

**FRANET**

**Victim Support Services in the EU:  
An overview and assessment of  
victims' rights in practice**

**Denmark, 2014**

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## 1. Part A:

The information presented in this phase is primarily based on analysis of the country specific reports received in phases 1 and 2 of the project; the general overview of the situation of victim support in Member States (phase 1) and the more in depth exploration of the situation, including promising practices which offer support to victims of crime in different ways (phase 2). Information has also been taken from secondary sources such as the 2009 APAV study on Victims in Europe.<sup>1</sup> While phase 2 of the project was divided into two parts, focussing firstly on generic victim support services and secondly on specialised areas of victim support, this third phase of the project, comprised of Parts A and B, will focus principally on the structure or lack thereof of generic victim support services; although a limited number of questions relate to specialised areas of victim support. For this part, please provide detailed, concise answers. For guidance purposes, sample answers are often provided, which primarily draw on information provided in country-specific reports from phases 1 & 2 of the project. When returning your report to the FRA, please ensure that all sample answers have been deleted, as these are for guidance purposes only and should not form part of your response. In addition, in cases where your country is one of the examples provided, please review and revise the information as necessary, as the information provided may be outdated.

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<sup>1</sup> Aa, S. van der et al. (2009), *Project victims in Europe – Implementation of the EU Framework Decision on the standing of victims in the criminal proceedings in the Member States of the European Union*, Lisbon (see [http://www.apav.pt/vine/images/report\\_vine\\_eng.pdf](http://www.apav.pt/vine/images/report_vine_eng.pdf)).

## 2.1 Scenarios

In the following situations, please describe the referral system (from police to victim support organisation) in the current victim support structure in your country; including whether police routinely refer the victim to a support service; where is the victim referred and who deals with the case in the end (as a guideline, keep to 2 or 3 sentences (maximum) per question within each scenario. Please choose either 'Yes' or 'No' for questions a. and c of each scenario, in addition to questions 6-13 and provide comments in the 'Description' field. For questions b and d, please provide your comments directly in the 'Description' field).

	Scenario	Questions	Yes	No	Description (max 1-3 sentences)
1	A female who has been beaten by her partner and calls the police	a. Do the police routinely refer the victim to a support service?	X		In general the police is, in all the scenarios regarding victims, obliged to inform the victim of their relevant options, which depend on the situation and can for example be to contact a shelter and/or the Victim Support Denmark.  In most cases the police would refer the victim to a shelter that supports abused women and children. The police would also inform the victim about Victim Support Denmark with a standard folder when a crime is reported. Victim Support Denmark can provide the victim with information on the different organisations and professional options, so she can make an informed decision. The decision of whether to contact a victim support service and who to contact is for the victim to decide.
		b. If yes, please name the service(s)	-	-	There are 42 women's shelters and counselling centres in Denmark. It depends on the district which shelter the police would refer to.
		c. Do the police routinely contact this service on behalf of the victim?			The police contacts the shelter on behalf of the victim.
		d. Which support service would in the end deal with such a case?	-	-	A female victim has various options: Victim Support Denmark (OID), Victim Aid Denmark (Hjælp Voldsofre), LOKK (Landsorganisation af Kvindekrisecentre) and the NGO Danner.

2	A teacher reports the sexual abuse of a child to the police	a. Do the police routinely refer the victim to a support service?	X		The victim is provided with a contact person and a lawyer free of charge. If sexual abuse is suspected the teacher is obliged to report this to the social authorities in the municipality. <sup>2</sup> The police would also inform the victim of Victim Support Denmark with a standard folder when a crime is reported.	
		b. If yes, please name the service(s)	-	-	The support service provided by the municipality includes the possibility to remove the child from the parents and to provide the child with counselling, treatment and practical and educational support, cf. sections 52 and 58 of the Social Service Act. <sup>3</sup>	
		c. Do the police contact this service on behalf of the victim?		X		This is done by the municipality.
		d. Which support service would in the end deal with such a case?	-	-		The support service provided by the municipality includes the possibility to remove the child from the parents and to provide the child with counselling, treatment and practical and educational support.
3	A person calls the police following a burglary in their apartment	a. Do the police routinely refer the victim to a support service?			The extent of the obligation for the police to inform a person about among others the VID depends on the concrete case, cf. Commentaries to section 741e in the Administration of Justice Act <sup>4</sup> , in which it is mentioned that there in general will be a bigger need to give information in a case on violence or burglary than in cases of shoplifting. The police would inform the victim of Victim Support Denmark with a standard folder when a crime is reported.	
		b. If yes, please name the service(s)	-	-	Victim Support Denmark	

<sup>2</sup> Advice and Guidance for minors, that has been the victim of rape or other sexual assaults (*Råd og vejledning til unge under 18 år, der har været udsat for voldtægt af andre seksuelle overgreb*), Published by The Danish Prosecution service, available in Danish at: <https://www.politi.dk/NR/rdonlyres/9A34B330-5218-478B-8D2B-F3F877AF2220/0/anklagemyndighedenraadvejledningunge.pdf>

<sup>3</sup> The Social Service Act, Consolidated act no. 810 of 19 July 2012 with amendments (*Servicebogen, lovbekendtgørelse nr. 810 af 19. Juli 2012 med senere ændringer*), available at: <https://www.retsinformation.dk/Forms/R0710.aspx?id=141372>

<sup>4</sup> Bill no. L128 of 31 January 2007 on amending the Administration of Justice Act and the Act on Court Fees (*Lovforslag L128 af 31. januar 2007 om lov om ændring af retsplejeloven og retsafgiftsloven*), available at: <https://www.retsinformation.dk/Forms/R0710.aspx?id=88206>

		c. Do the police contact this service on behalf of the victim?		X	
		d. Which support service would in the end deal with such a case?	-	-	Victim Support Denmark
4	A person is the victim of a racist attack by a gang of youths	a. Do the police routinely refer the victim to a support service?	X		The police would refer a victim to Victim Support Denmark, which services are free and available to everyone, whether or not the crime has been reported and regardless of when it happened.
		b. If yes, please name the service(s)	-	-	Victim Support Denmark
		c. Do the police contact this service on behalf of the victim?		X	In most cases the police would only inform the victim about Victim Support Denmark.
		d. Which support service would in the end deal with such a case?	-	-	Victim Support Denmark
5	An elderly person is mugged on the way home from collecting their monthly pension and is in urgent need of financial assistance	a. Do the police routinely refer the victim to a support service?	X		The police would refer a victim to Victim Support Denmark, which services are free and available to everyone, whether or not the crime has been reported and regardless of when it happened. In practice the police would also inform the victim of Victim Support Denmark with a standard folder when a crime is reported.
		b. If yes, please name the service(s)	-	-	Victim Support Denmark
		c. Do the police contact this service on behalf of the victim?		X	In most cases the police would only inform the victim about Victim Support Denmark. It is very rare that the police would contact Victim Support Denmark on behalf of the victim.

		d. Which support service would in the end deal with such a case?	-	-	Victim Support Denmark
<b>6a</b>	In relation to how police deal with victims, are there special measures in place for victims with a disability? If yes, describe them. If your answer is no, please provide a justification/explanation.				According to section 872 of the Administration of Justice Act, which has been used analogously in cases with persons with a mental disability, cf. TfK2008.335/2V, the police's questioning of a child can be used as evidence during the court sitting ( <i>hovedforhandling</i> ), so the child does not have to give a new statement.
<b>6b</b>	In relation to how victim support services deal with victims, are there special measures in place for victims with a disability? If yes, describe them. If your answer is no, please provide a justification/explanation.		X		Victims with disabilities are, by the VID, provided with the same information as other victims. <sup>5</sup> As a special measure for victims with a disability, the project, Disability, Development of Centres for Women ( <i>Handikap, Udvikling i Kvindecentre, HUK</i> ) aimed at improving the services for women and children with disabilities, who were a victim of violence. From 2005-2009, 7 crisis centres was as a part of the project made accessible for women and children with disabilities. <sup>6</sup> Some organisations which work with people with disabilities may also, even though it is not a part of their field of expertise, have experience with for example giving advice to women with disabilities, who are victims of violence, and can therefore guide the women to victim support services.

<sup>5</sup> Information provided over telephone by VID

<sup>6</sup> Final evaluation of the project "Disability, Development of Centres for Women", which operated from 2005-2009, Published by the National Board of Social Services, June 2009 (*Afsluttende evalueringsrapport for projekt HUK i perioden 2005-2009, udgivet af Servicestyrelsen i juni 2009*)

7a	In relation to how police deal with victims, are there special measures in place for victims who are migrants with illegal residency status <sup>7</sup> ? If yes, describe them. If no, please provide a justification/explanation.		<p>X</p> <p>The police who comes into contact with e.g. foreign women working in the sex industry at street level will provide contact to the Centre against Trafficking for a possible identification as a victim.</p> <p>The residence status of the victim does not impact on the proceedings of the filed case. The crime will be investigated as it would if the victim held a valid residence permit. In cases concerning migrants with illegal residency status the illegal immigrant will be detained and the Danish Immigrant Service will be informed about the case in order to determine, if the migrant can be repatriated.</p>
7b	In relation to how victim support services deal with victims, are there special measures in place for victims who are migrants with illegal residency status <sup>8</sup> ? If yes, describe them. If no, please provide a justification/explanation.		<p>X</p> <p>The VID will not ask for information regarding a victim's residency status, and if the victim informs the counsellor of such, the support will be the same as for victims with a legal residency status.<sup>9</sup></p> <p>Reden International (The Nest International), a NGO dealing with trafficking, provide victim support service to victims of trafficking, also victims without a legal residency status.</p> <p>Victim Aid Denmark has an extensive English version of their webpage <a href="http://voldsofre.com/">http://voldsofre.com/</a></p>
7c	Are migrants with illegal residency status excluded from accessing support from victim support organisations in practice?		<p>X</p> <p>There are no exclusion criteria that have been implemented which prevent e.g. asylum seekers or people with illegal residency status from accessing the VID services.</p>
8	Is access to victim support services dependent on a victim making a formal complaint to competent authorities (e.g. the police)?		<p>X</p> <p>Victims can at their own initiative contact the VID directly without any preconditions.</p>

<sup>7</sup> Please note that that the usual FRA terminology (used in all official FRA publications) for migrants with illegal residency status is 'migrants in an irregular situation.' For the purposes of these guidelines however, reference will be made to 'migrants with illegal residency status.'

<sup>8</sup> Please note that that the usual FRA terminology (used in all official FRA publications) for migrants with illegal residency status is 'migrants in an irregular situation.' For the purposes of these guidelines however, reference will be made to 'migrants with illegal residency status.'

<sup>9</sup> Information provided over telephone by the VID

9	In practice, do victim support services afford preferential treatment to victims who have agreed to cooperate with a police investigation into the crime they have experienced (e.g. by dealing with them more rapidly than victims who are not cooperating with a police investigation)?		X	The counsellors at the VID do not have information regarding an eventual police investigation. If the victim informs the counsellor of such, the support of the victim will be the same, regardless of the victim's cooperation or lack thereof. The VID can provide the victim of information on being a witness and their rights in this situation. <sup>10</sup>
10a	In reference to part 'c' of questions 1-5, in the event that police contact victim support services on the victim's behalf, is there an automatic transfer of the victim's data? <sup>11</sup>	X		Some police districts offer victims the possibility to sign a declaration of consent at the reporting of a crime, permitting the VID to contact the victim proactively.
10b	If the answer to 10a above is yes, is the police obliged to obtain the victim's permission/consent for the data transfer?	X		
10c	Is there a legal basis for the communication/transfer of the victim's data? What is it?			Section 49 A in the Social Service Act permits schools, after school centres, nurses, health visitors, doctors, dentists and dental hygienists employed in the municipality, who carry out activities in the field of vulnerable children and young people, to mutually transfer information on purely private matters relating to a child or adolescent's personal and family circumstances, if the transfer is considered necessary as part of the early or preventive cooperation on vulnerable children and young people.

## 2.2 Institutional aspects: role of state in victim support structure

In the following section, please complete/verify the information requested in the following tables, placing your country in the appropriate category, or, where information is provided, checking the accuracy of the information and revising as necessary (i.e. by moving your country name from the incorrect column to the correct column along with a justification).

### 2.2.1 Models of generic victim support

Generic victim support organisations are for the present purposes defined as “**not limited to helping a particular type of victim of crime**”. With the above definition in mind, please:

<sup>10</sup> Information provided over telephone by the VID

<sup>11</sup> For example, personal data (name, address etc.) as well as any relevant details relating to the incident being transferred rather than having to be supplied again by the victim.



a) Review the list and short description of structure of generic victim support organisations operational in your country provided for in Annex 2 and edit as necessary, ensuring that all significant victim support providers (especially those operating at national level) are mentioned. **Countries listed in Annex 2 shaded in green (and in category 'A' below) have been identified (on the basis of country reports submitted for phases 1 & 2 of the project) as not having any generic victim support organisations. These countries should provide a short list (in Annex 2) of the main organisation(s) providing victim support in one of the two specialised areas of victim support focused on in the phase 2 country report (see annex 3 for a list). As a default, please select the area 'Domestic violence and stalking'.**

b) Place your country in one of the following categories (A, B, C, D or E) and provide an explanation about why your country should be placed in that group. For each group, one example has been provided for guidance purposes. If your country is one of the examples provided, please review and revise the information as necessary, placing your country in a different group if the information provided is incorrect. **Please delete all examples from your response and insert your country name in only ONE column.** (Note: only country codes are listed. For full country names, please refer to Annex 1).

A: No generic victim support provider exists	B: At least one generic victim support service provider exists at national level. The main provider or structure is state run and state funded	C: At least one generic victim support service provider exists at national level. The main provider or structure is non-governmental run but relies strongly on state funding	D: At least one generic victim support service provider exists at national level. The main provider or structure is non-governmental run and does not rely strongly on state funding	E (OTHER) – if you cannot place your country in any of the other categories, please describe
		DK		
Explanation/justification:	Explanation/justification:	Explanation/justification:	Explanation/justification:	Explanation/justification:
		VID is independent, but is indirectly dependent on the government through funding and administrative support from the local police. They also annually receive financial support from the National Commission of the Danish Police (DKK 2 million, approximately €266,666). The operational allocation ( <i>driftsbevilling</i> ) of the local police districts cover the expenses for transportation. In 2011, VID received additional DKK 1.2 million (approximately €161,000) to conduct an information campaign and for the training of		

	personnel within the VID. <sup>12</sup> In 2012 the VID received DKK 65,000 from Trygfonden, a non-profit foundation that supports action-oriented, knowledge-based projects, and DKK 50,000 from the National Commission of the Danish Police for PR. <sup>13</sup> The operating expenses of the VID, apart from the governmental funding, are also supplemented by voluntary contributions.	
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<sup>12</sup> The Victim Support Annual Report, 2011 (*Offerrådgivningen, Årsrapport 2011*).

<sup>13</sup> The Victim Support Annual Report, 2012 (*Offerrådgivningen, Årsrapport 2012*).

### 2.2.2 Public coordination of victim support services

Please answer the following questions by completing the tables. Two examples have been provided (for questions 1 & 2) for guidance purposes. **Please delete all examples from your response and insert your country name in only ONE column.** If your country is one of the examples provided, please review and revise the information as necessary. Please provide references to the full name of the Ministry or body in question in both English and the national language (Note: only country codes are listed. For full country names, please refer to Annex 1).

1. Please specify (by placing an 'X' in the relevant columns) which ministry or ministries have a role in victim support provision. In addition, please provide a short explanation in the comments field.						
	Ministry of Justice	Ministry of Health	Ministry of Labour/ Social Affairs	Ministry of Interior/	Any other	COMMENTS
DK	X	X	X		The Department for Gender Equality, the Ministry of Social Affairs and Integration ( <i>Social- og Integrationsministeriet</i> ), the Ministry of Justice, the Ministry of Foreign Affairs ( <i>Udenrigsministeriet</i> ), the Ministry of Taxation ( <i>Skatteministeriet</i> ), the Ministry of Employment ( <i>Beskæftigelsesministeriet</i> ) and the Ministry of Health ( <i>Ministeriet for sundhed og forebyggelse</i> )	The Ministry of Justice has made several of the regulation regarding victim support, for example the package of measures regarding victims ( <i>Offerpakken</i> ) from June 2012 <sup>14</sup> . Depending on the area, other ministries will also have a role in victim support provisions. For example, a interdepartmental working group, consisting of the Department for Gender Equality, the Ministry of Social Affairs and Integration ( <i>Social- og Integrationsministeriet</i> ), the Ministry of Justice, the Ministry of Foreign Affairs ( <i>Udenrigsministeriet</i> ), the Ministry of Taxation ( <i>Skatteministeriet</i> ), the Ministry of Employment ( <i>Beskæftigelsesministeriet</i> ) and the Ministry of Health ( <i>Ministeriet for sundhed og forebyggelse</i> ), will carry out an annual status report regarding trafficking in human beings (THB) ( <i>Menneskehandel</i> ).

<sup>14</sup> Information is available in Danish at: <http://www.justitsministeriet.dk/nyt-og-presse/pressemeddelelser/2012/regeringen-vil-hj%C3%A6lpe-ofre-kriminalitet>

2. Please provide a short description of which body (e.g. ministry, office for victims of crime, commission or any other body) has the overall or principal coordinating role in organising victim support services at national and federal level. If no one ministry or body has such a role, please provide an explanation/ justification.	
DK	Formally, no Ministry has the lead for victim support, but each Ministry can be involved, depending on their competences and the different challenge.
3. What is the legal basis for the type of victim support model that exists in your country (e.g. is it stipulated somewhere in a legal instrument that victim support services be state-run; state-funded etc.?)	
	The victim support system in Denmark was established by act no. 349 of 23 May 1997 <sup>15</sup> . The regulation has after 1997 been amended several times at different levels, for example circulars, administrative orders and acts. The VID was established in 1998 by the National Commission of the Danish Police ( <i>Rigspolitiet</i> ) in accordance with circular on Victim Support <sup>16</sup> , issued by the Ministry of Justice and act. no. 349 of 23 May 1997. The independency of VID is stipulated in the Commentaries to act. No. 349 of 23 May 1997 <sup>17</sup> , in which it is also stated that the victim support system is based on the efforts of volunteers.

<sup>15</sup> Act no. 349 of 23 May 1997 amending the Administration of Justice Act, The Criminal Code and the Act on Liability for damages (Strengthening the legal status for victims of crime etc.) (*Lov nr. 349 af 23. Maj 1997 om ændring af retsplejeloven, straffeloven og erstatningsansvarsloven (Styrkelse af retsstillingen for ofre for forbrydelser m.v.)*), available in Danish at <https://www.retsinformation.dk/Forms/R0710.aspx?id=84823>

<sup>16</sup> Circular no. 10462 of 8 July 1998 on the establishment of a network of local, voluntary victim support services (*Cirkulære nr. 10462 af 8. juli 1998 om oprettelse af et net af lokale, frivillige offerrådgivninger*), available in Danish at [www.retsinformation.dk/Forms/R0710.aspx?id=586](https://www.retsinformation.dk/Forms/R0710.aspx?id=586)

<sup>17</sup> Bill no. L144 of 22 January 1997 on amending the Administration of Justice Act, the Criminal Code and the Act on Liability for Damages (*Lovforslag L144 af 22. januar 1997 om lov om ændring af retsplejeloven, straffeloven og erstatningsansvarsloven*), available at: <https://www.retsinformation.dk/Forms/R0710.aspx?id=112172>

### 2.2.3 Funding:

Please answer the following questions by completing the tables. Please note that countries that do not have generic victim support service providers (i.e. that fall within category 'A' under question 2.2.2) should not answer questions c & e. For questions g-k, if your country does not have a generic victim support structure in place, please respond to the question with respect to a specialised area of victim support. **Please select one of the two specialised areas of victim support you focused on in your phase 2 country report to the FRA (see annex 3 for a list). As a default, please select the area 'Domestic violence and stalking'.** If you choose to take another area, provide a short justification for why you have chosen that area.

**Important for all:** Whether you answer questions g-k with respect to an organisation providing generic victim support or an organisation providing specialised victim support, please choose the biggest organisation (in terms of the organisation that receives most funding, helps most victims nationwide etc.).

For the year 2012, please specify the exact amount of funding:		Amount (in EURO)	
a Budgeted by the state for compensation			
b Paid out by the state for compensation		26.686.073 <sup>18</sup> €	
c Budgeted by the state for generic victim support services (i.e. services not restricted to a particular category or categories of victims)		268.456 <sup>19</sup> €	
d Budgeted by the state for specialised victim support services (i.e. services restricted to a particular category or categories of victims; such as child victims or victims of human trafficking). In addition, please name the specialised victim support services that received state funding.		-	
e Paid out by the state for generic victim support services (i.e. services not restricted to a particular category or categories of victims).		268.456 <sup>20</sup> €	
f Paid out by the state for specialised victim support services (i.e. services restricted to a particular category or categories of victims; such as child victims or victims of human trafficking). In addition, please name the specialised victim support services that received state funding.			
Reimbursement by the state of expenses incurred	Yes	No	Comments
g Are there any victim support organisations that request money from victims who benefit from services? If yes, please name one such organisation and specify (under comments) whether there is a standard fee or whether this is decided on a case by case basis.		X	
h With respect to your chosen organisation, is the organisation reimbursed by the state for expenses incurred through the provision of support to victims? If yes, please specify the criteria for reimbursement (e.g. per victim?).		X	
i If the answer to h is 'yes', please specify whether the organisation is reimbursed regardless of the victim's nationality (yes or no) and provide a short explanation in the comments field. More specifically, is a difference made between reimbursement for support provided to a) country nationals; b) EU country nationals and c) third country nationals?			
j Further to question i, is the organisation reimbursed for providing support to victims with illegal residency status? Please provide a short explanation under 'comments'.		X	

<sup>18</sup> 198.811.244 DKK. Figure available in the Board of Damages Annual Report at:

[www.erstatningsnaevnet.dk/~media/EN\\_Aarsberetning\\_2012.ashx](http://www.erstatningsnaevnet.dk/~media/EN_Aarsberetning_2012.ashx)

<sup>19</sup> 2.000.000 DKK. Figure available in the Board of Damages Annual Report at:

[www.erstatningsnaevnet.dk/~media/EN\\_Aarsberetning\\_2012.ashx](http://www.erstatningsnaevnet.dk/~media/EN_Aarsberetning_2012.ashx)

<sup>20</sup> 2.000.000 DKK. Figure available in the Board of Damages Annual Report at:

[www.erstatningsnaevnet.dk/~media/EN\\_Aarsberetning\\_2012.ashx](http://www.erstatningsnaevnet.dk/~media/EN_Aarsberetning_2012.ashx)

k Are there any factors that would discourage the victim support organisation in practice from supporting third country nationals? Please specify under comments.		X	
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#### 2.2.4 Capacity:

For the year 2012, please specify the number of victims of crime that:	No of persons:
a Applied for compensation from state sources.	3076 <sup>21</sup>
b Received compensation from state sources.	2214 (rejection of 28 per cent of the claims)
c Approached generic victim support services (i.e. services not restricted to a particular category or categories of victims)	In 2012 VID provided legal and personal support services to a total of 4,132 victims. <sup>22</sup>
d Approached specialised victim support services (i.e. services not restricted to a particular category or categories of victims)	

#### 2.2.5 Official/academic studies on victims

Have any official or academic studies been published in your country in the last 5 years on the following (note: please provide a full reference for the study (following the FRA style guidelines) and provide a link if available online):

	Yes	No	Reference	Short description of the study's objectives and findings (2-3 sentences)
Studies on under reporting of crime?	X		<p>Safety Index (<i>Tryghedsindeks</i>) for Copenhagen has been published once a year since 2009 by the municipality of Copenhagen. The reports are available at <a href="http://subsite.kk.dk/sitecore/content/subsites/tryghedsindeks/subsitefrontpage.aspx">http://subsite.kk.dk/sitecore/content/subsites/tryghedsindeks/subsitefrontpage.aspx</a></p> <p>Hate Crimes in Denmark – the Way to an Effective Protection, report no. 8 (<i>Hadforbrydelser i Danmark – vejen til en effektiv beskyttelse</i>), published by the Danish Institute for Human Rights in 2011, available at</p>	<p>The Safety Index examines the exposure of crime, assessment of the neighbourhood crime and reported crimes in different neighbourhoods of Copenhagen. The index for 2012 showed a decrease in reported crimes, and that less people in Copenhagen considered crime to be a problem in their neighbourhood. The index also found that, as in previous years, a significant part of crime is not reported, for example 69.4% of crimes of violence, 47.7% of theft and 96.6% of crimes regarding narcotics, see page 8.</p> <p>The publication provides information and recommendations regarding hate crimes in Denmark. It also analyses the under reporting of hate crimes, and as some of the reasons of under reporting of hate crimes, the publication points at a lack of knowledge of rights and what to expect when a crime is reported and a lack of trust that the police will do anything about the</p>

<sup>21</sup> Figure available in the Board of Damages Annual Report at: [www.erstatningsnaevnet.dk/~media/EN\\_Aarsberetning\\_2012.ashx](http://www.erstatningsnaevnet.dk/~media/EN_Aarsberetning_2012.ashx)

<sup>22</sup> The Victim Support Annual Report, 2012 (*Offerrådgivningen, Årsrapport 2012*).

			<a href="http://menneskeret.dk/files/pdf/Publikationer/IMR-Udr-8-Hadforbrydelser.pdf">http://menneskeret.dk/files/pdf/Publikationer/IMR-Udr-8-Hadforbrydelser.pdf</a>	case.
Other national studies related to victims of crime (specify)	X		<p>Criminality 2011 (<i>Kriminalitet 2011</i>), published by Statistics Denmark (<i>Danmarks Statistik</i>) on 11 December 2012, available at: <a href="http://www.dst.dk/pukora/epub/upload/17949/krim.pdf">http://www.dst.dk/pukora/epub/upload/17949/krim.pdf</a></p> <p>Exposed to Violence and other Forms of Crime, Studies of Victims 2005-2011 and Registered Victims 2001-2009 (<i>Udsat for vold og andre former for kriminalitet, Offerundersøgelserne 2005-2011 samt registrerede ofre 2001-2009</i>), Published by the University of Copenhagen, Ministry of Justice, Danish Crime Prevention Council (<i>Det Kriminalpræventive Råd</i>) and the National Commission of the Danish Police (<i>Rigspolitiet</i>) in November 2011, available at <a href="http://www.justitsministeriet.dk/sites/default/files/media/Arbejdsomraader/Forskning/Forskningsrapporter/2012/Offerrapport%202012.pdf">http://www.justitsministeriet.dk/sites/default/files/media/Arbejdsomraader/Forskning/Forskningsrapporter/2012/Offerrapport%202012.pdf</a></p>	<p>The publication, Criminality 2011 (<i>Kriminalitet 2011</i>), provides detailed information on all parts of the criminal statistics for 2011, from the reporting of a crime to the decisions in the case. It also provide detailed information on victims of crimes according to the Criminal Code<sup>23</sup>, including the number of reported rapes, violence, threats and others.</p> <p>The study provides information on victims of theft, vandalism, violence, threats on violence, robbery and forced intercourse. The study compares and analyses findings in the period of 2005-2011 with other previous studies on victims of crimes to view the risk to be a victim of a crime.</p>

### 2.3 Victim Helplines

Please complete the information in the following table, providing details on whether the country has a national victim support helpline, who funds it, operates it etc. Where the answer is 'no', please provide a short justification or explanation of the situation in the comments field. For example, for question 3, if the helpline does not operate 24 hours a day, 7 days a week, place an X in the 'No' column and specify the operating hours under 'Comments'. Where 'Yes' or 'No' answers are not applicable (i.e. questions 9-15), please answer the question directly in the

<sup>23</sup> The Criminal Code , Consolidated act no. 1007 of 24 October 2012 with amendments (*Straffeloven, lovbekendtgørelse nr.1007 af 24. oktober 2012 med senere ændringer*), available at: <https://www.retsinformation.dk/Forms/R0710.aspx?id=142912>

'Comments' field. Please provide information for 2012. Where this is not possible, please provide a justification and give data for the latest year possible.

		Yes	No	Comments
1	Is there a helpline? If yes, please provide the name of the helpline and the contact details for the helpline (including the name of the body who runs it, contact phone number etc.) under 'Comments'.	X		<p>There are different helplines, depending on the type of victim (for example victims of human trafficking, victims of violence, victims of rape or child victims of sexual abuse). Please see annex 3 to the Victim Support Phase II [LOT 4 DENMARK].</p> <p>The answers below will be regarding the VID, which offers support to all types of victims.</p> <p>The VID operates both a national helpline and local helplines.</p> <p>National Line: +45 7221 7221 The contact information to the local helplines can be found in Danish at: <a href="http://www.offerraadgivning.dk/lokale_offerraadgivninger/index.html">http://www.offerraadgivning.dk/lokale_offerraadgivninger/index.html</a>.</p>
2	Does it operate 24/7? (If no, specify the days and times of operation under 'Comments').	X		The VID national line is open 24/7. If the local VID is closed, a person can get transferred to the national line.
3	Does it operate nationwide? (If no, name the city or federal state in which it operates).	X		
4	Is the helpline free of charge?	X		
5	Does the helpline target all victims of crime? If no, please specify (under comments) which categories of victims can approach the helpline.	X		
6	Is the helpline state run (if no, describe the non-state actor(s) who runs it under 'Comments')		X	The VID helpline is independent and is operated by volunteers.
7	Is the helpline funded by the state?	X	X	The VID are funded both through government funding and voluntary contribution.
8	Is the international EU victim support telephone number 116-006 available? <sup>24</sup> If no, provide a justification and/or specify whether plans to implement this are underway.	X		See <a href="http://www.offerraadgivning.dk/lokale_offerraadgivninger/index.html">http://www.offerraadgivning.dk/lokale_offerraadgivninger/index.html</a>
<b>Comments</b>				
9	Please give a brief description (1-2 sentences) of the services provided by the helpline.			The VID helpline provides victims with a free personal support and counselling, basic legal advice and practical guidance. The support provided is not equivalent to professional treatment, but consists of human contact, understanding, counseling and support on the basis of the personal background of

<sup>24</sup> In 2010 the EU introduced an EU harmonised phone number (116 006) designated for use by victims of crime who need assistance in EU countries.



		the volunteer counselor.
10	What was the operational budget (in EUR) for the helpline in 2012? Please specify under 'Comments'	The budget for 2012 for the VID umbrella organisation is DKK 2 million (approximately €266,666). It has not been possible to find the budget for 2012 specifically for the national VID helpline, since it has only been operating for a year, and the expenses are therefore not known yet. <sup>25</sup>
11	How many people were employed to run the helpline in 2012?	The VID helpline is voluntary, except for one national consultant employed by the umbrella organisation Victim Support Denmark.
12	What form(s) does the helpline take? E.g. just phone-line; email, web forum, walk-ins	The VID helpline is a 24/7 phone-line. VID can also be contacted by mail or facebook. The victim can also meet with the volunteers to have a talk.
13	Of the possible ways to access the helpline, what is the most frequently used by persons contacting the helpline?	The most frequently used way to access the helpline is phone. <sup>26</sup>
14	Who operates the helpline? (e.g. Professional staff such as psychologists or lawyers; volunteers etc.)	The operators of helpline of the VID is volunteers.
15	Please specify the number of times the helpline was contacted in applic. If this information is not available, please provide a reason under 'comments'.	In 2012 VID provided legal and personal support services to a total of 4,132 persons, 70% of which were victims. <sup>27</sup>

<sup>25</sup> Information provided over telephone by the VID

<sup>26</sup> Report submitted by the Working Group on a strengthened effort regarding victims of crimes, December 2010 ( *Rapport afgivet af arbejdsgruppen om en styrket indsats over for ofre for forbrydelser, december 2010*), chapter 5.1.4.

<sup>27</sup> The Victim Support Annual Report, 2012 (*Offerrådgivningen, Årsrapport 2012*).

## 2.4 Obligation of police to provide information

		Yes	No	Comments (max 2-3 sentences)
1	Are police legally obliged to provide all victims with information concerning victim support services? If yes, what is the legal basis for this obligation (e.g. name of the law)?	X		According to Administrative order no. 1108 (2007) section 1 (1), number 4, the police or the prosecutor are, in criminal cases, obliged to provide the victim with information concerning victim support services <sup>28</sup> .
2	Are police legally obliged to provide all victims with information concerning compensation? If yes, what is the legal basis for this obligation (e.g. name of the law)?	X		The police or prosecutor are, in criminal cases, obliged to provide the victim with information concerning compensation according to the Act on Compensation from the State for Victims of Crime ( <i>Lov om erstatning fra staten til ofre for forbrydelser</i> ) <sup>29</sup> , cf. section 1 (1), number 3 of the Administrative order no. 1108 (2007).
3	Are police legally obliged to provide all victims with information concerning their rights and role in criminal proceedings? If yes, what is the legal basis for this obligation (e.g. name of the law)?	X		The police or prosecutor are obliged to inform the victim of its duties and rights as a possible witness in the criminal proceedings, cf. section 1 (1), number 5 of the Administrative order no. 1108 (2007).
4	Are victims who do not understand or speak the language provided with free of charge interpretation in the language of their choice (e.g. during any interviews or questioning of the victim by the police)			According to section 149(1) of the Administration of Justice Act ( <i>Retsplejeloven</i> ) <sup>30</sup> any person who are questioned does not speak Danish an interpreter should be used as far as possible. It is free of charge in criminal proceedings, cf. section 2 of the Circular on Payment of Expenses for Interpreters/Translators ( <i>Cirkulære om afholdelse af udgifter til tolkning</i> ) <sup>31</sup> .
5	Are victims notified about their right to receive information about:			If the victim request other information than those in section 1 (1), number 1, or there is other reasons to provide the victim with such information, the police or prosecutor are obliged to do so, cf. Section 1 (4) of the Administrative order no. 1108 (2007).
	(a) any decision not to proceed with or to end an investigation or not to prosecute the offender;	X		Cf. section 741f(1) and 749 (3) of the Administration of Justice Act notification on a decision to end an investigation or not to prosecute the offender should be provided to victims in cases of more grave violations of the Criminal Code and sexual crimes.

<sup>28</sup> Administrative order no. 1108 of 21 September 2007 on the duty of the police and prosecution service to guide and inform victims in criminal cases and to select a contact person for the victim (*Bekendtgørelse nr. 1108 af 21. september 2007 om politiets og anklagemyndighedens pligt til at vejlede og orientere forurettede i straffesager og til at udpege en kontaktperson for forurettede*), available in Danish at <https://www.retsinformation.dk/Forms/R0710.aspx?id=2866>

<sup>29</sup> State Compensation to Victims of Crime, Consolidated act no. 688 of 28 June 2004 with amendments (*Lov om erstatning fra staten til ofre for forbrydelser, lovbekendtgørelse nr. 688 af 28. juni 2004 med senere ændringer*), available in Danish at <https://www.retsinformation.dk/Forms/R0710.aspx?id=1824>

<sup>30</sup> The Administration of Justice Act, Consolidated act no. 1008 of 24 October 2012 with amendments (*Retsplejeloven, lovbekendtgørelse nr. 1008 af 24. oktober 2012 med senere ændringer*), available at: <https://www.retsinformation.dk/Forms/R0710.aspx?id=143192>

<sup>31</sup> Circular no. 104 of 7 July 1989 on payment of expenses for interpreters/translators (*Cirkulære nr. 104 af 7. juli 1989 om afholdelse af udgifter til tolkning*), available in Danish at <https://www.retsinformation.dk/Forms/R0710.aspx?id=58210>

	(b) the time and place of the trial, and the nature of the charges.	X	<p>Cf. section 741f(2) of the Administration of Justice Act the prosecution notifies the victim about the time for the court sitting (<i>hovedforhandling</i>). The victim is also notified about the charges by the prosecutor, cf. section 741f(1) of the Administration of Justice Act.</p> <p>If possible, the police and the prosecutor notify the victim in cases of more grave violations of the Criminal Code and sexual crimes of the expected time of the prosecution and expected the time of the trial.<sup>32</sup></p>
	(c) any final judgment in a trial	X	<p>In public criminal cases, and if the victim has made a financial claim, the court will notify the victim about the decision regarding the claim. The court will also provide the victim with a copy of the judgment, if the victim has requested it, cf. section 219a(7). According to the Commentaries to section 219a(7) of the Administration of Justice Act<sup>33</sup>, it is the assumption, that the prosecutor informs the victim of their rights according to section 219a(7) when the prosecutor informs the victim of the charges.</p>

## 1.5 Training of practitioners on dealing with victims of crime

Please complete the information in the following table, selecting either 'yes' or 'no' and providing a short explanation in the comments field. Where 'Yes' or 'No' answers are not applicable, 'NA' has been inserted. In these instances, please answer the question directly in the 'comments' field.

With respect with how to deal with victims of crime, Is systematic training of the following categories of professionals who come into contact with victims of crime carried out (if yes, please indicate under 'comments' the nature of the training and whether it is on dealing with all victims or just certain categories of victims (e.g. victims of domestic violence):				
		Yes	No	Comments (max 2-3 sentences)
1	Police	X		Victim counselling is a major focus area in the education of police officers. This focus deals with victims of all categories of crimes.

<sup>32</sup> Communication no. 8/2007, revised in December 2012, on guidance and information to the victim in criminal cases and to select a contact person for the victim (*Meddelelse nr. 8/2007, rettet december 2012, Vejledning, orientering og underretning af forurettede i straffesager, udpegning af en kontaktperson for forurettede og vidner mv.*), J.nr. RA-2007-511-0004

<sup>33</sup> Bill no. L128 of 31 January 2007 on amending the Administration of Justice Act and the Act on Court Fees (*Lovforslag L128 af 31. januar 2007 om lov om ændring af retsplejeloven og retsafgiftsloven*), available at: <https://www.retsinformation.dk/Forms/R0710.aspx?id=88206>

2	Prosecutors	X		In the strategy, published by the Danish Prosecution Service ( <i>Anklagemyndigheden</i> ) covering 2010-2015, one of the intervention areas is communication with among others victims of crimes and witnesses. Employees of the Danish Prosecution Service will seek to improve their oral and written communication with victims of crime and witnesses. The Director of Public Prosecutions ( <i>Rigsadvokaten</i> ) will carry out a modernization of the language in letter templates and publications. <sup>34</sup>
3	Judges		X	
4	Court staff		X	
5	Are Victim Support Organisations involved in this training? If yes, how are they involved? (e.g. they provide input through lectures; they fund the training; they organise and run the training themselves etc.)		X	The VID does not engage in training of professionals.
6	Is systematic training of victim support staff carried out on how to deal with victims of crime? If yes, please indicate the nature of the training,			Every Victim Support volunteer, regardless of professional background, must pass a basic course in 'Structured Crisis Interviewing' ( <i>Struktureret Krisesamtale</i> ). This two-day course, organised by the Danish Red Cross ( <i>Dansk Røde Kors</i> ), is compulsory before a volunteer is permitted to counsel victims alone. After acquiring some experience with victim support, the volunteer must pass an additional, advanced course on victim counselling and legislation and practices relevant for victim support. Further training is offered and organised by umbrella organisation Victim Support Denmark at both national and local levels. The training covers crisis management, interviews with individuals in crisis, the legal status of victims, compensation for victims, the process of a

<sup>34</sup> Aims and Strategy 2010-15 (*Mål og strategi 2010-15*), published by the Danish Prosecution Service, available in Danish at: <http://www.anklagemyndigheden.dk/Documents/anklagemyndigheden-maal-og-strategi-2010-2015.pdf>

				trial, the Act on Public Administration ( <i>Forvaltningsloven</i> ) and telephone counselling. <sup>35</sup>
7	Please briefly list any other category of officials coming into contact with victims that receive systematic training on how to deal with victims of crime (e.g. lawyers, restorative justice services etc.)			

## 2.6 Rights of victims in criminal proceedings

Please complete the information in the following tables, choosing 'Yes' or 'No' and providing a short explanation or justification for each answer. In cases where your country has already been placed in a particular category as an example, check that the category your country has been placed in (i.e. 'Yes' or 'No') is accurate and revise if necessary.

### 2.6.1 Definition of victim

Please provide a definition of the term victim in your country:

	Description	Explanation (max word count 200)
1	What is the main or generic legal definition of the term 'victim' (as provided for in national legislation)?	The term "victim" is not defined in the Administration of Justice Act. It is however in the legal literature <sup>36</sup> assumed that the term "victim" is interpreted in a relatively narrow manner and thereby only include the persons, that the punitive sanction ( <i>straffepåbud</i> ) aims to protect. <sup>37</sup> Other than to punish the offender, it can be argued that punitive sanctions are also imposed because of preventive effects, to send a signal to the victim, that the offender will be punished for the harm inflicted on the victim, and to send a victim to the society in general. Victims are defined by the police and by the VID as any person who has suffered injuries as a consequence of criminal acts or accidents, relatives of the victim and eyewitnesses. It has no bearing on the status of the victim if charges are rejected or if the proceedings are terminated at a later point in time, and there is no obligation to prove the status of victim. <sup>38</sup>
2	Is there a separate definition of 'vulnerable victims' (as separate from the main or generic definition of 'victim')?	In the Circular no. 10094, which as mentioned above stipulates the definition of "victim" by the police and VID, there is no definition of "vulnerable victims".

<sup>35</sup> Offerrådgivningen, Årsrapport 2010 (the Victim Support Annual Report, 2010).

<sup>36</sup> Stephan Hurwitz, "Den danske strafferetspleje", 3rd ed., p. 243, Hans Gammeltoft-Hansen, "Strafferetspleje I", 2nd ed., p. 206, Eva Smith, Jørgen Jochimsen m.fl., "Straffeprocessen", p. 131, og "Kommenteret Retsplejelov", 7th ed., Vol. III, note 3 to § 725.

<sup>37</sup> Report nr. 1485 on the rules of procedure for the victim in criminal cases, published in 2006 (*Betænkning nr. 1485/2006 om forudrettedes procesuelle retsstilling i straffesager*), chapter 2.2.1.

<sup>38</sup> Circular no. 10094 of 22 December 2006 to the police and prosecution on change of the victim support system (*Cirkulæreskrivelse nr. 10094 af 22. december 2006 til politiet og anklagemyndigheden om ændring af ordningen med offerrådgivning*), available in Danish at <https://www.retsinformation.dk/Forms/R0710.aspx?id=2562>

3	<p>Are parents, children, other family members, same sex partner &amp; first responders included under the main definition of the term victim? If not, are they included as 'indirect' victims or similar?</p>	<p>Cf. Circular no. 10094, the VID is also provide support and guidance to relatives to victims of crimes and accidents.</p> <p>In situations where the victim is deceased, some of the information that should have been provided to the victim, are instead to be provided to close relatives of the victim, for example information about compensation and victim support services, cf. section 4 of the Administrative order no. 1108 (2007), and information about the charges, time of court sitting and decisions to proceed with or to end an investigation or not to prosecute the offender, cf. sections 741f and 749 of the Administration of Justice Act.</p>
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### 2.6.2. Decision not to prosecute

*With regard to victims' rights to review a decision not to prosecute, please answer the following:*

	Yes	No	Comments (Max word count 80 words)
If the prosecutor decides to discontinue a case, does the victim have the right to file for a review of the decision not to prosecute?	X		The Prosecutor is obliged to prosecute when there is sufficient evidence to support a prosecution. The victim must be notified of a decision not to prosecute. A victim has the right to appeal against these decisions of the Prosecutor, cf. section 724 of the Administration of Justice Act.
Who undertakes this review?	X		The decision not to prosecute is reviewed by the superior Prosecutors i.e. the Regional State Prosecutors or the Director of Public Prosecutions, cf. chapter 10 of the Administration of Justice Act.
Does the victim have the right to institute private prosecution in cases where the prosecutor drops charges? If yes, under what circumstances?		X	In some cases a victim has a right to institute private proceedings. This includes for example in cases of vigilantism, cf. Section 305, subparagraph 2 of the Penal Code, cases of defamation, cf. Section 275 of the Penal Code.
Does the prosecutor's office have a dedicated hotline or mechanism whereby victims can inquire about the progress of a case?		X	In some cases the police assigns a contact person to the victim, cf. Section 3 of the Administrative order no. 1108 (2007). This contact person can be contacted if the victim has inquiries about the progress of the case,

### 2.6.3. Right to be heard

*Please complete the information in the following tables, choosing 'Yes' or 'No' and providing a short explanation or justification for each answer. Some examples have been provided.*

	Yes	No	Comments (Max word count 80 words)
Do victims have a right to be heard during criminal proceedings?		X	Witnesses are summoned by the Prosecutor, however, normally a victim of a crime will also be a witness to that crime.
Do victims have a right to supply evidence during criminal proceedings?		X	The Prosecutor determines what evidence should be submitted to support their case. The victim can however provide the prosecutor with information and evidence, that he/she finds relevant.

Is there a right for vulnerable victims to be questioned & testify in court in a protected manner – e.g. are screens in place when victims testify/video link available or other measures to separate victim from accused? Please specify whether this applies to all victims or just certain categories of victims (please specify):	X	The court can decide to remove the accused from the court room while the victim is giving evidence during the main proceedings, cf. section 845(5) of the Administration of Justice Act. A child's testimony can be recorded on video and used as evidence in the proceedings, cf. section 872 of the Administration of Justice Act. Section 872 has also been used analogously in cases with persons with a mental disability, cf. Tfk2008.335/2V.
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#### 2.6.4 Rights of victims at trial

The International Criminal Court (ICC) has created a special unit for victims and witness to provide support before, during and after the trial. Services are delivered by professionals who are often salaried employees of the court, and includes persons with expertise in trauma, including trauma from sexual violence. When providing testimony victims may also have support from family members, psychologists or legal representatives. These specialists are also able to advise prosecutors on appropriate security arrangements for victims and the court must take measures to protect the safety, physical and psychological well-being, dignity and privacy of victims. The statute allows for identities not to be made public, testimony to be provided by electronic means and the hearing to be confidential. The statute also calls for the court to establish principles relating to “reparations to victims, including restitution, compensation and rehabilitation” and to establish a trust fund which “works for victims by mobilizing people, funding opportunities for the benefit of victims and implementing court-ordered reparations awards.”

*With the example of the ICC special victims' unit in mind, please answer the following questions, choosing 'yes' or 'no' and providing a short description. If the answer is no, please provide a justification. Where 'Yes' or 'No' answers are not applicable (i.e. questions 2-4), 'NA' has been inserted. In these cases, please answer the question directly in the 'Description/justification' field.*

		Yes	No	Description/justification (max 1-3 sentences)
1	Looking at your own criminal court system, is there a special unit or service for victims of crime providing support?		X	
2	Is there a separate waiting area for victims at court?		X	The police or prosecutor can, in special cases, in agreement with the courts, make a separate waiting area available to witnesses, including victims. <sup>39</sup>
3	Is special seating reserved for victims at trial?		X	If a witness or the victim request it, the court can in some cases decide that the defendant have to sit so that the witness or victim cannot see the defendant, while the witness gives their statement. In special cases the court can also

<sup>39</sup> Information available in Danish at <http://www.anklagemyndigheden.dk/Sider/saerlige-hensyn-til-vidner-ofre.aspx>

				decide that the defendant has to leave the court room, while the witness gives their statement, cf. section 845(5) of the Administration of Justice Act. <sup>40</sup>
4	What other services are available?		X	
5	Who provides the services (e.g. professional or specialised staff; volunteers etc)?		X	
6	In reference to question 5, do the service providers provide advice to prosecutors with respect to the the safety, physical and psychological well-being, dignity and privacy of victims?		X	
7	Do they provide advice to judges with respect to the the safety, physical and psychological well-being, dignity and privacy of victims?		X	
8	Are the rights and protections that should be afforded to victims mentioned in the founding law (e.g. a statute) establishing the court?		X	
9	Do victims have the right to be accompanied by support persons during the trial?	X		According to the Danish Administration of Justice Act section 741a (1) the court must as a general rule assign a victim advocate if so requested by the victim. Furthermore, a contact person scheme was introduced by Administrative order no. 1108 (2007). If the victim wish to be accompanied by the victim support person from VID during the trials, this is also a service provided by VID. <sup>41</sup>
10	Can victims access & copy trial records			If the victim requests it, the court will provide the victim with a copy of the judgment in criminal cases, cf. section 219a(7).

<sup>40</sup> Information available in Danish at <http://www.anklagemyndigheden.dk/Sider/saerlige-hensyn-til-vidner-ofre.aspx>

<sup>41</sup> Report submitted by the Working Group on a strengthened effort regarding victims of crimes, December 2010 ( *Rapport afgivet af arbejdsgruppen om en styrket indsats over for ofre for forbrydelser, december 2010*), chapter 5.1.4.



### 2.6.5 Legal aid for victims:

Experts consider provision of legal advice the area where there is most room for improvement in the area of victim support activities, with significant advances needed to ensure free and easily accessible legal advice for all victims. With this in mind, please answer questions 1 -5 in the table below selecting only **one option** (a, b, c or d) for each question and providing a description under 'comments'. **Please specify what criteria, if any, entitle a victim to avail of certain categories of legal aid. There may be several criteria (as in the example below – please be as detailed as possible. If none of the descriptions match the situation in your country, please choose 'd' and provide a short explanation of the situation.**

Categories of legal aid		A: Available to all victims of crime as a fundamental right of victims	B: Available to certain categories of victims; e.g. only victims of serious crime, only victims who are nationals of that country etc. (please specify which victims are entitled to such advice):	C: Subject to other criteria; e.g. an economic 'means test' (please specify):	D: Other (please specify)
<b>1. Free legal advice</b>	Place X in appropriate column	X			
	Comments:	The VID offers free basic legal advice for all victims. The VID also provides the victim with information on possibilities of support from among other lawyers.			
<b>2. Free legal representation</b>	Place X in appropriate column		X		
	Comments:		Victims of sexual or violent offences have the right – upon request – to have an attorney appointed to represent them free of charge, cf. section 741a, no. 1, of the Administration of Justice Act. In cases of sexual crimes, an attorney will be appointed ex officio, unless the victim rejects it, cf. section 741a,		

			no. 2. The formal decision on appointment is taken by the court. If special circumstances deem it necessary, a victim of other crimes can also have an attorney appointed to assist them in their case, cf. section 741a, no. 4. The courts will consider whether factors such as the gravity of the crime and the need for assistance create a basis for an appointment of an attorney.		
<b>3. Exemption from court fees</b>	Place X in appropriate column	X			
	Comments:	There is no court fees for victims.			
<b>4. Exemption from or reimbursement for expenses related to interpretation and/or translation</b>	Place X in appropriate column	X			
	Comments:	The victim has no expenses related to interpretation and/or translation.			
<b>5. Reimbursement for loss of earnings, travel and accommodation costs with regard to role in criminal or civil proceedings</b>	Place X in appropriate column	X			
	Comments:	All witnesses are entitled to a compensation of minimum of 80 DKK. If the witness has suffered a financial loss, the compensation can be increased, cf. section 2 of the ministerial order no. 712 of 17 November			

		1987. <sup>42</sup>			
	<b>The state</b>	<b>A victim support service</b>	<b>Both</b>	<b>Other (explain)</b>	
<b>2. Who provides legal aid? place 'X' in one column only)</b>	X				

<sup>42</sup> Administrative order no. 712 of 17 November 1987 on payments for lay judges and witnesses etc. (*Bekendtgørelse nr. 712 af 17. november 1987 om ydelser til lægdommere og vidner m.v.*), available in Danish at: <https://www.retsinformation.dk/Forms/R0710.aspx?id=57761>

## 2.7 Compensation

Please complete the information in the following tables, choosing 'Yes' or 'No' and providing a short explanation or justification for each answer: e.g. for question 2.7 (2), please select 'Yes' or 'No' and under comments, specify what measures victims can ask for during criminal proceedings. In cases where your country has already been placed in a particular category as an example, check that the category your country has been placed in (i.e. 'Yes' or 'No') is accurate and revise if necessary; i.e. by moving your country from the 'Yes' column to the 'No' column and vice versa.

	Victims' rights with regard to compensation	Yes	No	Comments and sources (max 2-3 sentences)
1	Do victims have the right to ask for compensation during criminal proceedings?	X		If a victim in connection with the criminal case raises demands for compensation from the perpetrator, the victim can ask the police to include the demand in the criminal court case. See the answer to question 13.
2	Aside from compensation, do victims have the right to ask for other measures during criminal proceedings (e.g. return of property, reimbursement of expenses, measures for physical protection)?		X	
3	Is compensation paid by the offender?	X		A victim who has endured a damage from the offender has a claim against the offender. A claim for compensation shall as a point of departure be put forward during the criminal case.
4	Is there such thing as a 'victims of crime fund' that convicted persons must contribute to?		X	A proposed bill on a special fund for victims is currently being processed in the Danish Parliament. It is expected to be passed by the end of May 2013 and to enter into force on 1 January 2014. If passed by the Parliament, the offender has to pay DKK 500 (app. 70 €) to the fund. Besides the payments from the offenders, the victim fund also receives subsidiaries from the state. <sup>43</sup>
5	Does compensation paid by the offender under a 'victims of crime fund' go towards victim support services?	X		The purpose of the fund is to support victims through various projects and activities. It is expected that the fund will be able to pay approx. 27.000.000 DKK (app. 3.624.161 €) for victim related purposes.
6	Is compensation paid by the state?			Claims for compensation in relation to a violation of the Criminal Code

<sup>43</sup> Bill no. L165 of 28 February 2013 on Victim's Fund Act (Lovforslag L165 af 28. Februar 2013 om lov om Offerfond), available at: <http://www.ft.dk/samling/20121/lovforslag/L165/index.htm#dok>

				for personal injury and certain damage to goods can be submitted to the to the Board of Damages (Erstatningsnævnet)
7	Will the State advance payment of the compensation if the offender does not pay? Under which conditions?			According to section 7 of the Act on Compensation to Victims (Offererstatningsloven), compensation will not be paid by the state in so far the perpetrator or a insurance company are able cover the claim.
8	Does a compensation order exist?	DK		Victims who have endured a damage from the offender have a claim against the offender. A claim for compensation shall as a point of departure be put forward during the criminal case and the court will rule in this matter.
9	Do prosecutors have the power to mediate between the offender and the victim?	AT, BE, NL FR CZ, FI, DE, HU, LT, LU, PL, RO, SL, SE	BG, CY, DK, EE, EL, ES, IE, LV, MT and UK	According to experts, the duty for prosecutors to obtain compensation between offender and victim (may also take the form of mediation between victim and offender to obtain compensation) is available in AT, BE, NL & FR, CZ, FI, DE, HU, LT, LU, PL, RO, SL, SE.
10	Do prosecutors have the duty to attempt to obtain compensation from the offender?	AT, BE, NL FR CZ, FI, DE, HU, LT, LU, PL, RO, SL, SE	BG, CY, DK, EE, EL, ES, IE, LV, MT and UK	According to experts, the duty for prosecutors to obtain compensation between offender and victim (may also take the form of mediation between victim and offender to obtain compensation) is available in AT, BE, NL & FR, CZ, FI, DE, HU, LT, LU, PL, RO, SL, SE.
11	Is compensation, when paid by the offender to the victim, taken into account in decisions to prosecute?	AT, BE, CZ, FI, FR, DE, HU, IT, LT, LU, NL, PL, PT, RO, SI, SL & SE.	BG, CY, DK, EE, EL, ES, IE, LV, MT and UK	According to the experts BG, CY, DK, EE, EL, ES, IE, LV, MT and UK do not consider the question of compensation to the victim in the decision to prosecute the offender, while payment or non-payment of compensation may influence the decision to prosecute in AT, BE, CZ, FI, FR, DE, HU, IT, LT, LU, NL, PL, PT, RO, SI, SL & SE.
12	Is compensation, when paid by the offender to the victim, taken as a mitigating factor in sentencing?	AT, BE, CZ, FI, FR, DE, HU, IT, LT, LU, NL, PL, PT, RO, SI, SL & SE.	BG, CY, DK, EE, EL, ES, IE, LV, MT and UK	According to the experts BG, CY, DK, EE, EL, ES, IE, LV, MT and UK do not consider the question of compensation to the victim in the decision to prosecute the offender, while payment or non-payment of compensation may influence the decision to prosecute in AT, BE, CZ, FI, FR, DE, HU, IT, LT, LU, NL, PL,

				PT, RO, SI, SL & SE.
13	Is there a limit from the time of the crime within which claims for compensation would have to be made? If yes, what is the time limit?	X		A victim who applies for compensation must file a report on the incident within 72 hours after the crime has been committed. A victim can ask the police to include a claim for compensation in the criminal case against the perpetrator. The police will need proof of the loss or personal injury. The victim can also put forward the claim him or herself during the meeting in court.
14	Do third country nationals have the right to apply for compensation?			
15	Do third country nationals with irregular status (i.e. residing in the country illegally) have the right to apply for compensation?			
16	Are there exceptions prescribed in law for different types of crimes? If yes, what are they?			

## 2.8 Cross border support

Please complete the information in the following tables, choosing 'Yes' or 'No' and providing a short explanation or justification for each answer. Where 'Yes' or 'No' answers are not applicable (i.e. questions 9-12), please place your answer directly in the 'Description' field.

	Victims' rights with regard to cross border support	Yes	No	Description (max 2-3 sentences per question)
1	Is there a formal system of cross-border referral of victims (to a victim support organisation in the state in which the victim lives) when the victim who has approached the VSO or competent authority is resident in another state?		X	The police will, if a victim report a crime committed in another EU-country, forward the information to the relevant authorities. The police will also assist the victim, who is resident in another state, with other questions. The police will refer the victim to the VID, who will then provide information to the victim about the options. <sup>44</sup>
2	Can victims of crime report crimes in their own country if the crime was committed in another state?	X		The general rule is that a crime should be reported in the country, that the crime was committed in. If that is not possible, and the crime was committed in another EU-country, a victim can report the crime to the Danish Police.

<sup>44</sup> Communication no. 8/2007, revised in December 2012, on guidance and information to the victim in criminal cases and to select a contact person for the victim (*Meddelelse nr. 8/2007, rettet december 2012, Vejledning, orientering og underretning af forurettede i straffesager, udpegning af en kontaktperson for forurettede og vidner mv.*), J.nr. RA-2007-511-0004

3	Are victim support services made available to all victims, regardless of legal status, country of origin or nationality?	X		The VID will not request these information, and if the victim at their own initiative provide the information to the counsellor, the support will continue regardless of this information. <sup>45</sup>
4	Describe any special mechanism for victims of crime from other countries to access support. E.g. via website etc.			The extent to which the services are prepared to support persons from other countries can be limited by possible language barriers which are dealt with on an ad hoc basis – if necessary by involving an interpreter. Victims of crimes can find information on webpages in for example English, see the reply to question 6.
5	Is information made available to victims in different languages by the police? If yes, which languages?		X	The Police will refer a person to information at the VID website, where information can also be found in English.
6	Is information made available to victims in different languages by victim support services? If yes, which languages?	X		The VID provides information on their website in English: <a href="http://www.offerraadgivning.dk/om/english.html">http://www.offerraadgivning.dk/om/english.html</a> . Also Reden International (The Nest International) provide information to victims of trafficking in 22 languages: <a href="http://redeninternational.dk/?pid=105">http://redeninternational.dk/?pid=105</a>
7	Do victim support services offer interpretation or translation services? If yes, in which languages?		X	The VID cannot offer a victim interpretation or translation. If the victim contacts the VID during an interview with the police, where there is an interpreter present, then the interpreter can also assist in the communication with the VID. <sup>46</sup>
8	Does the main generic victim support organisation in your country maintain contact with victim support organisations in other countries? If yes, how? (E.g. through formal cooperation agreement; international consultative forums or conventions etc.)			VID is a member of "Victim Support Europe".
<b>Description (max 2-3 sentences per question)</b>				
9	What is the mechanism for victims to apply for compensation once they are back in their own country?			Information on the right to compensation and the application form can be found on the website of the Criminal Injuries Compensation Board ( <i>Erstatningsnævnet</i> ) in English ( <a href="http://www.erstatningsnaevnet.dk/GlobalMenu/english.aspx">http://www.erstatningsnaevnet.dk/GlobalMenu/english.aspx</a> ). A victim can also contact the Danish representations for information. If they cannot assist, they can refer the victim to where to find the necessary information.
10	What is the number of victims accessing victim support services who are non-nationals of the state?			The victims contacting the VID are anonymous and they therefore do not know the nationality of the victims.
11	Describe any special mechanism for victims of crime from other countries to access support. E.g. via website etc.			The extent to which the services are prepared to support persons from other countries can be limited by possible language barriers which are dealt with on an ad hoc

<sup>45</sup> Information provided over telephone by the VID

<sup>46</sup> Information provided by e-mail by the VID

		basis – if necessary by involving an interpreter. Victims of crimes can find information on webpages in for example English, see the reply to question 6.
12	Are there any measures put in place for the protection of a victim's right to privacy when dealing with cross border victims?	

## 2.9. The role of volunteerism in victim support

From the research carried out in phases 1 & 2, one of the most striking features of the more robust generic victim support systems in Europe is the crucial role played by volunteers.

- a. **With this in mind, please provide an overview (max 500 words) of the tradition of volunteerism in the area of the victim of support in your country; i.e. outlining whether such a culture exists, what is the historical background for why it does or does not exist; how is the situation changing and focusing on any discernible trends; explaining also the typical profile of volunteers who work in the field - e.g. well educated? Professional background - working in a particular field (e.g. legal, social work); typical tasks? (E.g. provision of legal/psychological advice? Or restricted to informing victims of rights etc.). How many hours a week do volunteers typically give of their time? Are numbers of volunteers increasing or decreasing?**



In general the sector for volunteers (*den frivillige sektor*) in Denmark is increasing – half of the existing organisations have been founded since 1975 and a fourth have been founded since 1990. Approximately a third of the population in Denmark carries out volunteer work – in the beginning of the 1990ies it was approximately a fourth of the population. Approximately 6 % of the population are volunteers in the social- and health sector, and counselling is a large part of the activities provided by the volunteers in the sector. Volunteers in Denmark use approximately 17 hours a month on voluntary activities.<sup>47</sup> Volunteers therefore play a significant role in different aspects of social work, including in the area of victim support.

When it was suggested to set up the VID, it was also suggested, that it would be volunteers that provided support and guidance to the victims. The role of the volunteer has therefore been essential in the VID from the beginning. In 2009 there were 31 local victim support services in the VID and 269 volunteer advisors.<sup>48</sup>

Even though the support offered by the VID is not considered equivalent to professional treatment, the VID in their selection of volunteers attempt to single out individuals with a relevant personal or professional background. Every volunteer, regardless of professional background, must pass a basic course in 'Structured Crisis Interviewing' (*Struktureret Krisesamtale*). After acquiring some experience with victim support, the volunteers must pass an additional, advanced course on victim counselling and legislation and practices relevant for victim support.<sup>49</sup> The volunteers in VID have different educational backgrounds, but among others they are educated in the social sector, law and police.<sup>50</sup>

In many situations the support offered will be to listen and talk to the victim. The victim can also get information on help from other actors, such as psychologists, lawyers, crisis centres, and on their rights in the criminal proceedings. The volunteer can also assist the victim in filling out applications to insurance companies. The volunteers are obliged to inform the victim that they do not offer therapy or processing of their cases.<sup>51</sup>

On 1 July 2013 the Ministry of Social Affairs and Integration (*Social- og Integrationsministeriet*) published a renewed charter for interaction between the voluntary sector and the public sector (*Charter for samspil mellem den frivillige verden og det offentlige*). The charter contains visions and principles of the interaction between the voluntary sector and the public sector and focuses on trust between sectors reciprocity and cooperation. According to the charter from 2013 almost half of the population in Denmark carries out volunteer work.

- b. If there is no tradition of volunteerism in the area of the victim of support in your country, please outline (in max 500 words) any recent initiatives or attempts in the area of victim support to encourage a greater culture of volunteerism.**

## 2.10. The tradition of social work

In max 400 words, please provide an overview of whether there is a tradition of social work in your country, and if so, in what way (if any) is it linked to the victim support services structure in your country. In your answer, please include the level of education of a typical social worker (e.g. is university or third level education necessary?).

<sup>47</sup> The Sector for Volunteers in Denmark, extent and significance, published in 2006 by the Danish National Institute of Social Research (*Den frivillige sektor i Danmark – omfang og betydning, udgivet i 2006 af Socialforskningsinstituttet*).

<sup>48</sup> Report submitted by the Working Group on a strengthened effort regarding victims of crimes, December 2010 (*Rapport afgivet af arbejdsgruppen om en styrket indsats over for ofre for forbrydelser, december 2010*), chapter 5.1.3.4.

<sup>49</sup> Report submitted by the Working Group on a strengthened effort regarding victims of crimes, December 2010 (*Rapport afgivet af arbejdsgruppen om en styrket indsats over for ofre for forbrydelser, december 2010*), chapter 5.1.5.

<sup>50</sup> Information provided over telephone by the chairman of VID, Steen Knudsen.

<sup>51</sup> Report submitted by the Working Group on a strengthened effort regarding victims of crimes, December 2010 (*Rapport afgivet af arbejdsgruppen om en styrket indsats over for ofre for forbrydelser, december 2010*), chapter 5.1.4.

The social sector in Denmark employs a lot of people, and the sector provides services for a lot of different groups, for example elders, people with disabilities and children. You can study the area of social work at different levels, but below are information on two educations.

One of the educations in the social sector is social worker (*socialrådgiver*). An education as a social worker includes among others training in the theory and methods of social work, the target groups, development and evaluation of social work. The education takes 3-5 year and in 2011, 846 completed their education as a social worker. A social worker has the title Bachelor of Social Work (*professionsbachelor som socialrådgiver*).<sup>52</sup>

You can also study a two-year masters at university level in social work (*Kandidatuddannelsen i Socialt Arbejde*). The students are taught different aspects of the social work, such as the well-being of children and youth, abuse, mental problems and long-term unemployment.<sup>53</sup>

Some of the victim support services have employees, which are educated in the social work. At Nest International (*Reden International*), which is an NGO tasked with the management of a specialised crisis centre in Copenhagen specifically targeting women trafficked for sexual exploitation, they have eight employees. Of these, two are social workers, one is trained in social education (*pædagogisk medarbejder*) and one is trained in care (*omsorgs-medarbejder*).<sup>54</sup>

As mentioned above, the volunteers in for example VID can also have an educational background in the social sector.

## 2.11. Promising practices in the area of victim support

From the following list of promising practices (detailed explanations found under Annex 1), please identify whether there is a similar practice in your country (yes or no) and provide a brief explanation/description. If you have identified other promising practices not similar to the ones presented here, please provide details under ‘16’ – ‘Other promising practices’.

	Promising practice	Does a similar practice exist in your country?		Short description of the practice in your country, outlining similarities; differences etc. If there is no such practice, please provide a justification for this (e.g. this is not an issue; it is dealt with in other ways; it is a gap that still needs to be addressed)
		Yes	No	
1	Initiative to provide cross-border victims of crime with basic information: In May 2009, the Inter-Regional Crime Prevention working group of the <i>Grande Région (LU, FR, DE, BE)</i> published a basic information guide for victims, detailing what to do in the event one is a victim of a crime or an accident.	X		Information on the right to compensation, the application form etc. can be found on the website of the Criminal Injuries Compensation Board ( <i>Erstatningsnævnet</i> ) in English ( <a href="http://www.erstatningsnaevnet.dk/GlobalMenu/english.aspx">http://www.erstatningsnaevnet.dk/GlobalMenu/english.aspx</a> ).
2	Assistance to tourist victims of crime: e.g. <b>In Ireland</b> , the Irish Tourist Assistance Service (ITAS) is specialist service offering immediate support and assistance to tourists who are victimised while visiting Ireland. The Service is free and confidential. ITAS is run by staff and volunteers who speak a variety of languages.		X	Tourists can also contact the VID. Furthermore there is information on how to contact the police, hospitals etc. on <a href="http://www.visitcopenhagen.com/good-to-know/practical-stuff/emergencies">http://www.visitcopenhagen.com/good-to-know/practical-stuff/emergencies</a> .
3	Schemes for compensatory fines to help fund support services: In addition to other funding sources, several EU		X	On the 28 February 2013 the Ministry of Justice put forward a

<sup>52</sup> Information available in Danish at <http://www.ug.dk/uddannelser/professionsbacheloruddannelser/samfundsfaelligeogoeconomiskeuddannelser/socialraadgiver.aspx#fold2>

<sup>53</sup> Information available in Danish at <http://socialkandidat.samf.aau.dk/>

<sup>54</sup> Information available in Danish at <http://www.redeninternational.dk/?pid=29>

	Member States generate money for generic victim support services through a 'Victims of Crime fund' or the like, whereby persons convicted of an offence pay a fine to help the funding of services for victims of crime (for example, in BE, LT, NL, PL & SE).			suggestion to establish a Fund for Victims ( <i>Offerfonden</i> ). According to the proposal, the offender in some cases are to pay a fixed amount of DKK 500 (approximately € 67). The fund will support projects and activities for victims. <sup>55</sup>
5	In some countries, victims can be accompanied in court by victim support services, ensuring a fuller realisation of victims' rights and helping to prevent secondary victimisation.	X		The VID also offers to accompany a victim during the proceedings. <sup>56</sup>
6	In some countries, victims are provided with free psychosocial and legal assistance throughout the entire criminal proceedings.		X	Some support services can provide psychosocial and legal assistance, but this is not free of charge for all victims. Some victims can get financial support to sessions with a psychologist, see information in Danish at <a href="https://www.sundhed.dk/borger/sygdomme-a-aa/sociale-ydelser/sociale-ydelser/behandling/psykologbehandling/">https://www.sundhed.dk/borger/sygdomme-a-aa/sociale-ydelser/sociale-ydelser/behandling/psykologbehandling/</a> .  Victims of sexual or violent offences have the right – upon request – to have an attorney appointed to represent them free of charge, cf. section 741a, no. 1, of the Administration of Justice Act. In cases of sexual crimes, an attorney will be appointed ex officio, unless the victim rejects it, cf. section 741a, no. 2. The formal decision on appointment is taken by the court. If special circumstances deem it necessary, a victim of other crimes can also have an attorney appointed to assist them in their case, cf. section 741a, no. 4. The courts will consider whether factors such as the gravity of the crime and the need for assistance create a basis for an appointment of an attorney.
7	Some countries have legal clinics that provide free legal	X		In August 2011 a clinic for

<sup>55</sup> Bill no. L165 of 28 February 2013 on Victim's Fund Act (*Lovforslag L165 af 28. Februar 2013 om lov om Offerfond*), available at: <http://www.ft.dk/samling/20121/lovforslag/L165/index.htm#dok>

<sup>56</sup> Report submitted by the Working Group on a strengthened effort regarding victims of crimes, December 2010 (*Rapport afgivet af arbejdsgruppen om en styrket indsats over for ofre for forbrydelser, december 2010*), chapter 5.1.4.

	assistance to victims of crime.			undocumented migrants opened in Copenhagen by the Red Cross Denmark, Danish Medical Association ( <i>Lægeforeningen</i> ) and the Danish Refugee Council ( <i>Dansk Flygtningehjælp</i> ). The clinic is financed by private donations and run by volunteers (doctors, nurses, psychologist etc.). Information is available in Danish at <a href="http://www.rodekors.dk/det+gor+vi/sundhedsklinik/om+sundhedsklinikken">http://www.rodekors.dk/det+gor+vi/sundhedsklinik/om+sundhedsklinikken</a>
8	Some countries are exploring new and innovative ways of disseminating information to victims of crime in the form of web-based material, using social media and e-support etc. e.g. In SE, the Crime Victim Compensation and Support Authority initiated web-based information site called the Trial School which uses narrators' voices, texts, photographs, films and 3D animations to explain what happens at a court trial. Victim Support Finland (RIKU) operates a mobile phone service providing advice to crime victims through automatic text messages, while in NL; the Victim Support fund has a website and a smart phone app to guide victims to support organisations.	X		In 2013 VID opened a profile on Facebook, where information about VID and how to contact them can be found.
9	Some countries have created a 'Victim's Charter' which, not a legally binding document in itself, rather aims to describe the criminal justice system to a victim of crime, setting out victims' rights and providing clear information in relation to various aspects of criminal proceedings, state agencies, victim support organisations etc. (e.g. what happens when a crime is reported; what to expect during the investigation process, which agencies are involved in providing support etc.).		X	In Denmark a document similar has not been created, but a victim can find the information on the website of the Danish Prosecution Service ( <i>Anklagemyndigheden</i> ), see <a href="http://www.anklagemyndigheden.dk/Sider/er-du-offer.aspx">http://www.anklagemyndigheden.dk/Sider/er-du-offer.aspx</a>
10	In SE referral from the police works effectively since several local BOJ victim support services operate on the same premises as the local police station which also is seen as a way to quickly identify victims. All police districts, in over 100 districts around Sweden, have a Crime Victim Emergency Service. People who have training in and experience of the issues faced by victims of crime are available at these offices.			Victim Support Denmark is not located on the same premises as the local police stations. Victim Support Denmark is primarily a phone-based support operation, and it is therefore not necessary for the Victim Support Services to be on the same premises as the local police stations. Denmark does not operate with a Crime Victim Emergency Service as Victim Support Denmark is the official police support system for victims.
11	The multi-disciplinary, national referral system introduced in Bulgaria with regard to trafficking might be considered a promising practice.	X		The Danish Centre against Human Trafficking works to improve the social assistance offered to victims of human trafficking, to coordinate

				collaboration between social organizations and other public authorities and to collect and convey knowledge in the field of human trafficking.
12	As part of the National Social Roma Inclusion Strategy in HU, Roma victim support volunteers are recruited to work in the volunteer support network. There is also a network of on-site legal aid stations led by an active member of the local Roma community, while the attorneys of the organisation are available online and provide free legal advice via Skype. Their area of operation also includes legal support to victims of hate crime.	X		In December 2011 Denmark presented the Danish National Inclusion Strategy, in which it is mentioned the action plan includes an implementation of the existing tools for integration for Roma, a continued effort to fight poverty and social expulsion and communicate best practices within the joint European principles of inclusion of Roma to the municipalities. <sup>57</sup>
13	Police forces in <b>England and Wales</b> have policies on dealing with repeat victimisation. An example of such a policy is the Thames Valley Police policy on repeat victimisation (drafted and audited in accordance with Human Rights Act 1998): <b>Sample Extract from the policy:</b> <b>1. Rationale</b> 1.1 Research and organisational experience indicate that victims of crime and other incidents may be targeted for subsequent victimisation. This is particularly relevant in relation to offences of burglary, assault, domestic violence and hate crime. 1.2 Repeat incidents often occur soon after the initial victimisation; therefore it is important to take preventative measures quickly. Likely victims must be identified immediately and subject to a targeted crime reduction initiative. 1.3 Every victim should be asked whether they have been subject to other offences. The primary means to prevent repeat victimisation is to arrest and prosecute the offender, although other tactical options are available [...]. <sup>58</sup>		X	The Danish police is obligated in accordance with the Administration of Justice Act section 741 (g). to notify the victim in case of the parole or release of the convicted offender(s) if the victim has requested a notice. This concerns cases of more serious criminal offenses. The police can in any case notify the victim if the police finds that there are safety considerations to take into account. There are no actual measures to prevent repeated victimization.
14	Many countries have practices in place to respect the rights of victims during court proceedings, particularly with regard to their rights to privacy and protection; e.g. the trial being conducted behind closed doors; witness' testimony being taken so they do not come into contact with accused (e.g. in SI, taking of testimony using technical devices (protective screen, voice disguising devices, transmission of sound from separate premises and other similar technical devices); ban on use of images related to the victimisation; other measures undertaken by judges or prosecutors (or jury?) in respect of victims' rights? (e.g. jurors in FR swear an oath pledge	X		In some cases, the court can decide that the defendant have to sit so the victim can not see the defendant while giving their statement. In special cases the court can also decide that the defendant has to leave the court room, while the witness gives their statement. In for example cases of rape a victim can request closed doors, which means that only those relevant

<sup>57</sup> Information is available at <http://www.sm.dk/Temaer/DemokratiOgIntegration/integration-af-nye-borgere/inklusion-romaer/Sider/default.aspx>

<sup>58</sup> <http://www.thamesvalley.police.uk/pub-policiesandprocedures-repeat-victimisation.pdf>

	not to betray the interests of the victim).			to the case can be present and that informations from the proceedings can not be repeatet in public, for example in the media. In special cases the court can also decide that the defendant cannot receive information about a victim's name and address. <sup>59</sup>
15	In some countries, police, prosecutors and judges work for victim support organisations in an official capacity that forms part of their training (e.g. in Austria)		X	There is no such practice in Denmark.
16	<b>Other promising practices:</b> please include any other promising practices in your country with regard to victim support and enabling victims' to exercise their rights.	NA	NA	The Danish Parliament adopted on the 28 <sup>th</sup> of May 2013 Act on Victim Foundation (Lov om Offerfonden). The Fund shall be used for projects and activities that generally strengthen knowledge about crime victims and traffic victims and efforts to support those victims. It is expected that money will allocated to the fund in 2014.

## 2.12 Role of the victim in practice

When it comes to perceiving or conceptualising victims of crime, certain ideal types or models can be distinguished. Based on your research and responses so far, please choose one from the following 4 descriptions of the role of the victim in the criminal justice system of your country (if possible indicating the most common view of legal practitioners (judges, prosecutors, lawyers) in your country. (If you believe that there are different perceptions of victims depending on various types of criminal offences, please consider cases of violent crimes.):

	Please choose the most appropriate description of how the victim is perceived in the criminal justice system	Place X in the appropriate box (choose only one)	Explanation (maximum word count 200)
1	The victim is seen essentially as a witness.		
2	In addition to 1, if the victim has suffered damage as a consequence of a criminal offence, importance is attributed to allowing the victim to claim compensation within the framework of criminal proceedings.		
3	In addition to 1 or 2, the victim is seen as a person who has suffered moral harm and therefore is in need and deserving of help.	X	As mentioned there is no definition of a victim. The duty to inform (the police) about Victim Support Denmark who's primary role is to offer guidance also on a personal level, acknowledging the traumas

<sup>59</sup> Information is available at <http://www.anklagemyndigheden.dk/Sider/saerlige-hensyn-til-vidner.aspx>

				victims might have, indicates that victims are seen as being in need and deserving of help.
4	In addition to 1, 2 & 3, the victim is perceived as a person whose rights have been violated by the criminal offence and who therefore is entitled to see that justice is done and, to that end, to participate in criminal proceedings.			
In the new EU Victims' Directive, the Commission refers to the varying roles of victims in criminal proceedings in each Member State as being determined by one of the following criteria. <sup>60</sup> With regard to the following descriptions, please choose 'yes' or 'no' for each concerning the role of the victim in the criminal justice system of your country, and provide a short explanation.				
	Description of victims' role in EU Directive	Yes	No	Explanation (maximum word count 200)
1	The national system provides for a legal status as a party to criminal proceedings;			
2	The victim is under a legal requirement or is requested to actively participate in criminal proceedings, for example as a witness	X		The victim is legally required to witness in criminal proceedings if he or she is called into the witness stand cf. Act on Administration of Justice section 168(1) The Danish Prosecution Service represent the victim and takes part as the legal party in criminal proceedings.
3	The victim has a legal entitlement under national law to actively participate in criminal proceedings and is seeking to do so, where the national system does not provide for a legal status as a party to the criminal proceedings.			

## IMPORTANT:

In accordance with question 2.2.1b, if you have identified your country as belonging to category 'A'; please respond only to questions 3.3 and 3.4 of part B.

In accordance with question 2.2.1b, if you have identified your country as belonging to any category other than 'A'; please respond only to questions 3.1 – 3.3 of part B.

<sup>60</sup> See Recital 20 Of the Victims' Directive, p 11 (<http://register.consilium.europa.eu/pdf/en/12/pe00/pe00037.en12.pdf>).

## 2 Part B:

### 3.1 Establishment of generic victim support organisations\*<sup>61</sup>

#### 3.1.1 Please outline who (i.e. state or non-state actor) took the initiative for first setting up victim support services.

**Max 250 words**

The VID was established by act no. 349 of 23 May 1997 and the suggestion to establish a victim support service was put forward by the Minister of Justice. The inspiration to establish the VID was based on the positive experiences of the Swedish victim support service. The VID was established in 1998 by the National Commission of the Danish Police (*Rigspolitiet*) in accordance with circular on Victim Support, issued by the Ministry of Justice and act. no. 349 of 23 May 1997.

#### 3.1.2 Where did the money come from to support this first attempt?

**Max 150 words**

Because the VID from the beginning was to be operated by volunteers, the expenses for the victim support services were limited to mainly expenses to establish the victim support secretariat, which was placed at the National Commission of the Danish Police. The secretariat prepared material for information on the local VIDs and the local teaching of volunteers. The police provided mobile phones to the individual VIDs in order to facilitate the work of the VID.<sup>62</sup>

#### 3.1.3 What were the circumstances leading to the establishment of the victim support service(s)?

**Max 200 words**

The protection and rights of the victims had also before 1997 led to initiatives and amendments in the regulation on victims, for example the establishment in 1976 of the Act on Compensation from the State for Victims of Crime (*Lov om erstatning fra staten til ofre for forbrydelser*). The establishment of the VID continued this focus. As mentioned above the initiative was based on the Swedish victim support services and experiences of these services.<sup>63</sup>

<sup>61</sup> Questions marked with \* should NOT be answered by countries falling into category 'A' (in accordance with question 2.2.1)

<sup>62</sup> Bill no. L144 of 22 January 1997 on amending the Administration of Justice Act, the Criminal Code and the Act on Liability for Damages (*Lovforslag L144 af 22. januar 1997 om lov om ændring af retsplejeloven, straffeloven og erstatningsansvarsloven*, available at: <https://www.retsinformation.dk/Forms/R0710.aspx?id=112172> and Circular no. 10462 of 8 July 1998 on the establishment of a network of local, voluntary victim support services (*Cirkulære nr. 10462 af 8. juli 1998 om oprettelse af et net af lokale, frivillige offerrådgivninger*), available in Danish at [www.retsinformation.dk/Forms/R0710.aspx?id=586](http://www.retsinformation.dk/Forms/R0710.aspx?id=586)

<sup>63</sup> Bill no. L144 of 22 January 1997 on amending the Administration of Justice Act, the Criminal Code and the Act on Liability for Damages (*Lovforslag L144 af 22. januar 1997 om lov om ændring af retsplejeloven, straffeloven og erstatningsansvarsloven*, available at: <https://www.retsinformation.dk/Forms/R0710.aspx?id=112172>



### 3.1.4 Quality standards

	Yes	No	Description (max 3-5 sentences)
Do formally adopted key performance indicators exist in relation to the quality of services provided by generic victim support services? If yes, please describe them.		X	

### 3.2 Personnel (professional staff and volunteers)\*:

Taking the below as an example, please provide information with regard to professional staff and volunteers working in the area of generic victim support in 2012 (if more than one organisation dealing with generic victim support please produce a separate table for each organisation).

Country	Name of organisation	Professional staff		Volunteers		
		# staff	hours contracted per week	# volunteers	hours contracted per week	Value of volunteer work
DK	Victim Support in Denmark (VID)	1 <sup>64</sup>	37	Approx 200	?	?

<sup>64</sup> Up until May 2013, the VID had one national consultant employed on a contract for 37 hours per week. Because of finances, they will instead employ a commercial and clerical employee (*Handels- og Kontorfunktionær*) on a contract for 25 hours per week.

### 3.3 Services provided by the state:

From the below list, please answer 'yes' or 'no' if the following general services are provided directly by the state free of charge to victims and provide a short description – **to be answered by all.**

Services provided to victims by the state (free of charge)	Yes	No	Description
a Free legal advice by courts or free legal assistance	X		
b Free health/psychological assistance (e.g. crisis intervention centres)	X		
c Emergency financial assistance	X		
d Court accompaniment/support services	X		
e Other (specify)			

### 3.4 (Failed) Attempts to establish national generic victim support service provider\*\*<sup>65</sup>

Please describe whether there has ever been any attempt to establish a generic victim support service organisation in your country, specifying the year in which it was established and who attempted it (i.e. state or non-state actor). Why did it not succeed? If you cannot identify such an attempt, please explain the absence of the establishment of such an organisation (historical reasons etc.) and identify whether there is any discussion at government level/media etc. concerning the need to establish/improve services for victims.

**Max 250 words**

<sup>65</sup> \*\*This question should ONLY be answered by countries falling into category 'A' (in accordance with question 2.2.1).

## Annex 1 – Country codes

Code	Name of country
AT	Austria
BE	Belgium
BG	Bulgaria
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
EE	Estonia
EL	Greece
ES	Spain
FI	Finland
FR	France
HR	Croatia
HU	Hungary
IE	Ireland
IT	Italy
LT	Lithuania
LU	Luxembourg
LV	Latvia
MT	Malta
NL	The Netherlands
PL	Poland
PT	Portugal
RO	Romania
SE	Sweden
SI	Slovenia
SK	Slovakia
UK	United Kingdom

## Annex 2 –list of generic victim support organisations by country

In accordance with question 2.2.1a, please review the list and short description of structure of generic victim support organisations operational in your country and edit as necessary, ensuring that all significant victim support providers (especially those operating at national level) are mentioned.

Countries shaded in green have been identified (on the basis of country reports submitted for phases 1 & 2 of the project) as not having any generic victim support organisations. These countries should please provide a short list of the main organisation(s) providing victim support in one of the two specialised areas of victim support focused on in the phase 2 country report (see annex 3 for a list). As a default, please select the area ‘Domestic violence and stalking’.

	Name/short description of organisation(s)
AT	In every of Austria’s nine provinces ( <i>Bundesländer</i> ), branches of national organisations and local victim support organisations are operative. Weisser Ring (NGO) is currently the largest general victim support organisation operating in Austria. Today, the White Ring operates out of a federal office in Vienna and nine branches in all Austrian provinces, as well as 14 representation offices at regional level.
BE	Bureaux d’assistance aux victimes; Victim’s reception service in each of the 27 judicial districts and at the community level, assistance to victims is organized through Centres for Victims of Crime;
BG	
CY	The Social Welfare Services which is the only umbrella service providing support to various victim “groups”, the rest of the initiatives are targeted on specific victim “groups” and are under the non-governmental sector. However, the services provided by the SWS are targeted mainly towards victims of domestic violence and victims of trafficking.
CZ	The Probation and Mediation Service (“PMS”); the White Circle of Justice
DE	The largest volunteer victim support service (operating nationwide) is the Weisser Ring e.V. In Berlin, Hamburg, Lower Saxony, Saxony, Mecklenburg-Western Pomerania and Hesse independent victim support charities (Opferhilfe e.V) run local offices. A nationwide coverage of professional victim support services does not exist, although a number of the professional support services are organised under the auspices of the umbrella organisation Working Group of Victim Support in Germany ‘ado’. In many states (Bavaria, Baden-Württemberg, Bremen, Saarland, Rhineland-Palatinate, Saxony-Anhalt, Schleswig-Holstein and Thuringia) generic professional victim support services as described above do not maintain offices. Here volunteer support services fill this gap.
DK	The Victim Support in Denmark (VID) (Offerrådgivningen, OID). The general victim support service in Denmark consists of 24 different general local entities and one national support entity with VID as their umbrella organisation. <sup>66</sup>
EE	The citizen-initiated Union of Support to Victims of Crime “Victim Support” (Kuriteohvrite Toetamise Uhing “Ohvriabi”), founded in 1994. It is still the only organisation that provides support to victims of crime in general, without specialisation to any type of victim group.
EL	

<sup>66</sup> Map over support entities. Available on Victim Support Denmark’s webpage: [http://www.offerraadgivning.dk/lokale\\_offerraadgivninger/index.html](http://www.offerraadgivning.dk/lokale_offerraadgivninger/index.html)

<b>ES</b>	The management of the Offices for Support to Victims of Crimes (Oficinas de Asistencia a las Víctimas de Delitos, OAV) is the responsibility of regional governments having the Spanish government used the ability to "set up management agreements entrusted with the Autonomous Communities and local Corporations". In Spain, these are the only victim support services that can be considered to have a generic character because of dealing with many sorts of victims particularly since this very year.
<b>FI</b>	In 1994, Victim Support Finland (Rikosuhrapäivystys / Brottsofferjouren) began its activities. It was the first organisation to offer victim support services and still is the only organisation providing services to victims of various different types of crimes, as most other third sector actors specialise in providing assistance to certain specific victim groups.
<b>FR</b>	The National Institute for Victims and Mediation (L'Institut national d'aide aux victimes et de médiation, INAVEM) was established in 1986 to promote greater coherence and activity for victim support services. Since June 2004, the INAVEM has had the status of federation, representing member associations (www.inavem.org.). Services for victims (services d'aide aux victimes, SAV) are members of the INAVEM. 150 associations are adherents to the INAVEM and provide psychological, logistic, financial and legal support to victims .
<b>HR</b>	County Court level: There are special departments for victim and witness support (Odjeli za organiziranje i pružanje podrške svjedocima i žrtvama), established at the following seven county courts as part of the court administration: Zagreb, Split, Rijeka, Osijek, Zadar, Vukovar, Sisak. Special departments provide victim and witness support in trials for all criminal offences.
<b>HU</b>	Metropolitan and county offices of the Victim Support Service. There are also a few NGOs that operate in the field of victim support. The White Ring Association is specialised in assisting victims of any crime and it provides similar services as the state agency, however the scope of its activities is rather limited due to financial burdens
<b>IE</b>	Various non-governmental victim support organisations – e.g. the Federation for Victim Assistance (10 branches); Support After Crime Services; ITAS.
<b>IT</b>	
<b>LT</b>	
<b>LU</b>	In Luxembourg there are few generic victim support organisations, as typically, each organisation is tasked with clear missions and has clear responsibilities. They are two; Waisse rank Service d'aide aux victimes du parquet general. Other organisations offer assistance to victims of a particular type of violence.
<b>LV</b>	
<b>MT</b>	Victim Support Malta (VSM).
<b>NL</b>	Victim Support Netherlands (VSN) ( <i>Slachtofferhulp Nederland</i> , SHN).
<b>PL</b>	Support Network for Victims of Crimes (consisting of 16 regional support centres); social welfare centres ( <i>ośrodki pomocy społecznej</i> ), crisis intervention centres ( <i>ośrodki interwencji kryzysowej</i> ) or the support centres ( <i>ośrodki wsparcia</i> ), which offer support for people in various crisis situations.
<b>PT</b>	Portuguese Association for Victim Support ( <i>Associação Portuguesa de Apoio à Vítima</i> , APAV) - 15 victim support offices located throughout the country.
<b>RO</b>	
<b>SE</b>	The Swedish Association for Victim Support ( <i>Brottsofferjouernas Riksförbund</i> , BOJ) is the national umbrella organisation for victim support services with about 100 local victim service centres in Sweden.
<b>SI</b>	

<b>SK</b>	Non-governmental organizations are virtually the only active players in the field of victim support services. <i>Pomoc obetiam násilia</i> is the leading victim support service provider.
<b>UK</b>	Victim Support (England and Wales) Victim Support (Scotland) Victim Support (Northern Ireland)

### **Annex 3 –list of specialised areas of victim support chosen in phase 2 (for countries with no generic victim support organisations)**

<b>BG</b>	Domestic violence and stalking and trafficking in human beings.
<b>EL</b>	Domestic violence and stalking and trafficking in human beings.
<b>IT</b>	Trafficking in human beings and sexual abuse of children
<b>LT</b>	Domestic violence and stalking and trafficking in human beings.
<b>LV</b>	Sexual abuse of children and stalking and trafficking in human beings.
<b>RO</b>	Sexual abuse of children and stalking and trafficking in human beings.
<b>SI</b>	Domestic violence and stalking and trafficking in human beings.