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**JUDICIAL VICTIM SUPPORT**

Criminal Justice Platform Europe – 23 february 2017

## History

- September 1993: pilot projects of Judicial Victim Support Services in public prosecutor's offices and courts
- February 1996: every public prosecutor's office disposes of a Judicial Victim Support Service
- Judicial Victim Support Services → competence of the houses of Justice
- 1 januari 2015: Transferring to the Flemish Community



## Legal base

- Law of March 12<sup>th</sup> 1998 for the improvement of criminal justice at the stage of the investigation and the judicial inquiry → article 3bis PTCCP
- COL 16/2012 - Joint circular from the Minister of Justice and the College of Prosecutors at the Courts of Appeal regarding the judicial victim support within the public prosecutor's office and the courts



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## Legal base

### Article 3bis Preliminary title of code of criminal procedure

Victims of crimes and their relatives should be treated **carefully and correctly**, in specific by providing the necessary **information** and, in case, in bringing about a **contact** with specialized services and in particular with justice assistants.

Victims receive in particular the useful information about the terms for becoming a civil party and the declaration of prejudiced person.

**Justice assistants** are employees of the department of the Houses of Justice from the Ministry of Justice who assist the competent magistrates with the accompanying of persons involved in a judicial procedure.

In every jurisdiction of the Court of Appeal **public servants** of the department of the Houses of Justice from the Ministry of Justice are called in to assist the public prosecutor with the carry out of the criminal policy concerning the receive of victims, with the evaluation, the coordination and the supervision on the use of the judicial victim support in the different Public Prosecutor's Offices and with the assistance of the public servants, specified in the 2<sup>nd</sup> paragraph, who are in charge of the judicial victim support. They work closely together with the public prosecutor.



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## Legal base

COL 16/2012

For the execution of their missions, the justice assistants basically have access to the criminal file and must have all the necessary facilities to carry out their mission.



- access to database justice
- present on sessions behind closed doors



## Intervention of the judicial victim support service

- ▶ On request of the magistrate
  - systematic
  - non-systematic
- ▶ On request of the victim / other service



## Missions

### 1. Individual Missions

- Information – general and specific
- Assistance
  - reconstruction of facts
  - consultation of the criminal file
  - restitution belongings
  - sessions of court
- Referral

### 2. Structural Missions



## Specificities

- ▶ Unique position: bridge between magistrates and victims
- ▶ Judicial victim support  $\neq$  victim support



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