

# Requirements and Recommendations for support Services in Serbia

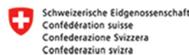


## Establishing a National Victim Support Service

Based on the existing services and infrastructure in Serbia, it is recommended that a nation-wide victim support service could be established by reinforcing, expanding and supporting those existing organisations by:

## Operating Networks for Victim Support Services

Multi-Donor Trust Fund for Justice Sector Support in Serbia, World Bank



In partnership with



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## Executive Summary

The present report is looking into two examples – those of Finland and France, of how to organise comprehensive victim support services at the national level. Both countries were chosen based on findings of previous research carried out under the MDTF JSS, Analysis of victims' rights and services in Serbia and their alignment with EU Directive 2012/29/EU<sup>1</sup>. That research showed in particular that Serbia had some level of existing infrastructure for the delivery of victim services. Though many of these were focused on specific groups of victims, a number had indicated an interest to widen the scope of their activities. At the same time, the Serbian State had indicated that where possible they wanted to use existing resources, rather than create an wholly new system, which would be an inefficient and non-inclusive approach. Both France and Finland are examples of long and well established national services, meeting criteria in the EU Victims Directive which used existing infrastructures and organisations to deliver a national system.

In Finland, a country with 5,5 million inhabitants, victim support is provided by **Rikosuhripäivystys (Victim Support Finland, RIKU)**. The organisation disposes with a budget of nearly €4 million, with which it employs 50 staff members and supports the work of more than 400 volunteers.

RIKU is **not a legal entity in its own right**, and it operates as an informal network of six coordinating organisations, five civil society organisations (CSOs) and the Finnish Lutheran Church. The participating CSOs lend their legal personality to RIKU, to ensure its operations. This means that a total of 17 different legal entities give support through formally employing staff and ensuring administrative support. While such a structure can seem complicated, it appears to be working well in Finland. Importantly, such a structure significantly reduces administrative costs of RIKU itself, as administrative and financial procedures, for example, are taken care

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<sup>1</sup> Report is available at the MDTF JSS website [http://www.mdtfjss.org.rs/en/mdtf\\_activities/2016/-analysis-on-serbia-s-alignment-with-the-eu-directive-2012-29-#.WXctaoVOK3h](http://www.mdtfjss.org.rs/en/mdtf_activities/2016/-analysis-on-serbia-s-alignment-with-the-eu-directive-2012-29-#.WXctaoVOK3h)

of by the coordinating organisations. It may, however, be assumed, that this increases costs of coordinating organisations.

Most of the budget is obtained from the Ministry of Justice. This budget is, for the time being, **directly negotiated** between the Ministry of Justice and RIKU, even though plans are being made to make the financing competitive. Some projects are further funded from the Finnish system of the State monopoly on gambling, where RIKU participates on a competitive basis with other project applications.

RIKU has a **governance structure**, which ensures that its coordinating partners, as well as Ministry of Justice, are represented and participate in the decision-making process.

RIKU, in cooperation with coordinating partners, and heavily relying on a high number of trained volunteers, **provides services directly to victims on the entire territory of Finland.**

At the same time, in France, a country of 66,8 million inhabitants, the total budget for victim support is estimated at €50 million and victim support is ensured through a total of 130 CSOs. These CSOs are all separate legal entities, jointly covering the entire territory of mainland and overseas France, and are united under the umbrella of **Fédération France Victimes (Victims France, previously known as INAVEM)**, which is also a separate legal entity. The entire network employs 1300 staff, while France Victimes itself, in charge of providing a limited set of services and coordinating the network, employs 20.

**Funding** for France Victimes, as well as for the members of their network, is ensured through various resources. Majority of annual funding (€26 million) is provided through the Ministry of Justice, by means of competitive funding. The remaining funding necessary is obtained through various other resources from the central government, regional and local authorities.

France Victimes has an **elaborate governance structure**, including the General Assembly, Board of Directors and Scientific Council, which ensures that operations of the network and its members are conducted

in line with the rules of good governance, as well as in accordance with external State regulations and self-regulatory instruments. For becoming and remaining a member of the network, every CSO is required to sign up to and abide with a **strict set of rules and expectations**, which standardise the victim support in France.

France Vicitmes only directly provides the **national helpline service**, while member organisations provide other types of services to victims. In addition, they also provide trainings, including the free induction training courses for the staff of member organisations.

Both RIKU and France Victimes develop and maintain close **cooperation with national authorities**, in particular the Ministry of Justice. In addition, they also work on developing synergies at the **national, European and international level**, to ensure exchange of experience and influence European and international policies.

## 1. Introduction

**1. Ensuring support for victims of crimes is indispensable to ensuring the effectiveness of their fundamental rights in general, and access to criminal justice in particular.** Given the high incidence of victimisation in Europe, the likelihood is that at least once in a lifetime each European will fall victim of a crime.

**2. Providing support to victims of crime is in line with Article 47 of the Charter of Fundamental Rights of the EU.** Crime is a particularly severe violation of fundamental rights and consequently, criminal law and criminal justice endeavour to protect the most significant aspects of individuals' fundamental rights. European Court of Human Rights (ECtHR) case law also supports this approach. In two landmark decisions, both concerned with incidents of sexual violence, the ECtHR said that when essential aspects of human rights are at stake, effective deterrence is indispensable and can be achieved only by criminal law provisions. However, the punishment criminal law prescribes will – at least in the long run – only be credible if it is backed by effective law enforcement machinery and if state authorities demonstrate their resolve to carry out provisions of the law. In parallel, victims should be afforded effective victim support.<sup>2</sup>

**3. Meeting victims' needs before, during and after criminal proceedings may considerably mitigate negative consequences of victimisation.** It can also prevent these consequences from worsening due to bad treatment during the process. If victims receive appropriate support and protection, they will recover more quickly both physically and emotionally from the crime.<sup>3</sup>

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<sup>2</sup> ECtHR, *X and Y v. The Netherlands*, No. 8978/80, 26 March 1985, para. 27; *M.C. v. Bulgaria*, No. 39272/98, 4 December 2003, para. 150; also *Valiulienė v. Lithuania*, No. 33234/07, 26 March 2013, para. 75, as per EU Fundamental Rights Agency, *Victims of crime in the EU: the extent and nature of support for victims*, 2014, available at:

<http://fra.europa.eu/en/publication/2014/victims-crime-eu-extent-and-nature-support-victims>

<sup>3</sup> Impact assessment

**4. Victim support organisations provide an important social function.** Research shows that victims who have been in touch with victim support services were less affected by the aftermath of the crime.<sup>4</sup>

**5. Under the Stabilisation and Association Agreement with the European Union, Serbia undertook an obligation to put into place comprehensive, general services, which will ensure that all victims of all crimes, regardless of where they are in Serbia, in line with the requirements of the EU Directive 2012/29/EU.** In that vein, the MDTF JSS entered into a partnership with the Serbian Government on the one hand, and Victim Support Europe on the other, to support and facilitate the process of setting up of such comprehensive victim support services in Serbia.

**6. As the first step in that process, in 2016, MDTF JSS produced the report “Analysis of victims’ rights and services in Serbia and their alignment with EU Directive 2012/29/EU<sup>5</sup>.”** The report identified four basic frameworks for delivering victim support: 1) Single, national State-funded civil society organisation (CSO), providing support services for all victims of crime; 2) Single State-run victim support service (entity in its own right or organisation delivering other services); 3) A network of CSOs coordinated by a single body receiving State funding 4) A network of CSOs coordinated by a Steering committee funded through the State. The report also suggested that, given the specific situation in Serbia, the French model of support might be most viable. It suggested that a ‘federation of organisations should be brought together under the umbrella of a single body – whether NGO, independent authority or state entity. This would enable the network to establish its own national identity (particularly important for increasing victim uptake), have a strong partnership with government, ensure there is consistency and co-

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<sup>4</sup> Although the sample size of the target group had been small, according to the authors, the degree of consistency in the results suggests that the positive impact of victim support services may be shown to be statistically significant in large-scale analyses. Maguire, M and C. Corbett (1987). The effects of crime and the work of victim support schemes. Gower: Oxford, pp 169-170, as per Matrix report

<sup>5</sup> Full text of the report is available here:

<http://documents.worldbank.org/curated/en/141201473857309462/pdf/108242-V1-WP-P121377-PUBLIC-ABSTRACT-SENT-VictimSupportServices.pdf>

ordination at a national level, and ensure standards are applied nationally.’

**7. As the second step in the process, the existing victim support services in Serbia were mapped.** The report “Overview of existing victim support services in Serbia”<sup>6</sup>, which is being published in 2017, found that, while an equal number of state and non-state actors provide services for victims in Serbia, CSOs are providing a wider range of more comprehensive services, to broader groups of victims. In the preparation of the report, both State and non-state stakeholders were consulted, and the report suggests that the best results in providing services for victims in Serbia would be achieved by establishing a victim support network.

**8. The present report looks into how two European victim support networks function.** The two examples that had been selected, Finland and France, based on the previous analysis and research, as the most relevant for Serbian context<sup>7</sup>. The two networks are observed from the aspect of their history, finances and governance, requirements for evaluation and monitoring, service provision and external relations. Finally, the report suggests a set of conclusions and recommendations, which flow from the research and the text of the report.

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<sup>6</sup> Full text of the report is available here: [http://www.mdtfjss.org.rs/en/mdtf\\_activities/2017/victims-access-to-support-services-in-serbia#.WXc4X4VOK3g](http://www.mdtfjss.org.rs/en/mdtf_activities/2017/victims-access-to-support-services-in-serbia#.WXc4X4VOK3g)

<sup>7</sup> The choice of countries was based on research conducted for the report on Analysis of victims’ rights and services in Serbia and their alignment with EU Directive 2012/29/EU, taking into consideration legal tradition and the need to use, to the largest extent possible, the existing resources and experience in the field.

## **2. History of development of victim support organisations**

**9. The development of victims' rights and policies in Europe and the US began its slow evolution in the 1950s and 60s, with actions gaining pace in the 70s and 80s. Change was strongly influenced by a number of factors:** the establishment of state victim compensation schemes, the development of victimology, large increases in crime and concerns over the criminal justice system, the rise of the women's movement – in particular focused on sexual crimes and domestic violence, and the growth of victim activism

**10. In the UK, the idea that the state should provide financial reimbursement to victims of crime for their losses was initially propounded by English penal reformer Margery Fry in the 1950s.** It was first implemented in New Zealand in 1963 and Great Britain passed a similar law shortly thereafter. Early compensation programs were welfare programs providing help to victims in need<sup>8</sup>.

**11. In the US, high crime rates led to the formation of the President's Commission on Law Enforcement and the Administration of Justice in 1966, which conducted the first national victimization surveys.** The surveys showed that victimization rates were far higher than shown in law enforcement figures and that many non-reporting victims acted out of distrust of the justice system<sup>9</sup>. Increasing knowledge and the availability of data undoubtedly supported advances in the victims' agenda on both sides of the Atlantic.

**12. At around the same time, victims' rights began to be progressed at the international level;** in particular the UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power was adopted in 1985. This was soon followed by the Council of Europe Recommendation R(85) on the position of the victim in the framework of

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<sup>8</sup> [https://www.ncjrs.gov/ovc\\_archives/ncvrw/2005/pdf/historyofcrime.pdf](https://www.ncjrs.gov/ovc_archives/ncvrw/2005/pdf/historyofcrime.pdf)

<sup>9</sup> [https://www.ncjrs.gov/ovc\\_archives/ncvrw/2005/pg4c.html](https://www.ncjrs.gov/ovc_archives/ncvrw/2005/pg4c.html)

criminal law and procedure,<sup>10</sup> with further protection being established through the evolution of human rights laws and a little later with EU victims rights legislation.

**13. With new knowledge, pressure and expectations, new organisations began to be set up, focussed specifically on supporting victims of crime.** Often starting as organisations focussed on women's issues, established by law enforcement and probation personnel, or by victims themselves, each country has its own particular history of victim support based as much on specific cultural norms, legal systems and the existing NGO environment.

**14. In Europe some of the oldest victim support organisations such as Weisser Ring German and Victim Support England and Wales were set up in the mid-70s as a result of increasing awareness of the issues and dissatisfaction with the treatment of victims.** Similarly, France Victimes was set up in the 80s with RIKU Finland being established a little later in the early 90s. Over the course of the next decades, both organisations have developed their network or federation of support organisations to be amongst the most successful in Europe today.

### **1.1. Development of RIKU – Victim Support Finland**

**15. By the beginning of 1990s the victim support movement gained momentum in Finland.** Some services existed already, notably through organisations already working with victims of crime, particularly with certain specific groups of victims, for example women. Since a general victim support organisation had been established in the late 1980's in Sweden, it served as a model on which Rikosuhripäivystys (Victim Support Finland, RIKU) was established.

**16. A number of civil society organisations (CSOs) was involved in the process of setting up RIKU.** As the movement was initially very much focused on issues of domestic violence, the Finnish Gender Equality

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<sup>10</sup><https://polis.osce.org/node/4651>

Council also had an active role in development of the framework. In addition, Finnish Lutheran Church also took part in the initial discussions. By 1995, however, it was agreed that RIKU will focus on providing support to all victims, which discouraged the Gender Equality Council from further participation. This is how it happened that RIKU was officially set up by six CSOs and the Lutheran Church. All but one CSOs are still acting as implementing partners<sup>11</sup>.

**17. RIKU is organised as a network of partner organisations.** However, while it is a recognised and recognisable brand name in Finland, providing important services, it does not have separate legal personality. The implementing partners agreed that coordination of the RIKU network would be discussed every five years, with the aim to switch coordination from one partner to another after a certain period of time, without fixing a schedule. Hence, during the first 12 years of its existence, RIKU was coordinated by the Finnish Red Cross and functioned under their legal personality, which was followed by seven years of existence under the framework of the Finnish Federation of Settlement Houses. Finally, in 2014 it moved on to operate within the Finnish Association for Mental Health.

## **1.2. Development of Federation France Victimes**

**18. Development of the victim support movement in France started somewhat earlier.** Namely, already by the end of the 1970s the understanding that victims of crimes should receive compensation was being developed.

**19. However, the approach of ensuring support to victims and to make victim support a policy in its own right did not really gain momentum until the early 1980s.** It is at that time that the authorities

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<sup>11</sup> The NGO partners are the Federation of Mother and Child Homes and Shelters (Ensi- ja turvakotien liitto), the Mannerheim League for Child Welfare (Mannerheimin Lastensuojeluliitto), the Finnish Association for Mental Health (Suomen Mielenterveysseura), the Finnish Red Cross (Suomen Punainen Risti) and the Finnish Federation of Settlement Houses (Suomen Setlementtiliitto). Only the Feminist Association Unioni has stepped out of the original coordination.

realised that a response complementary to that of the State was essential in order to consider as much as possible needs of victims of crimes.

**20. It was in this context that in 1981, Robert Badinter, the Minister of Justice, set up a commission on the matters of victim support and appointed Professor Paul Milliez to chair its work.** The report of the commission was submitted in 1982. It set out, inter alia, a proposal to support the creation of a network for victim support. The main idea was to set up victim support that is present, available and accessible. Such assistance should not be inquisitive or constraining, but general and open to all victims, without any discrimination or difference in access or treatment.

**21. In order to put in place such proposals, in 1982, the Ministry of Justice set up an office for protection of victims and prevention.** The office still exists today, under the name le bureau de l'aide aux victimes et de la politique associative (Office for Victim Support and Related Policies, BAVPA). It is attached to the Service de l'accès au droit et à la justice et de l'aide aux victimes (Service for Access to Law and Justice and Victim Support, SADJAV). The office now has a mission to study, coordinate and develop, in cooperation with other administrative bodies, reforms and actions to take in the area of victim protection. Two important tasks still within the competence of the office are work on further improving the instruments for compensation and ensuring victims' participation in criminal proceedings on the one hand, and supporting the development of victim support organisations, on the other.

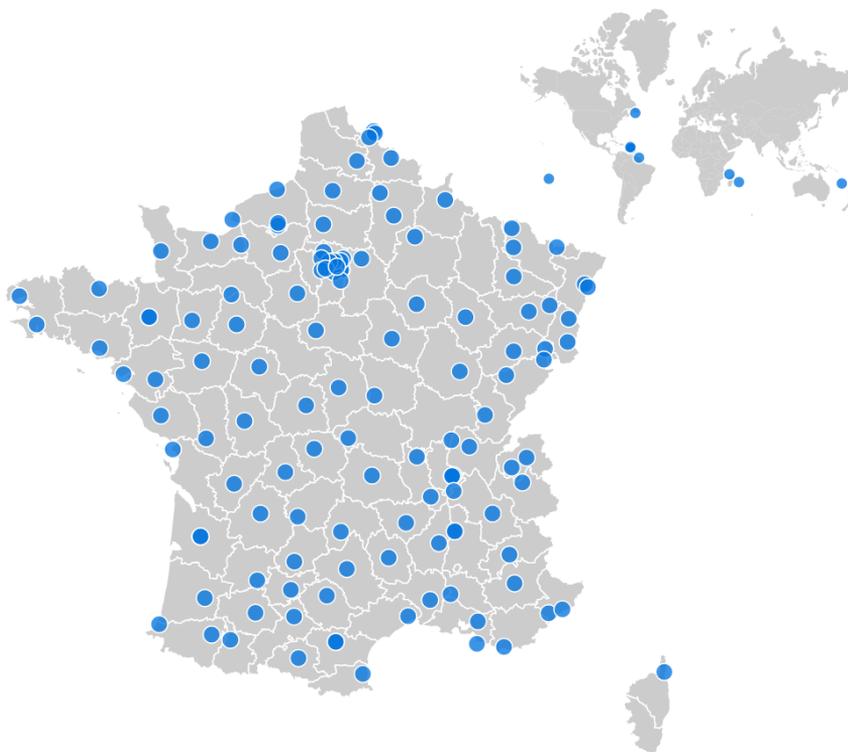
**22. Following this pioneering work of the Ministry of Justice, the first CSOs providing support to victims were set up in October 1982 in Rouen, Colmar and Lyon.**

**23. In 1983, the Ministry of Justice designated a budget line reserved to support such initiative.** Over the years, victim support organisations

were set up in each of the administrative departments in metropolitan France, as well as overseas.

**24. The Institut National d'Aide aux Victimes et de Médiation (National Institute for Victim Support and Mediation, INAVEM) was set up as a national organisation in 1986, on the occasion of the first meeting of about 15 already existing victim support organisations. Its aim was to ensure functioning and coordination of a national network of victim support organisation. In 2004 INAVEM became a federation of its member associations, with 130 members throughout the entire territory under the sovereignty of the Republic of France.**

*Figure 1 – France Victimes (INAVEM) network*



**25. In 2016, INAVEM rebranded and embraced a new identity. It is now called France Victimes, an entity that pursues the same goals as INAVEM, but also represents services that its members provide to victims. The new concept of the organisation means that France Victimes**

is a professional network of general victim support, but also for its partners.

**26. Currently the France Victimes network brings together 130 victim support organisations across metropolitan France and overseas.**

### **3. Legal arrangements for the functioning of networks**

**27. As mentioned above, RIKU is not a separate legal entity<sup>12</sup>.** Thus, it needs to operate within the framework of a national coordination organisation, which, in a way, lends its legal personality to RIKU, to enable its functioning. For example, all funding is formally applied for and reported to, on behalf of RIKU, by the current national coordinator. This has, since 2014, been the Finnish Association for Mental Health.

**28. RIKU is set by virtue of an Agreement between the six implementing partners.** The agreement on appointing the national coordinator is contained in an annex to this agreement, which is revised periodically. The Agreement is approved by the authorised representatives of all the implementing partners, in line with their statutes and regulations. Amendments to the Agreement are prepared by RIKU Secretariat and approved by the Board of RIKU before sending it to the signatories.

**29. There is no special legislation that would regulate victim support in Finland.** The Criminal Investigations Act (Esitutkintalaki 805/2011; chapter 4, section 10) contains the only reference to victim services, in obliging the police to refer victims to victim services in defined situations.

**30. In general, CSOs in Finland are regulated by the Associations Act (Yhdistyslaki 503/1989), which is applicable to the Finnish Association**

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<sup>12</sup> This situation in which a renowned organisation operates for decades without having a legal personality is, by all means, unique and should be seen as an exception. It does show, however, that for a network to function, administrative and legal frameworks are less important if it is possible to provide services within some of the existing structures.

**for Mental Health, within which RIKU is currently operating.** The only one of the six RIKU partners that is not operating under this legislation is the Finnish Lutheran Church, which functions under a separate legislation, the Church Act (Kirkkolaki 1054/1993).

**31. The Finnish government was in no way involved in setting up RIKU, which remains strongly rooted in the civil society movement.** Nonetheless, RIKU has developed a strong partnership with the Government, and a representative from the Ministry of Justice sits on the Board of RIKU.

**32. Unlike RIKU, France Victimes was set up as a legal entity from its inception.** It is incorporated in accordance with the French Act on the Right of Association from 1901. Every organisation member of France Victimes is equally incorporated in accordance with this legislation.

**33. France Victimes has its own statute, which was adopted by its members and which regulates the principles of its functioning.** The Statute can only be changed with the approval of the General Assembly, at the proposal of the organisation's Governing Board or one fifth of its members and with votes of at least two thirds present or represented.

**34. Again, unlike RIKU, the development of France Victimes was strongly influenced by the official criminal justice policies, which were largely built on strong partnership with civil society.** Many legislative initiatives, since the 1970s influenced the organisation and operation of FRANCE VICTIMES and today victim support remains a priority in state policies in France.

**35. In that vein, in 1999 the Government ordered a report on victim support, which resulted in more than one hundred recommendations and proposals towards improving victim support, treatment of complaints, information for victims and their accompaniment<sup>13</sup>.** As a result of this report, the Government formulated an interministerial plan

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<sup>13</sup> Marie-Noëlle Lienemann, *Pour une nouvelle politique publique d'aide aux victimes (Towards a new public policy on victim support)*, submitted to Lionel Jospin, the Prime Minister on 26 mars 1999, available at: <http://www.ladocumentationfrancaise.fr/rapports-publics/994000991/index.shtml>

to work together with the State services, local communities and the CSOs towards improvement of the situation of victims.

**36. In 2000 this initiative resulted in the Law No 2000-516 of 15 June 2000 ensuring protection of the presumption of innocence and victims' rights.** This legislation is the guiding document on the rights of victims. It institutionalises victim support organisations. As a matter of fact, it introduces Article 41 (7) of the Criminal Procedure code, which provides that the public prosecutor can approach a victim support association, which has entered into an arrangement with the court of appeal, to ensure that the victim receives adequate support.

*Figure 2 – Operating a victim support network*

France victimes	RIKU, Finland
<ul style="list-style-type: none"><li>• Set-up influenced by governmental policies</li><li>• Legal entity</li><li>• Strong formal statute in place</li><li>• No governmental involvement in the governance structure</li><li>• Legislative basis for involvement in proceedings</li></ul>	<ul style="list-style-type: none"><li>• No Government involvement in the set-up</li><li>• Not a legal entity</li><li>• Flexible non-statutory structure</li><li>• Participation of the Government in the governance structure</li></ul>

## 4. Finances and funding

**37. As explored in a separate report prepared by the MDTF JSS, funding for victim support services can be ensured through a number of funding streams<sup>14</sup>.** Some funding can be provided from the general state budget, while also specific funding streams reserved and ringfenced to finance victim support services can also be put in place, either by means of introducing new funding schemes or redirecting the existing ones to victim support. In Finland, the majority of this funding has historically come from the State monopoly on gambling and games of chance, an income stream which provides more than a billion euros a year is returned to society through funding of different social projects. France, on the other hand, maintains an elaborate and generous system of compensation for victims, funding for which comes from a levy on property insurance contracts.

**38. As the report finds, as long as a funding stream ensures a stable and sufficient funding for victim support services, it is a matter of political priority and social consensus to decide which approach to take.** Any approach, however, should ensure compliance with the requirement of the Victims' Rights Directive to 'ensure that victims, in accordance with their needs, have access to confidential victim support services, free of charge, acting in the interests of the victims before, during and for an appropriate time after criminal proceedings'.

**39. Both Finland and France dedicate significant budgets to their respective networks, either through direct negotiation in Finland or by means of competitive awards in France.** As a rule, additional funding is ensured also through projects. However, it needs to be noted that funding core victim support services through projects would be dangerous, as victim support providers need to be able to rely on steady funding streams. Taking into consideration the need to ensure

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<sup>14</sup> Report on "Ensuring funding for victim support services" describes how different systems, including the French and the Finnish, ensure funding for victim support. Full report is available on the MDTF JSS website.

transparency and competition, when victim support services are not being provided by the Government, it needs to be ensured that external service providers have a level of stability and certainty in order to be able to provide services in a consistent and structured way.

40. Taken into account the differences in population sizes, however, the cost per capita is very similar. Namely, in France, €50 million is allocated to a total population of 66,81 million and in Finland up to €4 million to a population of 5,5 million. The average budget per capita in France is, therefore, app. €0,75 and in Finland €0,73. In order to determine an adequate budget for victim support services in Serbia, a separate impact assessment should be prepared.

Figure 3 – Funding for victim support services in France and in Finland

France	Finland
<ul style="list-style-type: none"><li>• Annual budget: €50 million</li><li>• Per capita spending: €0.75</li><li>• Core funding from the Ministry of Justice</li><li>• Membership fees</li><li>• Funding for victim compensation from contribution on insurance contracts</li><li>• Projects (from other sources)</li><li>• Total spending</li></ul>	<ul style="list-style-type: none"><li>• Annual budget: €4 million</li><li>• Per capita spending: €0.73</li><li>• Until 2016: funding from gambling proceeds</li><li>• Since 2016: grant from the Ministry of Justice</li><li>• Projects (from gambling income and other sources)</li></ul>

## 4.1. Finland

**41. RIKU employs 50 permanent staff members, engages more than 400 volunteers, and disposes with a budget of nearly €4 million on a population of about 5,5 million inhabitants.** Since it has never been established as a legal entity, there were no costs required to set up the organisation. However, to register the name, which was needed to ensure RIKU's brand, did incur some cost. Information for the time when RIKU was first set up is not available, and at present day prices that cost would have been between €225 and €275.

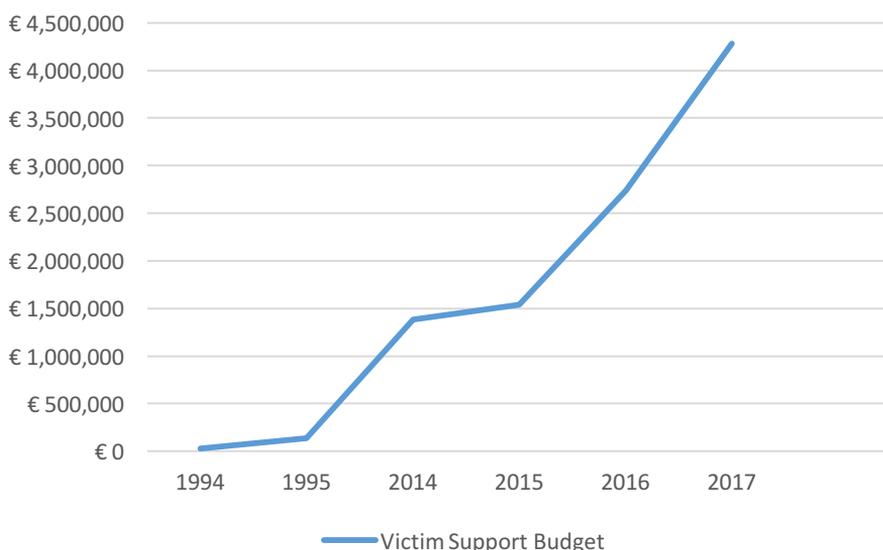
**42. For 1994, which was the first year of RIKU's action, a budget of FIM (Finnish markka) 182,000, which would convert to around €30,500 today<sup>15</sup>.** FIM 82,000 (approx. €13,700) was raised through a fundraising campaign sponsored by a TV programme, while the remaining FIM 100,000 (€16,800) were secured from the Ministry of Interior. Already the following year, the finances improved significantly as the Finnish Slot Machine Association took over the RIKU funding, and allocated a grant of FIM 670,000 (€113,000), which was complemented by additional funding from the Ministry of Justice, in the amount of FIM 150,000 (€25,200). The trend of budget growth has been steady since, and a significant increase in the budget was ensured in 2017, when the State funding for RIKU, through the Ministry of Justice, amounted to €3,7 million. In addition, almost €500,000 was generated for project funding, mostly through funding from the Finnish Slot Machine Association<sup>16</sup>. Moreover, at the local level an additional sum of a total of up to €80,000 is generated from the municipalities to support local RIKU work.

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<sup>15</sup> The Finnish Markkas was valued at 5.94573 to the Euro.

<sup>16</sup> For more details on how the income from the Finnish Slot Machines Association is generated and used, the MDTF JSS produced in 2017 a separate report on funding for victim support organisations.

Figure 4 – development of victim support budget in Finland



**43. To provide the current level of services, RIKU needs at least 4 million euros for basic services in Finland, which has a population of 5,5 million.** However, RIKU recognises that there may be many victims in need who are not being reached by the organisation. In addition, project funding is needed to support development of new services. In this estimation, a significant part of the work needs to be done by professionally guided volunteers.

**44. The management costs of RIKU are difficult to estimate since they are not clearly separated in the budgeting.** The headquarters' work clearly focuses more than the regions on the management of the network. RIKU estimates that around 50% of total headquarters costs relate to management of the network. However, it needs to be understood that the headquarters do not directly support victims themselves, and it is a very small secretariat, which needs to ensure that regional offices have all the support they need. They work on the governance issues, develop guidelines and instructions for the regions, ensuring communications for the entire network and develop training

materials<sup>17</sup>. However, one should keep in mind that also this work, even though indirectly, is directed for the support of the victims. The work with victims would not be possible without a well-functioning operational structure and resources for marketing the services.

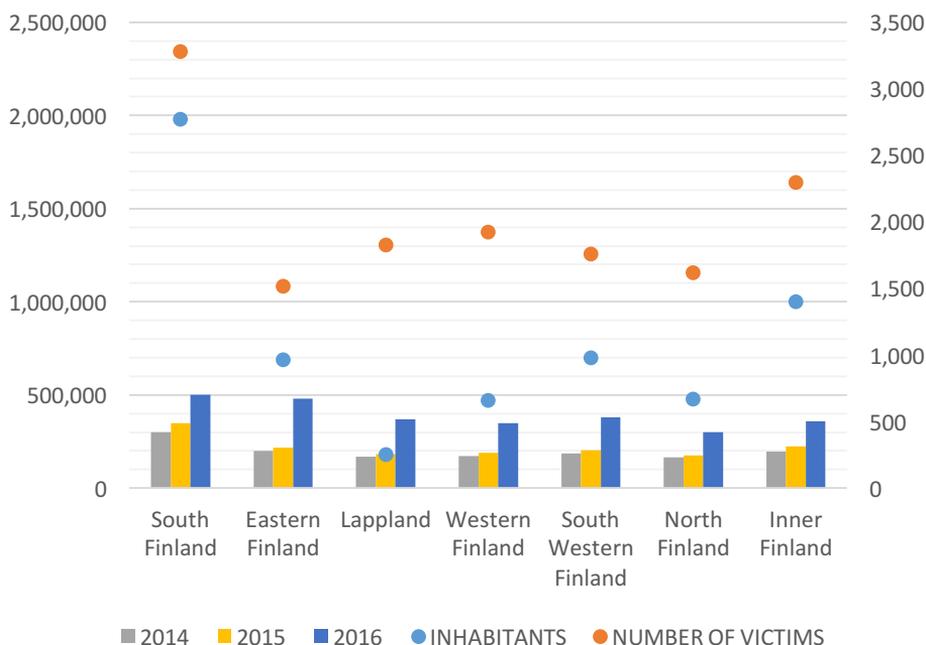
**45. In practical terms, RIKU's work is spread across seven regions, and each regional RIKU branch has their own budget.** Given that RIKU is not a legal entity per se, the organisational structure of the implementing partners is used to ensure RIKU's work. As implementing partners have their regional members in the seven regions, different organisations that are designated to coordinate operations in each of the regions are allocated different parts of budgets. RIKU's national funding is being transferred to the regions according to so-called money transfer agreements, which regulate the use and reporting of these funds.

**46. The preliminary decision of the approved funding for the regions is made by the Executive Director of RIKU and approved by the Board.** The regions prepare their budgets according to instructions from the headquarters and discussions in the Management team, which consists of the Executive Director, the Development Director and the 7 Regional Directors. The regions can present new costs according to their needs and these suggestions are then evaluated by the Executive Director, who is responsible for preparing the national budget of RIKU. RIKU's budget is presented to the Board so that it is divided into 8 main sections: headquarters and 7 regions.

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<sup>17</sup> As RIKU is not required to note their time spent on different tasks, it is difficult to give an exact estimate of the exact costs.

Figure 5 – allocation of budget per number of inhabitants and per region in Finland



47. **RIKU’s basic work – both the networking and victim services – is funded by the State.** This has been the situation since 2017. Since RIKU does not have members of its own, there are no membership fees. The implementing partners do not pay contributions to RIKU.

48. **The financing structure of RIKU has changed during its history.** For some 20 years the main funder has been the Finnish Slot Machine Association. The Ministry of Justice has been the other main funder for almost as long, but with a smaller proportion of funding.

49. **As of 2016 the Finnish State, through the Ministry of Justice, took over the primary responsibility for funding RIKU.** They felt that this was necessary since obligations in the EU Victims Directive are imposed directly on States.

50. **Funding currently appears very stable.** The State is committed to financing general victim services since this is a requirement of the

Victims' Rights Directive. However, political changes or competition in service provision could change the situation. The Ministry of Justice is also considering whether to classify RIKU activities under Service of General Economic Interest rules.<sup>18</sup> This would secure funding for a maximum of 10 years but would also require a competitive process. This has not been the case so far, as RIKU negotiates funding directly with the Ministry of Justice and has its representative on its Board.

**51. RIKU's financial structure is regulated by laws, instructions of the funders, by RIKU's own financial regulation as well as the rules and regulations of the different coordinating NGOs.** Spending on the regional level is authorised by the Regional Directors, who must report spending to headquarters/ the Executive Director. The regional coordination organisation is responsible for controls at the regional level. At the national level and in the headquarters, the Executive Director authorizes spending and the national coordination organisation carries out controls. RIKU's Board approves the overall yearly spending of RIKU though formally the Board of the Finnish Association for Mental Health (the national coordination organisation) is responsible.

**52. There is an annual financial audit, which is made at the national, regional and local levels.** Auditing systems are regulated in Finnish legislation. According to law, the auditors have to be independent. The auditing is reported to funders, who in addition have different systems of checking the finances and requiring audits.

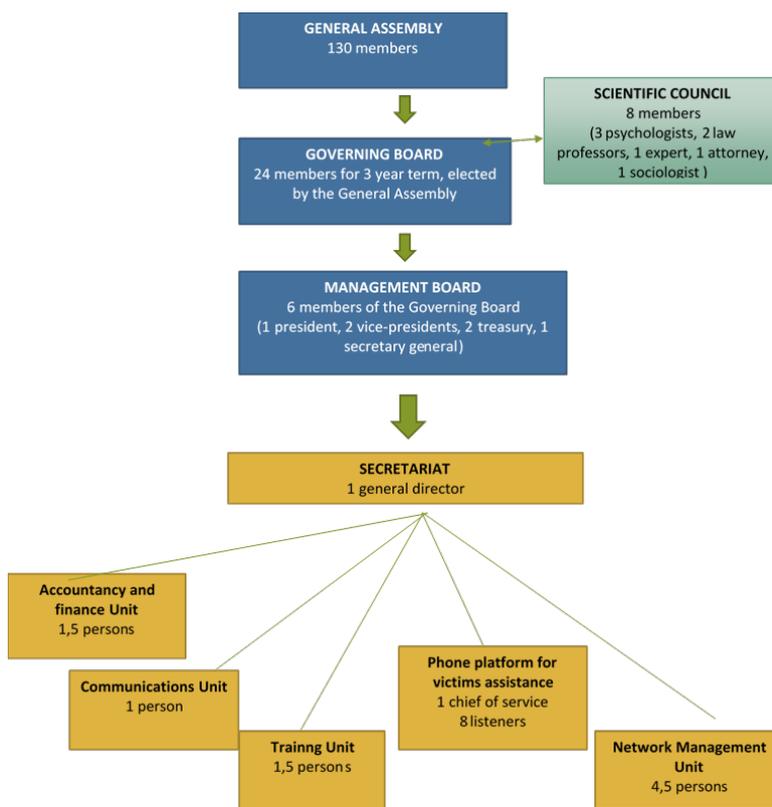
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<sup>18</sup> Services of general economic interest (SGEI) are economic activities that public authorities identify as being of particular importance to citizens and that would not be supplied (or would be supplied under different conditions) if there were no public intervention. They are subject to EU competition and free market rules, aimed in particular at preventing state aid from distorting competition; [http://ec.europa.eu/competition/state\\_aid/overview/public\\_services\\_en.html](http://ec.europa.eu/competition/state_aid/overview/public_services_en.html)

## 4.2. France

53. **France Victimes, as a legal entity, employs a total of 20 staff members.** 12 staff members are in charge of managing various aspects of the network and external relations, while 8 provide services through the national helpline.

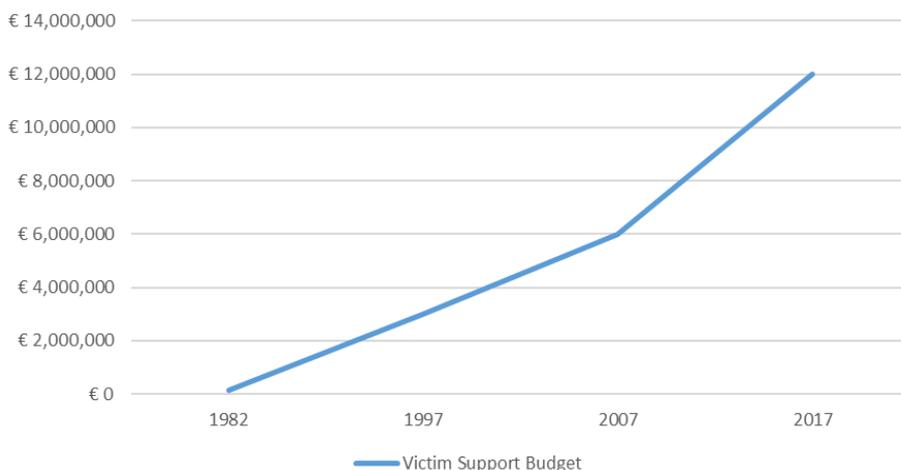
Figure 6 – France Victimes organigram



54. **In France, there is normally no cost whatsoever to establish an association.** The simple fact of depositing the statute with the competent authorities will suffice. However, in order to be able to provide services, associations, naturally, need resources. The first budget in France which

specifically allocated funding for victim support in 1982, set the amount of FFR 1 million (equivalent to around €150,000 today<sup>19</sup>) for support to victims<sup>20</sup>.

Figure 7 – Victim Support Services budget in France over the years



**55. In 2017, the Ministry of Justice sets aside around €26 million for Victim Support.** This amount is distributed locally to victim support services via the courts of appeal, as described below in more detail. Today, the 130 associations, which employ 1,300 professional staff, use services of 1/3 volunteers and provide support to 300,000 victims annually, estimate that they need a total of €50 million to ensure their services. The budget is developed by each member association, and based on this estimate the Ministry of Justice determines grants. Financing by the Ministry of Justice for local organisations is implemented through the court of appeals<sup>21</sup> and before a decision on funding is made, a ‘management dialogue’ is convened. The amount of funding will depend on the total amount available for victim support, which is defined through the state budget.

<sup>19</sup> The value of the French Franc was fixed at 1 Euro = 6.55957 French Francs

<sup>20</sup> France had a population of close to 60 million in 1982.

<sup>21</sup> See MDTF JSS report: Ensuring funding for victim support services

**56. To meet the gap, associations access a range of funding sources, including;**

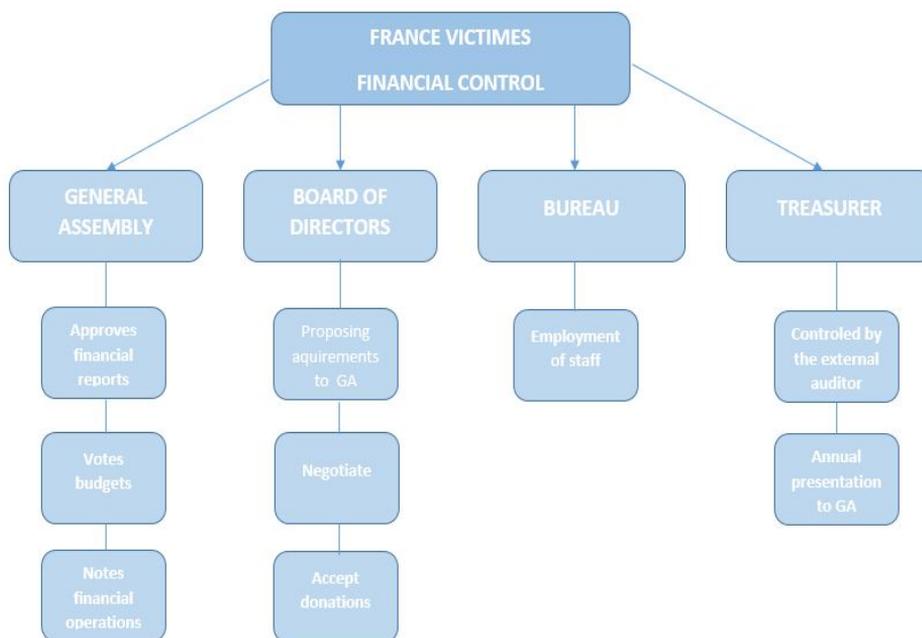
- Other state budget lines, such as interministerial funds for the prevention of delinquency or funds from the Ministry for the equality between women and men;
- Public resources related to certain mandatory actions paid from the justice budget (e.g. funding for the accompaniment of minors)
- Public resources from departments, municipalities and regions
- Other own resources, such as membership fees, charges to private enterprises, provision of training, donations etc.

**57. More recently, victim surcharges were introduced in France.** This was made in an attempt to ensure additional funding for victim support services. However, as mentioned above, the implementation of the legislation is still not fully in place, hence any evaluations would be premature.

**58. Every member of FRANCE VICTIMES is independent, maintains its own budget and introduces their own requests for funding with the funders.** France Victime's members are separate legal personalities, associations established independently and in accordance with specific needs of the geographic area they operate in. Apart from the membership criteria and standards described further in this report, France Victimes is not participating in the management process or service provision by its members.

**59. Financial control is exercised in several ways.** The General Assembly approves financial reports, votes for budgets and in general takes note of financial operations of France Victimes. The Board of Directors takes responsibility to negotiate, propose for adoption of the General Assembly acquiring and disposal with property, accepting donations etc. The Bureau is responsible for decisions related to employment of staff. Treasurer works under the control of the external auditor. Treasurer is responsible for the organisation's accountancy system and makes an annual presentation of accounts to the General Assembly, upon their closure.

Figure 8 – France Victimes Financial Control chart



## 5. Organisational and governance structure

**60. Good governance is a key to functioning and stability of any civil society organisation.** This is particularly important for large, national organisations, which provide direct services to vulnerable groups. This is why it is crucial to put into place strong governance structures, which will ensure efficiency, transparency and integrity.

**61. A governance structure needs to be based on a shared responsibility between the State and service providers and clear competencies of each actor.** Behind good governance must lie principles that are formally structured and documented. While there is no recipe for a good governance structure, some of its characteristics have been generally recognized.

**62. The Corporate Governance Association of Ireland (CGAI), for example, proposes a set of following criteria<sup>22</sup> to be followed.**

*Figure 9 – criteria for good governance*

- **Board leadership:** Every organisation should be led and controlled by an effective Board of directors which collectively ensures delivery of its objects, sets its strategic direction and upholds its values.
- **Accountability:** The directors should collectively be responsible and accountable for ensuring and monitoring that the organisation is performing well, is solvent, and complies with all its obligations.
- **Responsibility:** The Board should have clear responsibilities and functions, and should compose and organise itself to discharge them effectively.
- **Review and renewal:** The Board should periodically review its own and the organisation's effectiveness, and take any necessary steps to ensure that both continue to work well.
- **Delegation:** The Board should set out the functions of subcommittees, officers, the chief executive, other staff and agents in clear delegated authorities, and should monitor their performance.
- **Integrity:** The Board and individual directors should act according to high ethical standards, and ensure that conflicts of interest are properly dealt with.
- **Openness:** The Board should be open, responsive and accountable to its users, beneficiaries, members, partners and others with an interest in its work

**63. In view of the above criteria, there are many approaches to setting up governance in organisations providing support to victims. A couple of those approaches are presented herewith.**

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<sup>22</sup> See, CGAI, Irish Development NGOs Code of Corporate Governance, available at: [http://www.dochas.ie/sites/default/files/CGAI\\_Governance\\_Code\\_FINAL\\_0.pdf](http://www.dochas.ie/sites/default/files/CGAI_Governance_Code_FINAL_0.pdf)

## 5.1. Finland

### Organisational framework

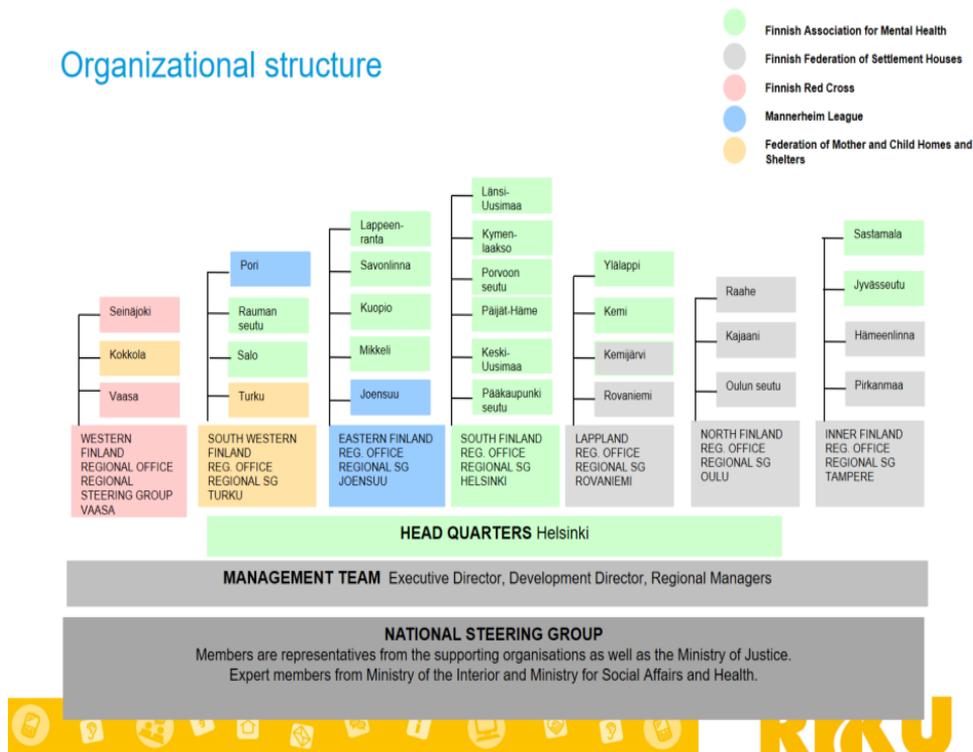
**64. RIKU is not a classic membership organisation.** Namely, it does not operate on the principle of developing its own membership base, but rather relies on the network of its implementing partners, who are, for the most part, membership organisations. RIKU, however, has no influence on the membership base of its founders, but works closely with them in the implementation of its core activities, namely support to victims, through the seven regions.

**65. RIKU has a very specific organisational structure** (see Figure 2). Thus, RIKU is practically managed by several organisations on the regional and local level. At the moment, there are seven regional offices and 30 service points. Altogether, there are 17 different CSOs currently involved in the management of RIKU. A money transfer agreement is signed with all the implementing regional or local coordination organisations, making financial arrangements across the board.

**66. RIKU is managed by a Board - National Steering Group, the role and functions of which are defined in the implementing partners' Agreement.** As shown in the Figure 2, the Board consists of representatives from the implementing partners and the Ministry of Justice. In addition, there are two expert members, one from the Police Board and one from the Ministry of Social Affairs and Health. The Executive Director is the rapporteur for the Board and the Development Director is the secretary. The main task of the Board is to guide RIKU's work and approve the work plans and budgets as well as the annual reports and financial statements of the previous year.

**67. Nonetheless, the final legal responsibility for the work of RIKU lies with the Board of the Finnish Association for Mental Health (FAMH), which lends its legal entity to RIKU.** The Executive Director of FAMH is responsible for presenting RIKU's issues to FAMH's Board. She is also the Vice President of RIKU's Board.

Figure 10 – Organigram of RIKU<sup>23</sup>



## Regional presence

68. RIKU provides their services to victims through its presence in the regions. Apart from the Headquarters in Helsinki, RIKU is also present in seven regional points. RIKU’s field work is guided by several national and regional/local agreements concerning both management issues and money-transfers as well as various regulations and guidelines.

69. RIKU develops a set of standard, rules and policies, which are compulsory for all its staff, regardless of implementing organisation they are formally associated with. This way RIKUs management and working methods are kept similar in different parts of the organisation.

<sup>23</sup> In yellow –RIKU structures which operate independently under the legal patronage of the Finnish Association for Mental Health. Other colours show responsibility of different organisations for different parts of RIKU’s work, through the seven regions and the Helsinki Headquarters. At regional and local levels, branches of the five organisations involved, which have their separate legal personality, may be involved in the formal enabling of RIKU staff to perform their tasks. Hence, a total of 17 legal entities are involved in supporting RIKU’s work.

For example, RIKU has a finance regulation, which all the implementing NGOs have agreed to follow. The work with clients and the volunteering systems are guided by guidelines and these issues are dealt with in RIKU's trainings.

Figure 11 – RIKU regional presence



**70. RIKU has also a regional governance structure.** All of the seven regions have their own so called regional working groups in which the regional sections of RIKU's main national implementing partners are represented. The Regional Directors are the rapporteurs/secretaries of these working groups.

**71. The role of regional working groups is to follow and support the work of the regions.** These working groups build an important

cooperation structure for the implementing partners at the regional level. They also approve the budget and the work plan for the next year and approve the reports from the previous year. The seven Regional Directors, RIKU's Executive Director and Development Director work intensively together forming the so called operational management team. The management team prepares and plans RIKU actions, is responsible of the implementation and follow-up of RIKU's decisions and has a very important role in supporting the work of the nine Directors of the Board.

### **RIKU staff**

**72. To ensure its core work, RIKU secretariat employs 50 staff members.** In addition, five staff members are employed to deliver projects. Staff positions are divided between staff in headquarters, staff in the regions and project staff. Staff employment for RIKU is ensured through the founding organisations since without legal personality, RIKU cannot employ its own staff. It therefore relies on partners to formally do so. Staff is led and principally managed by the Executive Director, who is assisted by the Development Director, as well as a director in each of the regions.

**73. RIKU's Board is responsible for selecting the Executive Director.** Legally the Executive Director is recruited by the national coordination organisation. The employment procedure of other staff members of the headquarters follows the regulations of the national coordination organisation. The line manager has a major role in the recruitment process but all the employment decisions at the headquarters are formally made by the Executive Director of RIKU and, in some cases, by the Executive Director of the national coordination organisation.

**74. Employment is based on competitive recruitment, but some elementary criteria are determined for each position.** Hence, councillors and project planning officers should have a degree in social work or equivalent area. Regional managers should have an academic degree,

preferably an advanced degree (Masters). The Executive Director, Development Director and Project Managers all need to have higher academic degrees, while the communications officer needs to have a relevant academic degree and strong experience in communications work.

**75. Regional Directors are recruited in cooperation with RIKU's Executive Director and the leadership of the regional coordination organisations.** In practice, the involvement and interest of the regional coordination organisation in the recruitment process varies. The counsellors are recruited in cooperation with the Regional Director and the regional/local coordination organisation but the Regional Director has the main role.

**76. Normally, RIKU's recruitment announcements are public.** However, some coordinating organisations have internal guidelines according to which open positions should first be internally advertised. Nevertheless, it is not compulsory to hire a person from within the organisation except in some situations where Finnish legislation prioritises internal recruitment of redundant staff.

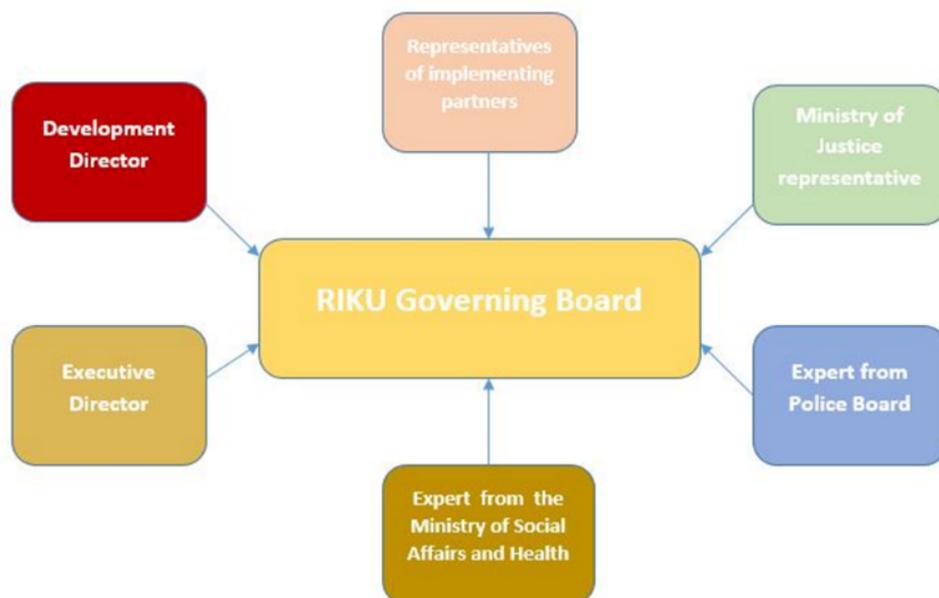
**77. There is a general non-discrimination principle that RIKU abides by.** Moreover, all the employers involved in employing staff for RIKU have to have to abide by equality principles imposed by the legislation. RIKU has data protection guidelines and guidelines on how to check the new volunteers' criminal background.

**78. Management structure in the regions is also specific.** Each of the seven regions is led by a Regional Director. The Regional Directors are line managers to counsellors who work with clients and supervise volunteers. Some counsellors belong administratively to different organisations than the regional coordination organisation, which manages the regional office. In these situations, the counsellor has also another supervisor who is usually the Director of this smaller local coordination organisation.

**79. The Regional Directors have, in principle, two line managers.** One is the Executive Director of RIKU and the other one is the person

responsible for the regional coordination organisation. There is a division of tasks between the two line managers, with RIKU Executive Director of RIKU focusing more on content, while the manager of the regional organisation is mostly concerned with daily operations and administrative supervision.

Figure 12 – RIKU organigram



**80. Projects can be coordinated by either the headquarters or one of the regional offices.** When the Headquarters are coordinating a project, the responsibility is either on the Development Director or a Project Coordinator. When projects are managed by regional offices, usually the Regional Director is responsible for the project, and can supervise any specific project staff<sup>24</sup>.

**81. The biggest challenge in this system lies with the position of the staff since their legal employers are different.** In some cases, their rights

<sup>24</sup> Some examples of projects managed by RIKU: development of outreach activities and work with migrant victims; development of outreach activities and work with young victims; development of volunteering work with victims of domestic violence or project involving volunteers to support victims in the court proceedings.

vary according to the collective labour agreement applicable in the organisation acting as the official employer of the staff member. Salaries also vary to some extent but RIKU's salary guidelines are quite well followed by the different implementing organisations.

## **Volunteers**

**82. RIKU has over 400 volunteers who play an important role in implementing services<sup>25</sup>.** They are responsible for handling calls to the help-line services and for parts of the chat services. Their main work, however, is to provide face-to-face support services for victims. Counsellors at service points (RIKU's local offices) are responsible for recruiting, guiding and organising training for volunteers.

**83. Volunteers are not involved in the governance structure.** However, they are consulted in preparing RIKU's strategies and assessments on volunteering.

**84. Volunteers do not need to have a specific professional background.** The main criteria are that they are adults (ca 25-70 years of age when recruited) who have achieved a certain balance in life and whose own personal situation is not in crisis. They should be open-minded and respectful of all persons without any distinction; they should not have a criminal record and should be well motivated and committed to volunteering in RIKU.

**85. The recruitment of volunteers is a three stage process.** In the first stage, volunteers are invited, on a rolling basis, to send a written application. Invitations to apply are publicised through newspapers, radio announcements, as well as using the existing network of contacts. If the

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<sup>25</sup> In 2016, RIKU engaged a total of 426 volunteers, who worked an estimated 22 300 hours during the year. This makes ca 57 hours per volunteer. The hour calculation is not made so that volunteers register all their hours. Instead, there is a system where their specific tasks (which they register, e.g. court session, meeting the client) have a calculated average value that is used to calculate the overall hours. This figure also includes time spent on trainings and guidance. RIKU volunteers mainly work as support persons to individual victims. They accompany victims to interviews by the police, court hearings etc. Volunteers also answer helplines and online chat service. All these add to the hours they work. There is no minimum commitment requirement for volunteers. Each of them is accepted and do as much as they can.

application is satisfactory, candidates are invited for an interview, during which the interviewers evaluate their suitability for the difficult work with the victims.

**86. In the third stage, volunteers are trained to work with victims of crimes.** At the training stage, the instructors also evaluate trainees and may determine that a person is not the best candidate for this work (e.g. they lack empathy, their communications skills are not satisfactory, behavioural issues are noted etc.). The training takes between 40 and 60 hours.

**87. In Finland, there is a strong tradition of volunteering.** RIKUs volunteering is among the more demanding volunteer tasks. It functions well due to good training and ongoing group counselling sessions. Also the direct support of the paid staff is highly important.

**88. On average, a volunteer remains committed for several years.** While records on duration of volunteering are not being kept, some of the volunteers have been with the organisation for more than 10 years.

## **5.2. France**

### **Membership base**

**89. French network for victim support operates through two main channels.** Through the federation, the head of the network, which maintains the telephone support and general services, and through 130 local associations represented throughout the entire French territory.

**90. Unlike in Finland, the French victim support organisation is a legally established network, which recruits membership.** Its members are also all legally established associations, all incorporated in accordance with the 1901 Law on Associations.

**91. To become a member of France Victimes, an organisation needs to accept general membership conditions.** As such, members accept France Victimes' statutes, and agree to follow internal regulations and

pay a membership fee. Once an application is submitted, there is an elaborate process before an organisation is accepted into full membership.

**92. The Federation France Victimes has established an ethical framework that takes on the values of associative victim support and Assistance and assistance to victims.** These internal regulations are an important part of the network identity, which helps ensure its integrity and reputation. An important part of the self-regulation of the network is the Code of Ethics<sup>26</sup> and Services Chart<sup>27</sup>, which every member must sign-up to. The network then follows up on the implementation of these codes.

**93. Ethical conduct constitutes an important part of the network's operation.** A victim who has concerns about the ethical conduct of an association may file a complaint to France Victimes or the Ministry of Justice. France Victimes also has an internal warning system, which triggers a procedure of support to organisations, if they are experiencing difficulties of any kind.

**94. The Association can be sanctioned by the France Vitimes and the Ministry, if they have not followed the ethical principles.** The former may exclude the association from their membership, while the latter can suspend their funding. So far, however, such sanctions have not been necessary.

**95. The general principles of action applicable to victim support associations are based on this philosophy of ethical conduct and strong self-regulation.** These principles are as follows:

- Effective reception of any person, without discrimination of any kind, provided that they consider themselves the victim of an attack on their person or property, individually or collectively;
- Free services;

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<sup>26</sup> Available in French at: <http://www.france-victimes.fr/index.php/docman/grand-public/26-code-de-deontologie-inavem>

<sup>27</sup> Available in French at: [http://www.adiav2000.org/ADIIV/media/telechargement/22\\_A\\_Charte-Inavem.PDF](http://www.adiav2000.org/ADIIV/media/telechargement/22_A_Charte-Inavem.PDF)

- Confidentiality of interviews;
- Respect for the victims' decision-making autonomy;
- Taking into consideration any complaint from the victim;
- Non-representation of victims at court (except for ad hoc administration missions);
- Prohibition of referring victims to a designated professional in the commercial or service sector.

**96. In addition, a common framework of minimum intervention for all France Victimes associations has been established.** This framework is put into place to guarantee uniform services to victims throughout the country by all associations. Activities should be supported by a professional core team which includes at least one coordinator and several specialists composed of at least one service coordinator as well as specialists in law and psychology. The team should also have a specially trained staff member who provides first contact and who is trained in the assessment and monitoring of victims' difficulties.

**97. Within these boundaries, every France Victimes' member has its own internal regulations and structure.** However, as each member is a legal entity in their own right, with their own specific approach, they will not be described here.

### **France Victimes staff**

**98. France Victimes staff are involved in two main work streams.** The secretariat ensures administrative work, such as management, coordination of the network, training, communications, accountancy etc. The other main stream of work is running the telephone platform 08Victimes, a national hotline created in 2001.

### **Governance framework**

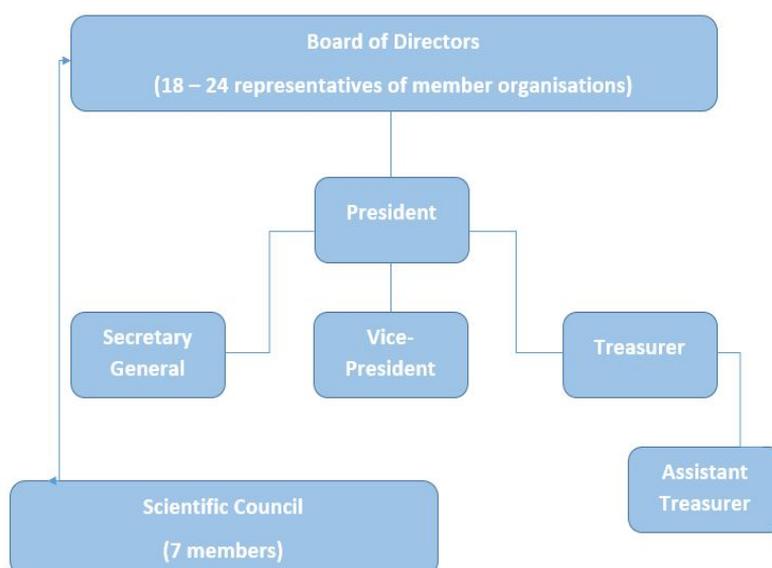
**99. The network is administered by a Board of Directors of between 18 and 24 members, representatives of member associations, where they are employed or elected to a function.** Directors perform their

functions as volunteers. The Board of Directors convenes at least three times a year. The Founding President of France Victimes, as well as the outgoing presidents during the three years after the end of their mandate, are also invited to take part in the Board meetings, and have a consultative vote. Similarly, the Board involves in its work, with a consultative vote, the Scientific Council of France Victimes.

**100. The Board elects, by a secret ballot, the members of the Bureau, which is composed of: the President, two vice-Presidents, Secretary General, Treasurer and assistant-Treasurer.** The Bureau members are elected for a term of three years, under the condition of reelection. President represents the Federation in all civil matters.

**101. France Victimes also appoints a Scientific Council, which promotes victims' issues and contributes towards the promotion of the organisations core message.** Currently the Council is composed of seven members who are professionals in the fields of law, psychiatry, sociology etc.

Figure 13 – France Victimes governance structure in 2016/17



**102. The Democratic nature of France Victimes is particularly reflected in its General Assembly, which is composed of all its members.**

The Assembly meets once a year to discuss events from the previous year and take the course of action for the future. The General Assembly also has the task of electing members of the Board of Directors.

**103. The 130 members have a similar structure.** They mostly have a professional secretariat, the number of staff depending on particular circumstances. At the moment, about 1,300 professionals contribute to the work of the network, out of which two-thirds are employed, while one-third are volunteers. Regarding the employment of staff, France Victimes or its member association advertise vacancies and hire staff in a transparent manner. Both the network and its member organisations are equal opportunity employers.

## **Volunteers**

**104. Volunteers are often engaged to support associations in providing first response, ensure liaison with the salaried staff etc.** Unlike RIKU, France Victimes and its members do not rely substantially on the work of volunteers. The practices among different members of the network vary, and while some of them insist on the professionalisation of all positions, others rely significantly on the volunteer support.

**105. The French Volunteering Organisation (l'association France Bénévolat) introduced, in 2007, the volunteering passport.** The volunteering passport allows to its holders to validate their volunteering work in their search for employment<sup>28</sup> (e.g. the French state employment office or a future employer will accept such experience as work experience) and can be recognised in pursuing recognition of experience for a qualification (Validation des Acquis de l'Expérience)<sup>29</sup>.

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<sup>28</sup> In practice, volunteering passport record information not unlike those contained in the work booklet (*radna knjižica*) in Serbia.

<sup>29</sup> This system allows persons to obtain degrees through work experience, rather than through formal education.

**106. Participation in the volunteering passport scheme is non-compulsory for either the volunteers or the host organisations.** Nonetheless, French volunteers and civil society organisations are encouraged to use it, and there is a strong support from the government and the civil society sector for the initiative.

**107. France Victimes has developed guidelines to encourage volunteering in its member organisation.** Nevertheless, they have little control over how members actually engage volunteers and to what extent. Some members engage volunteers for specific tasks, such as for certain time limited judicial actions, while some others engage volunteers on a more permanent basis, to ensure certain support services which are taking very long time but are not well-paid (e.g. representation of a minor in court proceedings, *ad hoc* mission administrators etc.)

**108. Regardless of the circumstances of their engagement, volunteers are expected to be available in the long-term and all are required to undergo training.** Training requirements will depend on the specific objectives of volunteering, e.g. whether they are expected to work directly with victims or not etc. Nonetheless, all volunteers need to receive the basic training. This basic training consists of a 35-hour module, which includes sessions on history, ethics, listening skills, organisation of the judiciary, victims' rights, social support, trauma sensibilisation etc.). Basic training can be followed by induction course or apprenticeship with an organisation.

**109. In certain cases, volunteers with specific skill sets will be sought to perform certain tasks.** It should be noted that in recent years more and more students apply for volunteering positions with the French victim support associations.

## **6. Evaluation and monitoring**

**110. In order to keep account of the quality and efficiency of services, it is necessary to put into place an evaluation and/or monitoring**

**mechanism.** This evaluation can be done internally, externally, or both, and should ensure accountability of service providers to victims and justify the social investment into such services.

## **6.1. Finland**

**111. RIKU's evaluation process uses a number of tools to inform the Secretariat and the Board about the impact of the work.** The process is not currently organised through a single coherent system, however, but rather consists of collecting the following elements:

- statistics of clients in different services and in different regions/local service points;
- statistics on referrals to RIKU's services;
- self-evaluation questionnaires collected from volunteers;
- feed-back questionnaires collected from clients;
- possibility for open feed-back on the webpage;
- staff and board meetings where work is evaluated;
- ad hoc external evaluations;<sup>30</sup>
- evaluations conducted by funders - usually self-evaluation systems including statistics;
- yearly auditing of RIKU's finances, which includes auditing governance.

**112. Evaluation is prepared and conducted by the Development Director.** Findings are prepared and presented to the National Steering group and to the financiers.

**113. The existing evaluation system is quite random and sporadic, and is not well designed to have an impact on the work with victims.** It can, to some extent, help to identify some problems in the regions – for example, a decreasing number of clients in a region that does not correspond to a decrease in criminality. Should such a situation occur, it

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<sup>30</sup> For example, in 2017 a nation-wide evaluation was made of the professionally guided volunteer services, including mystery-shopping of the telephone services.

would be analysed and measures taken, even though evaluation is not aimed at actually identifying such problems or dealing with them.

**114. Putting in place a comprehensive evaluation system is considered to be very important** in particular for good governance and as a tool for ensuring better services are provided. A comprehensive system of evaluation is currently being developed and should be in place by 2018. At this point, it is too early to say what its main features will be.

## **6.2. France**

**115. Federation France Victimes is under an obligation to provide an evaluation service to its member associations.** A specific service, operating within the network's secretariat is put into place to ensure that this task is performed. France Victimes operates a 'network management' service which consists of five staff members who are responsible for the organisation of a good quality victim support service across the entire territory of France. Such victim support service should be within easy reach of victims, should respect internal regulations, assist members in their mission, facilitate their work and provide training to their teams.

**116. A member package is provided to candidate associations to inform them about membership requirements.** The package contains France Victimes' statutes, code of ethics, Charter of Services, minimum requirements for intervention and a final activity report.

**117. The following documents must be submitted with a membership application:**

- A motivation letter addressed to the President of France Victimes, in particular expressing the adequacy of organisation's activity with the network's standards;
- The statutes of the organisation, including the composition of the Board of Directors or other governing bodies;
- A financial report or a budget;
- Its approach to provision of victims services;

- Any other document that may help France Victimes to understand the organisation's activities for victims.

**118. Every organisation which applies for membership in the Federation France Victimes is now subjective to an initial entry evaluation.** The process of joining the membership happens in four stages:

- The network management team receives requests for membership, ensures that they are complete, collects all the necessary details about the operations of the candidate association and finally draws up a technical sheet for the administrators. Depending on the situation, a site visit may be put into place;
- A group of the Board members convenes a meeting with the representatives of the candidate association. This meeting can be organised in person, by telephone, or an exchange can be convened in writing;
- The application is then forwarded to the Board of Directors for consideration and a vote on membership;
- Initial membership is conditional and valid for one year only, during which time the association is monitored;
- If after the probation year, the Board of Directors is satisfied with the standards in the candidate organisation, it becomes a full member of Federation France Victimes.

Figure 14 – Becoming a member of France Victimes (flowchart)



**119. Careful scrutiny of performance does not stop with acceptance to full membership.** There are several ways in which an alarm may be triggered, regardless of the type of difficulty an organisation may face – financial, political, structural or other. This alarm may be triggered in cases of organisational, financial, or any other difficulties an organisation may face. It can be raised by users, organisations themselves, Ministry of Justice or other actors.

**120. Once a problem is identified, an alert procedure is launched.** The role of the Federation is to help the association to overcome any difficulties they are facing. In such cases, an individual assistance and evaluation mission is convened, through which representatives of Federation France Victimes audit the membership of the association in question.

**121. Following the mission, an audit report is compiled and provided to the responsible officers of the association in question.** The report contains recommendations for overcoming the crisis. Depending on the situation, the report may also be forwarded to State authorities, if they are involved in financing the association.

**122. In cases of failure to respect France Victimes' rules, in particular the code of ethics, a process for the expulsion from the membership can be initiated by the Board.** This may happen if the association refuses to contribute to the functioning of the Federation during two consecutive years or due to other serious reasons. Before the procedure is initiated, the President of the association in question is invited to discuss the situation with the Board of Directors.

**123. Currently, the network is considering introducing a certification procedure under the label "Marianne".** Since 2003 the Marianne Chart has been which aims to improve the quality of service in public services. More than 2000 public organisations have signed up to the chart and abide by its standards.

**124. The Marianne standards have increasingly become a point of reference.** It lays out 19 commitments concerning the reception and service provided to users of public services. These standards allow an external recognition of quality, which can then be valued by an organisation's partners and funders. The standards may be applied to the entire organisation or only to those parts which provide services to clients. An external evaluation which verifies compliance with the commitments defined within the framework is required to be awarded a Marianne.

**125. In February 2017, the Secretary of State for victim support published a report on the implementation of public policy on victim support.** The report suggests that the network of victim support associations, which carry out a public mission, should be strengthened. It proposes that following approaches should be piloted:

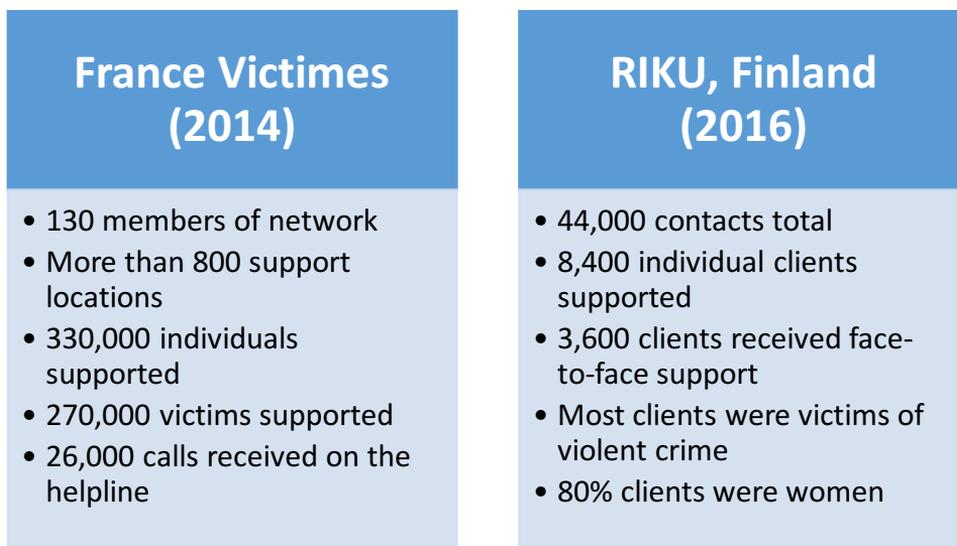
- a national accreditation procedure administered by the Access to Rights and Justice and Victim Assistance Service (SADJAV), implemented gradually for a period of five years on a declarative basis;
- a concerted elaboration of a national reference system of good practices in support of victims.

**126. The proposal, if accepted as suggested, would require legislative intervention. It is currently being considered by the Government.**

## **7. Service provision**

**127. Centralising victim support coordination does not necessarily mean that services are centrally provided.** The entire philosophy of victim support services is laid on the foundation of local availability. However, in practical terms, the support will be provided by regional branches of a central entity (like in Finland) or by independent members of a State-wide network (like in France). At the same time, for some services, such as helpline, local availability is not necessary and they are better provided at a central level, to ensure quality and equal access.

Figure 15 – Overview of the services provided



## 7.1. Finland

**128. In view of its complex structure, it is to be expected that RIKU provides services only through its implementing organisations.** Through these structures, RIKU provides the following services:

- personal face-to-face service;
- national help line;
- legal aid help line;
- on-line chat service;
- web page including lot of information directly for the victims.

**129. In 2016, RIKU has maintained a total of 44,000 contacts with potential victims.** It supported to 8,400 clients, through providing them access to different services, including 3,600 clients who received different types of face-to-face support. Most clients were victims of violent crimes<sup>31</sup> and over 80 % of all them were women.

<sup>31</sup> The different crimes were distributed as follows: Victims of intimate partner violence and domestic violence 32 %; Victims on sexual violence (adults and children) 15 %; Victims of other assaults 11 %; Cases related to restraining orders 8 %; Victims of harassment and emotional abuse 16 %; Victims of property crimes 6 %; Other crimes 12 %

**130. RIKU provides its services in a range of formats to make them accessible to all groups, for example by taking into account disability needs.** The client does not need to give personal identity information to access the services. If the client decides to pursue criminal proceedings, services are made available before the criminal proceedings, during them and for a reasonable time after. Should the client prefer not to pursue criminal proceedings, services are still available to them.

**131. Equality is an important principle of RIKU services.** This means that everyone, regardless of their personal characteristics, such as gender, sexual orientation, racial or ethnic origin, or any other status have access to services on an equal basis. For those clients who do not speak Finnish, interpretation is provided when needed, at no cost to the client.

**132. Normally, trained volunteers provide the majority of services.** However, there are exceptions to this rule. For example, specialised services for victims of human trafficking are only provided by paid, qualified staff members, unless an evaluation determines the needs of the victim to be straightforward.

**133. RIKU has in place a case-management system.** This system allows the staff to manage, in particular, cases where victims have more complex needs, such as homicide, aggravated cases of domestic violence or cases involving trafficking in human beings. A more thorough case-management system is currently being developed to facilitate service provisions to the bereaved family members of homicide victims.

**134. The case management system is not such as to enable follow-up of the quality of service.** The current system contains the following information:

- name of the victim (also just first name can be used if the victim does not want to give full name);
- age group;

- language: Finnish, Swedish, Other;
- was the victim referred to RIKU and by whom: police, shelter, social services, health services, crisis centre etc;
- type of crime;
- region and service point;
- also basic information of the stage of the victim's criminal procedure, without any specific information like the case number, name of the perpetrator etc. (this is only for the clients who are in a support relationship, not for one-time help-line or chat clients).

**135. In complex cases, RIKU will take over the role of service coordinator.** It will make the necessary contacts with the authorities involved and make referrals to appropriate specialised services, if needed. RIKU may have a coordinating role in providing services, contacting authorities and referring to more specialized services.

**136. Specific safeguards are put into place to ensure adequate communication concerning individual clients.** Confidentiality and data protection are cornerstones of victim support work. Referral is ensured via e-mail or by phone. There are strict rules on how to protect clients' identities. For example, the name and contact of the client is only shared if necessary, and in a separate email from the message describing the matter. Only restricted information can be written in email messages, and if the name of the client must be communicated, it is done in at least two e-mails. One to describe the circumstances and another one containing their contact details. To enforce rules, staff are trained on data protection, there are strict protocols in place explaining how information may communicated, and managers are responsible to supervise that this is followed through.

**137. All RIKU's service points provide the same basic face-to-face service.** Regional Directors are responsible for making sure that the basic service is provided to a consistent level in line with RIKU's guidelines. At the same time, the availability of specialised services in the local areas can affect the content of RIKU's services. For example, if there is a service

specialising in assisting victims of sexual violence, then RIKU will have a division of tasks agreed with the specialised service provider. Also authorities may in some circumstances provide services for victims at different levels which has an effect on the type and level of services provided by RIKU.

**138. There can be differences in how the service points and their staff and volunteers participate in national services such as the help-line and the chat service.** For example, all regions must have 1-2 staff members participate in the implementation of the national chat service as well as a few volunteers.

**139. Some service points may also develop specialist forms of services.** For example, two service points have a staff member tasked with developing RIKU's services for migrant victims. Thus, responsibilities in regions may be divided depending on the service point.

**140. The training system is similar for RIKU's staff and volunteers.** The main responsibility for training new staff members lies with the regional offices. Training is compulsory for all staff and volunteers. For volunteers, the training consists of around 70 hours of basic and advanced courses, which include a list of themes that need to be dealt with. In addition, volunteers have to participate in regular group counselling sessions. New staff members usually participate in basic training at the start of their contract. It may be necessary in some cases to postpone training since the regions usually organise only 2-4 trainings cycles per year. The headquarters organise only one yearly 2-day seminar for the whole staff and induction training for new staff members.

**141. RIKU has developed guidelines on the provision of services and volunteering.** The service standards are based on these guidelines. There are guidelines on the different service methods (e.g. help-line, legal help-line, chat) and more general guidelines on items such as data protection and security. In addition, RIKU has many guidelines, which give directions on RIKU's views on issues related to criminal proceedings and mediation.

**142. The guidelines concerning the volunteers deal with issues such as recruitment, checking the criminal recording of the new volunteers, training, ending the volunteer relation, as well as model agreements for the volunteers.** The standards are all developed and implemented by RIKU itself.

**143. The Ministry of Justice requires that RIKU's basic services fulfil the requirements of articles 8 and 9 of the Victims' Rights Directive.** However, the Ministry does not interfere in detail in the way that RIKU implements its services, leaving it to self-regulate the quality of its services. As part of its ongoing development of quality services, in 2016, RIKU made its telephone help-line system free of cost for all clients.

**144. Currently RIKU is working to develop services for the Swedish-speaking minority in Finland.** This is important for the equal implementation of services taking into consideration that Finland is officially a bilingual country.

**145. The clear advantage of providing services through a network is that RIKU has been able to deliver its services nation-wide.** When RIKU started extended its services to new service points in the 1990s, it was much easier to start a service in close cooperation with a partner organisation.

**146. Local service points are usually located within the premises of another organisation, which is beneficial for several reasons.** It has been seen as more beneficial for the wellbeing of the staff and for their security as well as that of clients to be within a larger work environment. Moreover, sharing space contributes to cost-effectiveness of operations.

**147. The network system also provides a local platform for cooperating on victims' issues.** It is easier to maintain good working relations with organisations that belong to RIKU's national network. The network approach also supports synergies in advocacy efforts with national, regional and local partners.

**148. There are few major challenges in the network structure within which RIKU operates.** Sometimes, there can be competition between organisations if there is an overlap in the work of RIKU and partner organisations (for example children or women victims of crimes). This can also affect clients if the service of the partner organization has some overlap with RIKU's work.

## **7.2. France**

**149. Whilst local members deliver a range of victim support services, since 2001, the Federation France Victimes has operated a telephone platform.** A unique national phone number is used to provide efficient access to service providers in the network and other competent bodies. The platform now hosts several domains, namely, the 08Victimes platform, partnership with MAIF<sup>32</sup> and SNCF<sup>33</sup> and the national number for Aide aux victimes (victims assistance). Apart from the telephone platform, France Victimes does not provide direct services to victims. This is done by the 130 members of the network. When victims do reach out, France Victimes makes sure that they are referred to a service which is best suited to their specific situation, whether it is to a network member or to another support provider.

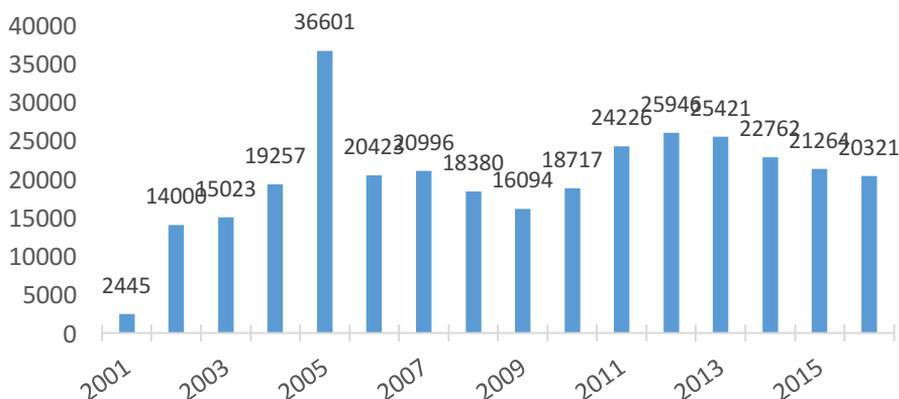
**150. 08Victimes is the national hotline for victims of crimes.** The unique national number 08 842 846 37 (which corresponds on the phone keyboard to dialling 08Victimes, hence the name) is available to anyone in France. The hotline has a relatively stable inflow of calls.

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<sup>32</sup> MAIF, an insurance company, and INAVEM entered into a partnership to ensure psychological support to victims of traffic accidents and for insured cases under life insurance policies.

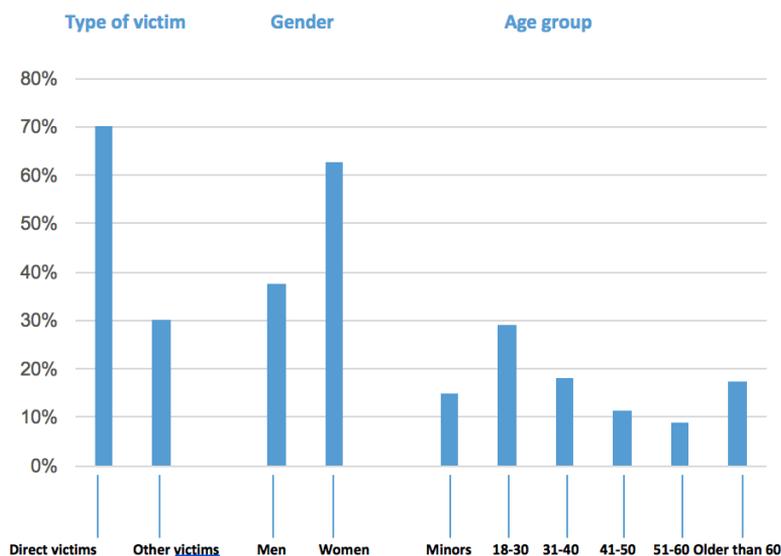
<sup>33</sup> SNCF, French national railroad company, entered into a partnership with INAVEM to ensure support for their staff victims of violence or exposed to grave incidents at work.

Figure 16 – inflow of calls to 08Victimes hotline



151. In 2016, the hotline received more than 20,000 calls. As presented in Figure 16, out of these calls, 70% came from direct victims, with the remaining 30% from other persons. Women represented more than 60% of callers, while the largest number of calls was made by persons between 21 and 30 years of age.

Figure 17 – structure of clients of 08Victimes hotline per type of victim, gender and age



**152. Structure of crimes complained of in the calls received shows that the majority of crimes victims suffered were offences against persons, as it stems from figure 18.**

*Figure 18 – structure of clients of 08Victimes hotline per group of crime*

Offences against persons	Property crime	Traffic accidents	Other infractions	Non-declared
71 %	23 %	5%	0,2 %	0,8 %

**153. 17,4 % calls concerned repeated violations.** 43,4 % were acts of violence, of which 58,5 % concerned partner violence. 5 % calls concerned abuse of confidence or fraud.

*Figure 19 – structure of clients of 08Victimes hotline per type of crime*

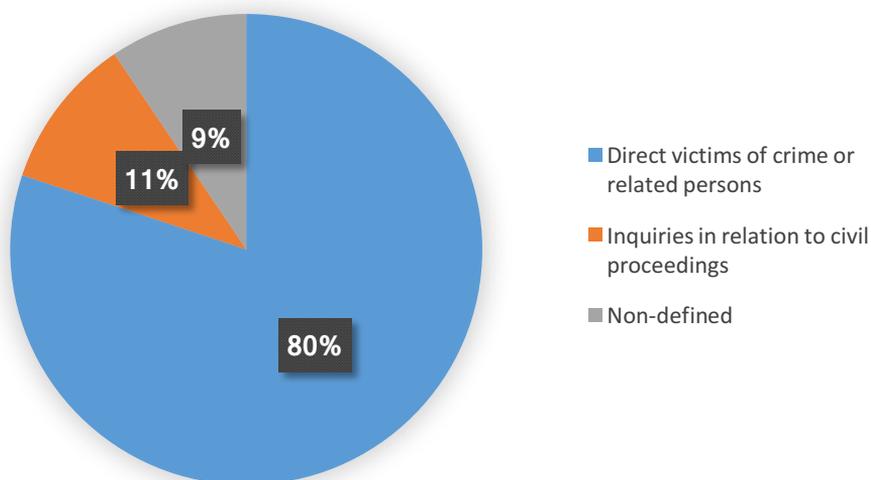
Offences against persons		Property crimes	
Murder, assassination	<b>20,7 %</b>	Simple theft	10,9 %
Rape and other sexual violence	15 %	Aggravated theft	15,7 %
Acts of violence	<b>35,2 %</b>	Destruction, degradation of property	12,2 %
of which partner violence	<b>35,3 %</b>	Abuse of confidence	<b>56,9 %</b>
Homicide, involuntary murder	6,4 %	Fraudulent use of payment methods	1,6 %
Abandoning a family member	0,4 %	Other	2,7 %
Failure to surrender a child	0,6 %		
Harassment at workplace	3 %		
Medical errors or accidents	1,3 %		
Threat, injury	9,3 %		
Other	8,1 %		

**154. The hotline service employs a number of permanent staff members.** This includes a manager and correspondents of different

profiles (lawyers, psychologists, social workers etc.) who are all trained to provide support to victims. The hotline correspondents offer a listening, evaluation, information and guidance role. The service is open from 9 am to 9 pm every day.

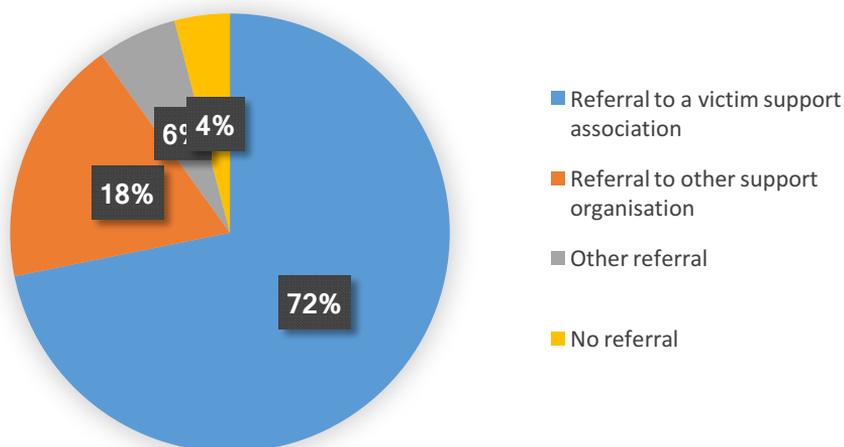
**155. In addition to the hotline, victims address France Victimes also via other means of communication.** In 2016, 1,347 persons submitted written requests (e-mail, a post on France Victimes website, post or social networks) for support. This number represents an increase of more than 180% in comparison to 2015.

*Figure 20 – structure of written requests for support by France Victimes*



**156. In the majority of those cases, victims were referred to a service deemed adequate for their specific situation.** Figure 21 shows the structure of such referrals.

Figure 21 – structure of referrals based on written requests for support



157. **One of the main missions of the federation is to provide a guarantee of equality of treatment for all the victims.** Support is to be provided to all, regardless of their place of residence. The objective is that each victim receives the same level of quality professional support, regardless of where the support is sought and received.

158. **Training is an important element of France Victimes' work.** It is provided in the form of induction training and continued training in the area of legal aid and psychological support.

159. **To ensure higher professionalism of staff and volunteers that might be involved in providing services to victims, the Federation has been organising training sessions since 1993.** Training is organised on victims' rights, psychological support and, more generally, on the organisational issues of victim support providers. Training is provided for a fee, with preferential rates provided to members.

160. **Free, one-week training modules are provided to all new staff of victim support organisations.** This training is crucial for ensuring the necessary induction into the issues and professional practices of victim support, and ultimately better-quality services.

**161. In cases of collective victimisation, such as terrorist attacks or mass-accidents, the Federation mobilises its local associations.** Associations are mobilised depending on the place of residence of victims or their families in order to enable professionals to directly approach victims.

**162. A true change in approach by associations is taking place in cases of mass-victimisation.** At the beginning of 1980s the service providers would wait for victims to spontaneously seek assistance and support. This assumed that a victim was sufficiently well-informed to be in a position to enter into contact with a service provider.

**163. Nowadays, however, the approach that service providers take is more proactive.** They reach out to victims - service providers are those who make the first step and get in contact with the victim, suggest support and accompaniment immediately and in the long run. This approach is in line with domestic legislation. Namely, based on Article 41 of the Criminal Procedure Code, judicial authorities mandate associations and share with them contact details of victims, so that victims can be approached and receive support.

## **8. External relations**

**164. Victim support organisations need to develop relationships with national and international, governmental and civil society structures.** These relationships are an important element of adequate provision of services, optimal use of resources, referral and good practices.

**165. At the national level, it is important to develop relations with the relevant actors at all levels.** This is crucial, on the one hand, to ensure from support of the authorities for the work of victim support organisations. On the other hand, this cooperation is crucial in exercising influence on national legislation and policies and applying pressure on policy makers to improve victim support policies. It is equally important to ensure cooperation with providers of services and support for other

vulnerable groups (women, children, persons with disabilities etc.), to ensure that any overlaps are used for the benefit of vulnerable victims and that resources are coordinated and used optimally.

**166. At the international level, victim support providers engage in bilateral and multilateral, European and international cooperation initiatives.** France Victimes was, in 1989, one of the founding members of Victim Support Europe (VSE), the European network of victim support organisations, while RIKU joined VSE in 1996, shortly after it was established. Both organisations are active in the bilateral cooperation in Europe and internationally, and are building partnerships to better serve victims of crimes. Both RIKU and France Victimes also extensively cooperate with other victim support organisations in Europe, often participating with them in European cooperation projects.

## **8.1. Finland**

**167. RIKU works in cooperation with other networks and CSOs, especially with those that deal with different aspects of victims' issues.** This is a wide concept which means that for example, human rights organisations are contacted which have been active in issues such as women victims, hate crimes and human trafficking. In recent years, more cooperation has started also with minority groups such as local migrant communities and networks advocating for the rights of undocumented migrants.

**168. RIKU itself is not part of any broader network in Finland.** However, since its implementing partners are large organisations like the Finnish Red Cross, there is a natural network of humanitarian actors around RIKU's work.

**169. RIKU has a good relationship with the Government and governmental bodies.** However, this does not mean that RIKU refrains from being critical towards the policy and decisions of the Government and different authorities. For example, RIKU takes a stand on law

proposals, government policy papers and the implementation of governmental services.

**170. One recurring issue is the low level of referrals from the police to RIKU's services.** RIKU has openly criticised this situation but, nonetheless, continues to closely cooperate with the police.

**171. RIKU's main funder is the Government, through the Ministry of Justice.** However, it does not feel that this prevents RIKU from taking a critical stand on an issue, which it considers to be crucial for the rights of crime victims. Many victims' issues can be quite political such as the situation of victims of human trafficking where also migration and labour policies come into play.

**172. RIKU has regular meetings, at least two or three times a year, with the Ministry of Justice, Department of Criminal Policy.** These meetings focus on financing issues and service provision. The Department is responsible for developing Finland's victims' policy as well as work practices of authorities encountering victims. Thus, there have been many committees and working groups in which RIKU has participated as a member. RIKU also meets Ministers dealing with victims' issues. A meeting is usually arranged with at least the Minister of Justice when the new Government assumes duty.

**173. The Government does not have a direct influence on the strategic route of RIKU.** Indirectly, however, Government policies may affect RIKU's work since many policy issues influence the situation of crime victims. These include social and health care, labour, criminal and migration policies.

**174. RIKU works in cooperation with different parts of the judiciary, prosecution and law enforcement.** This is both in developing services for victims and in individual cases. For example, RIKU is currently developing a victim and witness service, to be implemented in courts. Trained volunteers, usually students, are present in court houses and available for information and individual guidance for both the victims and witnesses. This is being developed in cooperation with the local courts.

**175. With respect to law enforcement, cooperation is intensive since the role of the police is crucial in both providing information for victims, in carrying out the pre-trial investigation and in referring victims to RIKU's services.** Sometimes RIKU is also directly in contact with the prosecution if, for example, the victim has wishes concerning the court sessions. Some victims do not want to face the suspect in the court and the prosecutor can be of help in these situations. In addition, RIKU participates in different local, regional or national working groups where these parties can be present.

**176. Internationally, RIKU is an active member of Victim Support Europe, a European network of national victim support organisations.** RIKU's Executive Director is a member of the Board of Directors of Victim Support Europe and actively participates in creating EU policies in relation to support for victims. Moreover, RIKU takes part in the non-formal cooperation structure of Nordic victim services. Representatives of those services meet annually for a two-day meeting. Furthermore, RIKU is member of two international anti-trafficking networks. RIKU is participating, together with France Victimes, in an EU-wide project which aims to evaluate the practical implementation of the Victims' Rights Directive across the Member States.

## **8.2. France**

**177. With the government, interactions and exchanges are ongoing, notably with the Access to Justice, Justice and Victim Assistance Service (SADJAV) of the Ministry of Justice.** These are France Victime's partners of reference. Beyond the financial aspects, other agreements are made with other ministries and also involve daily exchanges, work and relations:

- With the Ministry of Agriculture: an arrangement is in place for the Ministry's staff, to include education on how to treat instances of aggression, incivility, or traumatic event in the performance of their duties, or at home;

- With the Ministry of Overseas: cooperation is fostered to ensure support for French nationals, victims of offences abroad and their family members, to ensure reception, psychological support, information on rights and social accompaniment on the spot;
- With the Ministry of Education: for teaching staff and victims of violence at schools, to guarantee the establishment of psychological support, counselling of victims in court proceedings, information about their rights, formatting claims, or referrals to specialised services and other victim support services needed;
- More recently, with the Foreign Ministry, in the framework of the setting up of a support system for persons, victims of forced displacement from overseas to the metropolitan France, who are now given permission to trace their origins<sup>34</sup>.

**178. A network of victim support associations such as France Victimes, guided by the global care of victim, must be able to create partnerships and synergies.** France Victimes, as well as its members are always open to cooperation with other associations, business and the administration, to the benefit of the victim. At the national level, France Victimes is participating in a number of initiatives which make sure that victims of crimes receive the service they need. They also cooperate at the international level.

**179. At the national level, there is the joint telephone platform for victim referral.** The platform encompasses more than 500 possible institutions or associations to which a victim can be referred. This may be complementary to a connection with a victim service provider or exclusive when the client's request does not fall within the scope of work of the victim support. The correspondents of the France Victimes telephone platform have an excellent knowledge of this database. This database is also a real added value in terms of resources for professionals.

**180. In addition, agreements are made with other networks to better**

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<sup>34</sup> For more information, see for example: <http://www.la-croix.com/France/Laffaire-Reunionnais-Creuse-seclairer-2017-02-16-1200825303>

**guarantee relationships and services in specific fields.** Such arrangements are put into place with other CSO networks, for example, with the network to combat discrimination and racism, the network of associations of persons with disabilities, and the association of mediators. Furthermore, partnerships are developed with legal professionals such as attorneys, through the Convention with the National Bar Council or the young lawyers' union.

**181. Finally, 24 organisations providing hotline assistance have joined into the Collective of Social Telephony and Health (Collective TeSS) since March 2012.** The main aims of the Collective are to promote support provided by social telephony and to provide assistance at a distance, to improve the quality of the service and to drive forward public policies. The TeSS Collective has set up a specific training programme for the listening professions, which hosts several sessions each year. Every year, it also organizes the Day of Listening and Social and Healthy Telephony.

**182. Internationally, France Victimes is a long standing member of Victim Support Europe, and has bilateral relations of cooperation with many European countries and Canada in particular.** Moreover, they are involved in the above mentioned project on transposition of the Victims' Rights Directive. France Victimes is also working with several other European organisations on a project of the European Parliament on needs of victims of terrorism.

**183. France Victimes cooperated with a number of European countries in supporting cross-border victims.** This was particularly important in the wake of the terrorist attacks in November 2015, when a number of victims were non-French residents. Similarly, they cooperate with victim support services and authorities of other countries to provide support to French residents who fall victim of crimes outside of France. RIKU also provides services to Finnish residents who have been victimised abroad.

## 9. Conclusions and recommendations

### 9.1. Framework for providing victim support services

**184. The examples presented in this report are only two out of many.** Finland and France were selected with the knowledge that both networks function with significant success, over a significant period of time within a centralised state and within a continental legal system. They were selected for their different approaches to similar problems, within a relatively similar legal environment. The Finnish approach is very specific for its unorthodox legal structure and the seemingly informal approach to setting up a network of service providers. In France, on the other hand, the system is very structured and membership requirements quite elaborate and demanding.

**185. Interestingly, RIKU is not a legal entity in its own right.** This, however, does not prevent it to managing operations using the resources and cooperation of 17 other legal entities not only to ensure that victim receive services they need, but also to influence policies at national and European levels.

**186. At the same time, the French system is a comprehensive network with very well defined conditions for membership and constant work on quality assurance.** In both systems, however, victims are supported in a professional and consistent manner.

**187. Understanding the legal environment and Serbian reality, any future victim support network in Serbia, would like need to be set up within a formal framework.** The Finnish informal approach may seem attractive in terms of the ease of setting it up, and potential savings that may be generated with the minimum administration. Nonetheless, it needs to be understood that this approach functions in Finland, in large part due to the fact that it involves six strong, already existing nationwide organisations, who have been committed to supporting victims of crimes for the past 20 years. However, being an informal structure, it may

be vulnerable to changes of policies or practices within the coordinating organisations, for example. Moreover, while it reduces administrative costs on the part of RIKU, the participation in the network necessarily increases the administrative cost of the coordinating organisations, as this work needs to be done by someone.

**188. It appears from the systems analysed that the Government, in particular the Ministries of Justice, have been actively involved in facilitating the provision of victim support.** In France, the Ministry has been more involved in setting the ground for the establishment of a comprehensive victim support network and keeps working on its standardisation. In Finland, the Ministry of Justice is actively involved in the functioning of the victim support network. Not only does it provide a comprehensive budget for well-funded victim support, but is also directly involved through its membership on the Board of RIKU. Importantly, the Ministry's participation in RIKU's Board is not one of control and management, but one of partnership and genuine involvement in addressing the needs of victims of crimes.

**189. Providing support to victims of crime is an important task of the justice system of any country.** Providing victim support in Serbia will require a significant involvement and extensive commitment on the part of the Ministry of Justice, which needs to create an environment in which victims can receive necessary support of a required standard of quality and for as long as this support is needed.

**190. Regardless of whether victim support is provided through a separate legal entity, or within a semi-formal partnership, governance is an important element of the structure.** Both organisations analysed in the present report have a Board of Directors, who are not paid for their work in the Board, and who bear responsibility for the functioning of the network.

**191. In order to achieve transparent and responsible running of an organisation, a governance structure needs to be set up.** When setting up a victim support system in Serbia, a body should be set up – governing

board, board of directors or some other form, which will provide strategic guidance, leadership and support to the organisation. Members of such a body would be expected to participate on a voluntary basis, even though some of their costs can be paid.

## **9.2. Funding and financial responsibility**

**192. In terms of budgeting, both Finland and France set aside important budgets for victim support.** In France, the total funding from all levels and sources of funding amounts to €50 million, while in Finland it sums up to €4 million.

**193. Regarding financing, Finland still applies a direct negotiation scheme, while the approach in France is one of competitive funding.** It is important to note, however, that Finland may also move to competitive funding, due to the requirements of transparency and open market.

**194. In allocating funding to victim support organisations, several factors need to be considered.** This is particularly relevant, since it is important to strike the balance between the necessity to ensure continuity of services on the one hand, and the quality and cost-effectiveness on the other. A detailed analysis of funding for victim support organisations is provided in the MDTF JSS report “Ensuring funding for victim support services”.

**195. Financial safeguards are in place.** Organisations are subject to national requirements for audit, and their costs are carefully scrutinised by internal and external control mechanisms.

**196. Spending needs to be responsible and controlled.** It is of utmost importance, from the aspect of the funder as well as from the perspective of service provider, to have strict financial discipline. Systems need to be put in place to make sure that, regardless of the form through which victim support services are being provided, there is a rigorous control of and systemic responsibility for any expenditure.

**197. Funding for victim support services can come from various sources.** It may come from schemes specifically developed to fund such services (e.g. victim surcharge), general social responsibility schemes (e.g. gambling) or from the general state budget. Whatever the source of income is, victim support services need to have a level of stability and funding for such services should be ringfenced to ensure sufficient and consistent income.

**198. When looking into ensuring funding, victim support and victims' associations should be consulted.** In particular, when developing or implementing an income stream, any particular consequences of getting (a part of) victim services paid by the offender, attention should be given to the victims' perception of such schemes and potential revictimisation avoided<sup>35</sup>.

**199. A system of monitoring and evaluation of project results and a strict financial discipline and scrutiny should be ensured.** Such a system would provide that any investment into the victim support services is indeed directed towards ensuring that victims' rights are respected, protected and fulfilled.

### **9.3. Service provision and quality control**

**200. In Finland, there is an existing system of monitoring and evaluation that is undergoing revision and modernisation.** In France, there is a comprehensive system of screening for admission to membership and constant supervision of existing members, in an attempt to ensure a standard of excellence among the membership. Moreover, there is an initiative from the Government to introduce a Governmental system of accreditation for victim support services.

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<sup>35</sup> This is particularly relevant for the implementation of the so called principle of opportunity in Serbia. Namely, concerns have been expressed regarding the use of this principle in family violence cases. There is a general perception of victims of family violence that perpetrators (who are often men and better off financially than their victims) are buying out of responsibility. Using such funds to support victims of violence would be adding insult to injury.

**201. Both organisations directly provide services to victims.** RIKU provides, through their staff, volunteers and in synergy with its coordinating organisations, all services to all victims of all crimes. In France, only the hotline service is provided directly by the Federation, while other services are provided by member organisations. Nonetheless, both organisations provide referral and information to all persons that address them.

**202. France is working on developing a proactive approach in providing support to victims of terrorism and other collective victimisation.** This is an important development in the field of victim support, showcasing how services evolve over time and how victim support organisations need to remain sensitive to the needs of their users, in order to constantly improve services.

**203. Both organisations are working to ensure consistent, accessible and quality services on the entire territory of their respective countries.** To this end, however, they put in place different mechanisms. In Finland, an effort is being made to use the existing resources and to creating synergies with other organisations, to ensure consistent services, reduce duplication of work and minimise operational costs of running the service.

**204. In France, a comprehensive network of 130 independent organisations is set up.** All of those organisations abide by the same quality and performance standards and commit to the same philosophy to work together to provide support to all victims of all crimes on the entire territory of France.

**205. Any future structure which aims to ensure support to victims of crimes needs to have a presence across the entire territory of Serbia.** This may be achieved either through organisations' own structures, or through accrediting existing or future organisations to provide support to victims of crimes. It is recommended that, in either case, for the purpose of clarity and transparency, any victim support organisation exists as a

separate legal entity, with clear structure, purpose and governance responsibilities.

**206. Any future victim support needs to ensure that generic and specialist services are provided to all victims of all crimes.** Access to these services must be made available fully in compliance with the EU Victims' Rights Directive, needs not to depend on any criminal or other prosecution of the perpetrator, victims' residence or other status, and needs to be made free of charge.

**207. Victim support services may be provided directly by the victim support organisation, or by means of referral to other organisations and institutions.** When providing services through referral, attention needs to be paid to the capacity of the recipient organisation.

**208. When setting up a victim support service, strict standards for operating and providing services to victims of crimes need to be set at the central level,** In addition, a control mechanism needs to be put into place to ensure consistency and quality of services. These quality standards should be applicable equally to services provided directly or through referral.

#### **9.4. Human resources**

**209. Both organisations employ staff and rely on volunteer work.** What can be observed, however, is that in Finland the participation of volunteers in providing services to victims is more significant than in France<sup>36</sup>. Both organisations are careful about training of volunteers and making sure that whether service providers are paid for their work or offering it for free, the service is always of the required level of quality.

**210. Volunteering is not deeply rooted in Serbia.** However, exploring available resources, such as, for example, the principle of opportunity, where the accused can opt out from a sentence in exchange for socially

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<sup>36</sup> There is little evidence to indicate the exact reason for such a difference. What may lay at the core is that in Finland some services are also provided through the church, which traditionally relies more on volunteering, whereas in France this relationship is absent.

beneficial activity, can be taken into consideration to encourage volunteering with victim support organisations. At the same time, State initiatives and incentives can increase interest in volunteering. The private sector can equally support such volunteering by applying corporate social responsibility principles. Victim support organisations themselves can also increase the attractiveness of volunteering positions, through for example, establishing certification, targeting students working in relevant fields etc. To encourage volunteering, the Government, in cooperation with the civil society sector, may consider introducing a system similar to the French Volunteer Passport.

## **9.5. External relations**

**211. Victim support organisations do not exist in a vacuum.** Building relationships with other CSOs, as well as bilateral and multilateral international cooperation, are pivotal in developing services, exchanging practices, and finally ensuring better services for victims at a smaller cost. Moreover, developing partnerships with ministries, police, judiciary, regional and local authorities, ensure influence on policies and practices and a general understanding of the importance of victim support services. International cooperation, by means of European and international networks, ensures that influence is spread beyond borders and that international policies are informed by and formed according to the needs from the field.

**212. With Serbia aiming to join the EU, as well as understanding its delicate geographic position in the midst of the large migration wave, the issues of support for cross-border victims is a relevant one.** This will be an important issue to tackle, also in the context of the Victims' Rights Directive, the Victim Compensation Directive as well as the Directive on Combatting Terrorism.

**213. Any future victim support framework needs to establish good working relationships with domestic and international stakeholders.** In particular, making sure that cross-border victims receive support they

require will be a challenge that will require international cooperation and good communication with other European victim support providers, as well as institutions and authorities involved.



