



## NATIONAL REPORT

# EVALUATION OF THE SUPPORT GIVEN TO VICTIMS AND WITNESSES IN THE VICTIM SUPPORT OFFICES OF THE PORTUGUESE ASSOCIATION FOR VICTIM SUPPORT (APAV) WITHIN THE DEPARTMENTS OF CRIMINAL INVESTIGATION AND PROSECUTION (GAV/DIAP)

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## PROJECT COVIS: Court Based Victim and Witness Support Service

Under **Brottsofferjouren Sverige's (Victim Support Sweden)** lead, the COVIS project (court-based victim and witness support service) aims to build knowledge and provide tools to establish and deliver quality court-based support services for victims and witnesses of crime, to meet the needs and rights of all victims/witnesses participating in criminal proceedings. The project will contribute to promoting better criminal processes and access to safe justice.

The project will identify court-based support services for victims and witnesses of crime across all EU Member States, and thereby capture victims' ability to access their right to information and support in connection with their trial, improving the practical application of EU rules on victims' rights. By identifying and capturing best practice in providing support services in court, the project will improve the quality of support services delivered, to better meet the needs of victims of crime and empower victims to participate in criminal proceedings.

The COVIS project consists of the court-based victim and witness support organisations from Sweden (Brottsofferjouren Sverige - BOJ), Finland (**Rikosuhripäivystys - RIKU**), Portugal (**Associação Portuguesa de Apoio à Vítima - APAV**), Ireland (**Victim Support at Court - V-SAC**) and Denmark (**Offerraadgivning**) as well as the European network for victim support services, **Victim Support Europe**.

### Main activities:

1. Develop user feedback and impact assessment of court based support, both for victims/witnesses and justice system;
2. Development of a best practices handbook;
3. Develop a conversation methodology for court based supporters;
4. Development and production of unified information materials regarding court based support services;
5. Conduct an awareness raising campaign;
6. Develop European policy paper on minimum standards for court based support;
7. Identify methods for cooperation between court staff and support service;
8. Provide digital tools and access to case management system for supporters;
9. Conduct webinars, study visits and conference to identify and share best practice how to establish and deliver court based support.

### Expected results:

1. Improved knowledge how to set up, administer and deliver court based victim and witness support services, to fulfil rights and reach best outcomes for victims and witnesses taking part in criminal proceeding;
2. Improved awareness and information regarding court based support services and the advantages of providing support in connection with criminal proceedings;
3. Improved capacity, cooperation and practical arrangements to deliver court based support.

## PORTUGUESE ASSOCIATION FOR VICTIM SUPPORT (APAV)

The Portuguese Victim Support Association (APAV), founded in 1990, is a non-profit social solidarity organisation. Its primary and statutory objective is to provide free and confidential information, emotional, legal, psychological and social support to victims of crime and violence, their families and friends. These services are provided in a multidisciplinary way, involving different areas, such as law, psychology and social work.

The pursuit of its mission also presupposes a multiplicity of other activities that APAV has, within the limits imposed by its current structure, endeavoured to undertake, in line with the objectives enshrined in Article 3 of its Statutes. To mention a few:

- a) Defending human rights, promoting the protection and support of victims of crime in general and, in particular, the most vulnerable, namely through information, personalised care and referral, emotional, social, legal, psychological and economic support;
- b) To collaborate with the relevant bodies in the administration of justice, the police, social security, health, as well as local authorities, autonomous regions and other public or private bodies in the defence and effective exercise of the rights and interests of victims of crime, their families and friends;
- c) Encouraging and promoting social solidarity, namely through the training and management of volunteers.

In fact, it is based on the work carried out by **more than 80 proximity support services** distributed throughout the country and aimed at providing assistance and support, for 34 years, APAV has fulfilled its mission of supporting people who are victims of all crimes, their families and friends, through:

- **Face to Face support by**
  - a. the national network of 22 Victim Support Offices (GAV);
  - b. 36 mobile Victim Support Offices;
  - c. 5 Mobile Victim Support Teams;
- **The Integrated Distance Support System, which comprises**
  - a. the Victim Support Line | 116 006 and
  - b. the Safe Internet Line;
- **Specialised services, such as:**
  - a. Support for Foreign Victims and Victims of Hate Crime, Human Trafficking and Exploitation (APAV SAFE);
  - b. Support for Victims of Homicide, Terrorism and Mass Victimisation (APAV HOPE);
  - c. Support for Children and Youngsters Victims of Sexual Violence (APAV CARE);
  - d. Support for Elderly Victims of Crime and Violence (APAV MAIS)
- **Shelter services, namely:**
  - a. three Shelters for women victims of domestic violence and their minor children;
  - b. a Shelter and Protection Centre for women victims of human trafficking and their minor children;
  - c. A Shelter and Protection Centre for male victims of human trafficking and their minor

children.

Since its foundation, APAV has **provided support to more than 330,000 people affected by crime and/or violence**. In its 34 years of existence, APAV has taken on the constant responsibility of contributing to reflection on the different forms of victimisation and thus promoting appropriate intervention for all victims of any type of crime in Portugal.

The proximity support services are local responses, promoting a solid identity in the communities and territories in which they are located, developing close and consistent relationships for the best response to the victim of crime or violence in that community. These structures also implement other activities that complement their work in terms of support, such as awareness-raising, information, training, advocacy and promoting victims' rights.

On the other hand, APAV has also developed technical and technological procedures and mechanisms for using Internet-based communication tools to provide **online support to victims of crime or violence**. This support, visible in the aforementioned Integrated Distance Support System, is the result of an articulated approach that enables online support and distance assistance to victims, with the aim of enhancing the 'conventional' support provided and diversifying the options of support services that victims can use to obtain practical and generic support, as well as specialised assistance and follow-up, at a legal, psychological and/or social level. APAV has also developed communication tools for people with visual or hearing disabilities that allows to access information on the rights of victims of crime (<https://www.infovitimas.pt/inclusivo/>) and a formalised partnership with sign language interpreting services - SERVIIN interpreter LGP (<http://portaldocidadaosurdo.pt/parceiros/APAV>), to support people with hearing disabilities, victims of crime and violence.

In addition to assisting and supporting victims, particularly victims of domestic violence, APAV has extensive experience in coordinating **shelters**. Since 2003, when the first shelter coordinated by APAV was opened, gathered a rich technical knowledge and experience in managing and coordinating this type of response. APAV currently co-ordinates two shelters for women victims of domestic violence and their children, and an emergency shelter for women victims of domestic violence and their dependants. In addition to sheltering victims of domestic violence, APAV also coordinates two shelters and protection centres for victims of human trafficking.

APAV also has a **social volunteer network** with more than 200 volunteers. Volunteers are fundamental to APAV's mission and to the day-to-day running of the organisation. With the supervision of the respective technical teams from the different organisational units and outreach support services, the volunteers contribute to providing individualised support to victims of crime and violence, while also providing support in other areas that are fundamental to APAV's mission, such as prevention and awareness-raising and technical and operational support.

## COURT BASED SUPPORT TO VICTIMS AND WITNESSES

The court based support within the Departments of Criminal Investigation and Prosecution (DIAP), started as a pilot project in 2019 by the Portuguese Ministry of Justice, in partnership with the Public Prosecutor's Office and different NGOs that support victims of domestic violence and gender based violence. It was initially implemented in 6 of the 23 jurisdictions in Portugal and, given the positive results of the evaluation carried out by the University of Minho a decision was taken to progressively expand this service nationally (currently 10, at the time this report was written).

**APAV is managing 3 of the existent Victim Support Offices (GAV) within the DIAP.** In fact, in recent years APAV's proximity services have been, consistently, providing support to victims in court. This work has been developed essentially in two ways, both of them allowing to start providing support to victims in an early stage: by accompanying victims in court hearing by request of magistrates; and through APAV court-based support offices for victims of domestic violence at the Public Prosecutor's Office (GAV/DIAP). Located in Braga, Faro and, more recently, Setúbal, the GAV/DIAP aims to provide an integrated and continuous response to the care, information, support, protection and referral of victims of domestic and gender-based violence.

The **intervention of these services begins**, as a rule, a few days after the crime is reported to the competent authorities and differs from other court based support services in other countries in two aspects:

1. firstly, it is not directly associated with a victim's hearing: the prosecutor, who has the role to preside over the investigation, can, as soon as it receives a domestic violence report from the police, refer the victim to this support service, specifying the type of intervention requested.

In fact, these Victim Support Offices, focused on victims of domestic violence and gender based violence, have the following objectives:

- Assistance and immediate provision of emotional and practical support, information about the criminal proceedings and the rights of victims of crime and carrying out a needs assessment;
- Risk assessment and development of an individual safety plan;
- Inform the victim about the hearing by the judicial or police authorities, explaining how the hearing is carried out, who is taking part in it and for what purposes, giving a series of practical advice in order to reduce the risk of secondary victimization;
- Accompaniment the victim in court hearings;
- Assistance to the victim in filling out requests, like application for legal assistance, for State compensation, etc.;
- Liaise with existing social services in the community (eg: support for housing, financial support, etc.);
- Preparation of reports and technical information requested (in what concerns the point of view of technical advice to be provided to the prosecutor).

2. secondly, unlike other support services in court, which have the function of welcoming and guiding the victim in the judicial space, informing about the procedures and accompanying during the questioning, the GAV/DIAP managed by APAV also have the role of advising, assisting the prosecutor in the criminal investigation, through the tasks above mentioned.

Each of these services is supposed to have **two rooms in the court building**: a victim support room and a welcoming room, which includes a space dedicated to children. From the point of view of the support provided to victims, it is important to mention that these services work in partnership with community services for continuity support, namely at the psychological and social level.

In **detail**, the **support developed in the GAV/DIAP** of APAV, whenever possible, starts with a previous meeting with the victim in order to provide information about the hearing, namely what is its purpose, who is going to be present, what is the role of each participant, etc.; in order to assess their needs regarding protective measures in court and to provide emotional support. In the day of the hearing:

- The Victim Support Officer (VSO) should speak with the victim a little earlier, in order to understand how the victim feels and to give the opportunity to raise any questions or doubts that may still exist about what will happen;
- The VSO must also confirm that all the necessary conditions for the victim's safety are in place before the procedure (by contacting the bailiff in advance, for example). In communicating with the accused, with his/her family or with the victim's relatives or with the people accompanying him/her, the VSO seeks to promote a calm environment. The VSO must be available to provide clarifications to people close to the victim and act as a peacemaker in case of tension;
- The VSO must also protect himself/herself and the victim against possible threats from the accused or people close to him/her. The VSO should remind the victim that, if any kind of indisposition or discomfort (physical or emotional) is felt, there is no problem in mentioning it and asking for a break, if needed.
- During the hearing, the VSO must sit as close as possible to the victim, in accordance with the instructions given by the authority conducting the procedure; if this has been previously agreed with the authority conducting the procedure, the VSO must request a break if it is noted that the state of disturbance, nervousness, anxiety or suffering in which the victim is found justifies it.
- At the end of the hearing, the VSO should be prepared to answer any questions the victim may have about how the due diligence took place and explain the next steps in the criminal justice process. It should also reinforce the courage and strength shown by the victim and give the opportunity to share how he/she feels.
- In case the victim is not already receiving support from the victim support organization, the VSO should ask about the possibility of contacting the victim later, in order to know how he/she feels and to be able to provide support regarding any needs he/she may have.

From the experience in the 5 years of operation of APAV's GAV/DIAP, but also from the assessment made by

a University of Minho regarding the work of these victim support services in court, we can define this service as a successful partnership, given that:

1. the justice system gains in three dimensions:
  - a) it has easier access to information that may be relevant for the criminal investigation but that, at first, the victim did not share with the judicial and police authorities, revealing it later to the victim support officer; after alerting the victim to the importance of this information for the investigation, the victim support officer, with the victim's agreement, may transmit this relevant data to the public prosecutor;
  - b) technical advice is at the disposal of the prosecutor, allowing him/her to better understand the dynamics of each situation and, consequently, make decisions with more certainty and security, for example with regard to the application of restraining orders;
  - c) victims are more available to collaborate and their statements are more organised and complete;
2. victim support services gain in working closely with the criminal justice system, ensuring a faster flow of information in both directions, that is, they are more likely to transmit and receive information that may be relevant for the criminal proceedings and, consequently, for the effectiveness of victims' rights, such as the right to information, protection, compensation, etc. This work in partnership makes the legal dimension of the victim support process easier than in interventions developed in community
3. more importantly, the victim gains reassurance, because, through this specific response, he/she benefits from guidance in this first phase of the journey in the justice system and, as a result, he/she feels calmer and safer and perceives the criminal justice system as friendlier, more sensitive to his needs and more open to his participation.

One last and important note, illustrative of the pertinence of this type of service: although it was formally created to act during the investigation phase in domestic violence cases, due to increasingly frequent requests from judges, it has been extended to other groups of victims, namely child victims of sexual crimes, or to other stages of the process, including the trial.

Besides the daily experience and the external evaluation developed by the University of Minho in 2020, the opportunity to participate as partner in the COVIS Project, allowed the development of an **Impact Measurement Tool**, which will promote a more systematized evaluation of the quality of the services provided.



## IMPACT MEASUREMENT TOOL (IMT)

The COVIS Project aims to build knowledge and provide tools to establish and deliver quality court based support services for victims and witnesses of crime, to meet the needs and rights of all victims and witnesses participating in criminal proceedings.

Therefore, it was envisaged in the Project objectives the development of an Impact Measurement Tool (IMT) in order to identify:

- The impact of the court based support service on the service users' well-being; and
- The impact of the work of court based support services on the criminal justice system as a whole, on criminal justice proceedings and on the work of partner agencies

For this purpose, the Project team defined and listed the following indicators:

### 1. Impact of support for service users

- a. feel treated with dignity and respect
- b. more informed
- c. calmer
- d. safer
- e. supported and reassured
- f. more able to participate in the criminal justice system
- g. more able to provide best possible evidence
- h. their needs met/questions answered
- i. would they recommend support to others

### 2. Impact of support on the criminal justice system

- a. victims/witnesses appear calmer
- b. victims/witnesses give better quality evidence
- c. fewer cancelled and delayed hearings due to victim/witness no-shows
- d. victims/witnesses appear better informed about their rights
- e. victims/witnesses appear better able to act on their rights
- f. victims/witnesses have better understanding of how a criminal hearing works, which in turn reduces risk of secondary victimisation
- g. victims/witnesses being more likely to report a crime or give evidence in court again

### 3. Impact on partner agencies

- a. makes their job easier and more efficient

To measure this impact, four different tools for data collection were developed.

For the purposes of gathering **quantitative data**, two surveys were drafted, one directed at service users and one directed at professionals.

Both the surveys and the interviews could be carried out in person and online, and was given the option to each participant. When they opted for the online format, some surveys were sent via email.

For the purposes of **qualitative data** collection, it was developed a set of questions for semi-structured interviews targeted to service users and professionals. To minimise re-traumatisation, the interview questions for service users reflect a support interview and are therefore drafted in a way to reflect not only on their past experience but also on their current support needs.

As far as the victims are concerned, we tried to carry out surveys and semi-structured interviews with people at different stages of the process, as well as at different ages, in order to obtain a more representative sample.

Regarding to professionals, we tried to get feedback from various judicial actors, namely court clerks, prosecutors and judges. Judicial actors who have already had direct contact with the office and who work at different stages of the process were invited, in order to obtain different perspectives.

Since the development of the IMT involved the direct contact with victims and witnesses, both through surveys and interviews, high-stress circumstances, and the processing of sensitive data, during the project it was created a set of **guiding basic principles** (annex 1) .

Ethical and security guidelines were followed in the collection, storage and distribution of data and other information. Each interviewer abided by general conditions and requirements of data protection according to national and European laws and codes of research practice, especially because of the additional demands of researching vulnerable groups - such as victims and witnesses. For the interviews conducted online, MEA Connexus software, from the company Issured Ltd. was used, which not only enabled video and audio recording, but also automatic transcription of the interview.

The interviewees were provided with detailed information regarding the processing of their personal data. The data is on a cloud storage and only for the period established in the consent, is anonymized and will be destroyed when no longer needed.

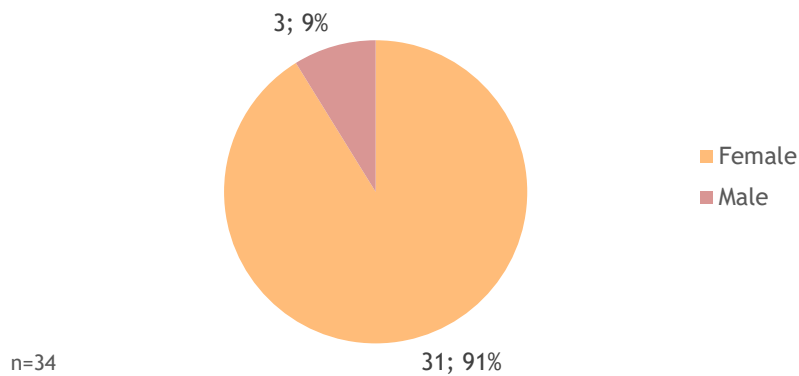
## SURVEY RESULTS AND INTERVIEWS ANALYSIS

### Survey Results | Victims and Witnesses

Thirty-four questionnaires were administered to people who had benefited from support from the Victim Support Offices in the courts of Braga and Faro.

Of these 34 people, 31 of them were **women**, thus representing around **91%** of the sample.

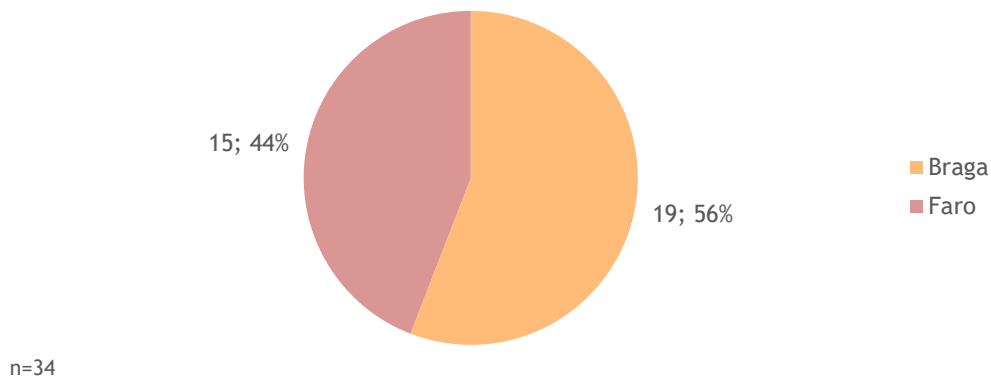
Graphic 1 | Sex of respondents



Although women continue to be the predominant population that benefits from support from the Victim Support Offices, it is true that the **Victim Support Offices have noticed an increase in the number of male victims using the service.**

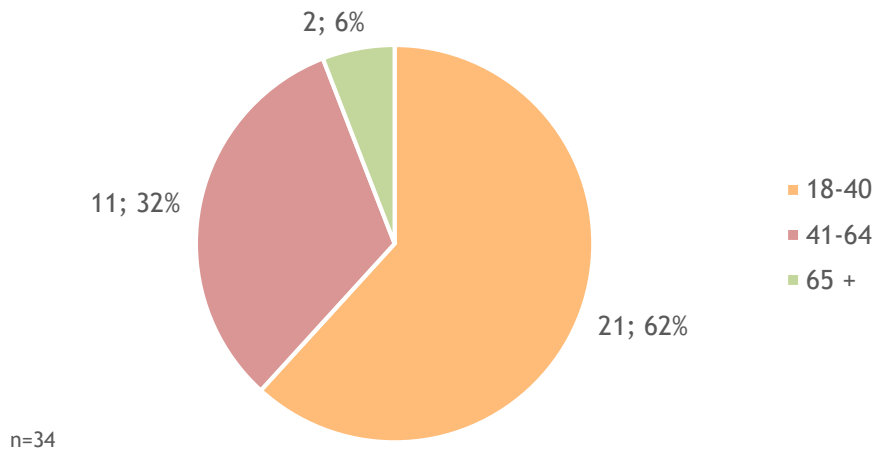
Of those surveyed, 56% benefited from support at the Braga Judicial Court.

Graphic 2 | Court where respondents attended the criminal proceedings



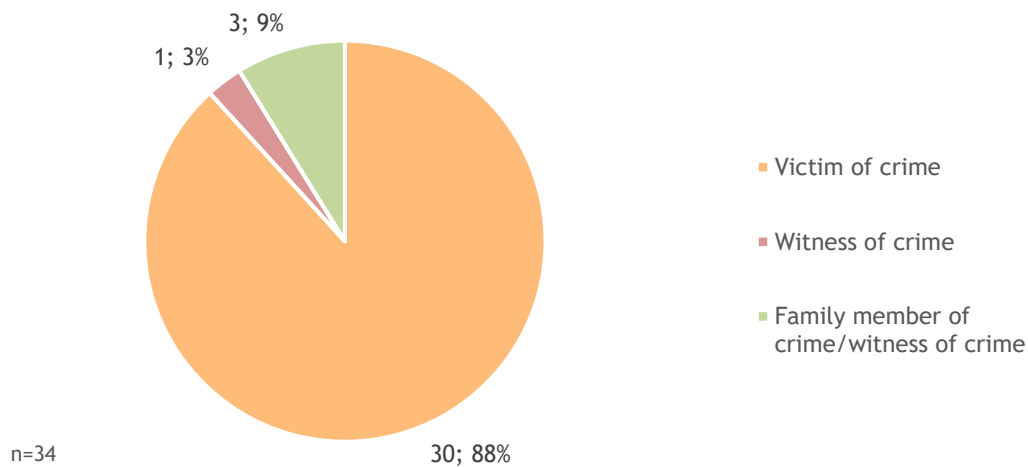
The most represented age groups were between **18 and 40 years old (62%)** and between **41 and 64 years old (32%)**.

Graphic 3 | Age of respondents



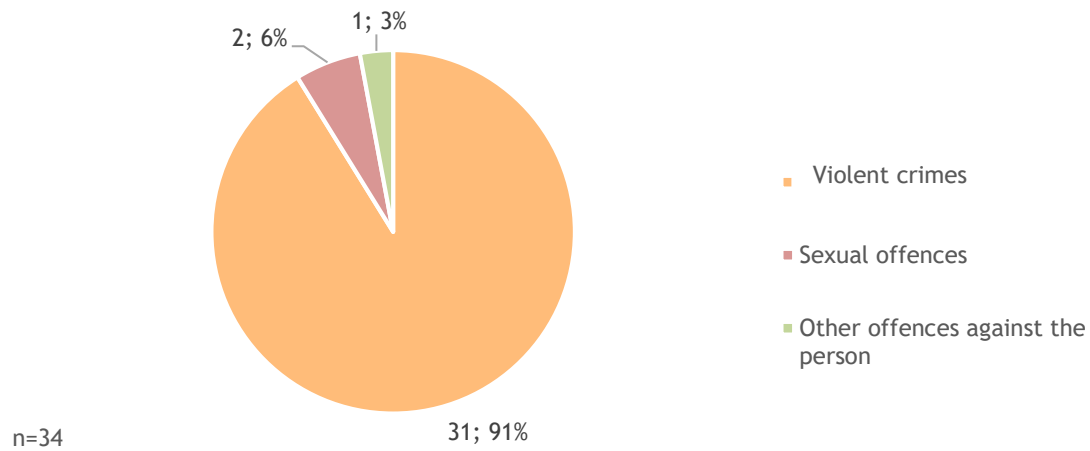
Of the 34 people highlighted, around **88% were victims of crime**, 12% of which were witnesses or family members of crime victims.

Graphic 4 | Reason to attend the criminal proceedings



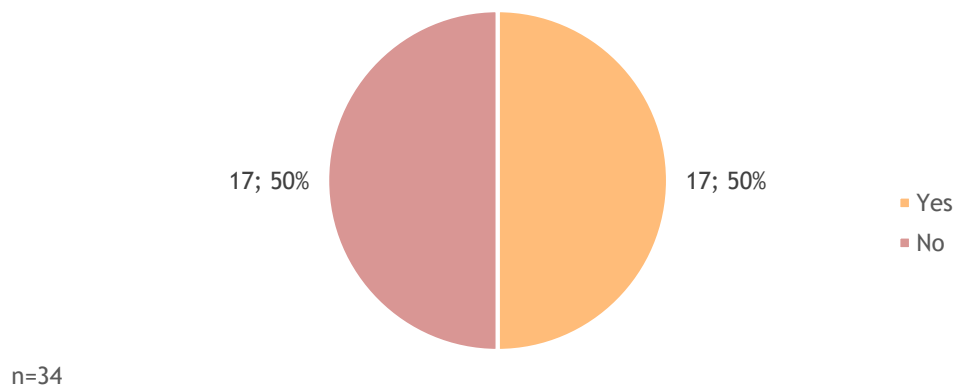
The criminal category more predominant was **violent crimes, with 91%**, which may include: Homicide, Manslaughter, Assault, Domestic Violence, Human Trafficking, Kidnapping, Robbery, child abuse, with 92% of situations highlighted.

Graphic 5 | Crime best associated with the criminal proceedings attended by the respondents

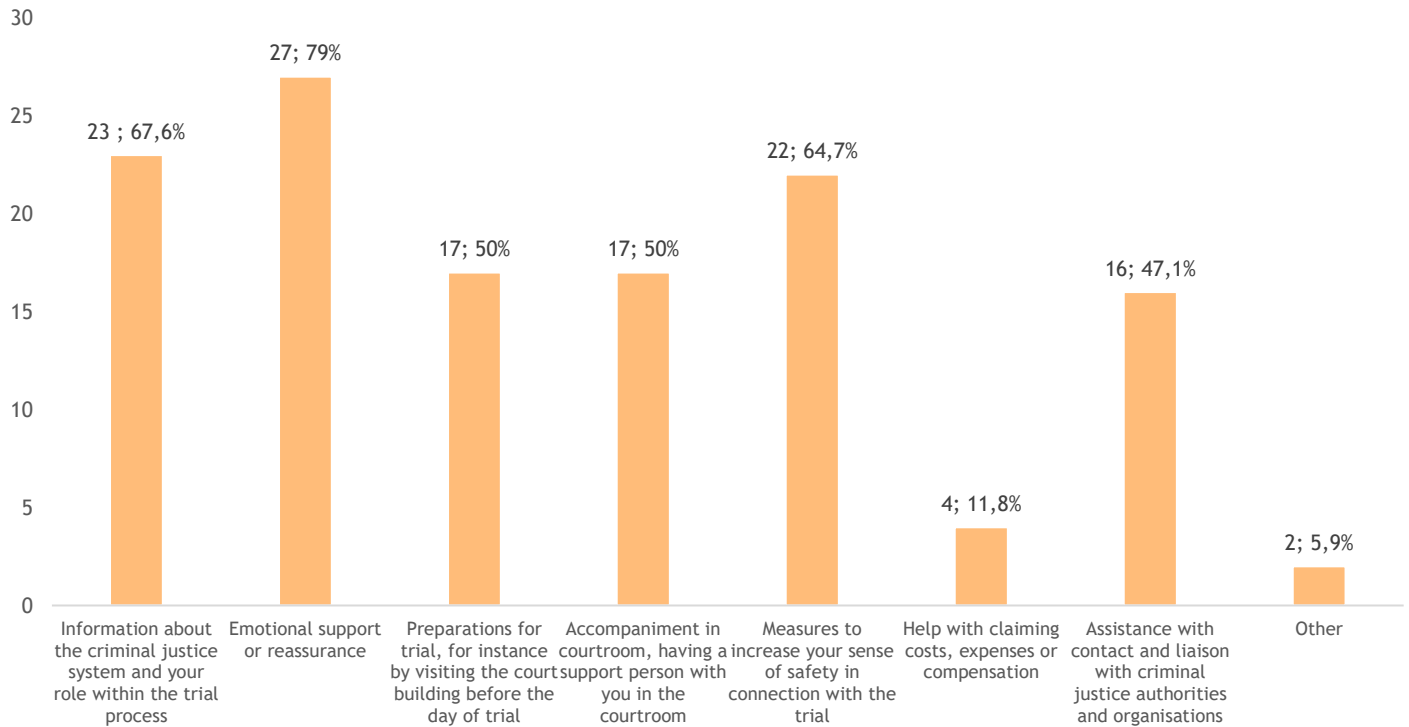


Half of the respondents were unaware of victim support services in courts and the other half already knew about it's the existence.

Graphic 6 | Awareness regarding the support services available at court



Graphic 7 | Type of support received from Victim and Witness Support in Court in connection with the criminal proceedings



The main support provided by the Victim and Witness Support in Court (GAV/DIAP) was **emotional support (21.1%)**, followed by **information on rights as a victim of crime (18%)** and **promotion of measures that increase the victim's feeling of safety when contacting the courts (17%)**.

Although less expressive, 17 of the 34 victims benefited from support prior to the investigations and in the follow-up.

Victim and Witness Support in Court (GAV/DIAP) also supported, in around **13% of the victims surveyed, the articulation and referral of these victims to other organizations**. This referral aims to activate support that allows victims to restructure themselves outside the violent context, namely support for paying rent, food support, support in requesting legal support, among others.

The least support provided by GAV/DIAP (with only 3%) was support in requesting reimbursement of expenses or compensation for participation that was, namely, a mention by one of the victims interviewed stating that they had not been informed of their financial rights.

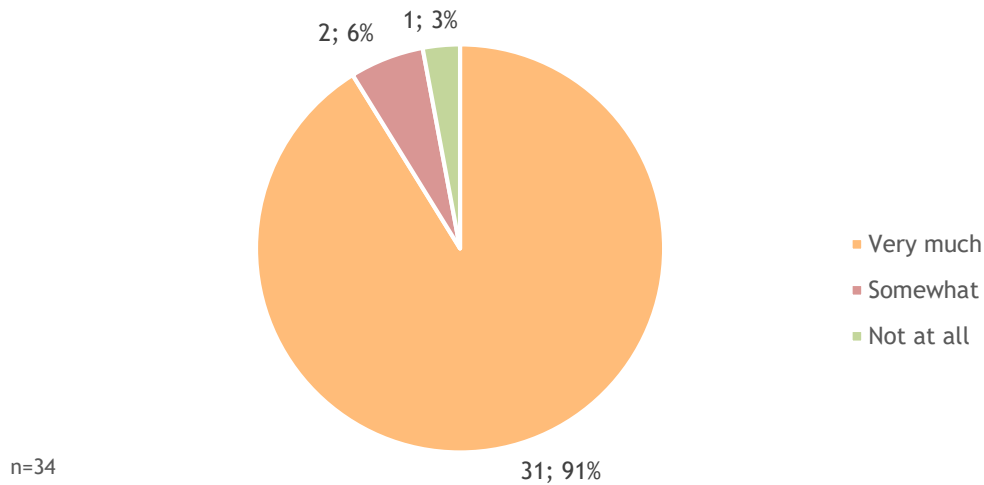
Regarding how victims felt about the support provided, we understand that the majority of responses reveal that victims felt very well supported by the court services.

On a scale of 1 to 4 where 1 represents not at all and 4 represents a lot, around **91% of victims felt that**

they were very well treated and respected by the Victim Support Officer.

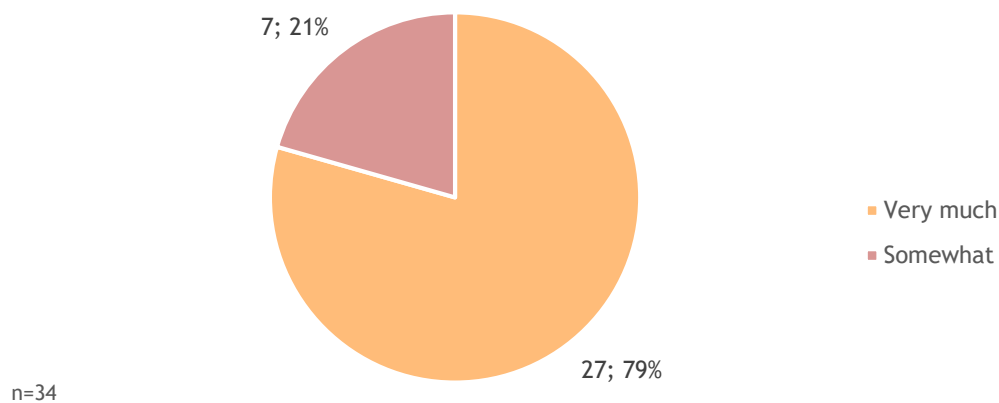
To this question, 2.9% responded that they did not feel respected at all by the service. However, after analyzing the other responses, understanding that in all other questions the evaluation of the service was very positive, we tend to read this result as a sampling bias.

Graphic 8 | Respondents felt treated in a respectful and professional manner

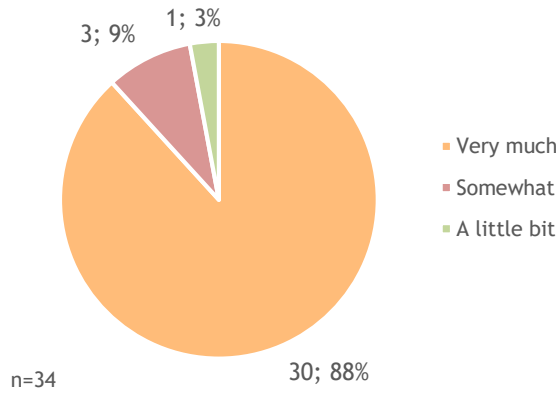


Around 85% of victims responded that they felt more informed about the justice system, as well as about their role throughout the process, calmer, more supported, comforted and that their questions were answered.

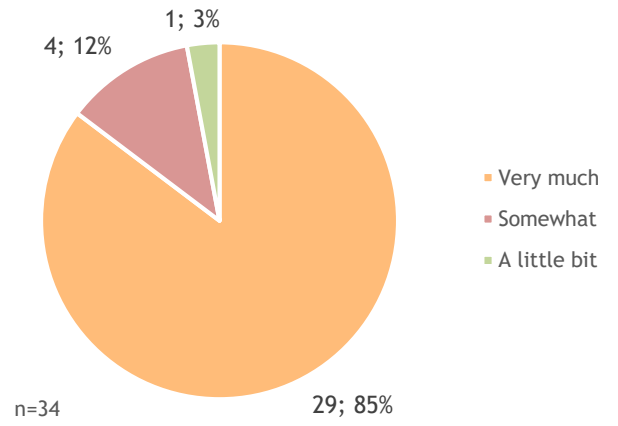
Graphic 9 | Respondents felt more informed about the criminal justice system and their role in the proceedings



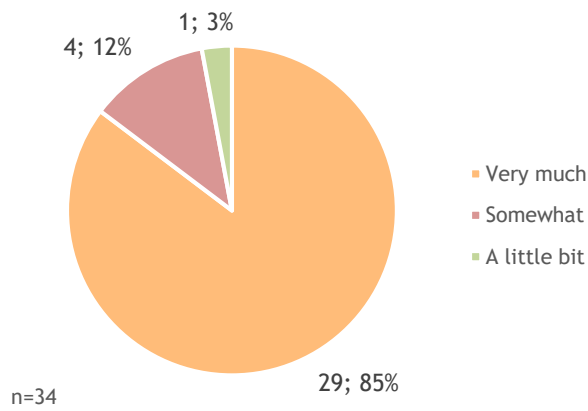
Graphic 10 | Respondents felt supported, comforted or reassured



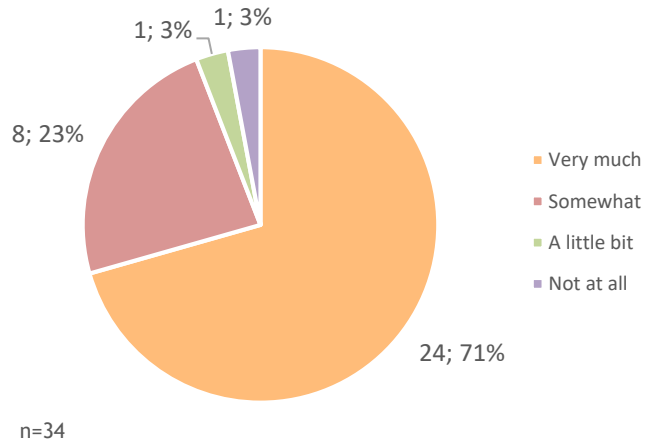
Graphic 11 | Respondents felt safer



Graphic 12 | I felt that the questions I had were answered



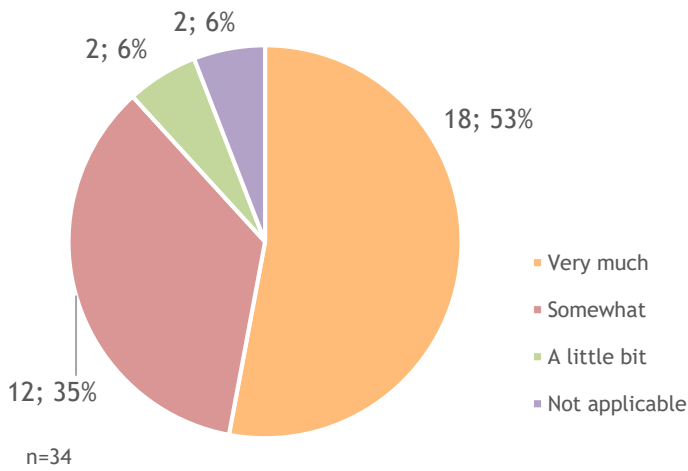
Graphic 13 | Respondents felt calmer



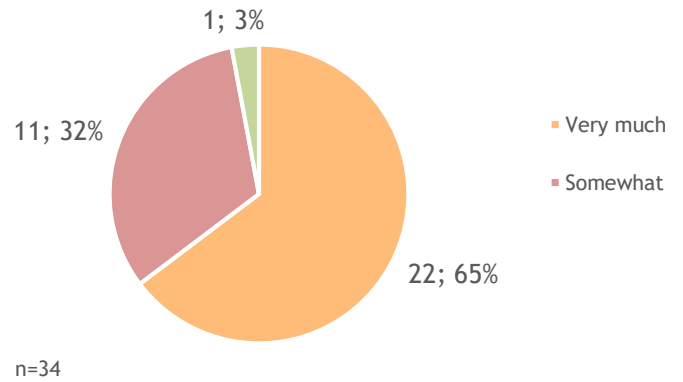


With the support of the offices, 53% of victims reported feeling much more capable of participating in criminal proceedings and 35% felt “somehow” more capable of doing so. Only 6% answered “a little”. Also, 65% of the respondents indicated feeling more able to give evidence.

Graphic 14 | Respondents felt better able to participate in the criminal proceedings

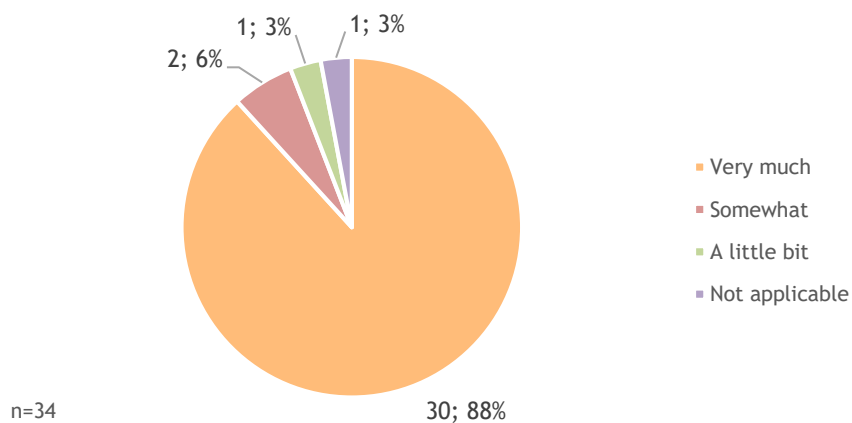


Graphic 15 | Respondents felt better able to give evidence



Thus, a significant portion of the sample responded that they would highly recommend victim support services in court (88%).

Graphic 16 | Respondents would recommend the court based support service to others



## Interviews Analysis | Victims and Witnesses

Interviews were carried out with 7 people who were victims of crime. Of these, 6 were female and 1 male. It is important to mention that all these victims were victims of domestic violence and are at different stages of the process. Some of the victims have already completed their processes and others have ongoing processes. Four of the interviews were carried out in person and 3 online.

The objectives of the study were explained, as well as the confidentiality of personal data guaranteed. After analyzing these semi-structured interviews, it was possible to understand some similarities between them.

Most victims responded that when they came to court they felt “afraid”, “scared”, “anxious”, mainly caused by the lack of knowledge “of what was going to happen”, the “procedures, logistics”.

However, it is also worth noting that one victim, a migrant, revealed fear caused by the possible removal of her minor child, given the poor economic conditions, her recent situation in Portugal, and the lack of family support or friends in Portugal.

It is important to mention this fact, because it’s a common fear among migrant victims and which, not infrequently, prevents them from proceeding with criminal processes. Immediately afterwards, this victim stated that from the moment she was informed of her rights as a victim of crime, these fears disappeared and she decided to move forward with the criminal case.

A victim also revealed that she even did not expect her criminal case to go to court, as she did not believe in either the justice system or the victim support services themselves.

However, 4 of these victims revealed that, after their first contact with the Victim Support Offices, these fears were dispelled from the moment they were informed of their rights as victims of crime, which is consistent with the results obtained in the questionnaires (see support graph).

Different victims mentioned different types of support received by the Victim Support Offices, from practical support in terms of security, such as promoting the seizure of weapons, ensuring that the victim does not cross paths with the accused in court, guaranteeing the victim's safety, explaining how the procedures, hearings and interrogation rooms, particularly the judicial figures present. One of the victims reported that they felt that the assessment was individualized and the response was adapted to each situation, to the person's needs and never as a proforma.

Furthermore, they mentioned subsequent follow-up contacts as significantly important in the updated assessment of the victim's needs.

Despite that, the most mentioned was emotional support, support in articulation with entities that provide food support or income support, as well as support in requests for the assignment of lawyers, in addition to referral for psychological support.

The explanation of judicial proceedings, information about rights as victims of crime and preparation for hearings was also mentioned as an important support. These results are somehow supported by the results of the questionnaires, with the exception of support in articulation with organizations which, in the questionnaires, was one of the least mentioned forms of support.

It is important to remember that semi-structured interviews allow a different understanding of the questions, which is why victims may have explored more about the types of support they received.

The majority of victims assessed the support from the Victim Support Office as beyond expectations and the majority understood that the support was provided at the right time, at the beginning of the criminal process.

For some victims, this support was also a useful tool for deconstructing the feeling of loneliness throughout the process, characterizing the figure of the Victim Support Officer as a figure of support, trust, without interests and validation of suffering experiences, which they say is reflected in the calm with which they manage to deal with the process and the inherent difficulties.

None of the 7 interviewees evaluated the support received negatively, but one victim said she felt she had little time to audition with the Victim Support Officer, which didn't allow her to explore everything she wanted to.

However, one of the victims mentions that she did not received continued psychological support at the necessary time, even with referral from the office to another service. She also states that she requested continued psychological support for his son, which was not possible due to lack of vacancies.

Another criticism has to do with the delay in legal processes. A conflictual situation with a court official was also mentioned. Besides that, an interviewed victim said that he would like that Victim Support Officer had more power to intervene and do a sort of a triage of the risk of revictimization or homicide and determine how fast a process should be treated.

Nevertheless, it is important to mention this criticism as external to the functioning of the offices.

Regarding suggestions for improvement regarding the service provided, there was the one about the time and the importance to have time with the Victim Support Officer.

One of the victims suggested that, at a national level, the creation of groups of victims of domestic violence could be considered in order to enhance the sharing of common stories. When questioned, 4 of the 7 victims responded that, when they think about coming to court, they will remember, above all, the support provided

by the offices, with one victim even saying that “we want to forget the process, but not the help they give us here, because that’s where we can find the strength to lift our heads and move forward”. Another victim reinforced the first appointment with the Victim Support Office as the one that will be remembered both for its punctuality and for its informality, confidentiality, security and understanding conveyed by the figure of the Victim Support Officer to the victim. He also mentions the reserved room as an essential factor for this comfort. However, one of the victims mentioned that she will remember, above all, the trial for the intense confrontation with the emotions and lies uttered by the defendant. Although not directly related to court services, one victim stated that the most memorable moment throughout the entire criminal proceedings was a bad experience at the police, which we know is a major factor in secondary victimization. Six of the victims interviewed stated that they would participate in the justice system again in the future, with two of them saying that they would do so if accompanied by the Victim Support Offices. One of the victims responded that she would not do it because she did not have the support of her daughters in this decision-making, which has been a factor with a high negative impact on this victim's life, which allows us to understand the importance of multidisciplinary and integrative support. The majority of victims mentioned that they would like to continue receiving support from the offices, with the exception of two who considered that all their needs have already been met.

Overall, the balance is positive. It is clear that all victims felt safer, calmer and more informed after benefiting from support from Victim Support Offices.

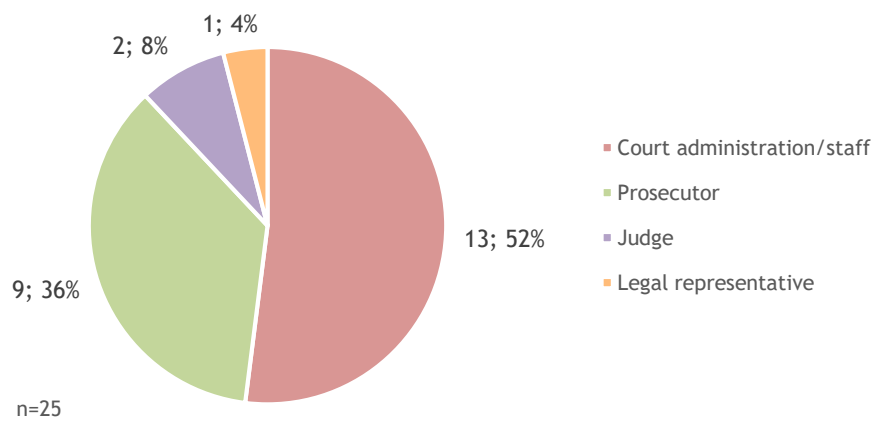
It is worth highlighting the fact that 6 of the 7 victims mentioned that they would participate in the criminal justice system again, which presupposes a non-traumatic experience.

## Survey Results and Analysis | Professionals

Twenty-five questionnaires were applied to professionals in the criminal justice system who work in the courts of Braga and Faro.

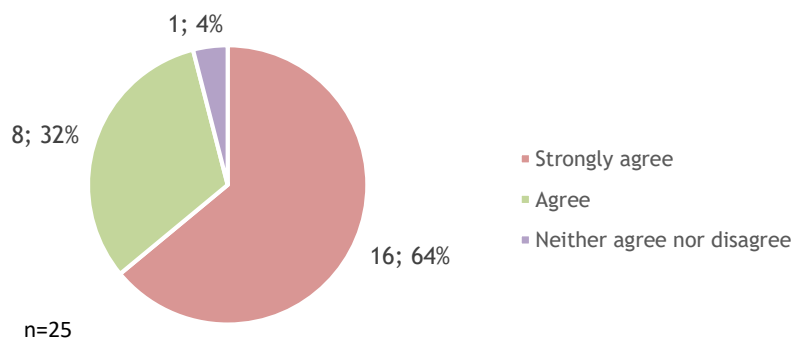
The most represented professionals were Court administration/staff (n=13; 52%), followed by Prosecutors (n=9; 36%), Judges (n=2; 8%) and Legal Representative (n=1; 4%).

Graphic 17 | Respondents role at court



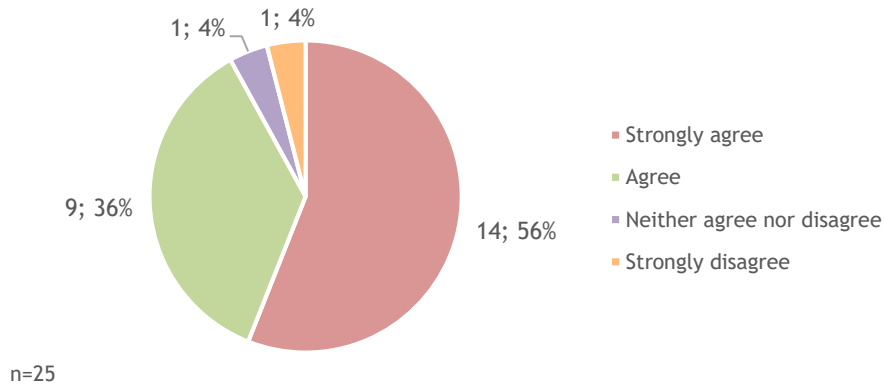
The majority of these professionals strongly agree (n=16; 64%) that victims and witnesses who receive court-based support before the criminal proceedings are more likely to appear better informed about the criminal justice system.

Graphic 18 | Victims and witnesses given court based support before the criminal proceedings are more likely to appear better informed about the criminal justice system



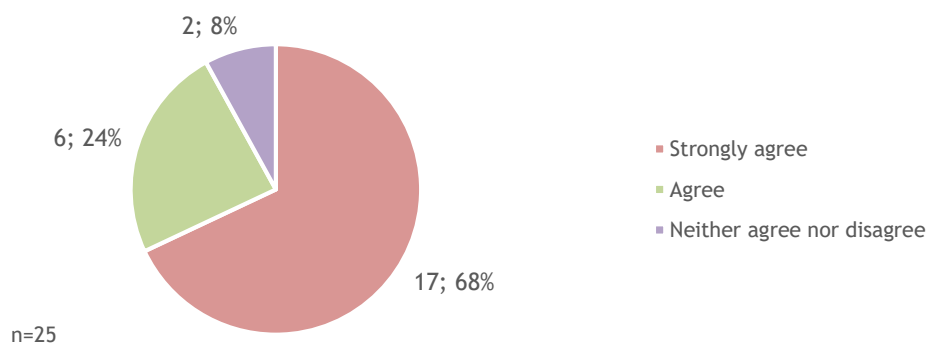
Around 56% (n=14) of these professionals strongly agree that those victims and witnesses appear to be calmer or more reassured after received court-based support, meanwhile, one of them (4%) strongly disagree.

Graphic 19 | Victims and witnesses given court based support before the criminal proceedings are more likely to appear calmer or more reassured



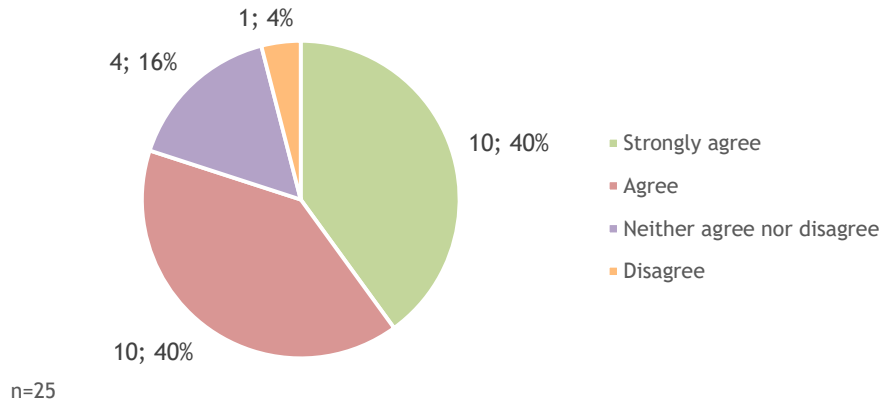
Most of the participants (n=17; 68%) strongly agree that supported victims and witnesses are more likely to attend the hearings, which contributes to less cancelled or delayed hearings.

Graphic 20 | Victims and witnesses given court based support before the criminal proceedings are more likely to attend the hearing, which leads to fewer no-shows and less cancelled/delayed hearings



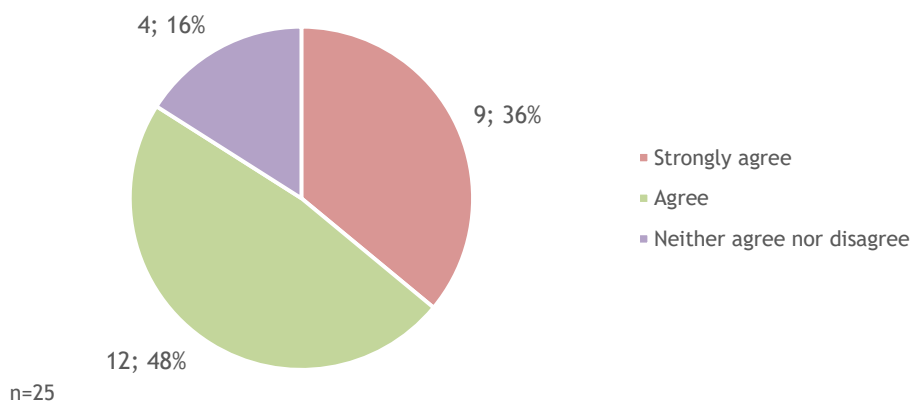
Regarding the willingness of victims and witnesses to testify, the majority of participants (n=20; 80%) believe that those who receive support are more willing to accept testifying.

Graphic 21 | Victims and witnesses given court based support before the criminal proceedings are more likely to agree to testify



The great majority of the professionals (n=21; 84%) believe that victims and witnesses who receive court-based support before the criminal proceedings are more likely to provide better evidence.

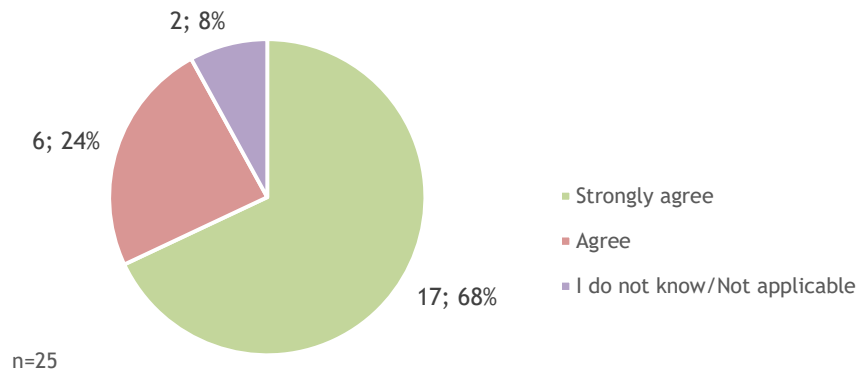
Graphic 22 | Victims and witnesses given court based support before the criminal proceedings are more likely to provide better evidence



Around 68% (n=17) of the professionals strongly agree that victims and witnesses are better able to cope

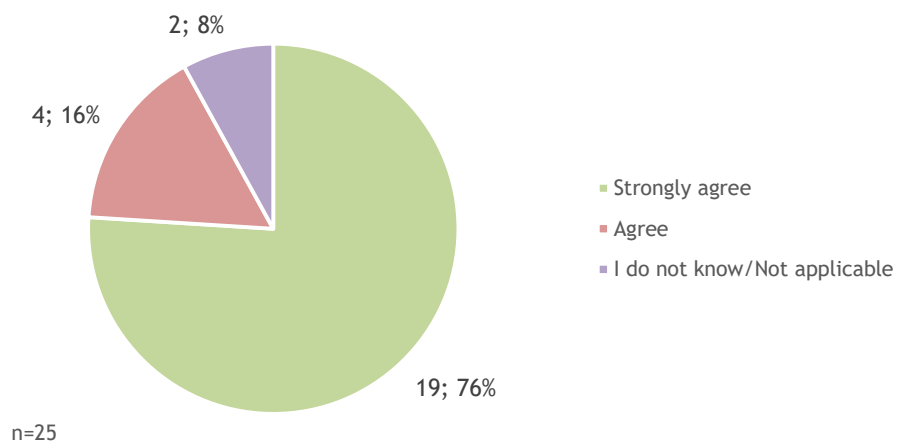
with participating in the criminal proceedings.

Graphic 23 | Victims and witnesses given court based support before the criminal proceedings are more likely to be better able to cope with participating in the criminal proceedings, in accordance with their role



Most of these professionals (n=23; 92%) believe that the court-based support is an important part of the criminal justice system.

Graphic 24 | Court based support to victims and witnesses is an important part of the criminal justice system

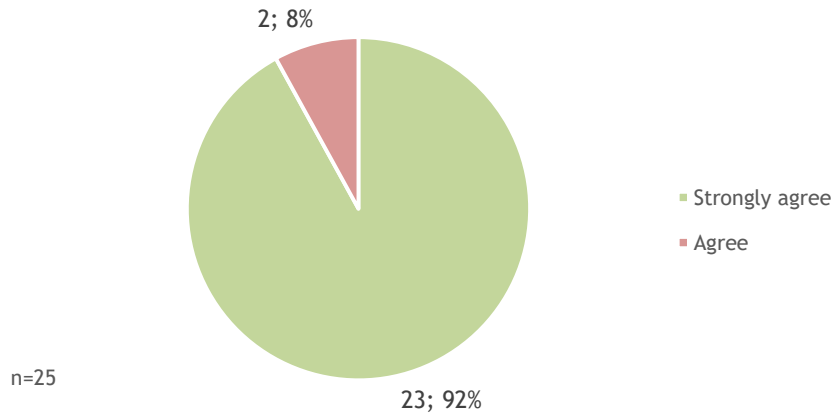


All the participants would recommend the court-based support service to those victims and witnesses who



are participating in criminal proceedings.

Graphic 25 | Respondents would recommend the court based support service to victims and witnesses that are participating in criminal proceedings



## Interviews Analysis | Professionals

### **Familiarity with support services at GAV/DIAP, the support provided and its beneficiaries**

All professionals interviewed reported being familiar with support services for victims and/or witnesses present in court. According to them, the existing services provide support to victims and/or witnesses of domestic violence and sexual crimes, regardless of age. Among the beneficiaries are especially vulnerable victims and those in high-risk situations. According to the perception of these professionals, the support provided begins in the investigation phase, and can continue throughout the process, particularly during the trial phase. Participants mentioned that, in addition to information, emotional, psychological, legal and social support, these services guarantee the preparation and accompanying victims and/or witnesses in proceedings, namely, in pre-recorded evidence hearings, in other hearings and in trial. Carrying out risk and needs assessments, prepare technical reports, assist victims in preparing formal requests, and follow-up contacts are also examples of the work carried out by these services.

### **Referral of victims and/or witnesses to GAV/DIAP support services**

Most professionals interviewed mentioned that they refer victims and/or witnesses to support services, especially at an early stage of the process, and when the risk is assessed as medium and high. However, some participants, due to the roles they perform, namely in the pre-trial and trial phase, said they did not make this referral to the services, claiming that they were already referred, supported and monitored by these same services.

### **Added value of support services for victims and/or witnesses during their participation in the diligences**

According to these professionals, the aspect that stands out most as an added value is the information that these services provide to victims and/or witnesses, not only about the court, the judicial process, their rights and available support, but especially about the hearings, namely, what is intended, the place where it will take place, the participants and the way it will work.

The information, together with the emotional support provided to them, in an informal, welcoming and protected environment, promotes the knowledge, calm and safety needed for them to make statements in a more confident way. By feeling “heard, supported and accompanied”, victims and/or witnesses will be more available to collaborate with the justice system and the judicial process.

Interviewees consider that these support services facilitate victim-court communication, highlighting the location of the services, within the judicial space, which guarantees immediate availability to intervene, when necessary.

Furthermore, considering the continuous nature of support and monitoring of the risk and needs of victims and/or witnesses, it becomes possible to immediately communicate to the process new facts and/or the need to apply urgent measures that guarantee safety and protection.

### **The role and impact of GAV/DIAP support services in day-to-day work and in the criminal justice system**

When asked about the impact of support services on their day-to-day work and on the criminal justice system, professionals mentioned that the typical formalities of judicial processes are blurred. For them, assistance to victims and/or witnesses occurs in an informal, comfortable, reserved environment, and the support and information that these services provide to victims and/or witnesses makes them feel calmer, more confident and active in the process.

Specifically in the case of the hearings, the prior support, information provided and monitoring make victims feel calmer and understand how legal processes work. Therefore, by being more informed, they become less inhibited and more willing to collaborate in the process and make statements. With this approach, victims can also develop greater trust in the justice system.

The articulation between the support services and the Public Prosecutor's Office is greater, given the insertion in the court building itself, facilitating both intervention in situations of psychological crisis, enabling the emotional stabilization of victims, and the immediate communication of new facts, enabling speed decision-making and application of urgent measures, necessary to ensure the protection of victims and/or witnesses.

The Public Prosecutor's Office, knowing that technical support is provided to victims and/or witnesses, for which they may not have the necessary skills, gain more time to invest in processing the case.

Support services are seen as a complement to the work that is carried out in court and facilitate the victim-court relationship, functioning as an intermediary with the justice system, allowing them to communicate and add new information and evidence to the process.

## **Obstacles identified and suggestions for improving support services at DIAP**

The majority of participants did not identify obstacles regarding the work carried out by support services. However, they recognize that there may be some resistance on the part of the justice system itself to the integration of “someone from outside”, and court buildings may not be prepared and have adequate spaces for the implementation of these services.

In terms of suggestions for improvement, professionals highlight the importance of these services being extended to all courts and the number of staff being increased. Furthermore, participants suggest that this support should be extended to all victims of domestic violence, not just those who are referred and whose level of risk is assessed as medium or high, and also to victims and/or witnesses of other types of crime, especially violent crimes. Some of these professionals, considering the phenomenon of domestic violence, also raised the possibility that this support could also be extended to the offender.

Improving physical conditions and procedures regarding hearing victims and/or witnesses was also another aspect proposed for improvement. In this context, the participants also highlighted the importance of staff from these services being able to play a more active role in the investigations, being able to interview victims and/or witnesses.

Finally, another suggestion mentioned is the possibility of these services being able to act at an early stage, namely, when the crime is reported to the police.

## **Factors that contribute to improving the quality of evidence provided by victims and/or witnesses**

Thinking about the factors that contribute to improving the quality of evidence provided by victims and/or witnesses, interviewees refer to the importance of them being calmer, informed, confident and oriented to report the facts with greater precision. Having the necessary emotional distance to report the facts in as much detail as possible - focusing on dates, locations, participants, frequency and time periods - is fundamental to the course of the hearing.

By being more aware of their role and understanding the importance of their testimony, victims and/or witnesses will be able to give a more spontaneous statement in a free and informed way. Here, the support provided by support services proves to be crucial; accompaniment in the proceedings by someone with whom they already have an established relationship of trust and empathy facilitates the way in which the victim and/or witness will give statements.

The conditions under which the investigations are carried out are extremely important. On the one hand,

the physical space must be as comfortable and welcoming as possible, and the defendant must be kept away from the courtroom. On the other hand, audio and video recording is an important factor for analyzing the evidence.

Pre-recorded evidence was also highlighted as an important procedure to carry out, in order to guarantee the collection of evidence as early as possible, preventing memory lapses, the repetition of statements and secondary victimization. Once again, the direct intervention that the staff of these support services can have was an aspect highlighted by the professionals as something that favors the quality of the evidence provided.

## Comments

Participants highlight the importance of supporting victims, considering their needs and concerns. The professionals interviewed report that the support services have been an added value and a very positive experience, stressing the need to expand this response at a national level, and allocate more staff to the services. Furthermore, they highlight the need to optimize the physical conditions of spaces intended for assisting and hearing victims and/or witnesses, especially in the case of children.

## CONCLUSIONS

It is important to begin by emphasising three preliminary points, which should not be lost sight of when analysing the main results of this study:

Firstly, drawing conclusions from the data presented must take into account from the outset the limited universe of the study, and which corresponds to the restricted context in which victim support services in court operate in Portugal. It concerns only two of the ten services currently in existence and the overwhelming majority of participants were women who had been victims of domestic violence:

- victims, and not witnesses or relatives of victims, since the services, although not excluding these two categories, are essentially aimed at the former;
- victims of domestic violence, and only to a limited extent victims of other crimes against people, because the services were created to provide support specifically for them;
- women, since this type of crime mostly affects women.

It is therefore a sample that, while representing the users of victim support services in court in Portugal, also reflects the very limited scope of these responses.

Secondly, these services operate at an early stage - shortly after the crime has been reported - in close liaison with and advising the Public Prosecutor's Office - the entity responsible for the criminal investigation - and provide various types of support - information on criminal proceedings and victims' rights, emotional support, preparation for and accompaniment at hearings, promotion of protection measures, assistance in drafting applications for reimbursement of expenses and compensation, assistance in contacting justice system authorities, among others.

Thirdly, there is continuity and coherence between the answers given by the two groups of participants involved: users of court support services and justice system professionals. Sometimes the perception of the professionals does not correspond to what the victims reveal, since they tend to have a more positive view of the system than what is experienced by the victims. Here, however, the assessment made by service users corresponds to the view that justice system professionals have of the main potential of these services, both in terms of how they benefit victims and how this impacts on the functioning of the justice system itself. It should be emphasised that the professionals who took part in the study are familiar with court support services, the victims they serve, the types of support they provide and the times when they operate, and they regularly refer victims to these services.

From the results obtained through questionnaires and interviews with beneficiaries of court support services and justice system professionals, we believe the following conclusions can be drawn:

1. Article 1 of the Victims' Directive states that "Member States shall ensure that victims are recognised

and treated in a respectful, sensitive, tailored, professional and non-discriminatory manner". This is therefore the first right of every victim of crime. The very high percentage of victims who consider that they have been treated respectfully and professionally by court support services means that the technicians who have assisted them are properly trained to deal with and communicate with people who, as a rule, are in a particularly vulnerable state. Feeling properly welcomed and recognised is the first but decisive step towards a faster and more effective recovery from the impact of victimisation, and towards a more active, more capable and less re-victimising participation in criminal proceedings.

2. There is a consensus that these services make a decisive contribution to making victims feel better informed, calmer, safer and more supported. This is what the overwhelming majority of victims say, but it is also the perception expressed by almost all the justice system professionals who come into contact with them and who took part in this study. And this positive impact of support services on victims is an end in itself, not just a means of ensuring better participation by victims in criminal proceedings. Some of the victims said that the presence of the Victim Support Worker, as a supportive, trustworthy figure who validated the victimisation experience, was essential to avoid a feeling of loneliness throughout the criminal proceedings and to guarantee the calm needed to deal with it. Promoting feelings of tranquillity and security in victims by providing information and accompanying and supporting them is a determining factor in cancelling out or at least mitigating the risk of secondary victimisation. This is perhaps the main virtue, the essential quality, of victim support services in court.
3. A direct consequence of the effect these services have on victims is that they are better prepared to take part in criminal proceedings. Once again, the combination of the results obtained from users and professionals in the justice system amply supports this assertion. The majority of victims considered that having benefited from support services in court had made them better prepared to participate in the process and, in particular, to contribute from an evidential point of view.

And this assessment made by the victims was largely corroborated by the professionals, at various levels and all of them very relevant from the point of view of the functioning of the justice system: according to the professionals, the victims who receive support are less likely to miss events in which they have to take part, which translates into fewer postponements of hearings and, most likely, less time-consuming criminal proceedings; victims are more willing to testify, which in situations of domestic violence is a decisive difference, as victims of this crime usually have the right to refuse to testify, and this is one of the main reasons for cases being closed; supported victims produce better quality testimony, i.e. it is freer, more spontaneous and therefore more likely to contribute to proving the facts of the crime.

4. A decisive condition for achieving the positive impact mentioned in the previous two points is the provision of information to victims: Knowing that one of the biggest causes of victim dissatisfaction

with the justice system is the inadequacy of the information provided and the difficulty in understanding it, and that this structural failure on the part of the justice system in terms of communication with victims causes tension and anxiety in victims, because of the understandable fear of what is unknown, it is easy to understand the importance of having someone working within this system who, among other things, has the task of ensuring that the victim is properly informed, in plain language, of their rights, the procedural process and, specifically, the event in which they will have to take part. This importance was particularly emphasised both by most of the victims involved in the study, who highlighted the opportunity to have their questions and doubts answered as a positive aspect of the service, and by the justice system professionals who, in the interviews, highlighted the provision of information as the main added value of the court support services, especially with regard to the prior explanation of the hearing in which the victim will have to take part.

5. The individualised and dynamic nature of the support provided, meeting the concrete needs of each victim at any given time, is, or should be, a characteristic of any victim support service, but in the case of court support services, the ability to deal with certain needs is essential, particularly in terms of protection or the aforementioned needs regarding information. This individualisation of support and its adaptation to each specific case was one of the aspects that some of the victims who took part in the study pointed out and recognised as positive.

But the dynamic nature of the needs assessment, through the establishment of regular contacts with the victims in order to continually assess the situation, was also a feature valued by professionals in the justice system, insofar as it allows relevant information to reach the case more quickly through the technician and, consequently, for the judicial authorities to act more swiftly, namely in the application of protection measures.

6. The location and characteristics of the spaces where victim support services operate in court were very much emphasised by the justice system professionals who took part in the study. The fact that they are located inside the courts is considered extremely important, as it allows for permanent contact and immediate liaison between magistrates and victim support technicians. It is known that many services provide support to victims when they have to go to court, but they don't have spaces in the court premises and only go there when necessary. However, it seems possible to conclude from the results of this study that the permanent presence of support services in the courts would be the ideal model for these responses, precisely because of the added value that the constant liaison with the justice system constitutes for both victims and the justice system.

Professionals in the justice system also favourably emphasised the way in which victim support services are designed and equipped in court. Their informal, comfortable, cosy, private and secure nature was considered - perhaps even in comparison to other judicial facilities - to facilitate and promote tranquillity, trust and, consequently, greater willingness to collaborate with the justice



system.

7. In addition to space, time is also an important variable in assessing the importance of victim support services in court. Most victims felt that they were offered support at the right time, i.e. at the start of the criminal proceedings. This is an aspect that perhaps depends on the configuration of the criminal process in each country and, specifically, the degree of involvement in it by the victims at each procedural stage. In the Portuguese case, and particularly in situations of domestic violence, victims are, as a rule, very much in demand at the initial stage of the process, whether it's for questioning by the police and prosecutors, for medico-legal examinations or for statements for future reference. It is therefore of great importance that this support specifically geared towards participation in criminal proceedings is made available as early as possible.

However, support in the context of criminal proceedings should not be limited to this period, because victims' needs at this level do not end there either. The majority of victims expressed a desire to continue benefiting from support services in the courts beyond the time when they are currently operating, and practice in Portugal tells us that, already at the trial stage, more and more judges are requesting the collaboration of these services to prepare and accompany victims at the hearing. The conclusion that can be drawn from this, which is as obvious as it is important, is that victim support services in court must be able to develop their activity throughout the criminal procedure, corresponding to the involvement of victims in the different procedural stages.

8. According to the data collected, the relevance of broadening the scope of victim support services in court is not limited to extending them beyond the initial phase of criminal proceedings. In fact, professionals from the justice system consulted in this study advocated their existence in all the country's courts. They also recommended that it be extended to more victims of domestic violence than those currently covered due to the high level of risk they are at, to victims of other types of crime, particularly violent offences, and also to witnesses. However, it was also mentioned that in order for this to happen, more victim support technicians would have to be brought in.

In this regard, it should be noted that both the Law that defines the objectives, priorities and guidelines of criminal policy for the 2023-2025 biennium and the National Strategy for the Rights of Victims of Crime, approved at the beginning of 2024 by Resolution of the Council of Ministers, provide for the creation of two Victim Support Offices per year at the Public Prosecutor's Office, so that by 2028 there will be a response of this nature in all twenty-three counties. The National Strategy for the Rights of Victims of Crime also envisages assessing the possibility of extending these services to other particularly vulnerable victims. There is therefore political will to extend these responses geographically and to increase the universe of potential beneficiaries. It will be seen in the near future whether investment in human, logistical and material resources keeps pace with this will.

9. The success of victim support services in court, which is clear from the data contained in this study,

comes with some dangers, possibly the main one being the creation of unrealistic expectations or, to put it another way, the temptation to assign functions that are not only totally foreign to the scope of these responses, but even conflict with what the mission of victim support services is. Two examples of what has just been said come from interviews with professionals in the justice system: there is a suggestion that victim support workers should take on a more active role in the criminal investigation itself, namely by formally interviewing victims and witnesses; and, in another step, there is the possibility of extending these support services to defendants. As well as recognising the quality and competence with which these victim support services have been operationalised in court, these ideas are an attempt to meet some of the Portuguese justice system's most pressing needs in this way, particularly in terms of interviewing victims in a qualified manner and within a reasonable timeframe, and effectively monitoring defendants.

This is certainly not the way forward. Victim support services in court have a very well-defined mission - and, it must be said, already quite broad - and should not be given roles and responsibilities that should fall to other actors, such as the justice system or social reintegration services, for example. Working closely with, or even within, the justice system, facilitating, as some professionals mentioned, communication and the victim-court relationship, and actively collaborating in the pursuit of that system's goals is positive and desirable. Taking on tasks for which one has neither legitimacy nor, above all, competence, confuses and jeopardises the different missions of the various bodies and agents and puts the quality of the services provided at serious risk.

10. These conclusions can only end on a positive note, in line with the results obtained in this study. In addition to everything that has already been described and analysed, it is worth highlighting the following aspects mentioned by the majority of victims: that the performance of the victim support services in court was above expectations; that what they will think of when they remember their time in the justice system will be the support provided by those services; that they would take part in criminal proceedings again, which indicates a non-traumatic experience and goes in a different direction to other studies carried out; and that they would recommend the victim support services in court to other people.

On the professionals' side, as well as unanimously stating that they would recommend these services to victims and witnesses, one very significant statement stands out: that they consider victim support services in court to be an important part of the justice system. This statement, apparently so simple and even vague, is significant evidence of the importance recognised in these services. The fact that this "foreign body" has been so readily and unconditionally assimilated by a system that is usually as hermetic as the justice system can only mean that we are on the right track.

We'd like to end by pointing out that it's important to publicise the existence of these services. The data collected indicates that only half of the victims were aware of their existence before going to court. This is a low percentage, which requires everyone involved, more or less directly, to

collaborate in the publicity effort. More widespread knowledge of these services could eventually mean more victims deciding to report the crimes against them and more victims willing to collaborate with the justice system. A newspaper article on victim support services in court was recently published in Portugal. The title of this article is a quote from a victim who has benefited from these services: "If I had known that I would have this response to protect me, I would have filed a complaint sooner".

## ANNEX 1 | IMPACT MEASUREMENT TOOL

