

Presentation Lisbon

Title : The role of the police in providing information to victims

Introduction

Being a victim of a criminal offense may have far-reaching consequences. The victim in criminal proceedings in the Netherlands, therefore, has a prominent position. The rights of victims and survivors are found in the Act to strengthen the position of the victim and the Criminal Injuries Compensation Act. It also includes those who implement and carry out the rights and the related obligations. These rights strengthen and improve the position of the victim in criminal proceedings.

Victims and victims' families have the following rights in criminal proceedings:

- The right to speak. Victims may make a statement about the effects of crime during the trial. This can be done verbally as well as written
- The right to information about the trial. The police informs you, for example, about the arrest of the suspect
- The right to information about the status and the release of the offender
- The right to assistance of a lawyer and / or interpreter during the criminal proceedings
- The right to compensation for the consequences of an offense

Relatives of victims of murder or manslaughter get a permanent contact person from the Public Prosecution, Victim Support and the police. By the Public Prosecution this person is called the Case Coordinator, by Victim Help this person is the Case Manager and by the police this contact person is the police detective.

Need for a 'Victim-centered' approach

The Dutch government wants to improve the position of victims in criminal proceedings. Therefore, one of the key themes of the Ministry of Security and Justice (VenJ) for years has been ' victim-centered '. The need of the victims is at the center of the ministry's vision. There are five policy objectives which have been included in the report on victim policy for the next four years:

- Victims are recognized, are carefully treated and informed
- Victims have a strong position in the law
- Victims receive protection where necessary
- Victims who need it receive support in dealing with the consequences of the offense
- Victims have opportunities recover from the consequences, both financially, practically and emotionally from a crime.

The role of the police in informing victims

In the Netherlands, about 3.3 million people each year are victims of (common) crime. Around one third of the victims report the crime to the police. Of these one million police reports, about 80% of these reports result in no suspect being found. With the remaining 20% of crime the suspect is known. The victims of these crimes in all probability come into contact with all the links in the criminal justice system, from police to the execution of the sentence.

The police organization is the first organization in which a citizen comes into contact after he/she becomes a victim of a crime. When the victim files a police report, he/she provides information about the case and the possible culprit. The police's task is to register this report as completely as possible in their system. This information concerns both the details of the victim and the data relating to the crime. Throughout the criminal proceedings this information is used by the chain partners to continually inform the victim and in completing the criminal proceedings. If the process of collecting information is not carried out carefully, then the trial itself is in jeopardy of starting off in a wrong manner.

When recording a police report, the police have a duty to inform the victim of his/her rights. The victim should

be made aware of the possibilities offered by the Netherlands Foundation for Victim Assistance and the Criminal Injuries Compensation Fund and must be informed about the start of the trial. In the course of the investigation it is the duty of the police to keep the victim abreast of the progress of the investigation. During the police investigation of the crime, there are several moments when the police should inform the victim:

After filing the police report:

- 14 days after the report is filed, the victim receives verbal information on the progress of the police report.

After evaluating the case by the police organization, victims receive the following information:

- If there is no indication of evidence and the matter is not taken into consideration
- If there is indication of evidence, but for various reasons the case has not yet been evaluated
- If there is indication of evidence and the case is being dealt with.

After taking the police report into consideration:

- At the start of the investigation the victim receives a message and contacts the police
- If the offender has been identified
- If the police have solved the case, the victim is informed about both the result as well as the the next steps.

The police always try to have warm contact with the victim, through meeting in person or via the telephone, to discuss the progress of police report. In addition, the police have a duty to inform the victim about the progress of the case in writing, through a letter or e-mail exchange. In this way, the victim is always in possession of written confirmation which he/she may use in the event the victim objects to decisions made during the process.

Because the police organization is a 24-hour organization, it may be that the victim's contact person is not working at the time that the victim tries to get in touch with him or her. Therefore, a Victim Reception counter has been established. The victim can be helped here, five days a week, with their questions for the police and for the Public Prosecutor about the progress of the trial. The Netherlands Victim Assistance (SHN) foundation participates herein to support and guide the victim.

Since both the police and the Public Prosecutor the have legal power and all chain partners are aware that the victim must be central in the trial, there is a new process designed in the Netherlands to accelerate the handling of criminal cases and to monitor the central position of the victim therein. This process is called ASAP (As Soon As Possible). In this process, a common room is appointed in which the police, SHN and other chain partners work together. It mainly involves handling lighter and more serious crimes. Because the duration of the processes by the police and the Public Prosecutor are accelerated in the ASAP process, the victim gets faster information, faster results about a decision on the case by the prosecutor or the judge, and faster information regarding the compensation to which he is entitled.

Very serious crimes are dealt with on the basis of a custom protocol, in which the victims or family of the victims are assigned a detective. The detective also works with the Public Prosecutor and SHN to support the victim.

By very serious crimes I refer to:

- Sexual offenses, both for adults and children
- Domestic violence cases
- Severe violence and homicide
- Serious criminal activity

The Dutch police have established special departments that further handle these activities.

Strengths and weaknesses

The problems arise in the amount of processes that must be done, and also in the delegation and cooperation between the police departments and its partners. If at the time the victim files a police report, the police fail to accurately fill in the details of the crime in the police system, the foundation Netherlands Victim Assistance will not receive the right information to be able to approach the victims.

The research and investigation departments then have difficulty starting their investigation, and keeping the victim abreast of the case's developments. Eventually the prosecutor or the court will be unable to make a proper judgement in the criminal trial resulting in the possibility that the offender will not be adequately punished.

Therefore, the chain partners are currently looking for a way to align all processes with each other and to allow the systems to communicate with each other. One of those ways is the ASAP process, in which the chain partners work very closely with the vision that little or no information is shared using the various systems but orally. The police, along with the Public Prosecutor, has developed a web application that draws information from both the police system and the Public Prosecutor system, providing much faster insight into the progress and status of the case, and what still has to happen before that the case can be closed. This system is called BOS-Z.

Another web application has been developed in which the victim can follow their police report via intranet from the moment the report is filed up to the moment that the Public Prosecutor has completed the case. It is intended that through this web application the victim will be informed in writing (via email) about the progress. This system is called the Declaration Monitoring System.

In addition, the national project Customer Service Concept has been started. This project aims to bring the level of customer service of the entire police organization to a higher level. Therefore various targets have been set. These targets are monitored by the national police force management. Colleagues are stimulated, using their intrinsic motivation, to provide a higher level of customer service to their citizens. Monitoring the reached targets and encouraging colleagues are two opposing goals.

I can best describe this using an example. The agreement is that every burglary victim will be notified within fourteen days about the progress of the police report. This has to be done verbally and by someone within the police organization who is aware of this progress. Often a neighbourhood police officer is assigned. These officers are familiar with the victims, and often have contact over the burglary investigation because they actively collect information about the crime from the victim, and can provide immediate updates about the case. The police officers, stemming from their professional attitude, want to speak to the victims and keep them informed. Only the agreed schedule they find oppressive, and the way in which the police system registers how the victim is to be informed they find cumbersome and inefficient.

Nevertheless, the police agency leadership wants to see reports on the amount of recoveries that are done after reporting home burglaries. The leadership can complain if this command is not properly implemented. In order to give a true value for both monitoring and reporting back to the victim, Client Feedback has been established. Here, victims of domestic burglary are questioned about the role the police played in filing the police report and in the follow up from this report.

The Client Feedback has shown that 85% of burglary victims receive feedback from their police reports. Thus, confidence in the police has increased from 50% to 89%. By communicating these results with colleagues, the importance of both registering the police report and keeping the victim abreast of the case is highlighted.

There is still a long way to go in optimizing providing information to the victim. Cooperation with the chain partners has to be solid, colleagues' focus on the victims has yet to be drawn at a higher level. However, there is already a lot that is going very well.