partners consisting of University of Barcelona (UB) – Spain, leader of the project, Family and Childcare Centre (KMOP) – Greece, National Centre for Social Solidarity (EKKA) – Greece, Animus Association Foundation (AAF) – Bulgaria, “Hope For Children” CRC Policy Center (HFC) – Cyprus, and CESIE – Italy. Through an analysis of the national legal framework regarding the rights of victims, as well as an analysis the Spanish Generic Support System, the project will develop a model adaptable to different national contexts. To further achieve these objectives, ‘SupportVoC Project’ will also promote the cooperation between authorities and organisations coming into contact with victims and contribute to ensuring their comprehensive protection.

The present report was prepared in the frame of the Work Package No 2 (in the following: WP2) of the Project. Its goals were to review and analyze the national legal frameworks regarding the rights and protection of victims (‘law in books’) and their implementation in practice (‘law in action’). Furthermore, its goals included the development of proposals or recommendations on the effective implementation of the Directive 2012/29/EU (mainly article 8) according to the national context and in alignment with DG Justice Guidance Document related to the transposition and implementation of the Directive. In order to accomplish this, two main activities were planned.

More specifically, Activity 2.1 consisted of review and analysis of the national legal frameworks in Greece, Italy, Bulgaria and Cyprus regarding the rights and the protection and support of victims of crime and its application. The analysis focused on the identification of gaps that hinder the effective implementation of Directive 2012/29/EU into national contexts. In other words, the analysis of the practical application of the legal framework concerned both the identification of problems/challenges arising and any positive measures taken. Based on the results of the analysis undertaken under Activity 2.1, the project team developed recommendations on the effective implementation of the Directive according to the national context of each country (Activity 2.2).

Methodology – Research Tools

Activity 2.1 included review the legal framework in relation to the rights, support and protection of victims based on desk research and interview with stakeholders in each country. In order to support the development of the recommendations and to take into account local needs and stakeholders' opinions (Activity 2.2), one or two focus groups with selected stakeholders organized in each country. Generally speaking, interviews can be used to explore the views and experiences of individual participants; on the other hand, focus groups use group dynamics and interaction to generate data. Interaction between members of the group (non-verbal communication included) may encourage participants to make connections to various concepts through the discussion that may not occur during interviews (Seymour, 2004).

The **Bulgarian** focus group was organized on 15 June 2018. Representatives of the Sofia City Police Directorate, Sofia City Prosecutor's Office, Ministry of Justice, Social Assistance Agency, State Agency for Child Protection, National Bureau for Legal Aid, as well as of victim support organisations such as the National Helpline for Survivors of Violence, the National Helpline for Children 116 111, St. Petka Crisis Centre, and the Community Support Centre of Sofia City Municipality took part in the focus group discussion. The focus group discussion was moderated by Diliانا Markova, lawyer and expert at Animus Association Foundation, and Nadya Kozhouharova, psychologist at Animus Association Foundation who works directly with victims of human trafficking and gender-based violence. The main findings of the Activity 2.1 were presented. An open discussion followed around four basic issues:

- 1) Victims' right to receive information from the first contact with a competent authority;
- 2) Identification and protection of victims with specific protection needs against secondary and repeat victimisation, intimidation and retaliation in the course of criminal proceedings;
- 3) Victims' access to free general and specialist support services in accordance with victims' needs;
- 4) Victims' access to free legal aid.

The **Cypriot** focus group consisted of police officers from different departments of the police such as the Office of Combatting Trafficking in Human Beings, the Police Head Quarters, the Department of Domestic Violence and Child Abuse Office as well as the European Union and International Police Cooperation Directorate Department. In addition to this, a representative from the Social Welfare Services attended along with private lawyers who undertake criminal cases, psychologists from different expertise (Children's House – operates for children who are victims of sexual abuse and/or harassment and exploitation of children and child pornography, as well as the Cyprus Psychological Association), and representatives of the "Homes For Hope" (shelter for unaccompanied minors) and the Migrant Information Centre. Even though the target of the research team was to have representatives of the Parliamentary Committee on Human Rights and on Equal Opportunities for Men and Women but unfortunately, due to the substantial amount of work this was not possible. The same goes for

the Ministry of Justice and Public Order from which the research team was not able to interview or have a representative at the focus group (the Ministry of Justice and Public Order was the responsible governmental body for the harmonisation of the Cypriot legislation with the provisions of the Directive 2012/29/EU).

The **Greek** focus group was carried out on 4 May 2018 at the National Centre of Social Solidarity (EKKA) in Athens with thirteen (13) participants in total. In particular, participants included eleven (11) professionals (psychologists, social workers, and lawyers) employed by public and non-governmental agencies that provide services to victims of specific forms of crime. Additionally, two (2) more participants by public sector agencies contributed to the group, who are, directly or indirectly, involved in the field of planning and monitoring of social policy measures (including the implementation of the Directive under consideration). Focus group session started with a short presentation of the goals and the provisions of Directive in relation to victim support services by the facilitator. Participants were kindly asked to introduce themselves and provide a short description of their job duties. In this frame, they also kindly asked to submit some preliminary thoughts – based on their personal experience – on the position and the role of victims in criminal justice procedure. In the following, the discussion focused on the issue of information gathering from the victims in relation to their rights during the criminal justice process and the services available to them. The group facilitator put the following hypothetical questions (scenarios) to the participants, based on the relevant guide provided by Seymour (2004):

- a) If a man/woman/child victimized by a violent offence, how easy would it be for him/her to receive information in relation to their rights as victims during the criminal justice proceedings?
- b) If a man/woman/child victimized by a violent offence, how easy would it be for him/her to identify and access available support services to them?

Group discussion progressed based upon the initial responses of the participants. During the first part of the research process, discussion focused mainly on women – domestic violence victims. Thus, facilitator encouraged participants to consider different forms of victimization (apart from gendered violence). In this frame, participants selected to discuss on house burglary, grab bag and vehicle theft. During the second part of the process, group discussion focused on the article 8 of the Directive 2012/29/EU. Participants expressed their thoughts on the main challenges that should be addressed in practice for the achievement of the goals posed by the Directive in terms of victim support services. Finally, facilitator elicited participants' attitudes towards specific proposals outlined in the Directive and the DG Justice Guidance Document, as well as the proposals of the participants in the frame of the Activity 2.1. In particular, these proposals were mainly included:

- 1) Establishment of generic and specialized victim support services mechanism as a sub-system of the Greek criminal justice system;
- 2) Establishment of victim support services in police departments and Public Prosecution offices;

- 3) Coordination of the existing state and non-governmental organisations through the enactment of cooperation between themselves in specific sectors and by submitting them to a common monitoring agent.

In **Palermo (Italy)** focus group began with a brief presentation of the Directive's objectives and contents in relation to support services intended for victims and to the contents of the desk research conducted by the moderator. The discussion was opened by an 'opening question' followed by answers and interactions among the participants. The moderator has eventually gauged the participants' opinions in relation to specific propositions included in the Directive as well as in the orientating document provided by DG Justice, and proposals advanced by the participants. The guiding text that steers the discussion is generally composed of few rather unstructured key questions (a dozen at most) so to avoid evoking potential answers. Two principles regulated the discussion: (a) to start from rather generic questions to then proceed with more in-depth ones; (b) to structure them based on the importance according to the research scopes.

Following the focus group methodology, the moderator piloted the discussion, balanced the dialogue and kept the group leadership. An external observer attended the meetings without interacting directly with the group or the moderator; the observer was in charge of analyzing verbal and non-verbal reactions of participants, as well as of recording the meeting, upon informing the participants about it. The analysis of collected data was based on evaluations made by the moderator and the observer.

Since each country has a different legal framework and the "law in books" differs from the "law in practice" and also each country has focused on different types of crimes and the relevant services provided to the victims, it is important to present the proposals occurred from the different focused groups that took place in each country. Although some proposals have proven common in all countries, it is essential to preserve the different proposals that better address the gaps and the challenges identified per country. It would not prove efficient to proceed with the same proposals for all countries, since particularities in the different protection systems have been identified and need to be addressed at a national level.

Proposals

The case of Bulgaria

Based on the Bulgarian project team, for victims of violent crimes or in a crisis condition, the earliest possible moment may not be the best time to provide them with information about their rights. The optimum way would be to refer victims to specialized services where specially trained professionals will intervene to overcome the crisis situation and on the basis of the victims' individual condition, choose an appropriate moment to inform them about their rights, possible participation in criminal proceedings, continuous support etc. However, since police officers are usually the first to make contact with the victims, it is essential to ensure that police officers are trained adequately on how to communicate with victims of crime in general and with specific victims of crime such as victims of human trafficking, gender-based

violence or children in particular.

The opinions of professionals working at victim support organisations should be taken into account by law enforcement and judicial authorities. As long as these organisations are regulated by law and undergo regular licensing to ensure they meet all statutory requirements, they should be capable of providing an expert opinion of the same value as the one drawn up by an approved expert witness. In addition, professionals at these organisations often work continuously with victims and are better positioned to have an informed professional opinion about the victims' psychological state compared to an appointed expert witness who would see the victim for a couple of hours.

Bulgaria currently does not provide for general victim support services. The competent Ministry of Labour and Social Policy has proposed a Concept Note for a new Social Services Act. It addresses the main bottlenecks and deficits of the current social services system. In particular, the Concept Note introduces the following: a) universal and specialised social services, b) new rules as to the referral of victims to specialist services, c) planning/mapping of social services so as to ensure balanced geographical distribution of social services in the country and minimum set of services in every region and municipality, d) integrated services albeit in unclear/flawed way that fails to include legal aid and representation. The Concept Note fails to address established gaps/deficits such as:

- Training of professionals working with victims of crime: serious disparities in the country; high staff turnover due to low pay and extreme workload; no trained experts in smaller towns;
- Cooperation among key stakeholders: this has been identified as a major obstacle in providing services to victims of crime;
- Involvement of some groups of professionals such as the medical professionals: Medical professionals are obliged to report cases about a child at risk or an abused child to the Social Assistance Directorate and professionals can be fined if they fail to do so. Yet, referrals of cases by medical personnel or teachers are rare.
- Ensuring medical aid: many victims do not have medical insurance or their health insurance rights have been terminated.

Legal aid should become part and parcel of any social service for victims of crime. Availability of adequate legal advice and representation will empower the victims to assert their rights more often and will make them much less likely to be subjected to revictimization or inappropriate methods of interrogation. By and large, access to qualified legal aid, in particular representation, is an essential shield for victims against revictimisation, and it has positive empowerment rehabilitation effect. Free legal aid (legal representation) should be provided for certain groups of crime victims (e.g. victims of violent crimes, gender-based crimes etc.). Furthermore, mandatory legal representation for child victims of crime should be introduced, as well as specialisation of legal aid lawyers through special registers and specialized training.

The case of Cyprus

One of the preliminary comments from the participants in the Cypriot focus group discussion – which they all shared – is that the current national victim support services has weaknesses because the legislation determines only up to a point which department is responsible for each case. The roles of the services are not clear in the legislation; therefore, the Directive is not fully ratified since there is no holistic approach as to the support of victims. Although the Directive provides access to support mechanisms for all victims, only in cases of domestic violence have direct access to support services. On the positive side however, Cyprus has made tremendous steps regarding the sexual abuse of children, which is very different than for adults. All participants agreed that the ‘Children’s House’ operating under the Icelandic model of Barnahus is doing excellent work and all the support services are under one roof which avoids the re-victimization and further traumatization of the minors.

The common approach by the participants that there are not enough resources, mechanisms as well as an agreed framework for the rehabilitation of victims. The discussion continued between the participants and their conclusion was that there are coordination issues between the competent services involved. For example, there was a long discussion in regards of the duties and responsibilities of the Social Welfare Services which are stated in the Cypriot legal framework. The coordination of services is not clearly stated in the Cypriot legal framework since not all categories of crimes are taken into consideration¹. Despite the changes brought by the harmonisation of the Directive with the national legislative framework, there are gaps that have been identified during the discussion with stakeholders and officials, concerning the understaffing of victim support services; as a consequence, this works against the victims since the delay for action is enormous. However, this may also have to do with the bureaucracy of the services involved. Also, as it can be verified in the rest of the research, researchers have also identified a problem of coordination of services as well as inadequately trained officers who are called upon to offer their services for the benefit of the victims. Therefore, the relevant stakeholders were keen in regards of the information of the competent officers about their obligations. The relevant stakeholders who attended the focus group had the common opinion in regards of the Cypriot victim support model and the fact that it has not reached satisfactory levels, since there was a common acceptance that there are victim cases which remain for years in state drawers since there is a lot of delay in decision making.

The overall outcome of the focus group was that there are no clear guidelines for all victims of

¹ Additionally, one of the lawyers who attended the focus group identified the fact that the Directive 2012/29/EU was passed for the prevention of violence (stated in the preamble) while the Law on the Enactment of Minimum Standards related on the Rights, Support and Protection of Victims of Crime [L. 51(I)/2016] only states what happens after a crime. This is a very important aspect in order to understand how the legislation was transposed. They went on to discuss about the fact that there are people who are victims of crime but do not realise they fall into the category of ‘victims’ in order to exercise their lawful rights. The awareness issue was discussed broadly (awareness not only for adults, but, also to teach children, in schools about this), since one of our participants (Psychologist) stressed the matter in regards of how difficult it is for a victim to ask for help/support. Indicatively, she provided us with some statistics from a Scottish research in which it was identified that for a woman, victim of domestic violence, to report the incident, she gets abused more than thirty times.

crimes with no clear mechanism on how to deal with these. Therefore, one of our participants (Clinical Psychologist) has recommended a so-called Citizen Service Center, which should work like a 'drop-in' center in order for victims to seek information and/or support. However, as suggested, this is very difficult to come to life since there are a lot of categories of crimes and the victims need personalised support. For example, even in categories in which Cyprus has made tremendous steps like for sexual abuse of minors, there are issues since the minor might be migrant and the financial aspect is a huge one. There are times where the professionals working in this area, rely on their 'good faith' and provide even transportation in order for the victims to have psychological and emotional support. This raises another issue in regards of the support system migrants have in Cyprus. The limited financial resources they have by State, makes it hard for them even to engage for a period of time to the support services.

It was expressed by all of the participants that the main challenges to be met in practice to achieve the objectives set out in the Directive, are:

- The ability of competent officials to study and evaluate the Directive with a view to implementing it a hundred per cent;
- To provide the competent bodies with an initiative to act immediately;
- Systematic training of staff which involves a) Education and expert training for all professionals who come into contact with victims of all forms of violence and in particular of vulnerable groups (migrant women and refugees, LGBTQI+, women in prostitution etc.) b) development of clear guidelines for services;
- Communication and cooperation between services to be improved to support multi-agency cooperation between stakeholders as well as women's organisations and NGOs;
- To protect victims' personal data which if not addressed, can lead to the stigmatization of the victims due to the small social context of the Cypriot society;
- The possibility of creating more reception areas for victims as well as full access to shelters and other services, especially for undocumented migrant women;
- To put an end to the bureaucratic system that the victims need to go through at the moment - faster procedures in order to avoid re-victimization;
- To provide immediate and holistic services – multidisciplinary cooperation;
- Awareness of the public from an early age about their rights (which could involve issues of communication, relationship, human rights and stereotypes - prevention of violence);
- Professionals must have the necessary resources to train specialised personnel so that they are ready to deal with every case;
- To address the issue of translation and interpretation at all stages of victim support,
- To apply a gender – sensitive approach to all services provided, with emphasis on the protection and empowerment of women and girls;
- To ensure adequate and sustainable funding for the implementation of policies against gender based violence and for the operation of such services. Consequently, all of the relevant stakeholders acknowledged that there is a need to develop victim support services for all forms of crimes.

The case of Greece

The main issue that arose by the participants of the Greek focus group was the phenomenon of secondary victimization of the gendered violence victims due to the slow motion of the criminal justice process. Their grave position is burdened by the mistrust shown by criminal justice agencies regarding the reliability of their testimony, while also police officers and the rest of criminal justice agencies seem impossible to guarantee the protection and safety of women who report their victimization. Focus group participants have also observed the existence of patriarchic social perceptions and stereotypes on domestic violence phenomenon that favor the secondary victimisation and prevent victims from offence allegation. Patriarchy has been a deep-rooted social phenomenon that has been indirectly supported by the media. In this frame, victim support professionals face a serious dilemma: on the other hand, their duties include the provision of information to victims in relation to the legal framework and the possibilities that they have in order to succeed their protection and offenders' charge; on the other hand, they have realized that participation of victims in criminal justice proceedings causes such a serious psychological trauma to them, that it is difficult for them to highly encourage victims to officially report the offence.

According to the desk review conclusions, as well as focus group participants, cases have been reported regarding the direct or indirect discouragement of the victim to file a criminal complaint by the police authorities. This is done asking the victim to pay the fee, which is not required for domestic violence offences based on the Act 3500/2006 or by giving the warning to the victim that a similar criminal complaint may be filed by the offender on false accusation. Furthermore, no special courts have been established in Greece in order to judge on domestic violence cases ("Family Courts"). In addition to this, the existing court's departments are not adequately staffed and aided by supporting advisory Services; as a result, it is rather difficult for a judge to adequately cope with the special expectations of a case of family law. Cases have been recorded, of doubting the victim's credibility by the magistrates under the pretense of lack of previous complaints or criminal proceedings while the victim claimed a long-lasting and systematic abuse. Nevertheless, the mental state of a victim of domestic violence can explain the absence of legal actions against the abuser husband or spouse, since the long-lasting and systematic abuse confirms his/her tolerance and indecision to approach the authorities (Zeis, Karpathaki, and Seraphim, 2016, pp. 8 et seq., 18, 20).

In any case, it is common understanding among the participants that the needs of the victims are multileveled. The existing shelters it is not possible to provide services to women with children – boys aged more than thirteen years old and who face serious psychiatric disorders. Furthermore, these structures can contribute to the victims' empowerment for a specific time frame. However, they are not capable to address basic issues that concern the victims, such as the lack of financial independence of victims of gender-based violence. Moreover, the legal framework regarding the compensation for victims of violent intentional crimes by the Ministry of Justice has not implemented so far. The enhanced flow of refugees into the Greek territory composes a new landscape that the competent agencies are called upon to manage. The Greek Secretariat of Gender Equality and the Office of the United Nations High

Commissioner for Refugees (UNHCR) have already published special publications written in foreign languages in order to inform refugees in relation to the available victim support services in Greece. However, it is observed the lack of cultural mediators and translators, who could be able to aid the victims to receive the appropriate information in relation to their legal rights in Greece and to communicate with police officers (even in cases that they are aware of their legal rights in Greece).

As regards different forms of offences (such as house burglary and thefts of vehicles), focus group participants recognized the serious consequences that these acts cause to victims. Compared to gendered-violence victims, these victims do not receive support services by public and non-governmental organizations. Based on their personal experience, participants agreed that criminal justice agencies focus mainly on the rights and the protection of the accused person; victims have been placed at a disadvantage compared to the defendant and they are solely responsible to recover the consequences of their victimization. Participants honestly recognized that elements of fair trial have totally be respected (especially due to miscarriage of justice phenomenon). On the other, they mentioned that fair trial principle should not lead to disregard for victims' special needs. For this reason, the transposition of the Directive in the Greek legal order has received a significant educational and symbolic dimension; this legal Act points out the necessity for the protection of victims and their needs, while also should be considered as the basis for a generic support system to be established in the future.

In this frame, EKKA has also proposed the establishment of victim support services in Police Departments and Public Prosecution Offices could promote the goals of the Directive in the Greek criminal justice system. However, some of the focus group participants pointed out that the aforementioned proposal seems unrealistic due the current economic situation of the Greek state. In general, it was mentioned that is impossible for social rights to be promoted in cases that the so-called 'social state' faces serious problems due to lack of resources. Therefore, the establishment of such a system should be considered as a long-term objective. In the meantime, there is necessity for the coordination of the existing state and non-governmental organisations through the enactment of cooperation between themselves in specific sectors. However, submitting the existing victim support services to a common monitoring agent seems to be a difficult task; these are organizations of different legal status (public and governmental), while also public organisations are supervised by various Ministries. Apart from the above, participants agreed that systematic training of the professionals of the criminal system (policemen, prosecutors, judges) about the provisions of the Directive and the appropriate practices of addressing the victims in a broad sense is absolutely needed. The training is necessary to include self-care practices in order to prevent and address the so-called 'burned-out' of the professionals due to their daily occupation with unpleasant sides of reality.

Based on the desk research, the interviews and the main conclusions of the focus groups, and in order to achieve a satisfying application of the Directive in the Greek reality, it is deemed necessary that the following are implemented:

- Establishment of a generic support system to victims, irrespective of whether they have chosen to file a criminal complaint to the competent authorities and of the progress of

the criminal procedure. This proposal should include the establishment of victim support services in police departments and Public Prosecution Offices, which will be staffed with specialised professionals of different specialties and who will be able to aid the victims themselves or/and refer the latter to more specialised agencies based on their needs. This proposal seems not realistic, the socio-economic situation of Greece given. Thus, the establishment of such a generic support system should be considered as an essential long-term goal. In the meantime, there is necessity for the coordination of the existing state and non-governmental organisations through the enactment of cooperation between themselves in specific sectors,

- Taking up legislative initiatives to speed up the duration of the criminal justice process and to dramatically reduce the number of the hearings in person of the witnesses - victims (such as minors – victims of sexual violence and human trafficking victims). The establishment of specialized courts for domestic violence cases (Family Courts) should be also considered by the Greek state,
- Providing financial support for vulnerable social groups – victims of criminal offences, in order to face the consequences of victimisation,
- Systematic training of the professionals of the criminal system (policemen, prosecutors, judges) about the provisions of the Directive and the appropriate practices of addressing the victims in a broad sense. The training is necessary to include self-care practices in order to prevent and address burned-out of the professionals due to their daily occupation with unpleasant sides of reality. It is also necessary the provision of training to professionals that come daily in contact with possible (mainly vulnerable) victims, in order to familiarise them with the detection of abuse and the appropriate way to manage it,
- Assessment of the services provided from the victims through conducting empirical research in order to find the strong points of the service system (which must be maintained and enhanced) and to solve the existing problems,
- Taking up more initiatives in the field of social welfare, which could result in the prevention of crime and in reversing the social perceptions and stereotypes that favor the secondary victimisation of victims.

The case of Italy

The focus group discussion in Italy focused on attempting to understand what works, what does not work and what can be proposed to the EU, so that principles and directives, among which the Directive 2012/29/EU, can be applied best, besides analyzing the previous legislation around effective protection for victims with the same approach. As advanced by the moderator, the outcome of interviews paints a rather bleak picture. In the introductory phase of the first focus group, the moderator reiterated that, as many principles are strongly affirmed in the Directive, the Italian judicial system has integrated them in a very formal and concise manner, merely looking at some limited procedural aspects. Important steps have been taken in Italy with regard to victims of mafia crimes, victims of extortion crimes, victims of domestic violence, sexual violence, child pornography, but in practice gaps persist and it turns out that a

corpus iuris of the victim is needed, one that does not look at the type of crime but rather considers any type of crime, regardless of the kind of crime he/she suffered: this, to date, in the Italian legal system does not find specific application. Until now, in Italy, the victims of those crimes that appeared to be of particular social alarm in that particular historical moment of the country (and then particularly serious in relation to the spread of crime phenomena historically anchored to the social texture or, also because of the consequences on the economic-social situation, as mafia association, racket of extortion, usury) were protected. This aspect regarded therefore those criminal typologies realized in damage of the so-called "vulnerable groups" - minors, women, incapacitated - or within family contexts (sexual abuse, mistreatment, child pornography, sex tourism to the detriment of minors).

In light of the principles enumerated by the Directive, however, the victim should be at the center of the State's need to protect those who suffer a crime regardless of the State's interest in punishing certain behaviors deemed particularly serious or alarming for the community and public order. The emerging opinion, with regard to the Italian Legislative Decree implementing the Directive, is that in Italy the legislation, rather than protecting the victim, aims more at ensuring the formality, those minimal morals, that would make our legislation conform to the supranational one. Italy has implemented the European Directive, almost believing that all the principles dictated by the Directive itself were already part of the national legislation, even if "fragmented" in the different rules introduced over the years to protect the different "categories" of victims of crime, without really worrying about ensuring that those who suffer a wrongful offense are not to suffer further injuries arising from contact with the judicial system, on the other hand, to receive instead and at the same time concrete and effective support from the social welfare and social system.

There is certainly a considerable network of support structures working in the area of assistance, but unfortunately there is no proportion between the actual need of victims and family members, from the perspective of risks, secondary victimization, danger of retaliation, but also in terms of effective psychological support. For example, the moment of the denunciation, which is considered by all the victims almost as the final stage, is actually the initial stage of a very long, difficult and complex process, which should be adequately supported by people able to do so, also in terms of information and training. The Italian context must therefore be analyzed by making a distinction between the aspects of support and protection of the victim, from a psychological perspective but also pre- and post-procedural, from one that regards procedural stage.

The victim has to be protected first of all during the trial: if the victim, as often happens, is left to face certain highlights of the trial at the mercy of police officers, magistrates, lawyers, without adequate training, skills or sensitivity, any other form of psychological and / or social support will be insufficient to adequately protect the interests of those who suffer a crime and seek justice and protection first. If this does not happen through a synergic process that involves all the stakeholders, it threatens to plunge the victim into even worse conditions than those before the complaint. Today in Italy victims often, at the end of the judicial process, regret having had the strength and courage to report the crime and the offender, due to the inefficiencies of the judicial system, the total inadequacy of the rules to actually protect his/her

reasons, and the general inability of the "legal operators" to give adequate answers regarding the punitive need of the guilty party and the reparation of the moral and material damage suffered by the victim. From this perspective, little can be done by the European Commission and, in some respects, there is not much to do even at the level of national legislation: it would be sufficient to apply the existing laws in a serious and concrete way.

As for the services to support victims, what has been built over the years by organizations working in the area must certainly be valued: the strength of the network activities experienced over the years, the effectiveness of their interventions on the victims is not lost as a result of the application of the Directive. The network has certainly worked in Sicily in recent years, but the network, like any network, is made up of people and over the years people change and every new person must be properly trained to continue the work in the best way. What emerges from the analysis of the territorial public services in Italy is instead a chronic slowness that causes people to be treated as if they were practices, as practices for the issue of building permits or any other bureaucratic practice. They also need an effective specialized service: general support services should be able to best respond to the victim as quickly as possible. In order to follow the lines of the Directive, the possibility to reorganize the support services implies two fundamental requirements: the first entails stakeholders' accountability, each one for its own role, the other entails the decision of those who coordinate this process: certainly a public administration, perhaps the municipality. In any case, accountability is not a concept as trivial as it seems: some lawyers, magistrates, security forces, social services, collide with the bureaucracy, with an insensitivity and treatment of these issues as if they were any themes. At that point a sanction is needed, linked to control mechanisms - national and supranational - on the correct and timely application of the national legislation introduced as a transposition of the European directives dictated in terms of protection of victims.

The discussion described above led participants to formulate a series of recommendations that can be summarized as follows:

- The EU should push more on the implementation of the Directive, not only on paper in terms of transposition into the legislative system, but also in practice. It is possible to get a real transposition of the Directive, only if a monitoring process is activated in various countries. The proposal is therefore of creating a Control Body to implement the Directive, or the appointment of a Guarantor for the protection of the victims to which the citizen can apply when all the guarantees to which s/he would be entitled are disregarded;
- The EU should force Member States to devote more resources to the organizations participating in the victim's support system during the judicial process and after the process for social and labor inclusion (through, for example, a State or Regional Solidarity Fund);
- Memoranda of understanding between public and private entities should be activated for the activation of the system of services envisaged by the Directive;
- Training in Italy is still far from the requirements of the Directive: the problem is left to the initiatives of individual structures, which may be those belonging to the Public Prosecutor's Office, or the judicial police, or to volunteering or NGOs. In fact, if we look

at the criteria indicated by the directive as necessary for the sector operators to be able to effectively support the victim, in Italy we can speak of adequate training. On this theme is necessary to organize an integrated training system for lawyers, magistrates, psychologists and police forces, as well as awareness and training actions should also be activated for the other subjects dealing with the victims (for example the Heads of the schools for minors) on the procedure to follow and on the consequences of the crimes (e.g. bullying awareness activities in all schools). It is necessary to spread more widely and extend the knowledge of existing laws. The Italian legislative system provides for a series of rules, even prior to the issuing of the Directive that should be disseminated for the benefit of the possible victim.

In Italy, there is a network of structures to support the victim, but it is incomplete and fragmented on the territory. Furthermore, the existing structures do not have sufficient financial and personal resources to respond to requests and needs expressed by the victims. Therefore, a distinction should be made between the specialized services that take care of the victims of various types of crime, because they have the skills, and the general services (especially public ones). The latter could in fact constitute a great bank, if they were adequately prepared (and trained personnel). It is also necessary to improve the integration between subjects operating in the territory: the networking should be further strengthened and the network of collaboration extended to more subjects on the territory, possibly splitting the territory to make networking more effective. In the case of service in support of women victims of domestic violence, it is necessary to get rid of the equivalence between the possibility of being hosted and the denunciation. Support services should also be granted in the absence of a complaint: the victim who can benefit from the services can be defined through a series of interviews. In the case of the brokerage service, the methods and standards for the provision of the service should be established in advance. In the case of psychological support for minors, a service should be organized in a structured manner, for example through the school observatory. The network practice already implemented by the Regional Scholastic Office can become a concrete proposal of work in terms of synergy between institutions and schools. The education to protect the victim thus becomes prevention. Supporting organizations should receive more financial resources and personnel to be dedicated to mediation and other services to support children.

Conclusions

In all countries, systemic gaps have been identified and need to be improved in order to provide holistic and sufficient support services to victims:

- Establishment of generic victim support services that fall under the whole group of victims, irrespective of whether they have chosen to file a criminal complaint to the competent authorities and of the progress of the criminal procedure.
- Better coordination mechanisms and monitoring procedures between different public structures and non-governmental organisations that provide victim support services;
- Provision of systematic training to professionals including gender based approaches and other special approaches according to victims' special needs;

- Sustainable funding to establish and preserve proper accommodation facilities for the victims; however different approach is requested for the different types of crime (victims of trafficking, victims of domestic violence, child victims and so on);
- Limit the lengthily of penal procedures and the number of victims' interviews during the criminal justice process, that lead to second victimization of the victims;
- Promote the wide implementation of protection measures for special groups of victims (such as sexually abused minors) during the criminal justice process and victims' compensation;
- Promote awareness raising activities at a cross sector level to ensure that both people that are possible victims and professionals are aware of the victims' rights and the relevant services.

As described in detail above, each country has concluded in various recommendations on the national legal framework, on the national institutional framework considering the existing services provided and on capacity – building needs which proves common to all counties although that target groups might different. From the different recommendations of the four countries, some recommendations at EU level can be summarized below:

- Since, the harmonization of national laws with the Directive has brought about great changes in theory but more steps and time are needed for the results to be clear in practice, the EU should push more on the implementation of the Directive. A transposition of the Directive could better be achieved, only if a monitoring process is activated in various countries. The establishment of a Control Body/Authority to implement the Directive might be a proposal, or the appointment of a Guarantor for the protection of the victims to which the citizens can apply when all the guarantees to which they would be entitled are disregarded.
- The EU should further support Member States to devote more resources to the organizations participating in the victim's support system during the criminal justice process and after the process for social and labor inclusion (through, for example, a State or Regional Solidarity Fund).
- The EU should provide guidance to the Member States on how to establish memoranda of cooperation between public and private entities since some successful examples already exist on the provision of services to victims.

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