



Irish Council for
Civil Liberties



DEVELOPING AN EU TRAINING MODULE ON THE VICTIMS' DIRECTIVE

**Report on monitoring the impact of training provided
on the Victims' Directive**

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EXECUTIVE SUMMARY

BACKGROUND

This report forms part of a project funded by the European Commission on the training of European lawyers, prosecutors and the judiciary (if appropriate in the Member State) on the needs and rights of victims of crime as provided for by Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime (hereinafter the “Victims’ Directive”).

This project greatly increased the knowledge of lawyers in five jurisdictions on the rights of victims under the Victims’ Directive. This was achieved via the training of stakeholders who have a key role to play in implementing the Victims’ Directive.

The aim of this report is to illustrate how this project was conducted so that a similar project can be developed and delivered in other jurisdictions.

PROJECT PARTNERS

Spanning five jurisdictions across the EU, the project was led by the Irish Council for Civil Liberties (ICCL) (a key member of the Victims’ Rights Alliance), in conjunction with partner organisations, The Bar of Ireland, The Law Society of Ireland, APAV (Portugal), the Human Rights Monitoring Institute (HRMI) (Lithuania), the Peace Institute (Slovenia), the Ministry of Justice (Hungary). The associate partner organisations, the Platform for International Cooperation on Undocumented Migrants (PICUM) and Victim Support Europe (VSE) offered their specific expertise to the project group.

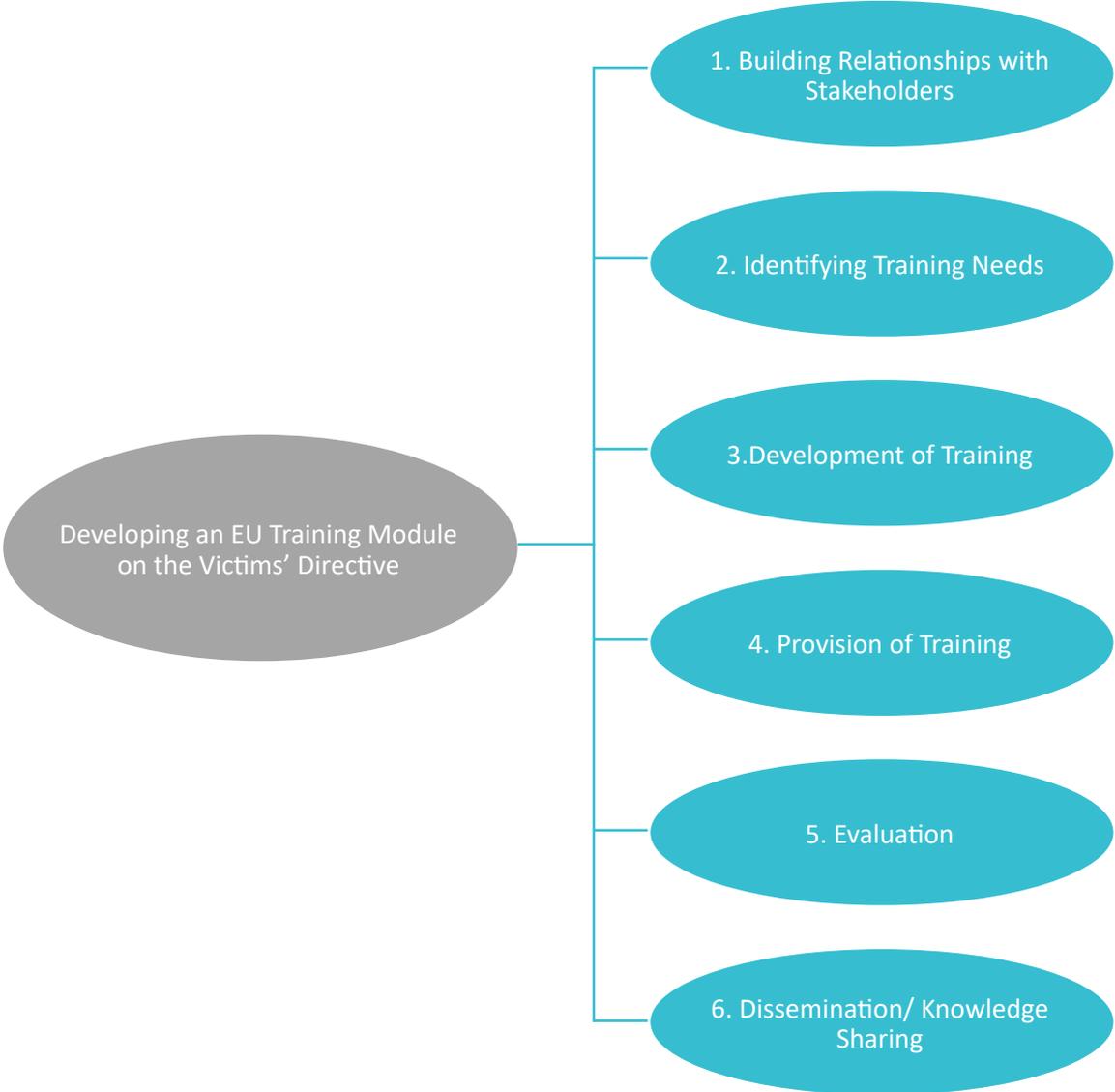
THE AIM OF THE PROJECT

The core objective of the project was the provision of training in line with Article 25 (3) of the Victims' Directive which provides that *‘with due respect for the independence of the legal profession, Member States shall recommend that those responsible for the training of lawyers make available both general and specialist training to increase the awareness of lawyers of the needs of victims’*.

The provision of training, guidance and best practice methodologies raised awareness of the rights afforded to victims under the Victims’ Directive. This project was delivered through active engagement and multi-agency partnership with key stakeholders within the five criminal justice systems.

STEPS IN DEVELOPING AN EU TRAINING MODULE ON THE VICTIMS DIRECTIVE

The Development of an EU Training Module on the Victims Directive had six steps:



1. Building Relationships with Stakeholders:

It was essential that there was ‘buy in’ from the lawyers, professionals and Judges (if appropriate) to identify training needs and knowledge gaps on the Victims’ Directive. For this reason, a Multiagency Working Group (MAWG) was established in each jurisdiction consisting of professionals working with victims of crime, including lawyers and victim support organisations. These views and comments were then incorporated into the drafting of a needs assessment (survey) and the development of a training programme on the Victims’ Directive. The MAWG offered different perspectives of the training needs of lawyers, including training needs from a victim’s perspective.

2. **Identifying Training Needs:** To ensure the training methodologies meet best practice standards, the project partners conducted a needs assessment across each jurisdiction to identify specific training needs. This comparative mapping was a crucial step to ensure that the training programme is relevant, and that it addressed actual knowledge and skills gaps. The needs assessment took the form of a survey. It was developed in an Irish context and was translated and adopted to reflect each jurisdiction's criminal justice system.
3. **Development of Training:** The training was developed based on the knowledge gaps and training needs identified in the needs assessment (survey). The MAWG were invited to make comments with respect to the content of the training and its format.
4. **Provision of Training:** The training programme was first delivered in Ireland and was modified to take account of cultural differences and each partner's legal system. A Guide on the Victims' Directive was drafted in an Irish context and was adapted and translated to each jurisdiction. Similarly, training materials were developed, including an e-template course in Ireland and they were adapted to each jurisdiction having regard to the training needs and knowledge gaps. The development of best practice methodologies assisted in the consistent and coherent application of a best practice training model across Europe.
5. **Evaluation:** Surveys were distributed by partners for each training seminar or course provided. Overall the survey results were positive in each jurisdiction.¹ Most importantly an impact has been seen in practice with an increase in lawyers informing victims of their rights to request information from relevant criminal justice agencies.²
6. **Dissemination/Knowledge Sharing:** Arguably the most important outcome of this project has been the dissemination and sharing of knowledge with professionals working with victims of crime domestically and internationally. This has been achieved via three means: a conference, online video's and presentations on developing a training module on the Victims' Directive.

Tangible Outcome:

Lawyers and Judges (where possible) in five jurisdictions have been trained on the needs and rights of victims under the Victims' Directive.

Intangible Outcome:

One of most important and intangible aspects to this project has been the building of relationships with the legal profession, judiciary, victim support organisations, Government, NGO's (Non-Government Organisations) criminal justice agencies and other professionals working with victims of crime.

Trust takes time to develop and this project has enabled the partners to develop trust with individual, agencies and bodies working with victims of crime in their country. This was achieved as each party had a common aim and goal namely, the implementation of the Victims' Directive in practice for the benefit of all victims of crime. This is evidenced from the continued positive

1 At the time of completing this report. The project activities were still ongoing

2 The author has been informed by criminal justice agencies that they had received referrals as a direct result of lwyers learning about their services for victims via the training programme. For further information contact the author on marianidhomhnaill@gmail.com

feedback and engagement from participants. These relationships will continue to work together on victim's rights long after this project is completed. This ensures that training on victims' rights and the Victims' Directive stays on the agenda in each of the five jurisdictions for a long time to come.

Developing an EU Training Module On The Victims' Directive

Maria McDonald BL

Contents

| | |
|--|----|
| Executive Summary | 3 |
| Table of Contents | 7 |
| List of abbreviations and acronyms | 10 |
| Acknowledgments | 11 |
| I. Introduction | 12 |
| II. About this Project | 12 |
| III. Why provide training for professionals on the Victims' Directive | 12 |
| IV. Methodology | 13 |
| V. The Project Activities | 14 |
| VI. Ethical Issues | 14 |
| VII. Challenges | 15 |
| VIII. Limitations | 15 |
| IX. Report Outline | 15 |
| Part 1: Steps in Developing an EU Training Module on the Victims' Directive | 16 |
| Step 1: Building Relationships with Stakeholders | 16 |
| Step 2: Identifying Training Needs | 17 |
| Step 3: Development of Training | 17 |
| Step 4: Provision of Training | 18 |
| Step 5: Evaluation | 18 |
| Step 6: Dissemination/Knowledge Sharing | 18 |
| Part II: National Country Reports | |
| I. Country Report Ireland | 20 |
| Step 1: Building Relationships with Stakeholders | 20 |
| Step 2: Identifying Training Needs | 21 |
| a. The Victims Survey | 21 |
| b. The Survey for Lawyers | 22 |
| c. EU Survey / Data Protection | 22 |
| d. Testing, Distribution and survey results | 23 |
| i. Barristers Survey | 23 |
| ii. Solicitors Survey | 23 |
| iii. Victims Survey | 23 |
| Step 3: Development of Training | 25 |
| Step 4: Provision of Training | 25 |
| a. Introductory Seminar | 25 |
| b. Launch of the Massive Open Online Training (MOOC)... | 25 |
| c. The Format and Content of the MOOC | 26 |
| i. MOOC Participants | 30 |
| ii. Course Structure | 30 |
| iii. The Web Hosting Environment | 30 |
| Step 5: Evaluation | 31 |
| a. Discussion Forum Posts | 31 |
| b. Quiz | 31 |
| c. Survey of Participants | 32 |

Contents

| | |
|---|----|
| Step 6: Dissemination/Knowledge Sharing | 33 |
| a. Victims Conference | 33 |
| b. YouTube Videos | 35 |
| Concluding Comments | 35 |
| II. Country Report Hungary | 36 |
| Step 1: Building Relationships with Stakeholders | 38 |
| Step 2: Identifying Training Needs | 39 |
| a. Evaluation Process and Experience Drawn from Prosecutor’s and Attorneys’ Questionnaire | 39 |
| b. Evaluation Process and Experience Drawn from Victims’ Questionnaires | 40 |
| Step 3: Development of Training | 42 |
| Step 4: Provision of Training | 42 |
| Step 5: Evaluation | 45 |
| Step 6: Dissemination/Knowledge Sharing | 46 |
| a. The Key Role and Future of the Victims’ Directive | 46 |
| b. Expanding the Range of People Participating in Training on Victim Support – New Concepts in Training | 46 |
| c. Laying New Foundations for Victims Needs Assessments | 47 |
| d. Increasing the Role of Victim Support Centres in Research and Training | 47 |
| e. Familiarising with and Disseminating Good Practices related to Victim Support | 47 |
| f. Strengthening Ministry of Justice’s engagement in international victim support projects | 48 |
| III. Country Report Lithuania | 49 |
| Step 1: Building Relationships with Stakeholders | 49 |
| Step 2: Identifying Training Needs | 49 |
| Step 3: Development of Training | 50 |
| Step 4: Provision of Training | 51 |
| Step 5: Evaluation | 51 |
| Step 6: Dissemination/Knowledge Sharing | 52 |
| IV. Country Report Portugal | 53 |
| Step 1: Building Relationships with Stakeholders | 53 |
| Step 2: Identifying Training Needs | 53 |
| Step 3: Development of Training | 53 |
| Step 4: Provision of Training | 54 |
| Step 5: Evaluation | 54 |
| Step 6: Dissemination/Knowledge Sharing | 55 |
| V. Country Report Slovenia | 56 |
| Step 1: Building Relationships with Stakeholders | 56 |
| Step 2: Identifying Training Needs | 56 |
| a. Survey of Lawyers, Judges and Prosecutors | 56 |
| b. Survey of Victims of Crime | 57 |
| Step 3: Development of Training | 57 |
| Step 4: Provision of Training | 57 |
| a. The Training of Lawyers | 58 |
| b. The Training of Judges and Prosecutors | 58 |
| Step 5: Evaluation | 59 |
| Step 6: Dissemination/Knowledge Sharing | 59 |

List of abbreviations and acronyms

| | |
|-------|--|
| APAV | Associação Portuguesa de Apoio à Vítima |
| CEJ | Center for Judicial Studies Portugal |
| DPP | Director of Public Prosecutions |
| HRMI | The Human Rights Monitoring Institute |
| ICCL | The Irish Council for Civil Liberties |
| MAWG | Multi Agency Working Group |
| MOOC | Massive Open Online Course |
| MOVA | Massachusetts Office for Victims Assistance |
| TNSC | Transnational Steering Committee |
| PICUM | Platform for International Co-operation on Undocumented Migrants |
| VRA | Victims' Rights Alliance |

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We would like to acknowledge all of the individuals and bodies both domestic and internationally which have engaged with us on this project over the course of the past two years. In particular we would like to thank those who participated in the national MAWG's, those who reviewed and contributed to the development of the need's assessment and to professionals in each jurisdiction who gave their time to provide training. It is not possible to list all of those who contributed to the project, training and conference here. A special thanks must however go to the members of the Victims' Rights Alliance, Dr. Amanda Haynes and Dr. Jennifer Scheppe, the University of Limerick, The Irish Prison Service, the Irish Probation Service, members of An Garda Síochána, Sue O'Sullivan Chair of INVICTM, Kathy AuCoin Statistics Canada, The Hon. Margaret Hinkle, Massachusetts Superior Court and Anna Evans who has worked with Judge Hinkle, Liam Lowney, Massachusetts Office for Victim Assistance (MOVA), Meg Garvin, Executive Director & Clinical Professor of Law of the National Crime Victim Law Institute, USA, Professor Anne DePrince, Department Chair, Department of Psychology, University of Denver, Levent Altan of VSE, An Verelst former Deputy Director of VSE, Judith Thompson, Commissioner for Victims and Survivors in Northern Ireland, Eve Goodie and Alyna Smith of PICUM and Dr Geoffrey Shannon of The Law Society of Ireland.

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The Peace Institute in Slovenia wish to thank the Judicial Training Centre in Slovenia and Bar Association of Slovenia.

I. Introduction

The Victims' Directive provides for minimum rights to information support and protection for all victims of crime within the EU. On the 16th of November 2015, the Victims' Directive came into force within the EU. Member States were required to transpose the Directive into their domestic law by this date; though many failed.³ On the 14th of May 2018, the European Parliament published its report on the implementation of Directive 2012/29/EU establishing minimum standards on the rights, support and protections of victims of crime. That report '*recalls that one of the most important objectives of the Victims' Rights Directive is to improve the position of victims of crime across the EU and to place the victim at the centre of the criminal justice system.*'

Balancing the rights of the accused with the victim takes time and requires a change of mindset by all those working in the criminal justice system. Training is key to rebalancing the criminal justice system; to improving victim's rights while also respecting the rights of the accused. Training of professionals working with victims ensures that they know and understand what role, if any, they play in implementing the Victims' Directive and in informing victims of what rights they have thereunder.

II. About this Project

In September 2016, the European Commission DG Justice awarded an action grant for the project '*Developing an EU Training Module for the Victims' Directive*'. This project came at an important time. Criminal justice agencies, police, professionals working with victims of crime, lawyers and judges were all grappling with how to implement the Victims' Directive in their own jurisdictions. This was made more difficult in Member States, such as Ireland and Slovenia where the Directive had not yet been transposed into domestic law. Domestic organisations in each of the five jurisdictions started engaging with each other to identify how the Victims' Directive could be implemented in practice. A common goal enabled the project partners to work with agencies and to develop relationships which they may not have otherwise had an opportunity to do so. The Victims' Directive was now a priority for criminal justice agencies given the passing of the transposition date and the pending threat of legal action from the European Commission.

In this climate the lead partner, the Irish Council for Civil Liberties (ICCL) was tasked with developing an EU Training Module on the Victims' Directive in conjunction with its partners The Bar of Ireland, the Law Society of Ireland, Associação Portuguesa de Apoio à Vítima APAV (Portugal) Human Rights Monitoring Institute (Lithuania), the Ministry of Justice in Hungary, the Peace Institute in Slovenia. The projects associate partners, Victim Support Europe (VSE) and the Platform for International Co-operation on Undocumented Migrants (PICUM) contributed to the priorities of the project. The partners were cognisant that the timing of the delivery of training was important, and regard would need to be had to any pending legislation to transpose the Victims' Directive into national law. Timing was a factor which was instrumental in how this project evolved.

III. Why provide training for professionals on the Victims' Directive?

The necessity and indeed the obligation in some instances to train professionals working with victims of crime has been enshrined in Article 25 of the Victims' Directive. Article 25 (1) of the Victims' Directive creates an obligation that Member States '*shall ensure that officials likely to come into contact with victims*', such as the police or the court service staff are trained on the needs of victims and to help them to act in an '*impartial, respectful and professional*

3 The European Commission issued infringements proceedings of Member States for their failure to Communicate

manner, with victims.⁴ While recognising the independence of the legal profession the Directive requests *that those responsible for the training of judges and prosecutors involved in criminal proceedings make available both general and specialist training to increase the awareness of judges and prosecutors of the needs of victims*.⁵ A similar provision is made with respect to the training of lawyers.⁶

The implementation of the Victims' Directive into domestic law is complex and challenging. Victims cannot access their rights if they are not told about them. Different stakeholders in each Member State play a role in informing and providing victims with their rights in practice. If stakeholders do not know what a victim's rights are then they cannot inform victims about what rights they have. Professionals working with victims of crime need to understand the rights under the Victims' Directive and any disparity between the Directive and domestic law. If there is a difference between the two the Victims' Directive will take precedence. Also, only by understanding the Victims' Directive can a lawyer identify that practices are not compliant with the Victims' Directive. For example, a lawyer will need to understand the rights of victim's in a court setting so that they can intervene to protect a victim's rights. If you do not know what the law is then you cannot apply it. Training is therefore key to ensuring that professionals, lawyers, prosecutors and Judges understand what rights a victim of crime have. However, due regard must also be had to the independence of the judiciary and the legal profession. Engagement with lawyers, Judges and victim support organisations was essential to the effective and successful development of a training programme on the Victims' Directive.

IV. Methodology

This project sought to develop an EU Training Module on the Victims' Directive, which could be adopted in each of the five partner jurisdictions.

A socio-legal approach was adopted as part of this research project. This enabled the project to consider the legal obligations under the Victims' Directive in addition to any transposing legislation and compare it with the implementation of the Directive in practice.

Training needs were identified via doctrinal research which identified the legal obligations under the Victims' Directive and how they were transposed in each of the five jurisdictions. This was then compared with empirical research which illustrated the implementation of the Directive in practice and the knowledge level of those who were likely to receive training as part of this project. The latter was achieved via a Multi Agency Working Group, referred to as the MAWG, and a survey of professionals working with victims of crime and a survey of victims (where possible). In order to limit repetition, the methodology of the needs assessment will be considered in further detail in the Irish Country Report. Interviews of members of An Garda Síochána (Irish Police) were also conducted in an Irish context and will be considered in further detail below.

The methodology was developed by the lead project partner ICCL in conjunction with the Irish partners, The Bar of Ireland and The Law Society of Ireland. It included a mix of desk-based research, qualitative research and secondary data analysis. It was adopted to an Irish context to assess its success and was subsequently rolled out to each of the other jurisdictions.

4 Article 25 (1) Victims' Directive

5 Article 25 (2) Victims' Directive

6 Article 25 (3) Victims' Directive

V. The Project Activities:

The aim of this project was to develop an EU training programme on the Victims' Directive for lawyers, prosecutors and judges (having due regard to its independence), within the five partner jurisdictions.

The main activities of this project were as follows:

1. The development of a MAWG in each jurisdiction.
2. Drafting, translation and evaluation of a needs assessment (survey) for lawyers, judges and victims of crime (if appropriate in the Member State) to ascertain what are the training needs in each partner jurisdiction.
3. The development of a training programme based on those training needs.
4. The drafting, adaption and translation of a guide on the Victims' Directive for lawyers in each jurisdiction.
5. The provision of a training programme for lawyers, prosecutors and the judiciary (where possible).
6. The development of an online portal for the training programme (where possible).
7. An international Conference on the Victims' Directive focusing on best practice from abroad.
8. A report outlining the steps taken to develop a training Programme on the Victims' Directive.
9. Uploading of training videos online (where possible)

VI. Ethical Issues

Advice was sought from academics in Ireland and the US and with domestic and international NGO's on any ethical issues which might arise with respect to this project. It was accepted by all stakeholders that there were no ethical issues relating to the surveying of lawyers and the judiciary or the development and provision of training. Advice was sought from academics and victims support organisations domestically and internationally on any ethical issues that might arise in conducting a survey of victims of crime. It was accepted that there was a risk of secondary victimisation and certain steps should be taken to limit it so much as was possible. It was agreed that the victim's survey should be in plain language and it was agreed that it should be reviewed by the Irish National Adult Literacy Agency [NALA] to ensure it was in plain text so that victims could understand it, in keeping with Article 3 of the Victims' Directive. Moreover, victims were informed that they could leave the survey at any time and they were provided with information on support services that they could access. In some instances surveys were conducted one on one with the victim to ensure that they had support with them should the survey cause any distress. Further details with respect to this is discussed in the Irish Country Report.

Other jurisdictions had recently conducted a survey of victims of crime and at the first meeting of the project partners and project partners at a Transnational Steering Committee (TNSC) meeting it was agreed that it would be inappropriate to re-survey victims of crime in those jurisdictions as it may cause further victimisation.

VII. Challenges

The training course and materials were first developed in Ireland and then adapted to the needs of the other partners jurisdictions in Hungary, Lithuania, Portugal and Slovenia. Each country faced its own challenges with respect to the training programme. These are reflected in the fact that some of the training had to be rescheduled or cancelled due to small numbers.⁷ The unexpected challenge of this project was the small numbers which have attended the training below expectations in Slovenia. The small uptake in Slovenia may reflect the lack of legislation in that Member State on victim's rights. In Hungary and Slovenia training had to be cancelled due to low numbers and rescheduled. In Ireland, Portugal and Lithuania where legislation transposing the Directive had been recently implemented uptake was much higher and, in some instances, exceeded expectations.

VIII. Limitations

This report will not consider in any detail, for the most part, the results of the needs assessment (surveys). Specific gaps where training was needed are relevant and will be identified.

The author acknowledges that there may be some repetition with respect to the six steps throughout the report. This format is followed throughout to ensure consistency and to enable a reader to understand any differences which arose in each stage in each of the five jurisdictions. This also enables to read the report in sections.

IX. Report Outline:

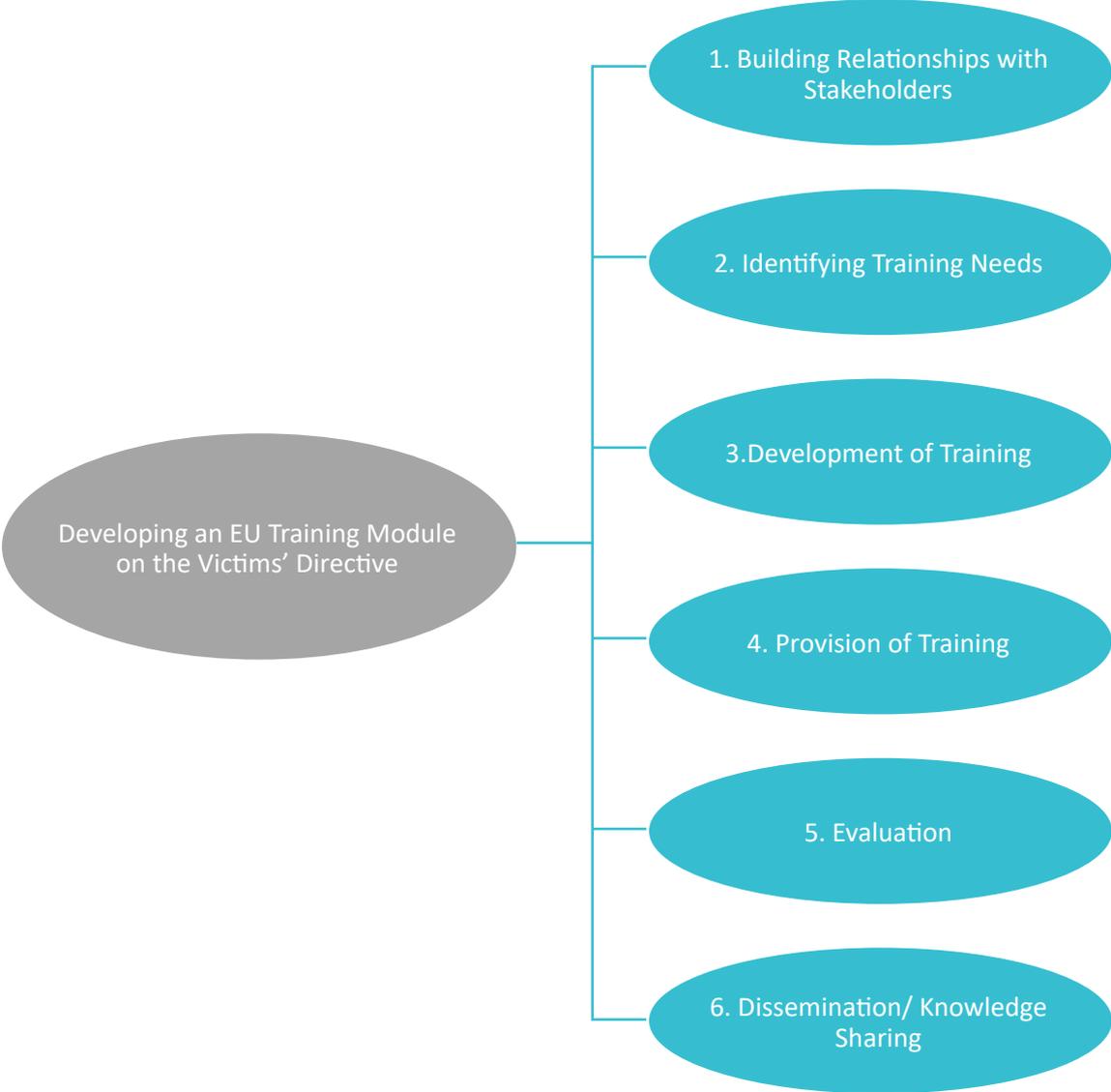
Part I of this report will consider the six steps used to develop an EU Training Module on the Victims' Directive.

Part II includes individual country reports from Ireland, Hungary, Lithuania, Portugal and Slovenia outlining how the EU Training Module on the Victims' Directive was developed and adapted in their jurisdiction.

7 The project end date is the 31st of August 2018

PART 1 – Steps in Developing an EU Training Module on the Victims’ Directive

Six steps were identified in developing a training programme on the Victims’ Directive. These are as follows:



Step 1: Building Relationships with Stakeholders

Lawyers and Judges must be satisfied with the quality, content and format of training if they are going to access the training offered. Their views and the views of victim’s and victim support organisations were imperative in ascertaining how an EU Training Module on the Victims’ Directive would be developed and adapted in each jurisdiction.

Multi Agency Working Groups (MAWG’s) were established in Ireland, Hungary, Lithuania, Portugal and Slovenia bringing together different professionals working with victims of crime. The MAWG’s in each jurisdiction considered whether there was a need for training under the Victims’ Directive, and if yes, what training was needed and what format should the training take (online/in person).

The Bar of Ireland and The Law Society of Ireland, the representative bodies for Barristers and Solicitors and Ireland, were partners to the project and their views and the view of their members could easily be incorporated into any training programme developed. However, the MAWG’s permitted the victims view and the view of other professionals working with victims of

crime to be included in an Irish context. Hungary, Lithuania, Portugal and Slovenia did not have the benefit of having partners which represented the legal profession. The MAWG's offered a method for the partners to engage with the relevant bar organisations and/or judicial institute in each jurisdiction. This ensured that the views of lawyers were considered and incorporated into any training programme developed.

It was hoped that the MAWG would bring together several different stakeholders at one time. In some instances, it was more appropriate to have one on one meetings with a relevant stakeholder. On occasion these one on one meetings were more successful as it enabled the relevant partner to develop relationships in a more intimate setting.

The composition of the MAWG and the organisations which the partners engaged with are considered in each country report below.

Furthermore, it was also important to build relationships with the partners and associate partners, some of which had not worked with each other before. This was achieved via a Transnational Steering Committee (TNSC) whereby the partners and associate partners had regular meetings to discuss the project and how it could be adapted to meet the needs of domestic audiences. Any challenges which arose were discussed at these meetings. In order to reduce costs and to save time the partners and associate partners had regular conference calls to discuss their projects, challenges and next steps. The TNSC meet in person on three occasions in Dublin over a two year period.

Step 2: Identification of Training Needs

A survey was identified as the appropriate method to conduct the needs assessment. Similar surveys have been conducted by the Department of Justice in Canada and the Department of Justice in the US. The project co-ordinator liaised with survey experts from Statistics Canada, the Department of Justice in the US, the National Crime Victims Law Institute in the US and academics in the US and domestically in relation to best practice in the development of a need's assessment. Contact was also made with a Judge in Massachusetts who has developed a compulsory training programme for the judiciary and lawyers on victims of domestic abuse.

Three separate surveys were drafted- for solicitors, barristers and for victims of crime. The victims survey was approved by the Irish National Adult Literacy Agency (NALA) to ensure it was easy to understand and in plain language. The surveys were created and published on an EU website (EU Survey) which adheres to data protection requirements. The surveys were translated, amended and distributed in Hungary, Lithuania, Portugal and Slovenia. The survey results were incorporated into their domestic training programmes.

Step 3: Development of Training

The training programme was first developed in Ireland, having due regard to the survey results and the gaps identified. The training programme was then adapted and modified to meet the needs of each jurisdiction. A Guide on the Victims Directive and domestic legislation and a mock consultation and cross-examined were drafted in an Irish context. These were then translated and adopted to reflect the realities of the domestic jurisdiction in Hungary, Lithuania, Portugal and Slovenia.

For further details on how the training was developed please see the County Reports below.

Step 4: Provision of Training

Training was first provided for in Ireland and was subsequently adapted and rolled out by other partners. The training took two forms, online and in person. From an Irish perspective an online training forum ensured that the maximum number of persons could be trained on the Victims' Directive and that they could be accessed at a time convenient to the participant. In person training was also made available in Ireland and live streamed and made available after the fact. In person training best suited the needs of some of the other partners as identified in their need's assessment. Given the content and the type and background of participants it was not appropriate to record the training in some of the jurisdictions. Where possible training was recorded and in other instances the videos were recorded by trainers after the fact and uploaded online.

Step 5: Evaluation

Evaluation for the most part took the form of a survey. A short survey was developed in an Irish context and shared with other parties. In some instances, partners had a standard evaluation which they used. In other instances, the evaluation drafted in Ireland was adapted to the individual partner's needs. For the most part feedback from the evaluations was positive and there was a recognition of the need for training and the necessity for further training on victim's rights in each jurisdiction.

The Irish partners also evaluated the training by ascertaining the participants engagement with the Massive Open Online Course (MOOC). This was achieved via a weekly voluntary online quiz. The quiz asked questions on the training videos and materials uploaded each week. Engagement with the quiz was high and decreased week on week. The results illustrated a genuine engagement with the training materials.

Feedback from some Irish criminal justice agencies suggests that there was increase in referrals as a result of the training programme. The MOOC was sometimes referenced when the referrals were made.

Step 6: Dissemination/Knowledge Sharing

Dissemination and knowledge sharing are key to the success and longevity of this project. Furthermore, it is important for the project partners to share their knowledge on how this project was developed, what were the challenges and lessons learned to enable other jurisdictions to adopt an EU Training Module on the Victims' Directive to the needs of their own jurisdiction in a cost-effective manner.

Dissemination and knowledge sharing on this project was achieved via a number of means. First an international victims conference was hosted in Dublin inviting key professionals working with victims of crime to discuss the practical implementation of the Victims' Directive.

A focus was placed on our obligations to child victims and victims with special protection needs with planned articles appearing on these issues in the national newspapers the day of the event. Communication aids which might offer solutions to Member States obligations under Article 23 and 24 of the Victims' Directive (Right to Protection during criminal proceedings) were considered. Presentations were provided on communication aids including the use of court house facility dogs and intermediaries. In relation to the former we were privilege to have the Court House Dog Foundation in the US provide presentations on their work in the roll out of court house facility dogs in the United States. This will be discussed in further detail

below, but it surmises at this stage to state that as a result of their presentation the use of court house facility dogs as a communication aid is being considered by a number of Member States and there is discussions on the development of pilot projects within the EU on their use. The conference also offered an opportunity for the project partners to present the work conducted to date on the Development of the EU Training Module on the Victims Directive. Relationships have developed because of the Conference.

Secondly, each jurisdiction has recorded training videos which represent best practice on victim's rights internationally. Thirdly, the project co-ordinator has given presentations and speeches on this project internationally to highlight that an EU Training Module on the Victims Directive developed by this project could be adapted and utilised in other jurisdictions.

Moreover, the relationships developed by each of the partners will ensure that training on the Victims' Directive will continue in each jurisdiction over the coming months and years for example APAV in Portugal will continue to work with The Centre for Judiciary Studies in the development of an E-Book and the Judicial Studies Centre in Slovenia have indicated that they will run training on the Victims Directive in December 2018 and the Bar of Ireland will continue to provide CPD's on victims rights.

PART II: National Country Reports

Country Report Ireland⁸

The Development of an EU Training Module on the Victims' Directive in Ireland was achieved through a joint collaboration with [The Irish Council for Civil Liberties](#), [The Bar of Ireland](#) and [The Law Society of Ireland](#). The activities developed in an Irish context were subsequently adopted by our partners.

The training came at an important time. When the project began, Ireland was in the process of drafting legislation to transpose the Victims' Directive. The transposing legislation, the [Criminal Justice \(Victims of Crime\) Act 2017](#) came into effect as the online training began and by the time this project has completed the transposing legislation had fully come into force.⁹

Step 1: Building Relationships with Stakeholders

Part 1 of this report illustrated the purpose and need for the MAWS.

The Irish Partners acknowledged that a victim's voice must be incorporated into any training programme. Including victims in the MAWG may result in secondary victimisation and therefore it was agreed that victim support organisations could provide feedback on the practical implementation of the Victims' Directive by lawyers and Judges. The members of the Victim's Rights Alliance (VRA) which represented the victims voice therefore formed an integral part of the MAWG. The VRA's members represent different victims of crime: [Advocates for Victims of Homicide \[AdVIC\]](#), [the CARI Foundation \(children\)](#), [the Crime Victims Helpline](#), [the Dublin Rape Crisis Centre \[DRCC\]](#), [the Immigrant Council of Ireland](#), [Inclusion Ireland](#), [the Irish Criminal Justice Disability Network \[ICJDN\]](#) [the Irish Council for Civil Liberties \[ICCL\]](#), [the Irish Road Victims' Association \[IRVA\]](#), [the National Women's Council of Ireland \[NWC\]](#) [the Irish Tourist Assistance Service \[ITAS\]](#), [One in Four](#), [the Rape Crisis Network Ireland \[RCNI\]](#), [Ruhama](#), [Safe Ireland](#) and [Support after Homicide \[SAH\]](#). The members of the VRA engaged with this project via regular meetings and via email. They also helped distribute the needs assessment to victims of crime (discussed in Step 2).

It was felt that individual meetings and/or conversations should be held with the Victims of Crime Office in the Department of Justice, the Office of the Director of Public Prosecutions (DPP), politician's, Irish Penal Reform Trust, the Prison Service, the Probation Service and An Garda Síochána. These conversations took different forms, in person, over the phone and via email. They helped develop trust between the parties and identified, in some instances, common training needs. Most of the parties which engaged at the development stage were involved in recording videos for the training programme and/or for in person training. These relationships were developed at the very start of the process and could be utilised as the project progressed.

A successful request was made to An Garda Síochána (Irish Police Service) to conduct 1 on 1 interviews with members on the training needs of lawyers and professionals working with victims of crime. The project co-ordinator, Maria McDonald BL was given access to 24 members of the Irish Police Service from around Ireland (11 different counties); however, it was only possible to conduct interviews of 8 members due to scheduling incompatibilities. The chosen An Garda Síochána officers had different roles; including family liaison officers, ethic liaisons officers and court presenters.

The interviews were not recorded and took an informal format. This was done to ensure that

8 Author Maria McDonald with contributions from Lindsay Bond O'Neill, Rory O'Boyle and Steve Collender

9 Criminal Justice (Victims of Crime) Act 2017

members felt able to have an open and honest conversation about training needs and issues under the Victims' Directive in confidence. The author acknowledges from a mythological perspective interviews of this kind are usually conducted with a defined set of questions. Such an approach lacked the flexibility and openness needed for the desired purpose of these interviews. The format engaged a degree of flexibility in the interview and permitted the individual member to discuss issues on victims' rights which related to their individual knowledge and expertise. The content of the interviews was exceptionally useful and their feedback was incorporated into the development of the training programme. These interviews also helped to develop relationships with key members of An Garda Síochána. The content identified best practice in the Gardaí from a victims' perspective and other areas where significant improvements needed to be made. The information obtained during these interviews were incorporated into submissions made by the VRA to the Commission for the Future of Policing in Ireland. The submissions are available [here](#). The submissions made a number of recommendations including recommendations on the training of An Garda Síochána on the Victims' Directive and victim's rights based on the gaps identified during the course of the interviews.

Trust takes time to develop, hence the importance of building relationships at the start of the project. The relationships which started or were developed because of this project will continue long after this project has ended.

Step 2: Identifying Training Needs

Initial meetings of the Irish MAWG's indicated that research should be conducted to determine the current knowledge level of legal professionals regarding the Victims' Directive.

A survey was identified as the appropriate method to conduct the needs assessment. Similar surveys have been conducted by the Department of Justice in Canada and the Department of Justice in the US. The project co-ordinator has been in contact with individuals in the Department of Justice in Canada, Statistics Canada, the Department of Justice in the US and the National Crime Victims Law Institute in the US in relation to best practice in the development of a need's assessment. Permission was sought and obtained to use a survey template from the Department of Justice Canada's [Multi-Site Survey of Victims of Crime and Criminal Justice Professionals across Canada](#).¹⁰ The main purpose of that survey was to ascertain the level of awareness on victim issues amongst the numerous Canadian criminal justice professionals, victims and victim advocates (support organisations). The survey was conducted in 2004 and the project co-ordinator also had access to a follow up survey which was completed in 2013 and sent to the main Canadian criminal justice professionals.¹¹ The 2013 survey included a survey for police, prosecutors and victim support providers. Both the 2004 and 2013 surveys were of assistance in developing a survey for barristers, solicitors and victims in an Irish context.

a. The Victims Survey

The development of a survey for victims of crime was complex. As outlined in the methodology of this report, academics in both Ireland and the US were asked whether any ethical issues arose in conducting the needs assessment. It was acknowledged that there was a risk of secondary victimisation when conducting a survey of victims of crime

Advice was obtained from three academics, two in Ireland and one in the US. They reviewed the introduction of the survey from an ethical perspective and their comments were incorporated

10 Policy Centre for Victim Issues/Department of Justice Canada, Multi-Site Survey of Victims of Crime and Criminal Justice Professionals across Canada (2004) available at http://www.justice.gc.ca/eng/rp-pr/cj-jp/victim/rr05_vic1/rr05_vic1.pdf (last accessed 20th August 2018) See Annex C

11 This survey was not published

into the introduction to the survey. It was recommended that a victim should be told that they could exit the survey at any time, that their involvement should be completely voluntary and that the information was confidential. The survey was reviewed by the Irish [National Adult Literacy Agency](#) to ensure that it was in a plain language text.

A draft survey for victims of crime was completed and the project co-ordinator was invited onto a monthly call with the National Crime Victims Law Institute in the US who have leading researchers who had recently worked on similar surveys in the US. Their advice and the assistance of a leading academic in the US and two academics in Ireland were instrumental to the development and content of the victim's survey.

The survey for victims of crime was approved by the members of the VRA. The survey was subsequently conducted by some members of the VRA, who work with victims. It was acknowledged from a mythological perspective that this approach would limit the group of victims who would engage with the survey and thus limit results. However, the benefit of such an approach was that victims could be supported should the survey cause secondary victimisation. Furthermore, all of the victims completing the survey were victims of crime, within the context of the definition of a victim under Article 2 (1) (a) of the Victims Directive.¹²

Some VRA members conducted the survey in person with the victim. The reason for this was to ensure that victims are supported through the process and were not re-victimised when completing the survey. Where there is a low risk of re-victimisation victims are invited to complete the survey online; however, details on support services, which were available to victims was included at the start of the survey. This included information on a 24 hours helpline.

b. The Survey for Lawyers

No ethical issues were identified in conducting the survey of lawyers. It was agreed between the Irish partners and the MAWG's that there would need to be a slightly different survey for barristers and solicitors, but the core information was the same and there were many overlaps. This enabled the Irish partners to ascertain any similarities or differences between the knowledge gaps in each of the professions, while acknowledging the differences between each legal profession. The Canadian survey templates were adapted to the Irish legal environment to ascertain training needs and current knowledge levels of the Victims' Directive and victim's rights.

c. EU Survey / Data Protection

The survey for barristers, solicitors and victims were conducted online via EU Survey. EU survey is supported by the European Commission and is hosted within the European Union. These surveys were conducted in advance of the coming into force of the General Data Protection Regulation (GDPR); however, considerations were given to best practise bearing in mind the pending transposition date of the legislation. Moreover, EU Survey permitted questions to be skipped based on their answer. This was of particular use to the victims survey which appeared lengthy on paper; however, it was only one page on EU Survey and victims were only asked questions relevant to their experience.

12 Article 2 (1) (a) of the Victims Directive defines a victim as follows:

“(a) ‘victim’ means:

(i) a natural person who has suffered harm, including physical, mental or emotional harm or economic loss which was directly caused by a criminal offence;

(ii) family members of a person whose death was directly caused by a criminal offence and who have suffered harm as a result of that person's death;

d. Testing, Distribution of Survey and Survey results

i. Barristers Survey

The barristers survey was inputted into EU Survey and tested before being sent to the members of The Bar of Ireland (approx. 2,200 barristers in Ireland). There was a low response rate and a decision was made to disseminate and promote to criminal bar groups. There was a preference for an online survey completion; however, the initial low response rate illustrated that a paper version may be more successful. Copies of the survey were disseminated and provided to several criminal practitioners. The downside of this approach was that the online version had mandatory questions but on paper a practitioner could choose not to complete certain questions. The paper version of the survey increased the response rate to 100, which met the target set. Examination of these surveys highlighted several knowledge gaps. There was a misunderstanding of who informed victims of their rights. For example, the survey results indicated that some barristers believed that victim support organisations informed victims of the results of a sentencing, more so than members of An Garda Síochána. Similarly, the survey results illustrated varying degrees of knowledge of the Victims' Directive and in victim's rights in general. The results illustrated a need to explain the roles of different criminal justice professionals and victim support organisations and their legal obligations under the Victims' Directive. It also illustrated the need to explain the rights of victims under the Victims' Directive and how they had been implemented into domestic law.

ii. Solicitors Survey

The solicitors survey was distributed to members via the e-zing document which is sent to members of the law society regularly. 98 survey results were received. The results bore resemblance to the results of the Barrister's survey. The results suggested there was a misunderstanding by some of who is a victim of crime, the role of victim support organisations and who informs victims of the outcome of criminal justice proceedings. Similarly, there were different knowledge levels of the Victims' Directive and domestic legislation relating to victim's rights.

iii. Victim's Survey

The victims of crime survey had 95 responses. Victims were asked whether they had every been a victim of crime and to tick all that applied, thus acknowledging that someone could be a victim of more than one crime. It is important to note that with respect to homicide and the road traffic these figures included family members of a deceased relative caused by a criminal offence, as they fall under the definition of a victim under the Victims' Directive. Victim's indicated that they had been a victim of the following crimes:

| | Answers | Ratio |
|----------------|----------------|--------------|
| Homicide | 11 | 11.58 % |
| Rape | 13 | 13.68 % |
| Trafficking | 7 | 7.37 % |
| Burglary | 6 | 6.32 % |
| Sexual assault | 22 | 23.16 % |
| Hate crime | 1 | 1.05 % |

| | Answers | Ratio |
|--|----------------|--------------|
| Aggravated sexual assault (serious violence or the threat of serious violence) | 5 | 5.26 % |
| Domestic violence (the physical, emotional, sexual or mental abuse of one person by another within close, intimate or family relationship) | 7 | 7.37 % |
| Road traffic | 18 | 18.95 % |
| Assault | 4 | 4.21 % |
| Theft | 5 | 5.26 % |
| Other | 6 | 6.32 % |

Given that victim may have been victim to more than one crime in their life time they were subsequently asked which crime they considered the most serious and asked to reference their experience of that crime in any answers which followed.

Victims were asked to identify what year the crime took place and what year the case was reported to ascertain whether it was before or after the transposition of the Victims' Directive. 54.74 % of victims surveyed received information on support services, with half of these were informed of support services by the Gardaí. This is relevant given the obligation of An Garda Síochána to inform and refer victims to support services under Article 4 and 8 of the Victims' Directive.

Only 40% of the individuals surveyed indicated that their case was prosecuted with approximately 18% cases being prosecuted since the transportation of the Victims Directive. Of those cases that were prosecuted, 73% of victims said they understood the prosecuting lawyer; 84% indicated that they understood the defence lawyer and 72% indicated that they understood the Judge.

A question was asked whether the victim felt safe in the court room and what made he/she feel safe. 73% of victims who answered the question indicated that they felt safe in the court room. There were several supports which made the victims feel safe including; separate waiting areas, support person, having their family around them and other. 27.37 % of victims surveyed did not tell anyone about concerns for their safety, when they had them.

Victims were asked how the cross-examination made them feel. There was a range of responses, they felt distressed, not believed, humiliated, victimised again, intimidated, upset to be reliving the events to being empowered, relieved that the truth was being told.

A question was asked about whether prosecutors needed special training on how to deal with a victim of crime. 52% said Yes, 15% said No while the remainder made no answer. A similar question was asked with respect to defence lawyers, 54% said defence lawyers needed special training while 12% said No, the remainder made no answer. Finally, victims were asked if Judges need special training on how to deal with a Victim of Crime 39% said Yes, 25% said No and the remainder made no answer.

The results illustrated that while most victims could understand lawyers and Judges some improvement could be made in how they communicated. Similarly, the manner by which victims were cross-examined suggests that it can result in revictimization. Moreover, it was clear that victims believe that specialist training should be provided to lawyers and Judges who work with victims of crime.

Step 3: Development of Training

Once the survey results were collected, collated and examined, it became obvious where there were knowledge gaps for lawyers in Ireland on the Victims' Directive. It was originally the intention of the Irish partners to offer different training to barristers and solicitors. However, the results of the needs assessment illustrated similar training needs. Moreover, a single training programme would also be of assistance for barristers and solicitors to better understand each other's roles and obligations under the Victims' Directive.

The Irish partners, with input from the MAWG's, identified online and in person training as the best way to proceed. The development of a Massive Open Online Course (MOOC) was the best way to disseminate the relevant information to the most users. The Law Society had significant expertise in running MOOCs and had an online learning platform called Moodle ready for such a purpose. The Bar of Ireland had excellent onsite recording facilities and had the capacity and ability to monitor the online training and any technical issues that might arise. It was agreed that The Law Society would manage the online portion of the training, while The Bar of Ireland would manage the content and recording of the training programme, in consultation with the partners. A decision was made that the link to the training should not be public and it was only shared with professionals working with victims of crime. This was done to ensure that participants felt that they could freely engage and ask questions in the online discussion forum.

Step 4: Provision of Training

a. Introductory seminar

The Irish Partners organised a training seminar to test the content of the training programme.

The first seminar took place on Monday 10th July 2017 for 1.5 hours with 30 attending in person. The seminar was live streamed and recorded with 85 people watching it online. Chaired by High Court Judge the Hon. Ms Justice Aileen Donnelly, there were four speakers, Kate Mulkerrins and Gareth Henry from the Office of the Director of Public Prosecutions and two barristers Mary Rose Gearty SC and Maria McDonald BL (the project co-ordinator). The seminar was an introduction to the Victims' Directive and the obligations of lawyers thereunder. The feedback was very positive and there was an interest in attendees obtaining more training.

b. Launch of Online Training (MOOC)

The MOOC was formally launched by David Stanton, TD, Minister for State Equality, Immigration on the 29th of November 2017 in The Bar of Ireland Distillery Building. Minister Stanton was involved in Justice Committee and in Dáil Sessions (Irish House of Parliament) on transposing the Victims' Directive in Ireland via the Criminal Justice (Victims of Crime) Act 2017. The Criminal Justice (Victims of Crime) Act 2017 had only become law (for the most part) days before on the 26th of November 2017, illustrating the importance of the timing of the MOOC.¹³

The launch was also seen as an opportunity to advertise the MOOC. Minister Stanton was joined by key actors working with victims of crime namely: Mary Rose Gearty SC, The Bar of Ireland, Dr. Geoffrey Shannon, The Law Society of Ireland, Chief Superintendent Annemarie Cagney, An Garda Síochána National Protective Services Bureau and Caroline Counihan of the RCNI and Maria McDonald BL (project co-ordinator)

13 Maria McDonald BL, Commencement of the Criminal Justice (Victims of Crime) Act 2017: For the first time victims have legal right to information, support and protection in Irish law (Victims Rights Alliance, 27th November 2017) < <https://victimsrightsalliance.com/2017/11/27/commencement-of-the-criminal-justice-victims-of-crime-act-2017-for-the-first-time-victims-have-legal-right-to-information-support-and-protection-in-irish-law/>> last accessed 20th August 2018

The event was advertised by the ICCL, The Bar of Ireland and the Law Society of Ireland and a Press Release was issued to inform the media about the event and the passing of the Criminal Justice (Victims of Crime) Act 2017.

c. The Format and Content of the MOOC

The MOOC took place over five weeks (not consecutive), starting the 28th of November 2017 at 5pm. Videos and relevant reading materials were uploaded each week. The MOOC was originally planned over four weeks, but due to demand and a need to present international best practice, a fifth week was added. It was decided that 3 weeks of training should take place before the Christmas break and two afterwards in order to ensure that the participants continued to remain engaged. Moreover, a decision was made to upload additional relevant training videos and materials when they became available. In total there were eight different modules which were made available over the course of six months. (See below for further details) An email was sent out to participants who had registered for the MOOC when additional events took place. For example, a decision was also made to live stream two further events which would contribute to the aim of project, namely, the Victims Conference and a debate on the rights of the accused and the rights of the victim. Given the recent enactment of victim’s rights legislation in Ireland it was felt it was important to update participants of the practical implementation and any issues which had arisen. The addition of these modules which were available live and uploaded facilitated continued learning over the project lifespan.

The five-week training programme had contributions from 22 individuals who provided video presentations of between 15 minutes to 40 minutes in length. Some trainers also provided presentations and/or articles/reading materials. In terms of structure each week a short video was uploaded outlining the content and purpose of that weeks videos. Where available PowerPoint presentations were incorporated into the online video for a greater learning experience for the viewer. Knowledge was tested each week via a weekly quiz which asked questions based on the content of the videos and the available reading materials. An interactive discussion forum was also used to encourage peer-to-peer learning. The course content is outlined below:

- I. Module 1: An Introduction to the Victims Directive**
 - Introduction to Module 1: Maria McDonald BL
 - Levent Altan, Executive Director Victim Support Europe
 - Mary Rose Gearty SC
 - Gareth Henry, Office of the Director of Public Prosecutions
 - Michele Puckhabur, Executive Director Crime Victims Helpline
- II. Module 2: The Criminal Justice (Victims of Crime) Act 2017**
 - Introduction to Module 2: Maria McDonald BL
 - Ursula Fernee, Probation Service
 - The Prison Service¹⁴
 - Maria McDonald BL

14 The individual who presented has not been identified due to the nature of his work

III. Module 3: Disclosure and Special Measures and Supports for Victims

- Introduction to Module 3: Lindsay Bond O’Neill, The Bar of Ireland
- Dympna Kenny, Victims Support at Court
- Caroline Counihan, The Rape Crisis Network Ireland
- James B. Dwyer BL
- Mary Rose Gearty SC – A Mock Consultation with a Victim of Crime

IV. Module 4: Child Victims and Victims with Disabilities

- Introduction to Module 4: Lindsay Bond O’Neil
- Dr. Geoffrey Shannon, The Law Society of Ireland
- Eve Farrelly, Child Accompaniment Support Service and Helpline Manager, Children at Risk in Ireland (CARI)
- Fiona Murphy, Founder Irish Criminal/Civil Justice and Disability Network (ICJDN)

V. Module 5: Complaints & Best Practice from Abroad

- Training Materials: [Guide for Lawyers on the Victims Directive and the Criminal Justice \(Victims of Crime\) Act 2017](#)¹⁵
- Introduction to Module 5: Maria McDonald
- The Honourable Ms. Justice Karen O’Connor
- Garda Inspector Lorraine Stack, Garda National Victim Liaison Office
- Sunniva McDonagh S.C

Best Practice from Abroad:

- Liam T. Lowney, Executive Director of the Massachusetts Office for Victim Assistance
- Judith Thompson, Commissioner for Victims and Survivors in Northern Ireland
- Ellen O’Neill Stephens and Celeste Walsen, Court House Dogs Foundation, USA

15 Maria McDonald, ICCL Guide for Lawyers on the Victims’ Directive and the Criminal Justice (Victims of Crime) Act 2017 (ICCL, February 2018) available at <https://www.iccl.ie/wp-content/uploads/2018/03/ICCL-Guide-on-the-EU-Victims-Directive-and-Victims-Act-Mar-2018.pdf>

Additional Content:

VI. Module: Additional Content:

Alyna Smith, Advocacy Officer- Health, Legal Strategies and Women, Platform for International Co-operation for Undocumented Migrants (PICUM)

VII. Module: Victims' Directive Conference Monday 9 April

- Introduction: Maria McDonald BL (Victims' Rights Alliance/ICCL – Event organiser)
- Welcome
 - Paul McGarry, Chairperson of the Bar of Ireland
 - Michael Quinlan, President of the Law Society of Ireland
 - Liam Herrick, Executive Director, Irish Council for Civil Liberties
- Formal Opening of Conference: The Attorney General, Seamus Woulfe SC
- Presentation: Margaret Tuite, EU Commission Coordinator for the Rights of the Child The Rights of Child Victims
- Presentation: Ellen O'Neill-Stephens & Celeste Walsen, Court House Dog Foundation – The use of court house facility dogs as a communication aid
- Presentation: Maeve Lewis, One in Four- Trauma training at the International Criminal Court
- Panel discussion
 - Chair: Dr Maeve O'Rourke, Senior Research and Policy Officer, Irish Council for Civil Liberties & Barrister, 33 Bedford Row, London
 - Dr Geoffrey Shannon, Special Rapporteur on Child Protection
 - Aleksandra Ivanković, Victim Support Europe
- Presentation: Judith Thompson, Commissioner for Victims and Survivors in Northern Ireland
- Panel discussion – Developing an EU Training Module on the Victims' Directive: Comparisons with SUPRALAT: (Strengthening suspects' rights in the pre-trial proceedings through practices orientated training for lawyers)
 - Chair: Maria McDonald BL (VRA/ICCL)
 - Dr. Yvonne Daly, Associate Professor, Dublin City University (SUPRALAT)
 - Inês Carvalho, Legal Adviser and Project Officer at the Portuguese Association for Victim Support (APAV).

- Meta Adutaviciute, Head of Advocacy, Human Rights Monitoring Institute, Lithuania
- Katarina Vucko, Legal Consultant and Researcher, The Peace Institute, Slovenia
- Dr. József Papp, Igazságügyi Minisztérium, Ministry of Justice, Hungary
- Panel discussion – The rights of vulnerable victims
 - Chair: Caroline Counihan, Legal Policy Director, Rape Crisis Network Ireland
 - Veronica Holland, Head of Victims and Witnesses of Crime Branch & Violence Against the Person Branch | Department of Justice, Northern Ireland
 - Gareth Henry, Office of the Director of Public Prosecutions, Ireland
 - Eve Farrelly, Manager of the National Helpline and the Child Accompaniment Support Service for Children at Risk in Ireland (CARI)
 - Dr. Mary Phelan, PhD Chairperson MA in Translation Studies and MSc in Translation Technology (She will speak to the quality and regulation of interpretation and translation services)
- Presentation: Dr. Carol Coulter, Director of the Child Care Law Reporting Project (CCLRP) child protection proceedings arising from abuse.
- Presentation: Caroline Biggs SC, The cross-examination of vulnerable victims/young witnesses in the criminal justice system – A lawyer’s perspective
- Presentation by NI Intermediary: The use of intermediaries in the cross-examination of children and vulnerable witnesses: A NI and the UK Case study
- Mary Rose Gearty SC – Best practice: Mock Cross-examination of Victim
- Conference Close: Liam Herrick, Executive Director ICCL
- Mary Rose Gearty SC/ Caroline Counihan, Legal Policy Director, Rape Crisis Network Ireland launch of RCNI Vulnerable Witnesses Report

VIII. Module: Balancing Act - protecting the rights of victims without infringing on suspects’ rights

A debate on protecting the rights of the victim without infringing on suspects’ rights was live streamed on the MOOC on Monday the 14th of May 2018. It was made available for playback.

- Welcome: Liam Herrick, Executive Director of the ICCL
- Opening of Debate by Former Minister for Justice, Ms. Frances Fitzgerald TD
- Debate Moderator: Conor Gallagher, Journalist with the Irish Times

- Debate between: Mary Rose Gearty SC and Maria McDonald BL

i. MOOC Participants¹⁶

A total of 279 individuals signed up for the MOOC from eight different countries, namely Belgium, Canada, Great Britain, Hungary, Ireland, Lithuania, Slovenia and the USA. Most of the participants were from Ireland. Attendees were from a number of professions namely solicitors, barristers, Judges, victim support workers, members of An Garda Síochána, person working with the court service, academics, lawyers which worked inhouse, including lawyers which worked in relevant Government Departments and in relevant Ombudsman Offices.

ii. Course structure¹⁷

Five weekly session were released between 28 November 2017 and 23 January 2018. Due to demand an additional module was added and released on the 22nd of March 2018. The Victims Directive Conference was streamed live on Monday 9 April 2018 and was available on playback. A live debate ‘Balancing Act – protecting the rights of victims without infringing on suspects’ rights’ was streamed live on Monday 14 May 2018 and was made available on playback.

iii. The Web Hosting Environment¹⁸

The web hosting environment of the MOOC took the form of a Moodle learning management system. The MOOC was adapted from a customised version of Moodle designed by the Law Society Diploma Centre in conjunction with Enovation eLearning Solutions in Autumn 2016. Branding for all project partners and the EU was used throughout website. The video platforms used was a Mixture of Youtube and Mediasite system hosted by The Bar of Ireland.

Best practice was followed in the use of the web hosting environment this included the use of:

- Intuitive coloured tabs-based system for course interface – students see Modules, Learning Resources and Discussion Forum upon login for easy access.
- Welcome thread and instructions for adding a user icon posted to top of page. This encourages interaction and personalisation.
- Graphically appealing icons designed for course elements to encourage clicks, e.g. weekly quizzes, final survey, welcome thread.



Welcome and please introduce yourself here!



Add your user icon - click here to see how

- Weekly quizzes were designed within Moodle to encourage students to test their knowledge and incentivise completion. There were full instructions provided beneath

16 Author Steve Collender.

17 Author Steve Collender

18 Author Steve Collender

each quiz link, e.g. unlimited attempts and time span to complete.

- There was a regular release strategy of training materials and videos with sessions released every Tuesday and a supplemental quiz following on Friday. Course announcements were issued to all students via email to coincide with updates.
- A support email address was created to address student queries and it was monitored daily by IT staff.
- A technical support thread was added to discussion forum to assist students with technical difficulties and this was monitored by IT staff.
- The discussion thread was monitored several times daily by The Bar of Ireland, The Law Society of Ireland and the project co-ordinator to answer any questions or queries by students.
- The MOOC videos were developed following best practice of previous Law Society MOOCs, and other MOOC providers i.e. videos were kept short, preferably 10-15 minutes and only the most relevant content and reading materials were also uploaded.

Step 5: Evaluation ¹⁹

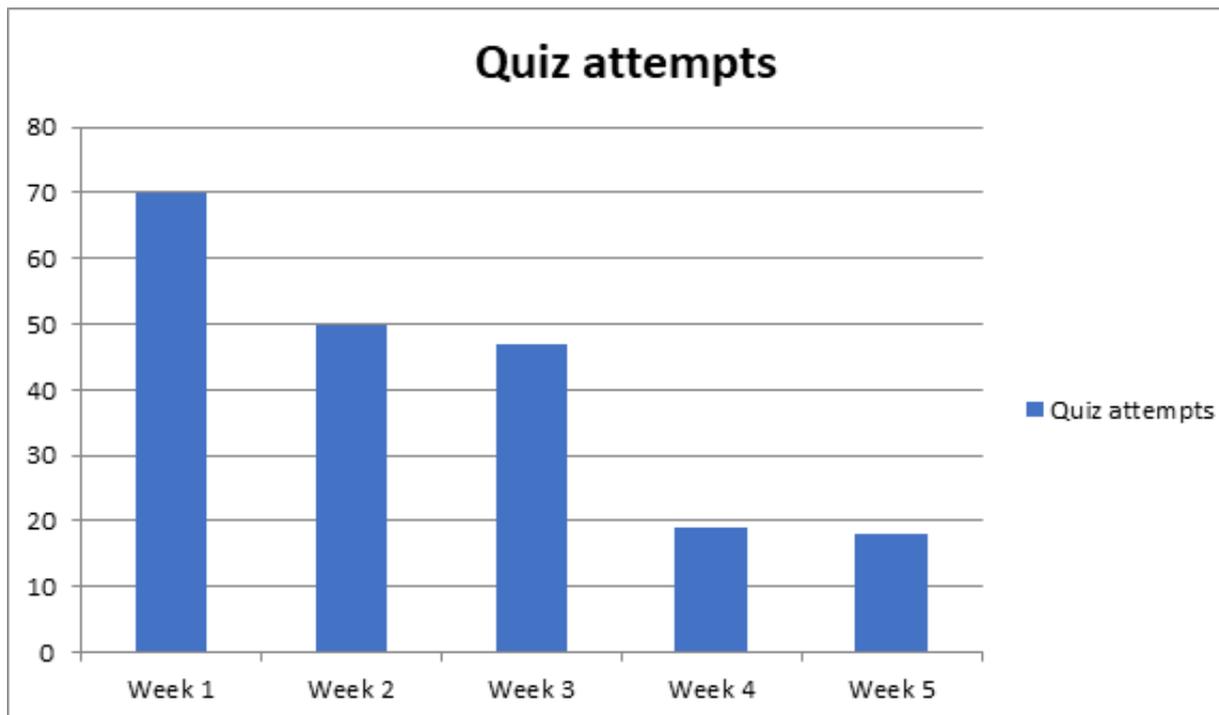
a. Discussion forum posts

Discussion forms were available as part of the MOOC to enable participants to introduce each other and to ask questions. A number of lawyers and two Judges introduced themselves on the MOOC and outlined their particular area of interest. Other participants asked questions on the Victims' Directive and the implementation of the Directive in practice. In total there were 7 threads asking different questions in the discussion forum. In total there were 80 posts.

b. Quiz

A weekly quiz was developed to ascertain participants actual engagement with the MOOC. It also enabled participants to test their knowledge of the Victims' Directive and victim's rights. The quiz was voluntary in nature and included questions based on the training videos and materials uploaded each week. Over the course of the five weeks there were 204 quiz attempts. Although engagement went down week on week the results illustrate that there was active engagement with the MOOC and a wish to test the knowledge that had gained in each weeks videos and materials. A graph of the quiz attempts has been outlined below.

19 Author Steve Collender edited by Maria McDonald.



c. Survey of participants ²⁰

An attempt was also made to evaluate participants view of the quality of the training and training materials. A pre-training learning assessment survey was created on Monday 1 May 2017. There was one response and that individual was unfamiliar with role of victim within criminal justice system. A post-course survey issued via SurveyMonkey on Thurs 22 March, Fri 6 April and Fri 29 June and 30th July 2018. All participants received an email on each of the dates requesting that they complete a survey on the training provided. Only one survey response was received. This provided positive feedback.

Feedback was obtained from the seminars, Victim’s Conference and the debate completed in May 2018. An analysis of the evaluation forms showed that the response was very positive. With respect to the Conference when participants were asked if their understanding of the Victims’ Directive had improved since the conference 37% replied completely and 59% replied partially. When asked if their understanding of the rights of child victims had improved since the conference 37% replied completely and 55% replied partially. Based on the results there is an undertaking to continue to provide education and training in this area of law.

Some of the positive comments included:

‘I found the wide range of speakers on this heavy and distressing topic really great’

‘One of the best conference I have attended. The multi disciplinary approval was critically important’

The survey results did suggest that some participants felt that there was too much content in one day and that the event should have been held over two days. The organisers had envisaged such an issue; however, it was decided to include all of the information in one day as it was not possible for the participants to attend a two-day event nor would be have been able to get the same standard of speakers over two days.

20 Authors Steve Collender, Lindsey Bond O’Neill and Maria McDonald

Step 6: Dissemination/Knowledge sharing

Imperative to the success of the training programme in Ireland was its ability of the training programme to be disseminated as broadly as possible. This was achieved via a full day conference and via the uploading of training videos onto YouTube.

a. Victims Conference ²¹

The Victims Conference took place in The Bar of Ireland in Dublin Ireland in April 2018. There were 20 speakers and over 100 participants from various professions including victim support groups, the Garda Síochána Ombudsman Commission, An Garda Síochána, and Legal Aid Board as well as barristers and solicitors. To facilitate the barristers coming from court, two different registration processes were organised. This enabled anyone attending for the full day, but also those who were interested in the first part but not the last two hours which was very much targeted at lawyers. Despite the large numbers of speakers and participants, the day ran extremely smoothly.

The Victim's Conference was live streamed and available in playback. All participants in the MOOC were notified via email that they could access the Conference via live stream or on playback. To date there were 2391 views of the Conference in playback.

The Conference had significant media interest. Three newspaper articles on the content of issues relating to the rights of victims and child victims were printed in the national newspaper, The Irish Times, the morning of the conference. Both RTE and TV3, the National TV stations, reported extensively on the Conference in their news bulletins. Interviews with speakers were included on national radio and local radio interviews were conducted over the coming days after the conference..

Furthermore, the knowledge shared at the Victims Conference has resulted in an interest in the use of court house facility dogs in different jurisdictions. The following comments from Celeste Walsen and Ellen O'Neill Stephens of the Court House Dogs Foundation in the US illustrate the impact of the Victims Conference on their and others work.

Courthouse Dogs Foundation's Reflections on the Impact of the Victims Directive Conference in Ireland

~ Not Just a Ripple Effect, It was More Like a Tsunami~

Our invitation to present at the Victims Conference in Dublin stimulated a great deal of interest in not only implementing courthouse dog programs in Ireland but throughout Europe.

During the conference we were approached by Eve Farrelly with the CARI Foundation who was interested in obtaining a facility dog to accompany her and child witnesses when they have to testify in court.

We had arranged for Irish Dogs for the Disabled to attend the conference and were able to introduce their dog trainers to Eve right on the spot. Now they are in discussions about the possibility of training a dog for Eve to assist her in her job. This is a great start for Ireland and the EU! Although funding will need to be obtained for this to be achieved.

21 Drafted by Maria McDonald and Lindsay Bond O'Neill

Vand newspaper media covered our presentation and consequently we appeared on TV news and a childrens news channel and were quoted in a newspaper article about Ireland's efforts to acquire a courthouse facility dog to bring comfort to children involved in stressful legal proceedings.

Solicitor Patricia Hynes wrote an article for the Law Society of Ireland Gazette about our Courthouse Dog Program which was published the same day as the conference. <https://www.lawsociety.ie/globalassets/documents/gazette/gazette-2018/april-2018-gazette.pdf#page=39>

In a meeting the following day, two of the attendees, Dr. József Papp, Ministry of Justice, Hungary told us he would be presenting the idea of implementing our program to his directors and Inês Carvalho, Project Officer | Legal Adviser, Portuguese Association for Victim Support advised us that she was eager to start this program in her country.

We also met Margaret Tuite, employed by the EU Commission as the Coordinator for the Rights of the Children, at the conference who subsequently invited us to give a presentation at the Child Friendly Justice Conference in Brussels. Our presentation there stimulated a lot of interest in our program as well.

People who spoke with us to express their interest and obtain more information about our work at the Child Friendly Justice Conference included:

- 1. Roisin Farragher, UNESCO Child and Family Research Centre, Ireland*
- 2. Levant Altan, Executive Director Victim Support Europe*
- 3. Conor O'Mahoney, Senior Lecturer | School of Law | University College Cork*
- 4. Dr. Marilena Kyriakidou, Research Fellow, Centre for Advances in Behavioural Science (CABS) Coventry University, UK*
- 5. Eve Farrelly CARI Foundation, Dublin*
- 6. Ila Selak Bagaric, Psychologist with the Child and Youth Protection Center of Zagreb, Croatia*
- 7. ro Michael, European Programmes, Statistics and Research Officer, Nicosia, Cyprus*
- 8. vdokia Kouvara, Programme Coordinator KOMP, Athens, Greece*
- 9. Julia Andonova PULSE Foundation, Rehabilitation Center for People Affected by Violence, Bulgaria*
- 10. Minna Sinkkonen, Development Manager at National Institute for Health and Welfare (THL), Helsinki, Southern Finland*

Following on the footsteps of the Child Friendly Justice Conference, we went to Finland to visit Paivi Romppainen, a dog trainer, child counselor and children's book author, and her husband Tapsu, who have long been interested in implementing a courthouse dog program in their country. They had already been working with Minna Sinkkonen, who attended the conference in Brussels, and set us up to appear on a morning TV news program with Minna to discuss what she learned at the conference and how this could work in Finland. In addition we had an interview with a newspaper reporter who wrote a

long article about our work for the following Sunday's newspaper. Finally, Paivi, introduced us to Minna Saukko, the director of a local prison, and the two made plans for starting a rehabilitative program for juvenile offenders to participate in the training of guide dog puppies. Hopefully some of those puppies could grow up to be facility dogs that help people involved in the justice system.

Many, many thanks to the project co-ordinator, Maria McDonald BL and the project partners for opening the door to Europe for us!

b. YouTube Videos

To ensure maximum dissemination several best practice videos, which were available on the MOOC or during the Victims' Conference, have been made available online. At the time of writing this report permission was being sought from others to upload further training videos from the MOOC and the Conference to YouTube. If permission is received these will also be made available online.

Currently, the following videos are available (click on the link to access them)

- [Levent Altan, Executive Director of Victims Support Europe](#)
- [Liam T. Lowney, Executive Director of the Massachusetts Office for Victim Assistance](#)
- [Judith Thompson, Commissioner for Victims and Survivors in Northern Ireland](#)
- [Ellen O'Neill Stephens and Celeste Walsen, Court House Dogs Foundation, USA](#)
- [Alyna Smith, Advocacy Officer - Health, Legal Strategies and Women, Platform for International Co-operation for Undocumented Migrants \(PICUM\)](#)

Concluding Comments:

It is respectfully suggested that this project has been a success. A decision was made not to take down the MOOC and to continue to make it available to participants for as long as possible. Participants are still accessing the materials regularly.

It is the authors view that the success of this project was due to how the partners worked together and the relationships that were developed during this project. Trust takes time to develop, hence the importance of building relationships at the start of the project. The relationships which started or were developed because of this project will continue long after this project has ended. This is illustrated by the fact that The Bar of Ireland will continue to offer continual professional development on the Victims' Directive and the Criminal Justice (Victims of Crime) Act 2017 in the coming months. Thus, ensuring that professionals working with victim's rights will continue to be trained because of this project.

Country Report Hungary²²

This analysis is designed to present the practical implementation of Project No. JUST/2015/JTRA/AG/EJTR/08719 entitled “Developing an EU Training Module for the Victims’ Directive” and to give a detailed description of each project phase. It should be noted, however, that we completed a vast number of small-scale subtasks as part of our work whose presentation would be much too demanding, yet they must be mentioned first as they were indispensably instrumental in attaining our key objectives.

It can also be said that the project posed a variety of challenges encompassing a complex range of activities in the fields of finance, IT and law as well as professional areas falling within the remit of the Ministry of Justice. Given that in the recent period this was the only international project in which the Office of the Deputy Secretary of State was engaged, useful conclusions can also be drawn in several respects for potential participation in future cross-border initiatives. However, even more far-reaching than these lessons are the impacts of and experience gleaned from project outcomes, which will be discussed in detail after the presentation of each implementation phase/Step.

The table on the next page summarises each project phase highlighting the completed tasks and contributing professional partners.

The Ministry of Justice wishes to express its appreciation to its professional partners for their share in the successful implementation of the project, whose goals could not have been achieved without their support.

The professional partners who contributed to the implementation of the grant project are as follows:

- Office of the Prosecutor General
- Hungarian Bar Association
- National Police Headquarters
- Curia
- Metropolitan and County Government Offices
- Victim Support Centres in Budapest and Szombathely
- Katalin Kopf, “A Chance for Families 2005” Foundation
- Zoltán Gurály, Public Foundation for the Homeless
- Dr Adrienn Gazsi, Hand in Hand Foundation
- Dr Györgyné Lazáry, forensic psychology expert, Professional Head of Barnahus Pilot Programme
- Lászlóné Kulcsár, Head of Institution, Pálos Károly Social Services Centre and Child Welfare Service
- Rita Juranovits-Rackert, Fogyatékkal Élőket és Hajléktalanokat Ellátó Közhasznú Nonprofit Kft.

The implementation phases of the grant project in Hungary are depicted in the below table:

22 Author Dr. József Papp edited by Maria McDonald

| | Preparatory phase/Building Relationships with Partners | Identifying Training Needs/ Data Collection | Developing and Provision of Training | Evaluation phase |
|------------------------------|--|--|--|--|
| Main tasks | <ul style="list-style-type: none"> - liaison with foreign partners - participation in international working group meeting - developing the project budget - contacting local professional partners | <ul style="list-style-type: none"> - holding local working group meetings - developing methodology to obtain background materials for holding training - preparing and finalising questionnaires for prosecutors, attorneys and victims of crime - carrying out data collection through questionnaire survey | <ul style="list-style-type: none"> - developing and finalising training syllabus -organising practical implementation of training (conduct of training; invitation of speakers etc.) - working out satisfaction questionnaire - holding training events -conducting procurement procedures related to trainings | <ul style="list-style-type: none"> -evaluating satisfaction questionnaires -preparing impact study -performing coordination and other project-related tasks |
| Contributing partners | <ul style="list-style-type: none"> - ICCL - other cooperating international professional partners | <ul style="list-style-type: none"> - Office of the Prosecutor General - Hungarian Bar Association - Metropolitan and County Government Offices - National Police Headquarters - Curia - Victim Support Centres | <ul style="list-style-type: none"> - Office of the Prosecutor General - Hungarian Bar Association - Victim Support Centres - NGO representatives as speakers | |

This start of this project was dominated mainly by exchanges of information and project preparation with the lead applicant, the Irish Council for Civil Liberties, an Irish organisation (hereinafter “ICCL”). This included a Transitional Steering Group meeting, which was attended by the representatives of the Office of Justice on 22 and 23 November 2016. Thereafter, on 08 December 2016, the Office of Justice signed a bilateral research consortium agreement with the lead applicant, which created the legal basis for the project. Pursuant to Section 26(1) of Government Decree 378/2016 (02 December) on legal succession related to the review of certain central offices and policy institutes of ministries operating as budgetary organisations and on the assumption of certain public functions, as of 31 December 2016 the Office of Justice ceased to function with legal succession by amalgamating into the Ministry of Justice as its general legal successor. Based on the foregoing, the Ministry of Justice became responsible for project implementation.

As an important element, the preparatory phase also included the identification and contacting of domestic professional partners for cooperation as in the absence of appropriate agreements the project goals would not have been possible to fully implement. The following steps will present in detail each partner and the tasks carried out by them within the scope of the project.

Preparation was followed by the next phase, which took the longest time and encompassed the majority of tasks.

Step 1: Building Relationships with Stakeholders

The first phase of the project started with a working group meeting led by the Ministry of Justice and aiming to prepare training courses for prosecutors and attorneys and organise the process of data collection necessary for developing training materials. Initially, the objectives included the training of judges but in the absence of the required cooperation and authorisations this item was dropped relatively quickly.

It should be noted, however, that in Article 25, on the training of practitioners, of Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA (hereinafter “Victims’ Directive”) emphasises that training programmes must be organised without prejudice to and with due respect for the independence of each profession. In the light of the foregoing, there was a need for increased cooperation from prosecutors, judges and attorneys alike during project implementation; given a range of organisations completely independent of the Ministry of Justice, there was no possibility of taking further steps towards the training of members of the professions in question.

The prosecutorial organisation and the profession of attorneys were represented by the Office of the Prosecutor General and the Hungarian Bar Association, respectively. It is no exaggeration to say that in executing the project the Ministry of Justice was able to cooperate perfectly with the aforesaid organisations throughout the entire implementation phase. This statement also holds true for other organisations and authorities participating in the project; since, however, the main objective to implement training would not have been possible to attain without effective cooperation between prosecutorial and attorneys’ organisations, highlighting this fact is of particular relevance in this case.



Photo: Participants preparing for a working group meeting held within the scope of the project

Working group meetings confirmed the need to obtain information on the level and quality of knowledge possessed by practicing prosecutors and attorneys in the following areas in order to put together appropriate training materials:

- provisions of the Victims' Directive
- domestic laws related to victim support and legal instruments provided by them
- the organisational system of victim support and victim support services
- roles fulfilled by victims in each phase of the criminal procedure
- victims' situation in the system of the administration of justice

Step 2: Identifying Training Needs

Following consultations with the Office of the Prosecutor General and the Hungarian Bar Association, the Ministry of Justice decided to assess the level of knowledge of the representatives of the professional fields in question concerning victim support by means of online questionnaires. The Ministry of Justice re-worked a draft questionnaire developed by the Irish lead applicant in accordance with local conditions and then the document was finalised after the integration of comments from prosecutors' and attorneys' organisations.

a. Evaluation process and experience drawn from prosecutors' and attorneys' questionnaires

The online questionnaires were completed by 35 attorneys and 80 prosecutors and so a significant amount of relevant data was available for preparing training materials. As has been discussed

above, most of the questions were designed to obtain a comprehensive picture of prosecutors' and attorneys' knowledge in respect of particular laws, legal instruments or systems.

The analysis identified areas where the respondents had no or very limited knowledge. Interestingly, more or less the same conclusions were drawn from both prosecutors' and attorneys' questionnaires.

Following evaluation, we identified the areas below where a large percentage of participants reported incomplete or insufficient knowledge:

- detailed introduction to the Victims' Directive and its impact on domestic law
- the organisational system of victim support in Hungary
- the system of victim support services
- the system of restorative justice
- providing sheltered accommodation as a legal instrument

The training areas identified during working group meetings and evaluations show that areas involving legal knowledge tend to dominate the syllabuses; even so, a major goal of the Ministry of Justice was to devote appropriate attention to both theory and practice during training. However, in order to determine the level of practical knowledge, it was indispensable to obtain information from victims of crime as well and, to this end, a questionnaire survey was selected as a method once again.

b. Evaluation process and experience drawn from victims' questionnaires

The questionnaire for victims of crime was again compiled on the basis of sample questionnaires developed by the Irish lead applicant. The draft questionnaire prepared by the Ministry of Justice's staff was sent to the Metropolitan and County Government Offices' specialist units dealing victim support, the Office of the Prosecutor General, the Hungarian Bar Association, the National Police Headquarters and the Victim Support Centre. Most of the aforesaid organisations criticised the length of the questionnaire and made proposals in respect of the wording of several questions. Based on the comments, the draft questionnaire was modified and then finalised. The questionnaires were completed by the staff of the Metropolitan and County Government Offices (regional and district offices) specialising in victim support and by the Victim Support Centre. The Ministry of Justice reminded the organisations participating in completing the questionnaire that the questionnaire was to be filled in by the professionals of the Victim Support Centre, based on/during conversations with victims, and that completion by victims had to be avoided in all cases. An important consideration was for victims not to be victimised by responding to the questionnaire and participation on a voluntary basis was the only acceptable solution.

A general problem with the completed questionnaires was that most questions were left unanswered. In obtaining relevant data, another obstacle from the aspect of the project was the fact that, with a few exceptions, the available questionnaires contained the views of persons whose cases were in the investigative phase and so they were not able to formulate meaningful opinions on the prosecutorial and the judicial phases or the roles of prosecutors and attorneys fulfilled in these phases.

There was a simple reason for this: over 80% of the questionnaires came from the victim support specialist units of the Metropolitan and County Government Offices, where victims

mostly appeared following the filing of criminal complaints and therefore their experience was only related to police activities in the early investigative phase. In practice, this presumably means no more than the recording of the criminal report and interviewing the victim.

Victims responding to the questionnaire were typically middle-aged or elderly people who had fallen victim to thefts, violations against property rights and other property crimes. It can also be concluded that the offences committed against them or their property had not been provoked by a particular personal characteristic of theirs.

Under Question 7, the victims had to answer how they had felt during the procedures conducted by the organisations indicated in the question. Given the fact that the victims completing the questionnaire in many cases were before filing a criminal complaint due to a committed offence or that their case was in the investigative phase they were not able to give substantive responses concerning the judicial or prosecutorial phases. In many instances, from the available options “feeling depressed and tired” during the police and victim support procedures was marked. Many felt in the course of these procedures that they were re-victimised and had to relive the crime. Among the positive options, for both organisations a frequent choice was that victims affected by the procedure had a sense of empowerment.

Several questions were focused on whether during the procedure victims received sufficient information of available legal remedies or services. Responses given to these questions show a mixed picture. It should be underlined that procedural reports or other documents (e.g. police report on interviewing the victim filing a criminal complaint) mostly contain legal warnings and procedural law-based rights applicable to the person participating in the procedure.

They are handed over to these persons who often even have to sign each information document or warning paragraph as otherwise the document in question is invalid (e.g. it has no or limited probative value). Based on the foregoing, therefore, if some victims do not feel that they have received sufficient information during the procedure, they may object to the quality of oral information provided by officers, which would deserve more attention. Supplying appropriate and sufficient information contributes to the provision of more wide-ranging and personalised information to victims.

Since questions related to prosecutorial and judicial activities remained unanswered in almost all cases for the reasons mentioned above, responses given to Question 9 form a critically important part of this analysis. Under this particular question victims had to respond to what expectations they generally had in respect of the activities of the indicated organisations and actors performed in or related to the criminal procedure.

A general requirement concerning police activities is the speedy and successful conduct of the procedure, the identification of the perpetrator and, in the case of property crimes and violations, the recovery and return of stolen property to the victim. In several cases, the need for information was also raised in respect of the police and in this case the victims were mostly concerned with the current status of the investigation.

From attorneys, victims predominantly expect information in respect of the given case and relevant laws. Another expectation is the promotion of the case affecting the victim and appropriate advocacy. Several respondents commented that they found it important for an attorney to be well-prepared and have excellent legal expertise and commitment to the case. Nevertheless, many indicated that their financial constraints prevented them retaining an attorney.

Unfortunately, it is difficult to form a clear picture of expectations concerning prosecutors as this section of the questionnaire was either left uncompleted or, if it was completed, only comments containing a few words in general were made. Typically, what we found here was that victims did not have relevant information concerning the role fulfilled by the prosecutor in the criminal procedure and thus, obviously, they were not able to formulate their expectations. In many instances, a typical response was that victims expected prosecutors to represent the prosecution. Since representing the prosecution is a fundamental duty of the prosecutorial service, this response is difficult to interpret as an expectation. In addition to the foregoing, the requirement of impartiality was marked on a few occasions.

Unfortunately, few requirements were formulated in respect of the court's activity. The respondents expected the courts to make just judgements, punish perpetrators and, importantly, exercise impartiality.

In addition to the police, most expectations were expressed in respect of victim support services. Victims expected financial help, listening, information and emotional support from these services.

Step 3 Development of Training

Following the needs assessment described above, the first step was to finalise the training syllabus. In respect of theory, this was a relatively simple task to do since based on the questionnaires it was easy to identify fields where the knowledge of prosecutors and attorneys was not at the appropriate level. The final themes were as follows for both training programmes:

- a.) Introduction of the Victims' Directive
- b.) The organisational system of victim support in Hungary and presentation of Victim Support Centre activities
- c.) The system of victim support services
- d.) The system of restorative justice
- e.) Presentation of the project entitled "Development an EU training model for the Victims' Directive"

Step 4: Provision of Training:

It was originally the intention of the Ministry of Justice in Hungary to train three groups of professionals, namely, prosecutors, lawyers and judiciary. Due to the independence of the judiciary it was not subsequently possible to train the judicial profession. The training of the prosecutors and the lawyers took place as planned.

As the training programmes were two-day events, training in the above themes took place on the first day, with the exception of minor technical changes. The concept was to structure the theory and practice aspects of training on separate days in a way to provide a thematic "backbone" to the training so that by ensuring the alternation of different subjects the participants did not feel the programme was imbalanced. Clearly, the title under Point e) is an outlier, but it was not possible to avoid briefly introducing the project on this occasion as participation in the training

programmes could not have happened without our involvement in the project either.

Presentations on this set of the themes were held by the employees of the Ministry of Justice and Victim Support Centres. Dr Ágnes Bozzay, Head of the Guardianship and Justice Affairs Section under the VMK Enforcement Department, covered the system of victim support including, in particular, the tasks of prosecutors related to victim support.

However, organising the practical side of the training was less obvious. As was explained in the previous chapter, the questionnaires completed by victims provided relatively little relevant information as to the activities of prosecutors and attorneys. Therefore it was difficult or even impossible to identify areas – solely on the basis of data from victims’ questionnaires – in respect of which the training could have developed practical knowledge related to victim support in the professions in question. Therefore, a decision was made to devote the second day of the training programme to victims in need of special treatment as interaction with them is always a major challenge to legal practitioners and that way eventually we would be able achieve our goal to develop their practical knowledge and, moreover, such additional knowledge could be used in the most specialised areas of victim support.

Based on the above, the following themes were selected for the second day of training.

- a.)** Child victims (in particular, victims of sexual abuse)
- b.)** Elderly victims
- c.)** Victims of domestic violence
- d.)** Victims with disabilities
- e.)** Identifying victims of human trafficking and provision of sheltered accommodation
- f.)** Homeless victims
- g.)** Presentation of the Courthouse Dogs Foundation programme

Provision of sheltered accommodation as a legal instrument was included in the programme based on questionnaires completed by prosecutors and attorneys; data suggested many respondents’ complete unfamiliarity with this institution.

Presentation of the Courthouse Dogs Foundation programme was justified for two reasons: on the one hand, the programme had as its goal to improve the situation of victims in need of special treatment in the system of justice administration and, on the other hand, within the scope of the project this concept was identified as a unique good practice in the field of victim support.

It should be noted that training in the aforesaid subjects contributes to implementing the provisions of the Victims’ Directive in actual practice as several provisions of the directive covers victims in need of special treatment including, without limitation, communication with them, their individual assessment or special criteria of proceedings conducted with their participation.

In order to ensure that participants listen to high quality and authentic presentations in the aforesaid themes, the Ministry of Justice decided to invite representatives of NGOs specialising in said victim groups to this part of the training. Since the prosecutors’ and attorneys’ training took place in Szombathely and Budapest, respectively, different speakers were invited from local NGOs to the two events.

The prosecutors' training was held in the Victim Support Centre's building in Szombathely on 27-28 June 2018 while for attorneys, training was conducted at the Ministry of Justice's site in Budapest on 11-12 July 2018.

In order to ensure a sufficient number of participating prosecutors, we contacted the Office of the Prosecutor General. The Prosecutor General designated 15 prosecutors from Vas County to attend the training, all of whom did show up.

For attorneys, the training was advertised on the Hungarian Bar Association's website and, in addition, we also contacted persons listed in the register of legal assistants informing them about this training opportunity. Unfortunately, interest in the training initially was limited and so its scheduled date was postponed by one week. During that time, the training was re-advertised and finally we managed to invite 15 people to attend the programme. At the end of the course, the participants completed a satisfaction questionnaire concerning any increase in their knowledge in each subject area. In the questionnaire, the participants evaluate on a scale of 1 to 5 the extent to which their knowledge increased in particular subject areas and they also made overall comments on the training. From the completed questionnaires it can be concluded for both events that the training significantly increased the participants' knowledge in all areas concerned. Some presentations were given 4 or 5 scores and, with a few exceptions, the training course itself received the maximum 5 scores from the participants. Basically, these results otherwise coincide with our experience drawn from the programmes, namely that both prosecutors and attorneys actively participated in the presentations and addressed questions to the speakers even during the coffee breaks. At the end of the prosecutors' training, Prosecutor General Dr József Simon also pointed out in his closing address that the training had brought the participants closer to practice, which was greatly needed, as while in their work they rely on regulatory provisions, to the correct interpretation thereof it was critical to have a clear understanding of the actual situation of particular victim groups.



Photo: Training for Vas County prosecutors is in progress within the scope of the project

In summary, it can be concluded that the Ministry of Justice achieved its goals through these training events. It successfully put together a training syllabus that was suitable for enriching the practical knowledge of the participants as well as presenting the provisions of the Victims' Directive and related Hungarian laws to the participants. The presentations were held by authentic speakers with outstanding expertise in their respective fields to the participants whose knowledge – as the satisfaction questionnaires suggested – increased substantially, especially in those subject areas where the need for such enrichment was the greatest.

Step 5: Evaluation

The practical implementation of the training programmes was followed by the evaluation phase, which could be considered as a kind of project closure as well, and which phase was still underway during the preparation of this document and practically extended to the evaluation of the training events discussed above. However, at this point another task also deserves special mention as while it overarched several phases it was not until the closure of training that it was ultimately brought to completion. Specifically, this task was the closure of a document prepared for legal practitioners and presenting the Victims' Directive and related national laws. Although the Ministry of Justice had already received from the lead applicant a set of guidelines prepared on the basis of the Irish legal system, following its analysis it was concluded that due to differences between the two legal systems it had little practical relevance to Hungarian legal practitioners. Therefore, the Ministry of Justice decided to assemble its own set of guidelines, which version would be published and disseminated to Hungarian legal professionals in the

future.

Before the closure of the project, the training materials of the prosecutors' and attorneys' training programmes were published online to make them easily accessible to interested practitioners. Given the fact that prosecutors have a closed training system while attorneys do not have such a system, it was not possible to find a single-step solution for publication. For prosecutors, it will be necessary to contact the organisational unit responsible for conducting trainings, while for attorneys, training materials can be published on particular websites (e.g. the website of the Hungarian Bar Association or websites managed by the Ministry of Justice); furthermore, increased attention should be devoted to the development of training courses on victim support for trainee attorneys. The practical implementation of the aforesaid plans is currently underway.

Finally, the Ministry of Justice is considering the online publishing of a video presenting in Hungarian the Courthouse Dogs Foundation programme as a best practice revealed during the project.

Step 6: Dissemination and Knowledge Sharing

The project results were covered in the preceding sections, but in closure it is worth discussing some other important conclusions on experience and lessons drawn from project implementation from a knowledge sharing perspective.

a.) The key role and future of the Victims' Directive (hereinafter "Directive")

During the implementation of tasks, the Ministry of Justice was confronted several times by the fact that the role of the Directive in the field of victim protection did not end with its transposition into Hungarian law. For, putting certain provisions into practice may pose serious challenges while existing practices may also require expanding and improving. Hungary is in a fortunate situation in the sense that the Directive was transposed relatively quickly. This, however, cannot be said of many member states; in some it has been transposed, in others this has not happened yet. Therefore, Hungary can play an important role in exposing good practices already operating in practice to other member states while, at the same time, the Ministry of Justice can analyse solutions applied in foreign countries in the field of victim support. This may be perhaps the most important achievement of the project – although this is a matter that falls within the lead applicant's competence. On the other hand, it can also be stated that the key role of the directive remains relevant in our country as it continues to provide important guidance for practical improvements and changes.

b.) Expanding the range of people participating in training on victim support – new concepts in training

One of the most important positive outcomes of the training courses organised by the Ministry of Justice was the opportunity to provide training to representatives of professional areas who the Ministry basically had difficulties contacting. Prosecutors have a separate internal training system; even if they attend training in the field of victim support, the Ministry has no – or only occasional – control over that. For attorneys, this type of training works entirely on a voluntary basis and if there was a need for such courses then similar training could be organised for them but no such course was held in the recent period.

The foregoing raises the legitimate question of how many more occupational areas exist in Hungary whose members regularly come into contact with victims of crime but are hardly ever

exposed to training courses designed to improve their skills and knowledge needed for these kinds of interactions.

Another important conclusion is that there is great demand in such courses for speakers with practical proficiency in their fields but whose knowledge points beyond the official scope of their work. In certain cases, proceedings conducted with the participation of victims in need of special treatment may pose particularly difficult challenges to officials proceeding on behalf of the authority, dealing with which requires special expertise. There is a great need to enhance verbal and non-verbal communication skills for positive interaction with victims since if someone has an understanding of the actual situation and difficulties of these victim groups they will more likely display a behaviour while working with victims that fulfils this basic requirement.

In summary, similar initiatives – even without ongoing projects – directed at new target groups will be relevant in the future.

c.) Laying new foundations for victim needs assessment

As has been discussed above, the prosecutors' and attorneys' questionnaires in the project provided a vast amount of useful information to the Ministry of Justice, while the same does not hold true for victims' questionnaires. The lesson from this was that the atmosphere of officialdom must be eliminated when assessing victims' needs. In fact, this was the basic idea – and that was why the Ministry decided to dispense with these activities during the police procedure – but it also became evident that other procedures were just as unfit for this kind of data gathering. It is important to have rapport and explore what types of information are needed and whether a particular organisation's general clientele has experience that, when shared – strictly on a voluntary basis –, can facilitate the Ministry's work. From the foregoing it can be concluded overall that Victim Support Centres and NGOs can play a key role in future data collection as, first, they provide an atmosphere of trust allowing a full assessment of needs and, second, their clientele typically includes victims who have experienced all stages of the criminal procedure. Since at the time of completing the questionnaires not all Victim Support Centres were functioning it was only the Budapest institution that could be of assistance to the Ministry; however, this holds potential for the future in view of the fact that implementation of a nationwide network is currently underway in Hungary.

d.) Increasing the role of Victim Support Centres in research and training

A conclusion closely related to the aforementioned points is that the role of Victim Support Centres in performing these types of tasks must be strengthened. Their potential role in assessing victims' needs has already been covered but mention must also be made of their future cooperation in organising institutional training. As was discussed in Point b), it is essential that professionals dealing with special victim groups are involved in training programmes. Given that Victim Support Centres operating in county seats have established a comprehensive system of cooperation with NGOs, their involvement can obviously greatly facilitate the process of organisation.

Theory and practice are closely intertwined at the Centres and the staff working there can also share their own experience with training participants.

e.) Familiarising with and disseminating good practices related to victim support

An important goal was to identify and popularise good practices linked to victim support; the

best practice selected in the project – as was presented earlier – was the Courthouse Dogs Foundation’s programme. Interestingly enough, though it is not an EU-funded project, yet the good practice originates from the United States of America. Indeed, the lead applicant managed to incorporate in the project a programme that was unique, never had been in use in the EU and had achieved significant results in improving the situation of victims in the system of justice administration. Based on currently available information, several member states have been considering implementing the programme since the international conference, a fact that can be attributed to successful dissemination.

f.) Strengthening Ministry of Justice’s engagement in international victim support projects

The impact study is worth concluding with a finding concerning only the Ministry, in particular the Office of the Deputy Secretary of State, the source of which is nonetheless the project presented in this document. The lead applicant has pointed out several grant application opportunities related to victim support. Following an analysis it was concluded that while such options were available in recent years as well, the involvement of the Office of the Deputy Secretary of State was negligible, save the current project. Substantially more active engagement is necessary in this field, as plenty of ambitious plans could be implemented in this manner in the future.

Country Report Lithuania²³

The Human Rights Monitoring Institute (HRMI) in Lithuania had the responsibility to develop an EU Training Module on the Victims Directive in the Lithuanian legal system. The training focused on three groups of legal practitioners – lawyers, judges and prosecutors.

Step 1: Building Relationships with stakeholders

The first MAWG meeting included:

- Head of Training Division and a Senior Specialist of Training Division, Prosecutor General's Office
- Head of Legal Department, National Courts Administration
- Court Psychologist, Kaunas District Court
- Volunteer Services Coordinator, National Courts Administration
- Attorney-at-Law, Lithuanian Bar Council
- Expert from the National Law Institute
- HRMI representatives

There were two main points that were discussed during this meeting. The first was that the needs of victims should be addressed in any training developed. Furthermore, any training provided on the Victims' Directive should bring the most practical benefits to the participants.

Step 2: Identifying Training Needs:

The MAWG identified three priority areas where training was needed:

- The right of the victim to be informed could be better ensured so that the victims are familiar with criminal proceedings and their role in the proceedings; the provision of such information is especially important for minors; the importance of provision of relevant information throughout the proceedings was also emphasized;
- Better protection of vulnerable victims' rights, through the use of special protection measures;
- The trainings should address how to prevent secondary victimisation including interviewing victims in an ethical, respectful and professional manner;
- For all groups of practitioners (judges, prosecutors and lawyers) training needs were identified in professional's legal knowledge of the Directive as well as psychological knowledge and communication skills;

- The trainings that are the most successful are the ones that help to understand how the victims feel, to see the proceedings from the victims' perspective, and help transform the attitudes towards victims; the success of such training in large part depends on the trainer, and on how well he/she can find the access and motivates the participants to open up, openly share their experiences and challenges they encounter in their work with victims;
- The training should be regular, continuous, and could involve practical tasks to carry out in everyday work, thus developing new skills in working with victims;
- It is important to assess the needs of each particular group before the training as well as assess the extent to which the particular training was useful;
- The participants should be encouraged to share their knowledge with colleagues, thus consolidating it and encouraging replication;
- The quality of the training is essential; it is important to introduce the training in an appealing manner, so that the practitioners are motivated to register; they should also see real and practical benefits of the trainings for their work.

The HRMI amended the survey developed in Ireland to take account of the Lithuanian legal system. It was translated and distributed to practitioners working with victims of crime. 94 responses were received. The majority of surveyed practitioners (more than 80%) meet victims in their work at least once a week or once a month. 43% of surveyed lawyers indicated they were not yet familiar with the Directive, whilst 33% of prosecutors and 24 % of Judges said they were unfamiliar with the Victims' Directive. All three groups were slightly more familiar with the transposing legislation.

In terms of other training needs, the majority of practitioners expressed interest in trainings on: 1) how to communicate with victims of specific crimes; 2) how to communicate with and interview vulnerable victims; 3) how to talk about issues that could be considered sensitive.

The HRMI had recently conducted a survey of victims in another project and it was agreed that in those circumstances it would be inappropriate to re-survey victims of crime for this project. The information already obtained from the earlier surveys were incorporated into the development of the training programme.

Step 3: Development of Training

The programme for the practitioner training was developed taking into account the outcomes of the survey of three groups of professionals (lawyers, judges and prosecutors) as well as the outcomes of the focus group discussion during the MAWG meeting.

Based on the trainings' needs assessment, earlier victim surveys and the Irish online training module, the HRMI together with the trainers developed a training agenda for the three groups of professionals.

The training in Lithuanian jurisdiction focused on these key specific areas:

- 1) The main provisions of the Directive; relevant changes in the domestic law; relevant case-law of the domestic and European courts;
- 2) Secondary and repeated victimisation and means to prevent it;

- 3) Basic needs of victims and the effects of the crime on victims;
- 4) Basic principles of interviewing victims;
- 5) Vulnerable victims and the special protection needs' assessment;
- 6) Interviewing vulnerable victims, including children.

Step 4: Provision of Training

The invitations for the training were disseminated in cooperation with the Lithuanian Bar Council, National Courts Administration and Prosecutor General's Office to ensure the widest reach of potential participants.

HRMI organised trainings for three groups of practitioners – prosecutors, judges and lawyers. In total, 20 prosecutors, 19 judges and 16 lawyers were trained.

The trainings covered a wide geography attracting participants from all main regions of the country. Prosecutors represented 7 regions, whilst judges came from 12 regions representing district and regional courts.

The first session of the training focused on the legal and practical novelties brought by the EU Victims' Directive. It was delivered by the judge of the Supreme Court, Rima Ažubalytė PhD, who specializes in criminal procedural law and is an author of various publications in the field. The session also covered relevant case law of the Supreme Court, European Court of Justice and the European Court of Human Rights in the area of victims' rights. During this session, the participants were introduced to the scope of the legal definition of victim, latest case-law on compensations for pecuniary and non-pecuniary damages, legal novelties in the criminal procedure such as the right to have an accompanying person throughout the proceedings and the right to special needs assessment. During the session, there was a lively discussion on the practical implications of these new rights given that the practice in this area is still developing.

The second part of the first day of the training was delivered by criminologist and victimologist Rokas Uscila, PhD, who is a deputy director of the Lithuanian Law Institute. This part focused on practical novelties that are not explicitly reflected in domestic legal regulation such as the meaning of secondary and repeated victimization, the content of the term "victim" from the victimological perspective, the effects of the crime on victims, basic needs of victims in criminal proceedings and fundamental rules for treating victims in a sensitive and professional manner.

The second day of the trainings was dedicated to psychological aspects of the changes brought by the Directive. This part was delivered by a psychologist Ksenija Čunichina, PhD, who introduced the participants to the ways of recognizing vulnerable victims and the criteria of vulnerability. This part covered interviewing victims of sexual crimes and domestic violence, interviewing underage victims and interviewing victims with disabilities. The lecturer also shared universal techniques for sensitive and effective communication with victims in various situations.

A Guide for Lawyers on the Victims Directive and other materials were made available to participants.

Step 5: Evaluation

After the trainings, the participants were asked to fill out participant questionnaires and assess the impact of the training on their knowledge. They were asked to evaluate each section on the scale of 10, where 1 was "totally disagree" and 10 – "totally agree". Participants were also asked to leave additional comments and suggestions for future trainings.

The improvement of the knowledge on the novelties brought by the EU Victims Directive was evaluated at 9 out of 10. On the topic of the rights and basic needs of victims, the participants evaluated the improvement of their knowledge at 9.3 out of 10. That the trainings will help to recognize and deal with vulnerable victims, was evaluated at 9.3 on the scale of 10. The majority of the participants who left their comments were happy with the training and found it useful for their work.

Step 6: Dissemination/Knowledge Sharing

It was felt that it was inappropriate to record the training sessions to ensure that professionals to facilitate frank and open discussions. For this reason, training videos were recorded separately and uploaded onto our website. Training materials and the Guide for Lawyers on the Victims Directive, which was adopted from an Irish context and translated and has been uploaded online.

Country Report Portugal²⁴

APAV were responsible for Developing an EU Training module on the Victims' Directive in Portugal. As was the case in the other jurisdictions, the training module developed in an Irish context was adapted to the needs of the Portuguese legal system.

Step 1: Building Relationships

As a first step, in implementing the project entitled 'Developing an EU Training Module on the Victims' Directive' APAV met individually with the Director and Assistant Director of the Centre for Judicial Studies, the President of the Portuguese Bar Association, and with legal advisers to the General Public Prosecutor, from the Public Prosecutor's Office. This dialogue was possible due to a protocol established between APAV and the Public Prosecutor's Office, which foresees training provided by APAV to public prosecutors and vice-versa. Moreover, as a positive outcome, this project allowed for the establishment of a protocol between APAV and the Centre for Judicial Studies, which also includes training provided by APAV at the Centre, and vice-versa.

Step 2: Identifying Training Needs

APAV used the surveys sent by the project coordinator to draft its own training needs assessment questionnaire. This was not a mere translation of the surveys received, but an adaptation, according to the Portuguese legal system and the characteristics of the respondents. The survey was sent to judges, prosecutors and barristers. APAV obtained replies from 16 prosecutors, 21 barristers and 11 judges. APAV had recently conducted a victims' survey and for that reason it was inappropriate to re-survey victims of crime given the risk of secondary victimisation.

Through the analysis of the survey results APAV was able to conclude that:

- Although the respondents have frequent interactions with victims of crime, one third of prosecutors, half of the judges and two thirds of the barristers never received training on the impact of victimization and reactions of crime victims, contact with crime victims or victims rights;
- 3 quarters of the barristers, 2 thirds of the judges and half of the prosecutors consider as only having an elementary knowledge of the victims role in the criminal proceedings;
- Only 1 barrister, 1 judge and 1 third of the prosecutors consider themselves as very familiar with the EU Directive 29/2012 on victims rights;
- Half of the barristers are not so familiar with the right to information, half of the prosecutors are not so familiar with the access to State compensation for victims of violent crimes and victims of domestic violence, almost all the judges are not so familiar with protection measures and most of the respondents are not so familiar or not familiar at all with the specific rights of non-residents who are victims of crime in Portugal.

Step 3: Development of Training Programme

Through the aforementioned survey results the respondents suggested topics for content of training sessions, such as:

- victimization of other family members in cases of domestic violence and sexual violence;
- the State response to protect these victims;

- specific protection for particularly vulnerable victims (e.g. children, elderly people, disabled, institutionalized people and migrants);
- emotional support;
- how to improve the contact with victims of crime and the essential role of the judicial actors and of the police in the responsibility of listening to and protecting the victims.

These results, together with the content of the Guide for Lawyers to the Victims Directive & the Criminal Justice (Victims of Crime) Act 2017, developed by the Irish Council for Civil Liberties, APAV's experience in the field and knowledge about existing gaps related to the practice of judiciary professionals, enabled the design of a training program.

Step 4: Provision of Training

The training program took place on the 21st of June of 2018, at the Center for Judicial Studies (hereinafter, CEJ). It was a one-day training, as it was challenging to gather judiciary professionals in the same place for more than one day, due to schedule incompatibilities.

The trainers were invited according to their professional experience and work with victims of crimes. They were prosecutors, a criminal police officer and lecturer at the Judiciary Police School, a psychologist and lecturer at the Judiciary Police School, the manager of the Support Unit for Migrant Victims and for Victims of Discrimination, the vice-president of an organization providing support to people with disabilities, a judge and a lawyer. As for the participants, 59 people enrolled in the training program, although only 44 of them participated. Nevertheless, this number was higher than the target set at the start of the project.

The training was divided into two parts, one in the morning and one in the afternoon. The first part started with a presentation related to victims of crime as a recent concern. The second presentation was related to the justice system and secondary victimization. Finally after a coffee-break, at the end of the first panel, there was a presentation on the Portuguese Victims' Statute, the national law which transposed the Victims' Directive. It was followed by debate. The second part of the training started with three presentations on victims with special protection needs. The first presentation concerned children who were victims of crimes, the second concerned victims of hate crimes and the third one regarded people with disabilities who were victims of crimes. After a coffee-break, there were three more presentations. The first one contemplated the role of the judge in promoting victims' rights, the second regarded the role of the public prosecutor in promoting victims' rights and the last presentation of the day concerned the role of the lawyer in promoting victims' rights. This was followed by a longer debate, in which the participants engaged eagerly and which resulted in a very interesting discussion regarding different concerns the participants' shared related to the protection of victims' rights.

Step 5: Evaluation

The above-mentioned training session was evaluated by the participants through evaluation sheets distributed in the beginning of the day by APAV. On average, the majority of participants found that the event was relevant, as well as the trainers' presentations. They found the event useful and that it had a good duration. Furthermore, they found that the event responded well to their expectations. Regarding logistics and general satisfaction, the majority of participants found the logistics and organization of the event good, as well as the room. Overall, there was a good general level of satisfaction.

In the evaluation form, participants had the opportunity to leave their comments and suggestions. They wrote that they liked the training very much and that this was useful to deepen their knowledge as individuals and professionals in the field of law. One of them mentioned that this was an excellent event with different perspectives. Moreover, one participant wrote that this

seminar should be developed in other parts of the country.

Step 6: Dissemination/Knowledge sharing

The training was recorded (video and sound) by CEJ. The videos combine the oral presentation together with the slides presented by the trainers. These videos will be used by APAV for future training. Moreover, it is expected that they will be published on APAV's YouTube channel.

Furthermore, an e-book will be developed compiling the trainers' communications, which will be published in CEJ's website, of free access for the public and for any professionals working directly with victims of crimes.

Finally, the Guide for Lawyers to the Victims Directive & the Criminal Justice (Victims of Crime) Act 2017 has been translated into Portuguese and adapted according to the national legal framework and the national justice system. This guide has been published by APAV and will be available on its website for the public and professionals working directly with victims of crimes. It will also serve as a training manual for internal and external training programs organized by APAV. It is intended that it will also be published as an e-book in CEJ's website.

All these materials will be disseminated through APAV and CEJ mailing lists

Country Report Slovenia²⁵

The development of an EU Training Module on the Victims' Directive in Slovenia was conducted by the Peace Institute. The implementation of the project in Slovenia was challenging as the Victim's Directive has not been transposed in Slovenia and therefore, unlike in the other partner jurisdictions, the need for training on the Victims' Directive was not necessarily recognised by some practitioners. In 2017 the Slovenian Criminal Procedure Act was due to be amended to transpose the Victims' Directive however, it failed due to insufficient support. Currently the understanding of the role and the rights of the victims in Slovenia is understood to refer only to injured parties and witnesses. The failure to transpose the Victims' Directive into Slovenia law has had an impact on the success of this training programme.

Step 1: Building Relationships with Stakeholders

The Peace Institute in Slovenia organised a MAWG with the Office of the Office of the State Prosecutor General, the Supreme Court, the Bar Association, Ministry of Labour, Family and Social affairs, the Centre of Judicial training, which was organised within the Ministry of Justice and two NGOs, providing support to victims of (domestic violence). All parties agreed that training for lawyers, judges and prosecutors on the Victims' Directive was necessary. The MAWS's recommended that the content of the training should be focused and concrete and that the methods of training should be interactive, as their experience illustrated that the ex-cathedra lectures are the least effective in adult education.

Step 2: Identifying Training Needs

The surveys drafted in an Irish context were translated and adopted to the Slovenia legal system. Two surveys were conducted one for lawyers, judges and prosecutors and the second for victims of crime.

a. Survey for Lawyers, Judges and Prosecutors

The results of the survey for lawyers, Judges and prosecutors indicated that the majority of those surveyed felt they are not very well informed about the role of the victim in the criminal proceedings. The results also showed that there was some confusion about who is a victim of crime. Only 60 % considered a family member as a victim of crime, where his/her loved one had died due to a criminal offence, thus illustrating the need to train victims of the definition of a victim of crime.

Concerning the role of their profession in relation to victims there were no unanimous views. The majority of lawyers believed their role is to inform the victim on the status of their case (96%), provide information on the victim's rights (96%), explain the procedure to the victim (91%), explain the judgement (91%), explain the sentence (85%) and the decision of the state prosecutor not to prosecute (89%). A lower number of respondents felt that their role is to obtain information from the victim (67%), accompany the victim when they first contact the police (59%), or inform the court of the victim's views. Only 15 % believed that their role is to act in the public interest.

Judges and prosecutors in majority believed that their role is to treat the victims with respect (91%) and obtain information from the victim (83 %). A lower number of respondents felt that

25 Author Katarina Vučko, Peace Institute edited by Maria McDonald

their role is to inform the victims of their rights (55%), explain the judgement (42%), explain the sentence (38%) or to act in the public interest (38 %). Between 33%-49% of respondents were not familiar with the Victims' Directive. Between 14 and 22% are also not familiar with protection measures that exist in the national legislation.

The survey results clearly indicated a need for training on the rights of victims under the Victims' Directive.

b. Survey of Victims of Crime

The Peace Institute translated and adopted the victims survey completed in an Irish context to the Slovenian legal system. The survey indicated that respondents were victims of several types of crime, but most were victims of domestic violence (68%) and sexual abuse (34%). A worryingly high percentage (45%) of the respondents claim they never received any information about the rights they have as victims and that they did not receive any support. The majority of the respondents, who received information, was informed by the centres for social work (62%) and NGOs (52%).

The majority of those who received support did so from an NGO (62%). 90% were satisfied with the support they received. 50% of respondents were satisfied with the response of the police, but 71% were not satisfied with the response of the public prosecutor. 76% respondents believed that judges, prosecutors and lawyers need additional training on how to deal with victims of crime – mostly on how to respectively communicate with them, what is (domestic) violence and effects of violence on a victim.

Step 3: Development of Training

Following the recommendations of our MAGs and survey results, the Peace Institute decided to challenge the current perception of the victim and his/her role in the criminal justice system. Participative methods of training best met the needs of the training programme.

The MAWG also resulted in a very important collaboration with the Centre for Judicial training (main training organisation for judges and prosecutors). They agreed to cooperate and co-organise the training for judges and prosecutors. A decision was made to organise two mixed group trainings for both judges and prosecutors. The third training was intended for lawyers as the Bar Association expressed high interest to cooperate with the project. They acted as the co-host for the training, in conjunction with the HRMI, and advertised the training among their members.

Step 4: Provision of Training

The training was conducted by a legal expert and a professional moderator who is an expert in conducting participative processes and moderation techniques. Representatives of three different victim support organisations were invited to speak of the victims' needs and also present their work and existing services that are available to victims.

The Training Programme content was as follows:

- I.** Module 1 – Challenging our predominant ways of thinking, searching for presumptions and beliefs that dominate current ways of thinking about addressing victims' needs and rights ('Challenge': Lateral thinking method by Edward de Bono)

- II. Module 2- Challenging our predominant ways of thinking- searching for alternatives.
- III. Module 3 – Victim’s Rights from the EU Directive into practice, discussing the Victims’ Directive and its main principles, key messages, what is already part of the national legal system and practice, what can be implemented immediately (by changing practice), what needs to be changed to implement the Directive effectively.
- IV. Module 4 – Mechanisms for addressing victims’ needs – presentations of three guest organisations for victim support (programmes, key characteristics of their approach, factors of success, challenges, victims’ needs)
- V. Module 5 – Key conclusions, how to transfer them to everyday work.

a. The Training of Lawyers

Lawyers were trained on the 10th and the 11th of May 2018. Training was organised in cooperation with the Slovenian Bar Association. Initial number of applicants was 10, which is a good number to conduct the training. However, 2 cancelled in the final days before the training and 4 never showed up. We conducted the training with four participants, joined by two PI project staff members. Despite the low number of participants, the training was carried out successfully in its intended duration.

b. The Training of Judges and Prosecutors

Initial training dates for two trainings with mixed groups of judges and prosecutors were the 24 – 25 May 2018 and the 14 – 15 June 2018

Although we organised the training in cooperation with Centre for Judicial Training (Ministry of Justice) which hosted the event and took over the dissemination of the invitation, the number of applications was too low (less than 6) for the May date. The decision was to redirect the applicants for the May event to June and offer additional training date in the end of August: 29 – 30 August 2018.

For the June dates, initially 12 participants applied, in the last days several cancelled and 2 did not show up, leaving the final number of 7 participants. The training was carried out successfully in its intended duration, once again with very positive feedback. They recommended that the training is in a similar form offered within the annual training conferences for the judiciary, so that wider audiences within the judiciary are reached. They stated they will recommend the training to their colleagues and help the Peace Institute disseminate the invitation for the August training dates. However, due to low number of applications for the August training, the Centre for Judicial Training – the main institution responsible for the training of judges and prosecutors, and our partner in organising the training for these two groups – cancelled the training. They have a policy of a minimum number of 6 participants, and the number of applicants registered for the training was 5. One individual cancelled and upon the Centre's enquiry among applicants to confirm their attendance (they applied before the summer holidays), only two confirmed attendance, other were unresponsive. It seemed possible that in the end only 2 would show up for the training.

Together with the Centre for Judicial Training the Peace Institute put in a lot of effort to attract participants. Partnership with the Centre was the best way to approach them since they are the central platform for training and judges and prosecutor trust this institution and are used of their system of organising training and disseminating of invitations. For the August training

date an invitation was circulated on 3 different occasions, on 3 different dates (usually for their trainings the Centre disseminates the invitation only once). The Centre for Judicial Training stated the possible reason for such a low interest is that there are generally a large number of training events in the criminal justice area (3 per month); in combination with the most important reason – the Directive has not yet been transposed into the national legislation. Once this will be done, it will be a substantial shift in the treatment of crime victims, but until it is clear how the legislator intends to proceed and they will be forced to implement the new law, judges and prosecutors are not prepared to invest their training days into this topic and opt for (in their view) more pressing topics and changes which they already have to implement. This assumption seems plausible, since the Centre estimates that on average a judge spends 10 days in training annually.

Step 5: Evaluation

Participants' feedback was very positive, they stated that the training provided in-depth examination of the directive, analysis of existing mechanisms and gaps in the national legislation and useful information. Their recommendation was to organise in the future joint training for lawyers, judges and prosecutors.

Step 6: Dissemination/Knowledge Sharing

Although the final training session had to be cancelled the Centre for Judicial Training recognised the value of the training, particularly based on the positive feedback from the previous training. They pledged their interest to continue to offer the training to judges and prosecutors, since they recognise the importance of the Directive and believe the judges and prosecutors will welcome such training sooner or later. The Centre has offered the Peace Institute an opportunity to provide a 2-day training on the Victims' Directive in December 2018.

Although the training in a Slovenian context was not as successful as anticipated the relationships built because of this project will hopefully ensure that training will continue on the rights enshrined in the Victims Directive. Best practice videos have been uploaded and are being made available online ensuring that practitioners can access training, should they choose to do so.

The Slovenian experience illustrates the importance of domestic legislation and timing in providing training on victim's rights. The lack of domestic legislation and the failure to transpose the Directive into domestic Slovenian law meant that practitioners were not willing to take up the training offered. Further work needs to be done to engage with the Slovenian Government to ensure that the Victims' Directive becomes law in Slovenia as soon as possible.



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