

Commission Proposes Reform of Victims' Rights Directive

Thomas Wahl

News

On 12 July 2023, the Commission tabled a [legislative initiative for amending Directive 2012/29](#) establishing minimum standards on the rights, support and protection of victims of crime (the Victims' Rights Directive - VRD). The proposal ([COM\(2023\) 424 final](#)) builds on the evaluation of the VRD that was carried out in 2022 and demonstrated the need for targeted amendments to the existing legal framework (→ [eu crim 2/2022, 119](#)). In addition, in its EU Strategy on Victims' Rights (2020-2025), the Commission committed itself to strengthening the rights of victims of crime in the EU and to reviewing the 2012 VRD (→ [eu crim 2/2020, 104](#)).

The amendments pursue the following objectives:

- Improving victims' access to information and crime reporting;
- Facilitating access to specialist support for vulnerable victims;
- Ensuring more effective victims' participation in criminal proceeding;
- Improving access to compensation for victims;
- Better aligning victims' protection measures with victims' needs.

The proposed amendments will establish more far-reaching minimum standards to ensure that victims can fully benefit from their rights. The key elements of the proposal are as follows:

- Setting up a universal, EU-wide Victims' telephone helpline (116 006) as well as a comprehensive website with information in most spoken languages, apt for persons with disabilities and with state-of-the-art technology also allowing chats and emails;
- Facilitating the reporting of crime, including for victims in detention and irregular migrants;
- Facilitating access to free psychological support especially for all vulnerable victims as long as necessary (i.e., not only in the short term) and depending on the individual needs;
- Strengthening victims' access to support services by requiring support services to remain operational in a crisis;
- Establishing a victim right to assistance in court and enabling victims to challenge decision that affect their rights, independently of their formal status under national law in the criminal proceedings;
- Strengthening the option for victims to participate in criminal proceedings via teleconferencing (i.e., not only in relation to evidence gathering as it is the status quo);
- Reinforcing the rights to compensation by giving victims the right to receive a decision on compensation from the offender only in the course of the criminal proceeding (thus removing the option to have recourse to another proceeding as in the current VRD), and by making it mandatory for Member States to guarantee victims compensation directly and quickly after the judgment;

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- Improving victims' individual needs assessment, *inter alia*, by requiring initiation of the individual assessment from the first contact with the authorities and by adding physical protection measures to the list of specialised protection measures;
- Obliging Member States to provide for a possibility for victims to exercise their rights to information and access justice using electronic communication.

The proposal also includes several measures that are designed to ensure adequate and additional support for vulnerable victims, such as children, elderly persons, persons with disabilities, and victims of hate crime. Lastly, the Commission modified the article on the collection, production and dissemination of statistics on victims of crime, in order to improve the completeness, consistency and comparability of data when the VRD is applied.

The proposal is now subject to agreement by the European Parliament and the Council as co-legislators. If adopted, the Commission proposes that Member States would have two years to transpose the amendments into national law; exception: for the use of electronic means of communication, Member States would have four years.

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