

# Benchmarking Victim Policies in the Framework of European Union Law

WORKING PAPER

Jan van Dijk – INTERVICT, Tilburg University – Jan.vanDijk@UvT.nl

Marc Groenhuijsen – INTERVICT, Tilburg University - M.S.Groenhuijsen@UvT.nl



**Dijk, J. van, M.S. Groenhuijsen (2007, forthcoming) Benchmarking victim policies in the framework of European Union law. In: Walklate, S. (edt.), *Handbook of victims and victimology*. Cullompton, Willan**

This is not a final version,  
do not cite or quote without permission from the authors.

Postal address:  
**INTERVICT - Tilburg University**  
PO Box 90153 - 5000 LE Tilburg  
the Netherlands

Visiting address:  
**Montesquieu building, 9<sup>th</sup> floor**  
Warandelaan 2 – Tilburg - NL

Phone: +31 13 4663526

Fax: +31 13 4663546

E-mail: [INTERVICT@uvt.nl](mailto:INTERVICT@uvt.nl)

[www.intervict.nl](http://www.intervict.nl)

## **Benchmarking Victim Policies in the Framework of European Union Law**

Jan Van Dijk and Marc Groenhuijsen <sup>1</sup>

### **Introduction**

The Framework Decision of the European Union on the Standing of Victims in Criminal proceedings of 2001 lays down minimum standards for treatment of crime victims. This Decision has made mandatory for EU member States basic principles of justice for victims developed over the past twenty years by the international community. The new EU standards build on earlier international codification efforts of the United Nations (GA Declaration of 1985) and the Council of Europe ( Recommendation 1985/11). The EU Framework Decision is unique by making a comprehensive set of victim-friendly principles of justice legally binding for its 27 member states.

Politically important as these international legal instruments may be, they are far from executing themselves. The first necessary follow up is incorporation of the standards in domestic legislation and regulation. A status report of the European Commission EC published in 2004 showed that even in this elementary respect much more needs to be done (Commission, 2004). In none of the Member States the Framework Decision had been fully transposed into national legislation (Groenhuijsen, Letschert, 2006)

Compliance with international legal instruments requires more than adaptation of domestic legislation. Implementation must be followed up in case law and in operational activities such as the provision of resources, tools, skills and training. In the final analysis what really matters is the impact of implementation effort on the key client groups. in this cases the victims of crime.

Brienen & Hoegen (2000) have looked at legislative compliance with Council of Europe Recommendation 85/11, including its follow up in case law, instructions as well as training programmes for police officers and prosecutors. They made an overall assesment of the stage of implementation of these guidelines per country. Substantively the EU Framework Decision of 2001 closely resembles the COE Recommendation. The findings of Brienen & Hoegen on the implementation of the COE Recommendation therefore provide a rough assessment of compliance of European countries with the EU Framework Decision as well. In the next paragraph we will discuss the methodology of Brienen & Hoegen and subsequently present a ranking of EU countries, based on their “scorecards” of the extent of socio-legal compliance with the international standards.

---

<sup>1</sup> We want to express our gratitude to John Van Kesteren of Intervict for his assistance in the data analysis.

In this contribution the findings of legal desk research on compliance will be supplemented with empirical data on the impact of domestic victim policies as perceived by actual victims. Data will be presented based on standardized victimization surveys carried out in 18 EU Member States in 2005 ( EU/ICS) , co-funded by the DG research of the EC as well as in Bulgaria, Iceland, Norway, Turkey and Switzerland (Van Dijk, Manchin, Van Kesteren, Hedig, 2007). The analysis focusses on the percentages of persons victimized by serious crimes between 2000 and 2005 who have reported their experience to the police, the rate of satisfaction among those reporting victims and the percentages of reporting victims of serious crimes who have received specialized help. Combining results on these “performance indicators” of domestic victim policies, a composite victim satisfaction index will be presented.

In the concluding paragraph the results of the socio-legal analysis and of the victim-centred impact evaluation will be related to each other. From these combined results some general conclusions about the state of implementation of the EU Framework Decision across the Member States of the Union will be drawn.

### **Measure of implementation of the COE recommendations**

In the introduction we referred to the evaluative study by Brienen&Hoegen and the so-called ‘scorecard methodology’ they have used in order to assess any progress made in implementing the Council of Europe’s recommendations on victims’ rights. The method – and the results it has yielded – can be summarized as follows.

The authors argue that compliance with the standards set by the recommendation can best be measured not by taking a snapshot view at the relevant jurisdictions, but by reviewing the dynamics of the criminal justice systems involved regarding victim rights. In order to do so, they have introduced the concept of a ‘developmental model’ of implementation. The basic idea behind this is to look for *changes* within the system, for actual *reform* in the direction of the aspirations contained in the recommendation. The analyses takes place at three levels. One is the level of legislative initiatives, where new victims’ rights are being incorporated in criminal procedure. The second level concern daily practice: the number of times or the percentage of cases in which the legal rights are actually applied. And the third layer is of a more qualitative nature. It is about best practice on the basis of so-called ‘genuine progress indicators’ which are regarded as concrete signs of development and sophistication.

Brienen & Hoegen have calculated all legislative reforms in the 22 jurisdictions between 1985 and 1999 (formal implementation) and have collected data on compliance with the new standards (actual implementation). In both categories (formal and actual), the 'developmental model' distinguishes four ratings. They range from 'poor' to 'adequate' and then on to 'good' and 'excellent'. Obviously, poor means that the recommendation is not complied with by legislative provisions or in actual practice respectively. Adequate reflects partial conformity, whereas good indicates that the requirements are generally being met. Some jurisdictions even go beyond the standard set by the recommendation; in those instances the score excellent is awarded. For the purposes of this rating procedure, the various parts of the Council of Europe recommendation have been grouped into three areas. One is on informational rights for victims, the second is on restitution/compensation, and the third one is on treatment and protection.

Besides the quality of legislation Brien & Hoegen looked, as said, at practical implementation measures. Just to illustrate how illuminating this layered approach is, we mention some of the more remarkable findings. The table about supplying information on the rights of the victim during the procedure shows a significant discrepancy between the law in the books and the law in action, that is to say, in the opposite direction from what one would expect. In quite a few countries (Belgium, England and Wales, Ireland, Luxembourg, The Netherlands, Scotland, Sweden and the Swiss canton of Zürich) the actual level of transferring information goes beyond the requirements of the recommendation and is classified as 'excellent', while the rating of the formal legislation on this item is of a lower category (either adequate or even poor). This confirms that countries sometimes can achieve compliance without adapting their Code of Criminal Procedure or similar legislative instruments. In the area of treatment and protection, a striking research finding is that in many score boxes the rating indicates that compliance is 'adequate', meaning more or less at the level required by the recommendation. As an exception to this rule, on the very basic provision that police officers have to be trained to deal with victims in a sympathetic, constructive and reassuring manner, the majority of jurisdictions is rated 'poor' while only a single one (Denmark) has the score of 'excellent'.

According to the assessment, the outcomes on compensation and restitution are downright disappointing. All across Europe, it proves to be much easier to provide victims with information and to secure dignified treatment and protection than it is to award victims financial redress for the harm they have suffered. For instance, if compensation/restitution is a penal sanction, the recommendation requires that it should be collected in the same way as fines and take priority over any financial sanction imposed on the offender. Many countries fail to comply with this basic standard; only few jurisdictions (England and Wales, Norway, Scotland and Sweden) are rated as 'good' in this respect.

Then there is the assessment of progress on the basis of genuine progress indicators (best practices). The authors have identified 6 genuine progress indicators. (1) The creation of *opt-in information systems* ; these are more effective than general, formal commitments, because it logically leads to the installation of an information-infrastructure for the authorities to monitor the victims' expressed wishes to be informed of events during the entire proceedings. (2) Enforcement of compensation or restitution orders on behalf of the victim, both when the order is a penal sanction as well as when it is emanating from an adhesion procedure. (3) Judicial review a the final decision not to prosecute a case. (4) Protection of the personal details of the victim, by withholding them from the offender during the criminal procedure. (5) Provision of information on the offender's release from custody. And (6) The existence of a regular flow of victimological research and evaluative studies of legal reform and new policies. It is neither possible nor useful to elaborate on the exact status or nature of these instruments. Let it suffice to observe that the indicators have proved to be significant discriminating factors in determining the overall emancipation of the victim in a given criminal justice system.

Based on this three tier system, the scorecard methodology led to the following composite conclusion. When all ratings of the legislative initiatives, other indicators and best practices were taken into account, the countries that rank in the top are: Belgium, England and Wales, Ireland, The Netherlands, and Norway. Below them, with medium rating, come: Austria, Denmark, France, Germany, Scotland, Sweden, and Switzerland. Lowest scores were given to: Greece, Iceland, Italy, Luxembourg, Portugal, Spain, and Turkey. From the countries that were included in the ICVS which will be discussed in the following sections, Estonia, Finland, Hungary and Poland were missing in the Brienens&Hoegen evaluation of the implementation of the Council of Europe recommendation.

### **Victim-based performance indicators**

In 1987 the initiative was taken by a group of European criminologists involved in national crime surveys, to launch a fully standardized survey, called the International Crime Victims Survey, to further comparative criminological and victimological research. In 1989 the first ICVS was carried out in thirteen countries, mainly from Western Europe and North America ( Van Dijk, Mayhew, Killias, 1990). The fifth survey was carried out in 2005 in over thirty countries including 22 European countries. Surveys in 18 European countries were co-funded by the Directorate General for Research of the European Commission ( under the acronym EU/ICS). Reports on the EU and on global results are forthcoming ( Van Dijk, Manchin, Van Kesteren, Hedig, 2007; Van Dijk, 2007) . In this paper results will be presented regarding the treatment of victims in 25 different European countries, including in England/Wales, Scotland and Northern Ireland separately.

The EU/ICS interviews samples of households from national populations about their recent experiences with the most frequently occurring types of conventional crime ( volume crime). Samples include at least 2,000 respondents who are generally interviewed with the CATI (Computer Assisted Telephone Interview) technique. In countries such as Bulgaria and Turkey where this method is not applicable because of insufficient distribution of landline telephones, face-to-face interviews are conducted, generally with samples of 1,000-1,500 respondents. In Finland an additional sample was drawn from mobile-only users.

The EU/ICS provides an overall measure of victimisation in the previous year by any of the eleven “conventional” crimes included in the questionnaire. A first group of crimes deals with the vehicles owned by the respondent or his/her household: A second group refers to break and enter ( burglaries); and a third group of crimes refers to victimization experienced by the respondent personally, including robbery, pickpocketing , assault and sexual offences. The analysis focusses on repondents who have been victimized during the last five year. This means the reference period of the experiences is 2000-2005. In this period victims can be expected to undergo the impact of official victim policies that were in place in 2000.

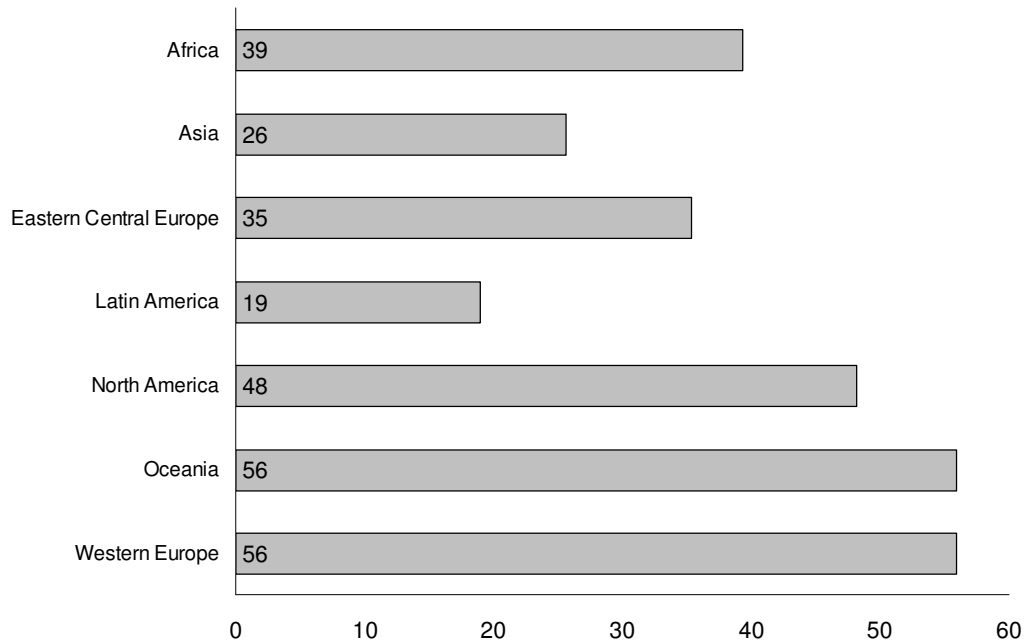
To assess the impact of EU victim-policies as implemented in individual EU countries on experiences and perceptions of victims , data were analysed regarding reporting behavior, satisfaction with reporting, need and reception of specialized victim support. To increase comparability of results the analysis of reporting behavior was limited to victims of five types of moderately serious crime : theft from motorcar, burglary, robbery, threat/assault and sexual offences. Analyses of the need of and reception of specialized victim support were limited to only four types of crime : burglary, robbery, sexual offences and threat/assault.

In each country an average of 400 respondents had been victimized by one of the five types of crimes. With such sample sizes, national population rates vary within confidence limits of approximately 3 to 4 %. In the case of a reporting rate of 50 % , there is a 90 % certainty that the true rate among the national population lies in the range between 46 and 54 ( for more information on confidence intervals see Van Kesteren, Mayhew, Nieuwbeerta, 2000).

## Reporting rates

Percentages of serious crimes reported to the police vary greatly across world regions. Figure 1 shows results from the ICVS 2000-2005 for seven world regions.

**Figure 1. Percentages of victims of five types of serious crime who say they reported to the police in seven world regions; results of EU/ICS/ICVS, 2005**



Reporting rates are the highest in Western Europe, Australia/New Zealand and USA/Canada. Reporting to the police is least common in Latin America and Asia. Reporting rates in Central and Eastern Europe are much lower than in Western Europe. When data on Central and on Eastern European countries are disaggregated, rates of some Eastern European countries appear to be as high as those in Western Europe. This is the case with the Czech Republic ( 57%), Hungary ( 58%) and Slovenia ( 52%). Poland, Bulgaria and Estonia show moderately high rates around 40%. Within Western Europe reporting rates vary between 40 and 70%. Lowest rates are found in Iceland ( 40%), Finland ( 48%), Greece ( 49%) and Portugal (51%). The highest rates are found in Austria and Belgium ( 68%) . Table 1 provides details.

**Table 1 Percentages of victims of five types of serious crime who say they reported to the police in 23 European countries; results of EU/ICS, 2005**

rank	percentage	rank	percentage
1 Austria	70	13 Norway	53
2 Belgium	68	14 Ireland	51
3 Swiss	63	15 Portugal	51
4 Sweden	64	16 Italy	50
5 Scotland	61	17 Finland	48
6 Germany	61	18 Luxembourg	48
7 England & Wales	61	19 Spain	47
8 Denmark	60	20 Poland	46
9 Northern Ireland	59	21 Turkey	44
10 Netherlands	58	22 Estonia	43
11 Hungary	58	23 Bulgaria	36
12 France	54		

There is no evidence that reporting rates for the five types of crime have changed much over the years in European countries. Noteworthy seem the incremental increases in reporting since 1996 among victims in Poland and Estonia. This result may point at a more general upward trend in reporting in Eastern Europe, reflecting increased confidence in the integrity and competence of the police.

The decision to report victimization experiences to the police is determined by a variety of considerations. Most frequently mentioned reasons in previous sweeps of the ICVS were “should be reported”, “retribution”, to ‘recover property’, to “stop it”, “insurance reasons” or “to get help” ( Van Dijk, 1999; Van Kesteren, Mayhew, Nieuwebeerta, 2000). There are distinct differences between the reporting motivations of victims of property crimes and of contact crimes. Victims of property crimes more often mention to report to recover property or to satisfy insurance. Victims of contact crimes more often mention that they want the victimization to stop or to receive help ( Van Dijk, 1999). Victims in the more affluent countries are more likely to report for insurance reasons ( Van Dijk, 1999). One explanation for higher reporting rates in Western Europe is the higher proportion of households covered by insurance for losses from property crimes.



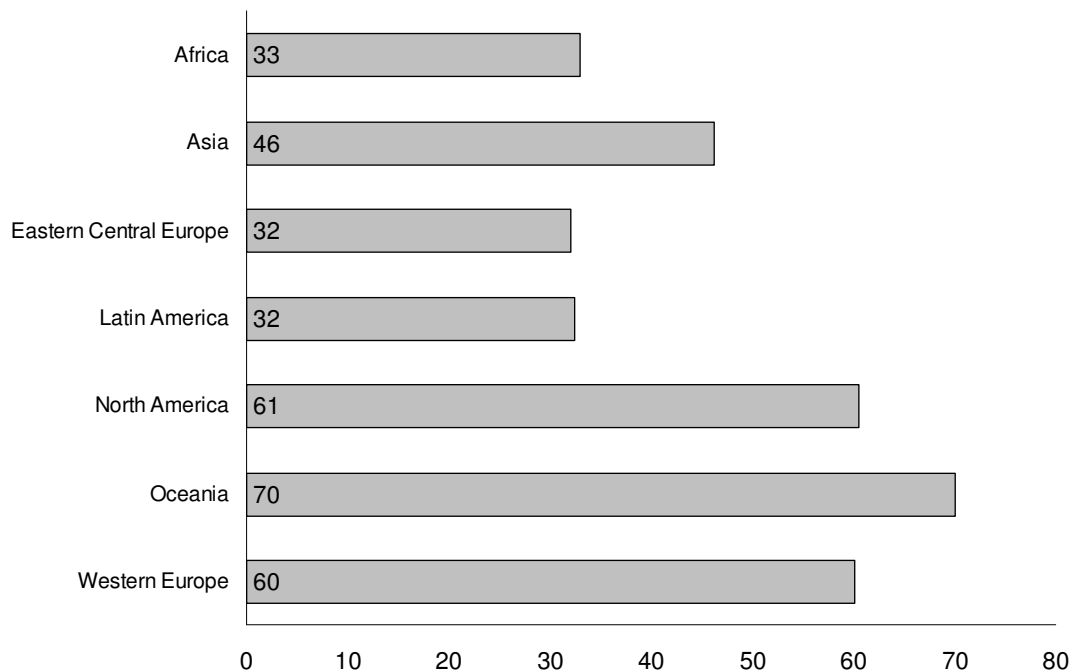
Victims who have not reported are asked to give their reasons as well. Most frequently mentioned reasons are “not serious enough”, “police could do nothing” and “police won’t do anything”. The reason “not serious enough” is more often mentioned in the more affluent regions of the world in cases of property crime.

Special victim policies by law enforcement and judiciary authorities as promoted in the EU Framework Decision can only be applied when the majority of victims are ready to report their victimizations to the police. Sufficiently high reporting rates can be seen as a precondition for the implementation of such policies. There is some evidence that the way victims are treated by the police by itself affects the readiness to report. Previous analyses of ICVS data have shown that repeat victims of property crimes are less likely to report incidents to the police, presumably because earlier experiences as reporting victims had been unsatisfactory (Van Dijk, 2000). If victims expect to receive better services, including referrals, reporting rates may go up. However, other factors such as perceived effectiveness and integrity of law enforcement as well as administrative insurance requirements also determine reporting rates (Goudriaan, 2006). Reporting rates can in our opinion better be used as indicator of overall police performance than as indicator of the adequacy of special victim policies.

#### *Victim satisfaction*

The EU/ICS asks reporting victims whether, on the whole, they were satisfied with the way the police dealt with the matter. In developing countries satisfaction tends to be higher among victims of contact crimes than of property crimes. This is probably because in developing countries victims of property crimes are often disappointed that the police has failed to recover their property. In developed countries satisfaction levels of victims of different types of crime show much less variation. In contrast to elsewhere victims of burglary in developed nations show slightly higher rates of satisfaction (see also Allen, 2006). This is probably because these victims are satisfied with having secured the documents required by insurance and have few other demands. Figure 2 shows how Western Europe compares to other world regions in terms of victim satisfaction. It shows that the mean rate of victim satisfaction of Western European countries lies slightly below that of Australia/New Zealand and USA/Canada but is almost twice as high as elsewhere in the world. Especially noteworthy is the low level of victim satisfaction in Eastern/Central Europe.

**Figure 2 Percentages of victims of five types of serious crime satisfied with the way their complaint has been handled by the police per world region; results of the EU/ICS and ICVS , 2000- 2005**



Contents of table 2 show that in Europe victim satisfaction rates vary around a mean of 57%. Of the old 15 member states of the EU lowest rates are found in France, Italy and Greece. In Greece very few victims are satisfied with their treatment by the police. Newer members ( Hungary, Poland , Estonia) as well as Bulgaria and Turkey also show rates significantly below the European mean.

Rates of satisfaction among victims of serious crimes show a remarkable downward trend in several countries. Between 1996 and 2005 victim satisfaction went down from 72 % to 62 % in England and Wales, from 71 % to 62% in The Netherlands, from 74% to 67% in Sweden and from 67% to 61 % in Scotland. Nation-specific crime victim surveys in England/Wales and The Netherlands, using much larger samples, have also registered a decline in satisfaction in recent years. In England/ Wales satisfaction dropped in 2000 to its current level ( Allan, et al, 2006). In The Netherlands satisfaction dropped in 2002 and has since remained stable (Veligheidsmonitor, 2006) . The ICVS has observed similar drops in satisfaction in the USA and Canada.

**Table 2 Percentages of victims of five types of serious crime satisfied with the treatment of their complaint by the police ; results of the EU/ICS 2005 for 26 European countries**

Rank	percentage	rank	percentage
1 Denmark	75	14 Ireland	61
2 Finland	72	15 Northern Ireland	61
3 Luxembourg	70	16 Portugal	58
4 Scotland	70	17 Norway	55
5 Switzerland	69	18 Iceland	55
6 Austria	68	19 France	53
7 Sweden	67	20 Italy	43
8 Germany	67	21 Bulgaria	41
9 Spain	65	22 Hungary	41
10 Belgium	65	23 Poland	46
11 Canada	65	24 Turkey	33
12 Netherlands	62	25 Greece	28
13 England&Wales	62	26 Estonia	17

This downward trend cannot be explained by a different profile of crime, eg a smaller proportion of burglary victims among reporting victims than before<sup>2</sup>. It cannot be a result of lower perceived effectiveness of the police either since clearance rates have not declined further and perceptions of police effectiveness have actually gone up across Europe ( Van Dijk, Manchin, Van Kesteren, Hedig, 2007). Reduced victim satisfaction seems to genuinely reflect more negative evaluations by victims of their reception by the police. Paradoxically, such deterioration is most pronounced in countries where services for victims are most advanced.

This intriguing result can be interpreted in different ways. One explanation is that in countries such as the United Kingdom and The Netherlands victims are treated as professionally as before or even better but that expectations among victims have risen even more. Expectations could perhaps have been raised in particular regarding the provision of information. Another, competing interpretation is that in some of the countries spearheading more rights and services for victims, police forces may feel that victim needs are duly met if a referral is made to a specialised victim support organization. Police forces in the United Kingdom and The Netherlands may have started to suffer from “victim fatigue”.

<sup>2</sup> In all countries satisfaction levels went down in equal measure among victims of burglaries and of contact crimes.

There is some empirical evidence to support the latter interpretation. Three out of the top-five countries in terms of victim satisfaction with the treatment of their complaint by the police did not have a fully functional independent national victim support organisation in place during the time frame covered by the survey. Switzerland and Luxembourg, placed at 5th and 3d place respectively both had an NGO in place named the “Weisse Ring” that at the time suffered in terms of credibility with the police. For Luxembourg, the situation turned so serious that the Weisse Ring was expelled as a member from the European Forum for Victim Services, the umbrella organisation for national victim support organisations. There were strong pressures in that jurisdiction to create new facilities for victims from within the police forces. In Switzerland, tensions did not run that high, but in the late 1990’ies it was far from clear whether the Weisse Ring would continue to be considered by the police as the natural focal body providing dedicated support to victims of crime.<sup>3</sup> Denmark, in its turn ( at first place in the satisfaction table ), is yet another story. In 1999, victim support was still regarded as “still mainly a grass-roots local or regional service” (Brienen&Hoegen 2000, p. 1000). There was no way of comparing the situation there with the much more advanced independent organisations in England & Wales and in The Netherlands, which at the time were national in nature, had national coverage, offered specialized assistance and were actively involved in policy making at the governmental level. Only later, well into the new millennium, did the Danish NGO develop into a mature national organization which was then admitted as a member to the previously mentioned European Forum for Victim Services.<sup>4</sup> All of this could help to explain why the police in Denmark, Luxembourg and Switzerland felt they had a special responsibility in treating reporting crime victims in a sympathetic way, which could not be left to an outside agency to which the victims were simply refered elsewhere.

More generally, in recent years priorities in policing may have shifted towards terrorism prevention and better enforcement of laws and bylaws and away from service-delivery<sup>5</sup> including for victims. The upshot of the finding remains that fewer victims than before are satisfied , in particular with the information received<sup>6</sup> .

Main reasons of dissatisfaction are that the police “did not do enough”, “were not interested”, “did not find the offender”, “did not recover goods”, “gave no

---

<sup>3</sup> In the – generally optimistic – overview *Opferhilfe in der Schweiz. Erfahrungen und Perspektiven* (Victim support in Switzerland. Experiences and Perspectives), Bundesamt für Justiz, Bern/Stuttgart/Wien 2004, there is hardly any reference to a single NGO offering nationwide services to all categories of crime victims.

<sup>4</sup> Visit [www.euvictimservices.org](http://www.euvictimservices.org)

<sup>5</sup> The Dutch crime victim survey shows, for example, that the provision of crime prevention advice to reporting victims has gone down significantly since the 1990s.

<sup>6</sup> A general factor behind the drop in satisfaction may be the gradual increase of victims reporting by phone or via internet. There is some evidence that since 2002 victims who have no face to face contacts with the police are somewhat less satisfied ( Allan, 2006, 2005). Older sweeps of the BCS, however, showed no such difference ( Simpson, Myhill, 2000).

information” or were “impolite”. These opinions suggest that victim satisfaction is determined by both the outcome of the investigation ( arrest of offender, compensation) as by the quality of services delivery to victims ( expression of real interest, provision of information and respectfull treatment).

British research has found some indications that victims are less satisfied when a known offender is not charged and/or no property is recovered ( Allan et al, 2005). The main source of dissatisfaction , however, appeared to be that insufficient information had been given ( Syms, Myhill, 2000). Regardless of outcomes, older, middle class victims in England/Wales tend to be more satisfied than victims belonging to ethnic minorities ( Nicholas, Walker, 2004). In an indepth evaluation of victim satisfaction in The Netherlands victims were asked to rate several aspects of police performance ( Winkel et al, 2006). Multivariate analyses showed that victim satisfaction was more strongly related to the quality of the reception/treatment than by outcomes ( arrests, charges or the arrangement of compensation). Taken together these findings suggest that victim satisfaction to a large extent reflects how victims have experienced the quality of the reception/treatment by the police. This finding suggests that victim satisfaction as measured in surveys can be used as an indicator of the implementation of EU guidelines concerning the respectfull and considerate treatment of victims and the duty to provide relevant information.

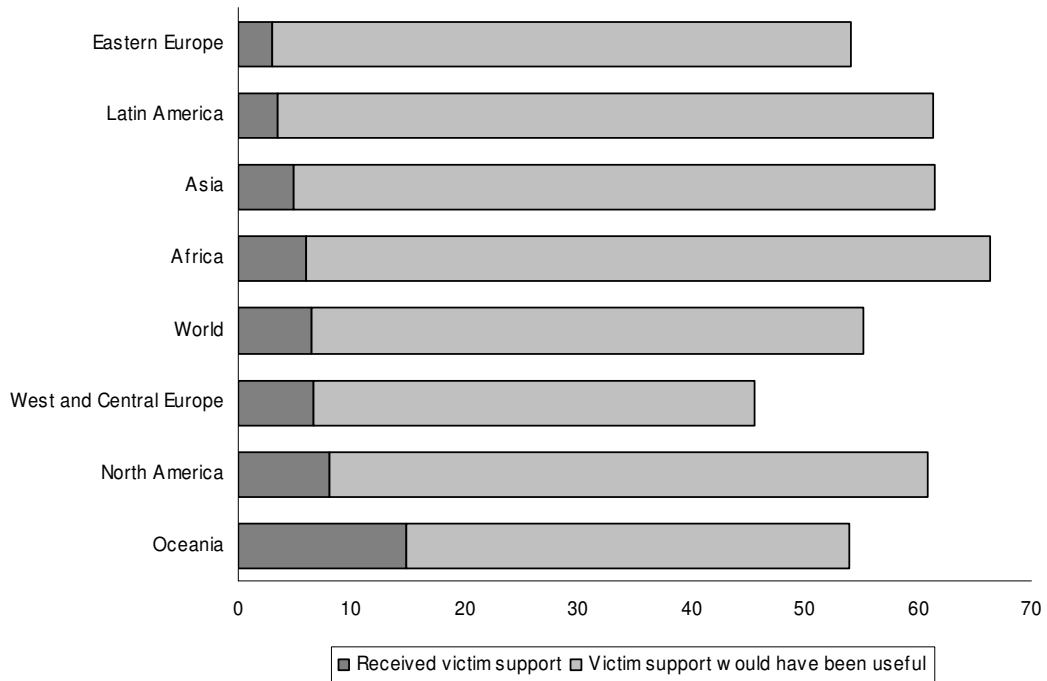
In countries such as France, Italy and Greece implementation of this part of the Framework Decision leaves much to be desired. This is also the case with several of the newer members or accession countries. Paradoxically, levels of satisfaction in some of the other countries have gone down in recent years rather than up.

#### *Demand and supply of specialized victim services*

The EU/ICS questionnaire asks victims of four types of serious crime ( burglary, robbery, sexual offences, threat/assault) whether they have received support from a specialised victim support agency. Victims of contact crimes are generally twice as likely to receive help than victims of burglary. Those who had not received any help were asked whether they would have appreciated help in getting information, or practical or emotional support. Figure 3 shows the rates of victims receiving specialised assistance in world regions.

The results indicate that the need of help among victims of serious crime is widespread but not universal. In developed nations only three or four in ten express such needs. The distribution of the need of help across regions is the reverse of that of its actual reception. In developing countries many more victims would have wanted such help. This is partly caused by the fact that in those countries such help is rarely offered and fewer general provisions and social services are available.

**Figure 3 - Percentage of victims of serious crimes who have received or would have considered useful specialized victim support, by world regions; EU/ICS/ICVS, 2005**

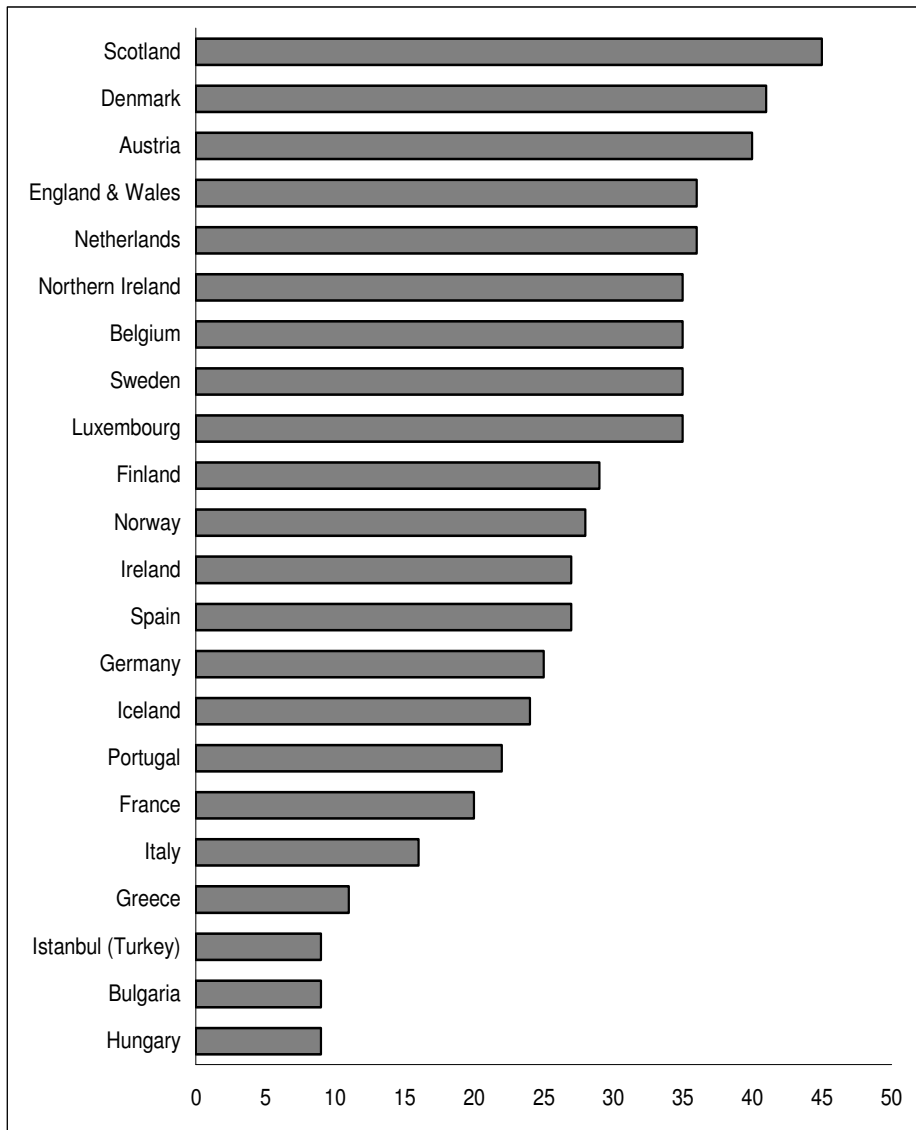


The comparison between the regional percentages of victims of serious crimes who had received assistance and of those who would have appreciated receiving such assistance indicates a gap between supply and demand of such services. Even in countries where victim support has become more common, the need for such help is still largely unmet. Victim support was received most often by victims in New Zealand (20%). In Western Europe, Australia and North America this is around 9%. In other regions including Eastern/Central Europe, provision of specialised help is still a rare occurrence.

To assess the take up rate of victim support organizations in European countries we have calculated which proportion of victims wanting specialised support have actually received it per country. Figure 4 shows results.

Figure 4 shows that in five countries (Scotland, Austria, Northern Ireland, The Netherlands, England/Wales) one in three of victims of serious crimes wanting specialised support actually receive it. In another five countries one in four receive the specialised support they need. Elsewhere in Europe current provisions for victim support meet less than 15% of the demand.

**Figure 4 Proportion of those wanting support who received it per country; source EU/ICS/ICVS, 2005**



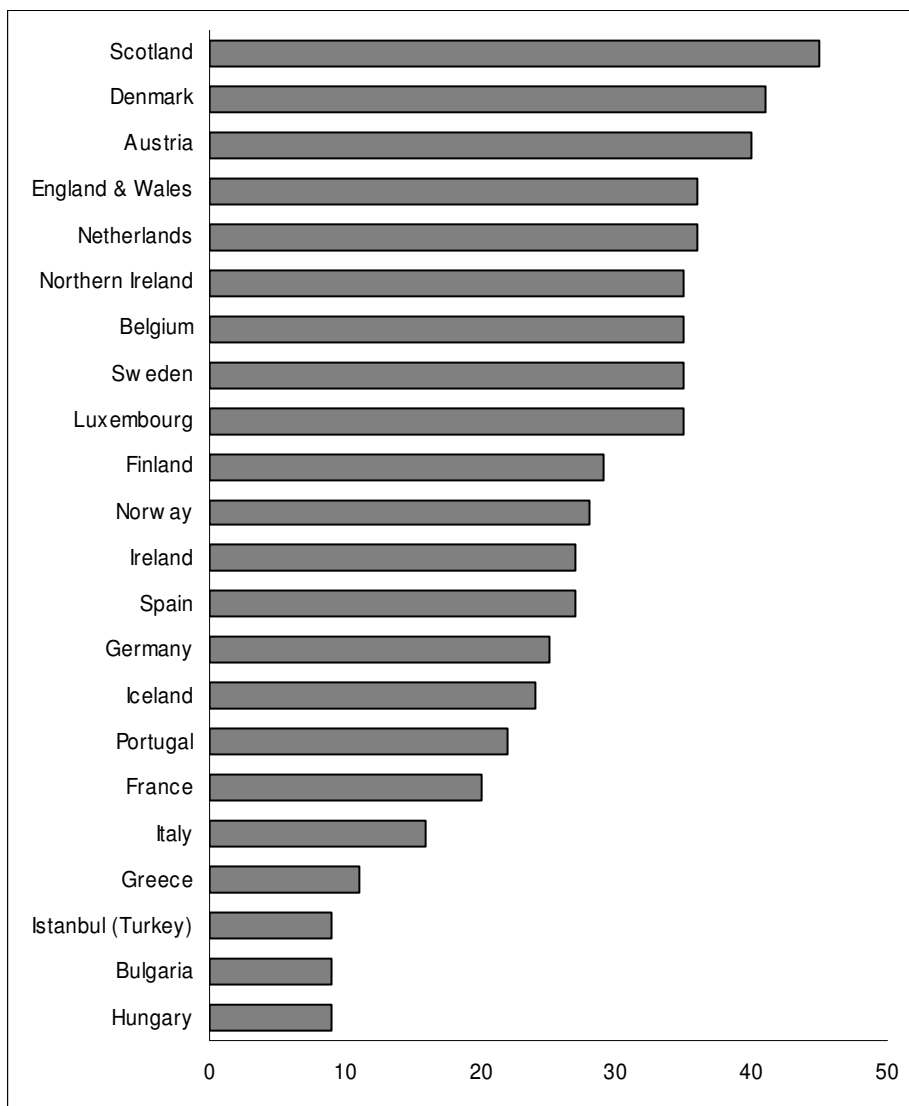
In several EU countries , take up rates of victim support have gone up since 1996 and/or 2000 ( Austria, Belgium, Denmark, The Netherlands, Northern Ireland and Scotland). In other countries, including England and Wales and Sweden, the expansion of victim support seems to be stagnant in recent years.

Obviously, the EU guideline on the provision of victim support is far from satisfactorily implemented. In all countries organizations responsible for victim support should analyse why most victims of serious crimes in need of their services are not reached. In consultation with donors , plans should be made to significantly expand the coverage of victim support in the coming years.

### A composite index of victim satisfaction

The level of satisfaction of victims with the way the police handle their reports and the extent to which the demand for victim support is actually met, are both important indicators of the implementation of the EU Framework Decision. The take up rate of victim support is partly determined by the need for such services, which is dependent on external factors such as availability of general services for victims. The percentages of all victims of serious crimes who received such support seems a straightforward indicator of the extent to which specialised support is made available. A comprehensive index of victim satisfaction was constructed by averaging the percentages victims of serious crimes satisfied with the police and percentages who received victim support. Figure 5 shows the ranking of European countries on this index.

**Figure 5 Ranking of countries on composite index of victim satisfaction**





According to the index victim policies in Scotland, Denmark and Austria show the best results, closely followed by The Netherlands, England/Wales, Sweden, North Ireland, Luxembourg and Belgium. In the medium range are Finland, Norway, Spain, Ireland, Germany and Iceland. Least effective policies seem to be in place in Portugal, France, Italy, Greece, Turkey, Hungary and Bulgaria.

### **Discussion and policy implications**

The study of Brienen & Hoegen allows a crude ranking of European countries in terms of their compliance with the COE Recommendation and EU Framework Decision. The composite victim satisfaction index allows a ranking of countries in terms of the perceived impact of these policies on actual victims of serious crime. For 18 countries rank numbers on both variables are available. The legal and victimological rankings were found to be fairly strongly correlated ( $r = 0.60$ ;  $n = 18$ ;  $p < .05$ ).

Countries that perform poorly according to the legal scorecard ( Greece, Turkey, Italy, Iceland, Luxembourg, Portugal and Spain) all belong to the group countries with the lowest scores on victim satisfaction, with the exception of Luxembourg. Almost all countries that came out favourably in the legal assessment ( The Netherlands, England/Wales, Norway, Belgium and Denmark) show comparatively high or medium high scores on victim satisfactions as well. Countries such as Germany and France feature in the medium range in both classifications.

This fairly high measure of concurrence can be seen as a cross-validation of both measures. The formal compliance of domestic laws and regulations with international standards is apparently not without consequences for the satisfaction of actual victims about the way they are treated or serviced. By interviewing victims of crimes about their experiences, a rough assessment can be made of the extent to which actual policies of the Member States comply with the EC Framework Decision.

However, the association between the legal assessment and the victim satisfaction is far from perfect. One of the most striking incongruencies are the top positions of Scotland, Denmark and Austria on the victim satisfaction index. One possible explanation is that in these countries improvements have recently been introduced in victim policies that are not yet reflected in the legal assessment. For example in Austria new legislation has been passed to offer better protection to victims of domestic violence. It would seem useful if the Brienen & Hoegen study of 2000 were repeated across the current member states of the EU.

Worth mentioning is furthermore that according to Brienen and Hoegen ( 2000) Denmark, together with the Netherlands, Belgium, Luxembourg and Norway,

boasts the most comprehensive regular training programme for police officers on victim reception and treatment. The intensity and quality of training of relevant officials may well be the critical success factor in the operational implementation of victim policies.

A remarkable and disappointing finding of our evaluation is the declining satisfaction with the police of victims in several countries at the forefront of the victims movement such as The United Kingdom and The Netherlands. Raised expectations may have played a role but it seems equally likely that in these countries police forces have started to relegate victim services to existing, well-functioning victim organizations. If such trend is indeed emerging, it means that extra efforts are needed to maintain high quality police services for victims when referral to outside organizations becomes a routine. Initiatives seem required to counter the possible negative side effects of well-functioning victim support organizations on the victim-centred performance of the police.

## Literatuur

Allen, J., et al. (2005), *Policing and the criminal justice system-public confidence and perceptions: findings from the 2003/2004 British Crime Survey*, Home Office Online report 31/05

Allen, J, (ed) (2006), *Policing and the criminal justice system-public confidence and perceptions: findings from the 2004/2005 British Crime Survey*, Online report 07/06

Brienen, M.E.I.& E.H. Hoegen (2000), *Victims of Crime in 22 European Criminal Justice Systems*, Wolf Legal Productions

Commission of the European Communities ( 2004), *Report on the basis of Article 18 of the Council Framework Decision of 15 march 2001 on the Standing of Victims in Criminal Proceedings*, Brussels: March 3, 2004.

Goudriaan, H ( 2006), *Reporting Crime*, Leiden: NSCR ( PhD)

Groenhuysen, M.& R. Letscher (2006), Reflections on the Development and Legal Status of Victims' Rights Instruments, in M. Groenhuijsen and R. Letscher (eds), *Compilation of International Victim Rights Instruments*, Nijmegen: Wolf Legal Publishers

Ringham, L. & H. Salisbury (2004), *Support for victims of crime: findings from the 2002/2003 BCS*, Home Office online Report 31/04

Sins, L.& A. Myhill (2001), *Policing and the Public: Findings from the 2000 BCS*, Home Office RDSD, Research Findings, 136

Kesteren, J.N., Mayhew, P. & Nieuwbeerta, P. (2000). *Criminal Victimization in Seventeen Industrialized Countries: Key-findings from the 2000 International Crime Victims Survey*, Onderzoek en beleid, No. 187. Ministry of Justice, WODC, The Hague.

Van Dijk, J.J.M., Mayhew, P., Killias, M. (1990). *Experiences of Crime Across the World: Key Findings from the 1989 International Crime Survey*. Deventer, Kluwer Law and Taxation Publishers.

Van Dijk J.J.M ( 1999), The Experience of Crime and Justice, In G. Newman, (ed), *Global Report on Crime and Justice*, United Nations Office for Drug Control and Crime Prevention, Centre for International Crime Prevention. Oxford University Press, New York- Oxford.

Van Dijk, J.J.M., R. Manchin, J. van Kesteren & G. Hideg (2000), *The Burden of Crime in the European Union*, Research report: A Comparative Analysis of the European Crime and Safety Survey (EU ICS) 2005, Gallup/Europe ([www.intervict.nl](http://www.intervict.nl))

Van Dijk, J.J.M (2000), Implications of the International Crime Victims Survey for a Victim Perspective, in: A. Crawford & J.Goodey (eds) ( 2000), *Integrating a Victim Perspective within Criminal Justice*, Aldershot: Ashgate/Dartmouth

Van Dijk, J.J.M. (2007), *World Atlas of Crime; Breaking the Silence on Levels of Crime, Justice and Development across the World*, Thousand Oaks: SAGE Publications, CA (forthcoming)

Veiligheidsmonitor Rijk 2006, Voorburg/Heerlen: Centraal Bureau voor de Statistiek

Winkel, F.W., A.C Spapens, & R.M. Letschert (2006), *Satisfaction of victims with the administration of justice and victim support*, (Tevredenheid van slachtoffers met "rechtspleging" en slachtofferhulp) ( in Dutch with an English summary), The Hague: WODC

*Recommended further reading :*

Jo Goodey ( 2005), *Victims and Victimology; Research, Policy and Practice*, Longman Criminology Series, Harlow: Pearson

Commission of the European Communities, *Report from the Commission on the basis of Article 18 of the Council Framework Decision of 15 March 2001 on the standing of victims in criminal proceedings*, Brussels 03.03.2004, COM(2004)54 final

M.E.I. Brienen, M.S. Groenhuijsen, E.H. Hoegen, *Evaluation and Meta-Evaluation of the Effectiveness of Victim-Oriented Legal Reform in Europe*, in: *Criminologie*, volume 33, no. 1 (2000),, p. 121-144

M.S. Groenhuijsen ( 1999), *Victims' Rights in the Criminal Justice System: A Call for More Comprehensive Implementation Theory*, In: J. Van Dijk , J. Wemmers & R. Van Kaam ( Eds) *Caring for Crime Victims*, Monsey: Criminal Justice Press

J.J.M. Van Dijk ( 2007), *World Atlas of Crime; Breaking the Silence on Crime, Justice and Development Across the World*, Thousand Oaks: SAGE Publications ( forthcoming)

## **About the authors**

After a career as professor in criminology and policy adviser at the Ministry of Justice in The Netherlands, Dr. Jan Van Dijk joined the United Nations Office of Drugs and Crime in 1998 and served in several senior positions, including as Officer in Charge of the Centre of International Crime Prevention. He currently holds the Pieter Van Vollenhoven Chair in Victimology and Human Security at the International Victimology Institute, Tilburg University, The Netherlands. He served as President of The World Society of Victimology from 1997 till 2000 and received the Stephen Schafer Award of the National Organization of Victim Assistance in the USA for his contributions to the international victims' rights movement. He has published extensively about comparative crime statistics, crime prevention and victim assistance.

Dr. Marc Groenhuijsen has been professor in Criminal law, criminal procedure and victimology at Tilburg University, The Netherlands, since 1987. In 2005, he became the founding director of INTERVICT, the International Victimology Institute Tilburg (see [www.Intervict.nl](http://www.Intervict.nl)). He has published extensively on topics relating to victims' rights in the criminal justice system. As a practitioner he was involved in service provision. For many years he served as chairman of the Dutch national Victim Support Organization and of the European Forum for Victim Services. In 2006 he was elected vice-president of the World Society of Victimology.