Hate Crime VICTIM SUPPORT

Enhancing Stakeholder Awareness & Resources

Model Quality Standards for Hate Crime Victim Support

Funded by the European Union

VBRG
ASSOCIATION OF COUNSELING CENTERS FOR VICTIMS OF RIGHT-WING, RACIST AND ANTI-SEMITIC VIOLENCE IN GERMANY

OSCE ODIHR

Model Quality Standards for Hate Crime Victim Support

Published by the OSCE Office for Democratic Institutions
and Human Rights (ODIHR)
Ul. Miodowa 10
00–251 Warsaw
Poland
www.osce.org/odihr

This publication was funded by the European Union's Rights, Equality and Citizenship Programme (2014-2020). The content of this publication represents the views of the author only and is its sole responsibility. The European Commission does not accept any responsibility for use that may be made of the information it contains.

ISBN 978-83-66690-18-9

Designed by Homework

Contents

Introduction

Crime victimization can be profoundly traumatic. Victim support can be vital to healing the trauma of crime by helping victims to manage the harms inflicted and deal with the aftermath if seeking justice. This guide recognizes that anyone can become a victim of hate crime, when perpetrators, motivated by hostility and prejudice, commit crimes. All victims of crime should be guaranteed full protection of their rights, wherever a crime takes place, throughout the OSCE region. Crime victims should expect that the state will make provisions to support them, regardless of whether they report a crime to the police and seek justice through the courts.[1]

Among the wide variety of types of crime, hate crime can be particularly traumatic. Given the well-recognized damaging impact of hate crime on victims and communities, and the related needs of hate crime victims, the availability of specialized hate crime victim support is crucial. However, while many good practices have been established for generic crime victim support, there is a lack of comprehensive specialized hate crime victim support, as well as uneven provision, across the OSCE region. In some states, equality bodies and civil society organizations (CSOs) co-ordinate and provide hate crime victim support as part of the government response. In other states, support is provided solely within the criminal justice system by police and prosecution services. In yet other states, there is no state crime victim support system and any specialized hate crime victim support provided by CSOs is ad hoc and uncoordinated.

Crime victims' rights are meaningless unless they are followed up by action. All states therefore need a strategy to ensure the provision of specialist hate crime victim support. An effective strategy for specialist support needs the co-operation and collaboration of all stakeholders: ministries of justice and interior, police and prosecution authorities, equality bodies, national human rights institutions, health and social welfare services, CSOs, and communities targeted by acts of hate crime. In many countries, CSOs play a crucial role in supporting victims. However, in some countries CSO service providers can be viewed negatively. Therefore, it is important that states recognize the essential role CSOs play and, thus, plan and allocate sufficient financial and other resources for those providing specialist hate crime victim support. Both expertise and practical guidance are required to assist states in building capacity for specialized hate crime victim support services.

1 Recommendation Rec(2006)8 of the Council of Europe Committee of Ministers to member states on assistance to crime victims.

In response to this need, this guide has been developed within the framework of the Enhancing Stakeholder Awareness and Resources for Hate Crime Victim Support (EStAR) project,[2] implemented jointly by the OSCE Office for Democratic Institutions and Human Rights (ODIHR)[3] and the Association of Counseling Centers for Victims of Right-wing, Racist and Anti-Semitic Violence in Germany (VBRG).[4] The EStAR project covers forty-one countries,[5] all of which are participating States of the OSCE and Member States of the Council of Europe, and some of which are also members of the European Union. For European Union Member States, many of the quality standards proposed in this guide are underpinned by the EU *Victims' Rights Directive.*[6] However, the model quality standards are designed to be relevant to all OSCE participating States, including those beyond the European Union.

Quality standards play a crucial role in developing and strengthening specialized hate crime victim support, as high professional standards for the conduct, expertise and organization of services are key to meeting victims' needs. They are benchmarks used to specify the quality of services required to meet states' obligations to victims. They can also be used as guidelines for the development of new services, and as criteria to assess the quality of existing services. Quality standards provide measures to evaluate the organization and delivery of services, as well as to identify whether standards are achieved and what needs to be improved.

---

2 For more information about the project, see: EStAR: Enhancing hate crime victim support, OSCE/ODIHR website.

3 As the OSCE's institution promoting human rights and democracy, ODIHR provides support to OSCE participating States and civil society to address, among other things, intolerance and discrimination. To this end, ODIHR has an extensive mandate in the area of hate crime. For more information, see: ODIHR's Efforts to Counter Hate Crime.

4 The VBRG provides victims of right-wing, racist and anti-Semitic violence across Germany with access to counselling and support. More information about the VBRG can be found on their website: <https://www.verband-brg.de/english/>.

5 Albania, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Moldova, Montenegro, the Netherlands, North Macedonia, Norway, Poland, Portugal, Cyprus, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine and the United Kingdom.

6 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.

Published quality standards can provide service seekers[7] and collaborating partners with confidence in the professionalism of the service offered. Funders and commissioners can specify the quality standards required to be met as conditions for funds. Service providers, in turn, can use quality standards to demonstrate to prospective funders and commissioners the strengths of their services and professional standards of their support. Regulators can also use quality standards as conditions for accreditation and licensing.

Agreed minimum quality standards for hate crime victim support ensure equal provision and consistency for service seekers, irrespective of where they reside and their legal status in the country of residency. This guide therefore proposes a set of fundamental quality standards for professional hate crime victim support that can be achieved regardless of the size and capacity of service providers or the states in which they are located. As such, they serve as "model" quality standards.

The guide is intended for use by those providing specialist support services for victims of hate crime. Such specialist services might be provided by the state by designated units or staff in police, prosecution, crime victim support and social work services. They might be provided by independent CSOs as core services or as specialist parts of generalist crime victim, community and human rights-based services. The specialist hate crime victim support provided might include practical support, legal advice and representation, psychological, emotional and counselling services, and medical care.[8] The model quality standards for hate crime victim support proposed in this guide can be applied across different national contexts, across state and civil society service providers, and irrespective of whether it is a specifically dedicated service, or a specialist part of a more generalist service.

The model quality standards for hate crime victim support proposed in this guide have been developed following an in-depth analysis of quality standards documents provided by members of the EStAR Network of Experts.[9] This is the first dedicated network

---

7 The term "service seeker" is used throughout this guide for hate crime victims who seek and make use of support offered by hate crime victim support services. The alternative word "client" is used in some of the quality standards provided by the EStAR network and consulted for this publication. However, "service seeker" is used here to indicate more emphatically that hate crime victims making use of support services are not passive beneficiaries of support, but active agents exercising their own self-determination in responding to their victimization experience.

8 "*The State of Support Structures and Specialist Services for Hate Crime Victims. Baseline Report*", (Warsaw: OSCE/ODIHR, 22 October 2020), p. 13.

9 We gratefully acknowledge the contribution of the EStAR Network of Experts in providing quality standards documents and other relevant documents. While most of the documents are unpublished internal documents, quality standards for hate crime victim support are published online by GALOP in the United Kingdom and VBRG in Germany in both German and English.

of experts on hate crime victim support, comprising experts from CSOs and governments, set up within the framework of the EStAR project.[10] The EStAR expert network also provided guidance and feedback on the drafting of the quality standards.[11]

The following model quality standards for hate crime victim support presented in this guide are organized in three categories: service-seeker entitlements; staff competencies; and service organization and management. While the guide is intended to be read as a standalone document, consultation of other publications from the EStAR project will reinforce understanding of the rationale for the model quality standards proposed for hate crime victim support.[12]

The quality standards are not intended to be prescriptive. It would be unrealistic to expect newly developing services to achieve each of the quality standards from the outset. For new services, the model quality standards are intended as aspirational targets for professional service development. For already established services, the model quality standards are intended to guide evaluation and further strengthen professional development. The quality standards proposed are not exhaustive. Some specialist hate crime victim support services might identify and add further quality standards as relevant to the delivery and local context of their service. This guide is therefore intended to be a 'living document' to be adapted according to services' needs.

A summary checklist of the model quality standards is included in Annex 1 to provide a quick reference overview. The checklist is also intended to be a living document. Service providers are encouraged to add to it upon reading the guide, in order to ensure it is relevant to the type of specialist hate crime victim support service they provide and the context in which it is carried out.

10 For the terms of the reference of the EStAR network see: <https://www.verband-brg.de/wp-content/uploads/2020/04/EStAR-Expert-Network-Term-of-Reference.pdf>.

11 See Annex 2 for EStAR Expert member network list. We gratefully acknowledge the contribution of feedback from members of the EStAR member network, and the contribution of peer review from the EStAR team on earlier drafts of this guide.

12 *Understanding the Needs of Hate Crime Victims*, (Warsaw: OSCE/ODIHR, 2020). Also see forthcoming ODIHR reports produced within the EStAR project, "Model Guidance on Sensitive and Respectful Treatment" and "Model Guidance on Individual Needs Assessment".

Service seeker entitlements

A "victim-centred" approach requires putting the victim at the centre of the response to hate crime. It means recognising, acknowledging and working with the victim's perspective on their victimization experience and its impact, as well as their needs.[13] It also involves acknowledging that even though people affected by hate crime might share a particular identity or multiple identities and personal characteristics, they are individuals with their own unique needs.[14] The principle of a victim-centred approach also applies to quality standards for hate crime victim support. It means understanding service seekers' reasonable entitlements to quality service. These reasonable entitlements can be achieved irrespective of the size, capacity and resources of service providers.

1. Access to specialist hate crime victim support services

The impact of hate crime can spread well beyond the person immediately targeted (commonly referred to as the "direct victim") in acts of violence or other crimes. Witnesses and other people who see or hear about the crime can be also affected. In effect they can become indirect victims. Family, friends and people living in the neighbourhood and beyond who share the direct victim's identity and personal characteristics, such as members of the same religious communities, can be affected. Even those who are from other groups targeted by hate crime can be affected by the crime. The impact of hate crime can be felt across communities.

Hate crimes may also not target specific individuals, as is the case of offenses against property that are motivated by an offender's bias against a race, religion, ethnicity, gender, gender identity, sexual orientation, disability, etc. These crimes create indirect victims because of their impact upon communities. Especially violent hate crimes are intended to send a message of hate and intimidation to the whole community and can therefore affect communities across a nation and beyond, such as attacks against synagogues, mosques, migrant community centres and refugee shelters, as well as places frequented by members of the LGBTI community.

13 Kees, S., Iganski, P.S., Kusche, R., Świder, M., Chahal, K. *"Hate Crime Victim Support in Europe. A Practical Guide"*, RAA Sachsen, 2015, p. 27.

14 See, "*Understanding the Needs of Hate Crime Victims" op. cit.,* note 12, pp. 33–34.

Given this understanding about the potential impact of hate crime, a fundamental quality standard for all hate crime victim support services is that service provision is not confined to direct victims and their families, but extended to anybody who feels affected. This inclusive notion of potential service seekers is one of the dimensions of specialist hate crime victim support service that distinguishes it from more generic victim support services, which focus on the direct victim and their families.

Access to support must also not be dependent upon the victim's experience legally qualifying as a crime, as non-criminal hate incidents also have an impact. Likewise, access to the service must not be dependent upon a report being made to the police or another authority by the direct victim or another person, or their participation in criminal proceedings, because the offence can leave an impact irrespective of whether it is reported and prosecuted. Access to support must also be available irrespective of the service seeker's nationality, residency or citizenship status.

It also must be recognized that access to specialist hate crime victim support is not just a one-time process: access needs can change as service seekers' needs evolve as they manage their ongoing response to their victimization experience.

Free of charge

Core and immediate support for people affected by hate crime needs to be available free of charge so that there is no financial impediment to access by service seekers.[15] Where particular services might incur cost contributions from victims, such as security measures and repairs for damaged private property, and long-term specialist psychotherapeutic support, for instance, service seekers should be advised about the potential cost in advance so they are able to make an informed decision around their support needs.

Remote access

Being able to make contact and communicate with hate crime victim support services remotely by telephone, email, letter, video call or through online portals, can increase

15 For EU Members States, free of charge access to victim support services is specified as a right under the "EU Victims' Rights Directive", Art. 8(1). Free of charge "emotional, social and material support before, during and after the investigation and legal proceedings" for victims of crime is also recommended as a minimum standard by the "Council of Europe Recommendation Rec(2006)8 of the Committee of Ministers to member states on assistance to crime victims", Council of Europe, 2006.

their accessibility for some potential service seekers, such as victims of intimate or caregiver violence. Some might feel more comfortable engaging with the service remotely rather than in person. Remote access can also assist persons with physical disabilities to use the service. For some people, being able to access the service remotely from their own home may make them feel more secure. For others, remote access might be more convenient and less costly than travelling to an office.

While the offices of hate crime victim support services can provide private undisturbed space for consultations, service seekers should be asked about where they would prefer to meet. For some service seekers, the potential for hate crime victim support staff to visit them in their homes will increase accessibility of the services compared with solely office-based provision. This is especially the case for service seekers living in rural areas where public transportation to the offices of hate crime victim support services might be limited. Support sessions in community centres, places of worship, retail centres, sports and leisure facilities, can also increase the reach of support by raising awareness about its existence and enhancing accessibility.

Crisis response

In the immediate aftermath of a hate crime, direct and indirect victims can feel that their sense of security has been shattered. The mental impact can be devastating. Some people might reach out to hate crime victim support services in these moments of crisis and seek immediate support. To manage urgent requests, services need a contingency plan for crisis response during and outside office hours. This would include a clear protocol for the first response, which can address immediate protection needs if necessary. If the availability of in-person or remote support out of office hours is limited, at the very least the service's website needs to provide clear and prominently placed information about how urgent support can be accessed. This should include signposting to police and health services.

Effective communication

All information about hate crime victim support services, such as details about accessing the service, the types offered, and the rights of service seekers who engage with the service, needs to be clear, concise and understandable. It needs to be available in different formats for ease of access, such as websites, social media, leaflets and posters in public places.

The service seeker's comprehension of the language used by a hate crime victim support service when providing information, advice and support, orally and in writing, always needs to be considered. Their first language, their age and level of maturity, their

intellectual and emotional capacity, their literacy standard, and any mental or sensory disability, may impede their understanding of what is communicated to them. At the very least, the service seeker's comprehension needs to be considered and measures taken to ensure that information about accessing service and the types of services offered are communicated effectively.

Services will need to identify, and use where appropriate, interpretation and translation support, and communication support for persons with a sensory disability. Offices need to be accessible to persons with physical or sensory disabilities. Hate crime victim support services need to be familiar with, and comply with, national rules, regulations and law concerning access to buildings and services for persons with disabilities, and specialist advice sought if needed.

2. Confidentiality

Confidentiality is a core ethical principle for working with hate crime victims, and a fundamental quality standard. In many countries the practice of confidentiality is also a legal obligation. The obligation can apply irrespective of whether there is an agreed confidentiality contract with the service seeker.

The principle of confidentiality aims to protect the privacy of individuals by guarding their personal and sensitive information. With such safeguarding, the practise of confidentiality can offer reassurance to service seekers that they can be forthright in discussing their situation knowing that the information they provide will be protected from disclosure to others unless they explicitly consent to it being shared. Protecting the privacy of service seekers can also be important for preventing intimidation, retaliation, and further victimisation in particular circumstances where it becomes known by perpetrators that the victim has reported the crime.

The principle of confidentiality applies to the conduct of hate crime victim support services when cases are discussed in supervision, training, research and ad hoc discussions within the service. It also applies when the hate crime victim support service collaborates with or refers to other organizations and authorities on the service seeker's behalf. The principle of confidentiality is also relevant to communication with the service seeker. Sending correspondence about an anti-LGBTI incident to a home address, university or a workplace without consent, for instance, can accidentally "out" a person. Likewise, correspondence about supporting people experiencing intimate partner violence or violence from relatives, if discovered by the perpetrators, can risk further violence.

If service seekers are to be identified in discussions with professional support staff, then their explicit prior consent needs to be obtained for specific information sharing. Service seekers can be treated anonymously if they so wish. However, even in circumstances where cases are discussed without identifying persons in meetings within the hate crime victim support service and in liaison with other organizations, it is good practice to still obtain the service seeker's prior consent.

Service seekers need to be made aware of the limits of the confidentiality that can be offered. There are certain circumstances where a hate crime victim support service recognizes that they might need to breach confidentiality (See, "Staff competencies" and "Disclosure obligations" below). It is appropriate for such circumstances to be explained to service seekers at the beginning of the support process to give them an opportunity to discuss and raise any questions. Generally, these circumstances involve legal obligations concerning the prevention of serious harm to the service seeker and others, and the prevention and detection of serious crime. In some countries, access to confidential information can be sought by official authorities in connection with criminal investigations. Hate crime victim support service providers will therefore need to be familiar with their national laws, regulations and administrative provisions concerning breach of confidentiality. Seeking legal advice for an intended breach is recommended.

3. Informed consent

Any action taken on behalf of a service seeker by a hate crime victim support service provider needs to be mandated by the person's fully informed consent.[16] It requires the service seeker to be made aware of the potential outcomes of actions taken on their behalf so that they can make informed decisions and choices of the actions they wish to be taken. Such actions might include referral to specialist professional support, such as counsellors, psychologists, psychotherapists, health services, social assistance support, and police services. (See, "Self-determination" below).

4. Data protection

Obtaining explicit informed consent from service seekers is also needed for holding, using, and sharing their personal data in paper-based or electronic records.

16 For a useful source of detailed information on European law concerning consent, see: "Handbook on European data protection law", European Union Agency for Fundamental Rights and Council of Europe, 2018, (Chapter 4: 'Rules of European data protection law', pp. 139–164).

Service seekers also need to provide their informed consent for the sharing of their information with other service providers. To provide full informed consent for data sharing, the service seeker needs to be made fully aware of the organizations with which their information might be shared and the confidentiality conditions exercised by those services.

OSCE participating States are bound by national and supranational laws, regulations and administrative provisions on data protection. Hate crime victim support service providers need to be familiar with the regulations governing data protection in their own state. There are some common principles of data protection concerning informed consent that serve as fundamental quality standards.

To be able to provide full informed consent, service seekers must have sufficient information to exercise their choice to consent or decline to the processing of their data. [17] They need to be made aware, orally or in writing, in plain, concise language and in an understandable manner, of how their information will be processed. Specifically, this involves understanding:

- Exactly what information about them will be collected and retained;
- How the information will be held securely;
- The period for which the information will be held;
- How the information will be used confidentially;
- Who will have access to the information; and
- Confidentiality conditions required of other services with whom the service seeker's information is shared.

The consent must be given by a clear affirmation in a written or oral statement. (This can include ticking a box on an electronic or paper form). The consent must be unambiguous in that there needs to be no reasonable doubt that the service seeker expressed their agreement to the data processing. A verifiable record of the consent needs to be retained. If the consent is written into a service contract the service seeker still needs to be made fully aware about the processing of their information in text clearly distinguishable from the rest of the contract and provide their specific agreement.

17 Data processing "means any operation or set of operations performed on personal data, such as the collection, storage, preservation, alteration, retrieval, disclosure, making available, erasure, or destruction of, or the carrying out of logical and/or arithmetical operations on such data," from "The Convention for the protection of individuals with regard to the processing of personal data", Council of Europe, 2018, Art.2(b) p. 7.

Sensitive data

The explicit specific consent of service seekers is needed for processing what are regarded as "sensitive data". Such data refer to a person's identity, such as their "racial" or ethnic identity, gender, sexual orientation and gender identity, their political and religious affiliation, and data concerning their health status.

5. Respect

Anyone in contact with hate crime victim support services is entitled to be treated in a respectful professional manner without discrimination on any grounds.[18] This also includes being addressed formally in line with polite social etiquette (unless informal address is preferred by the service seeker). The service seeker should be asked for their preference about how they would like to be addressed. Respect also implies being aware and making others aware of cultural and religious norms, for example some Muslim women do not shake hands and might be offended if a male hand was offered in a professional setting.

Respect also involves being listened to and heard without pre-judgement and bias, and being given full opportunity to voice concerns. It also means that the person is believed: they are taken seriously in that their victimization experience is acknowledged and validated. It is important that the service seeker can trust that the hate crime victim support service is on their side: that they are not alone in managing their victimization experience.

6. Self-determination

It is fundamental that service seekers not only consent to actions taken on their behalf, but that they decide which steps are taken, and which they do not want to take, once made aware of their rights and entitlements, and potential support available from the hate crime victim support service and other organizations. Decisions about action rest with the service seeker alone. The aim is to seek to support the person in their decisions: not take decisions for them. It means respecting the service seeker's autonomy.

This is not only an ethical matter. It has long been recognized that some people will feel a loss of control, helplessness and powerlessness as a result of crime victimization.

18 For residents of EU Member States this right is stated in the "EU Victims' Rights Directive", Recital (9).

Consequently, they might not see the possibilities of constructively managing the impact of the crime. This is a particular risk for hate crime victims who come to realise that they were targeted because of their identity and personal characteristics, and not for other reasons. They might recognize that if it happened once for this reason, it can happen again, and resign themselves to the potential for further victimization.

Promoting Empowerment

"The overarching principle in working with those who have experienced hate violence is the recognition that the process of empowerment has to inform the practice of both the service and the individual caseworker…When a victim makes a complaint or is referred to a hate crime service, practitioners work in partnership with them to provide and explain the various options available and guide them through the process of making decisions. This enables them to be better equipped to resolve problems and access services through self-help. The client is able to make informed decisions and has the capacity to act through recognition that they have the tools to take hold of their situation."

From: Kees, S., Iganski, P.S., Kusche, R., Świder, M., Chahal, K. *Hate Crime Victim Support in Europe. A Practical Guide,* (Dresden: RAA Sachsen, 2015), p. 28.

Supporting service seekers to choose their own course of action and act for themselves assists their self-empowerment. They can be helped to recognize their own capabilities in responding to the crime, and to recognize solutions. This can help build their self-esteem and resilience to the impact of the crime by taking control of how they constructively manage the after-effects and respond to their experience. This can mean exercising their rights, accessing justice, and engaging with services that can help them. Through exercising their self-efficacy, they can regain control of their lives.

7. Support

People directly or indirectly affected by hate crime can expect support in the form of advice, information and assistance to help them manage the adverse consequences of victimization. It is important, therefore, that hate crime victim support services have the skills and resources necessary to respond to victims' needs or know where to refer them for such support.

Risk assessment

It is important that support is formulated on an early assessment, in partnership with the victim, of the risk of further victimization. In situations of immediate crisis, a risk assessment will be part of the crisis response. Where children are involved, this must include a child protection risk assessment. For some victims, a single instance of hate crime can be part of an ongoing process of victimization. For some it can be part of a pattern of escalation. A risk assessment, at the first opportunity, is important so that the service seeker can be advised about, and exercise, personal security measures, or agree to measures being taken in partnership with them. This is an imperative for hate crime victims as the potential for repeat victimization is greater than some other types of crime. This is especially the case where the perpetrators are family members, neighbours, others living in the locality, attending the same school or college, or otherwise known in some way. [19]

Service seeker's assessment of their own safety and security is usually a reliable indicator of potential risk. But to guide the evaluation of risk it is also valuable to use a structured risk assessment tool in addition to the support worker's subjective judgement.[20] Such a tool can also be used to compare the course of risk over time and help evaluate the effectiveness of actions taken, as given the potential risks of repeat victimisation, risk assessment and management need to be an ongoing process. Records of the risk assessment should be used to guide actions and monitor trends.

Individual needs assessment

It is fundamental that hate crime victim support services focus on specific needs articulated by service seekers. This provides the heart of a victim-centred approach.[21] An early needs assessment, in partnership with the service seeker, is important so together they can consider potential actions to manage their experience of crime, or agree to measures being taken in partnership with them.

---

19 The EStAR publication *Understanding the Needs of Hate Crime Victims* notes that, "Some LGBTI individuals and persons with disabilities experience hate crime at the hands of their parents, other family members or carers with whom they may live. Such cases can differ to other types of hate crime, as the victims may be particularly vulnerable in their own homes, further enhancing their need for safety. To avoid re-victimization, the victim may need to be relocated to a shelter or, in the case of LGBTI victims, within the LGBTI community," *op. cit.,* note 12, p. 18.

20 The Police Service of Northern Ireland uses a Hate Crime Vulnerability Risk Assessment Matrix.

21 "Understanding the Needs of Hate Crime Victims*", op. cit.,* note 12, p. 34.

An individual needs assessment evaluates specific needs beyond the immediate and ongoing need for safety and security.[22] It can help to identity needs for:

- Health care due to physical injuries from victimization;
- Practical support, such as repairs to damaged property, the installation of security measures, and possibly emergency accommodation;
- Support with dependent family while managing their response;
- Emotional support;
- Pastoral/spiritual support;
- Psychological intervention;
- Legal advice;
- Support with communication and interpretation;
- Support with crime reporting and help navigating criminal justice;
- Guidance on administrative and civil procedures;
- Advice and help concerning accessing compensation and financial support for crime victims;
- Advice about, and referral to, specialist services such as psychological counselling, psychotherapy, social housing, legal aid, and debt advice; and
- Advice and support concerning residency and asylum rights and processes.

Sometimes a spectrum of needs is apparent, with some needs only tangentially related to the consequences of hate crime victimization. It is fundamental that a holistic approach is taken so that the focus of the support service is not confined to those needs just directly related to the damaging impact of the victimization experience, but includes support for any needs related to coping with the impact and preventing further victimization, if relevant.

8. Communicating progress

If actions are taken by the hate crime victim support service in partnership with the service seeker it is vital that they are regularly kept informed of progress. The impression that nothing is being done can lead to frustration, worry and loss of confidence in the support service. Regular updates about referrals to other specialist services, and case progression through criminal justice processes if applicable, for instance, are also critical, even if there is no immediate progress to report.

22 For more information, see: "Model Guidance on Individual Needs Assessment", *op. cit.,* note 12.

9. Contact

All communication with victims should be undertaken through their preferred means of contact, which could be by telephone, email, social media or letter. Service seekers need to be asked about their preference. They also need to be clearly advised about who they can contact in the hate crime victim support service, and by what means, to ask about the progress of any actions taken in partnership with them, or if they need to clarify any advice or information they have been given. Service seekers also need to be advised about the period after which their case will be closed if contact with them is lost.

Staff competencies

Hate crime victim support service staff come from a variety of professional backgrounds. Some are trained community workers, counsellors, lawyers, psychologists or social workers. Others have developed specialist expertise on the job while working for hate crime victim support services. To be able to ensure quality standards in meeting the needs of service seekers, it is reasonable to expect a set of competencies for all people working for hate crime victims support services. There are some fundamental quality standards of competency that can be met by all staff irrespective of their professional background and role.[23]

1. Victim-centred

A core principle for hate crime victim support caseworkers and other staff who interact with hate crime victims is that they apply a victim-centred approach to their work. This involves recognising that although there are some common post-victimization impacts of hate crime, individuals can be affected differently.[24] The service seeker's perspective about the impact and consequences of their victimization experience is therefore paramount. This means that they are believed: their victimization experiences acknowledged, validated and acted on with the service seeker's consent.

It also involves recognising that even though persons affected by hate crime might share a particular identity and personal characteristics, they are not reducible to a single identity or intersecting identities: they are individuals with unique needs.

A victim-centred approach also means that the service seeker's perspectives on their needs and interests must guide the support offered. The service seeker must be accepted and acknowledged as the leading partner. Any actions taken on their behalf

23 For a useful discussion of approaches to casework with hate crime victims which underpin these competencies, see: Chahal, K. *Supporting Victims of Hate Crime. A Practitioner Guide,* (Bristol: Policy Press, 2017), chapters 4–9.

24 As noted in *Understanding the Needs of Hate Crime Victims*, "…the impact of hate crime on individual victims can be mediated by the interaction of different aspects of their identity, such as their age, gender, ethnicity and religion. An individual's physical condition, mental stability and health conditions, as well as their previous individual and collective experiences of discrimination, crime, violence and traumatization, can also affect the impact of a hate crime on a particular victim," *op. cit.,* note 12*,* p.33.1

can only be with their consent: this includes any referral to, or co-operation with, other services and professionals.

2. Partiality

As already noted in the discussion of the matter of respect, it is important that service seekers can trust hate crime victim support services to be on their side. Hate crimes are acts of marginalization: acts of social exclusion. Victims can feel socially rejected, ostracized and alienated due to their experience. It is vital, therefore, that caseworkers and other staff show partiality in their interactions with service seekers. Being on their side can send an inclusionary message which counters the sense of ostracism experienced.

If working on the service seeker's behalf with other organizations, caseworkers and other staff can exercise solidarity by acting as the service seeker's advocate, with their consent. This also means being alert to potential and actual secondary victimization[25] by official authorities and others and addressing it on behalf of the victim with their consent.

Partiality with hate crime victims mostly rules out participation of hate crime victim support services in restorative justice activity. Exceptions are where support workers serve as proxies for victims, or as advocates accompanying victims. These exceptions only apply if victims make an active choice to engage in restorative justice. Always being on the victim's side means that hate crime victim support workers cannot serve as impartial restorative justice practitioners or victim-offender mediators. Furthermore, to protect the integrity of the partiality of hate crime victim support services, any engagement with offenders by any services should not be undertaken in the premises of hate crime victim support services or premises shared by such services.

3. Authentic empathy

Solidarity with service seekers also means that caseworkers and other staff who come into contact with them feel and show authentic empathy. This involves an emotional connection with service seekers by showing empathetic listening, voicing empathic attitude, and offering expressions of solidarity.

Empathy provides a basic foundation of emotional support for the service seeker. It shows that their feelings are understood and accepted. In this way, emotional empathy can

25 To learn more on secondary victimization and its impact in the case of hate crime, see: *Understanding the Needs of Hate Crime Victims*, *op. cit.*, note 12, pp. 13–15.

contribute to alleviating the emotional distress that commonly follows hate crime victimization. Emotional empathy also provides a foundation for understanding the victim's needs.

4. Victim-centred working with difference and diversity

Acts of hate crime are nested in the context of prevailing social stigmatization of certain representations of difference, and also intersections of difference, on the basis of race and ethnicity, religion or belief, gender, sexual orientation and gender identity, social class, disability and age. Emotional conflict and mental pain are experienced by many persons in their everyday lives because of such stigmatization. Beyond stigmatization and violence, power and privilege commonly operate through intersections of particular identities and some of them include: masculinity or femininity, whiteness, physical and intellectual ability, material wealth and occupational prestige. Difference and diversity are judged and evaluated against these dominant identity norms, creating the space for discrimination and social exclusion.

As hate crime victim support service staff and service seekers are part of the social climate around them, such privilege and its impacts will be carried into the support relationship. Often, support service staff come from the societal groups that benefit from systematic advantage. Therefore, service seekers can feel cautious and wary of caseworkers and other staff who do not share their difference as they may identify them with the source of their pain. They might be sensitive to attitudes, explicit and subtle, which echo privilege over them.

Awareness of privilege and power

"Be aware of your privileges and power, and actively work with this in mind. Unlike most members of at-risk communities, you have access to information and education, you are generally not subject to long-term marginalisation and victimisation, you have no problem with a language barrier when dealing with the authorities, doctors or the police, you only face bias violence by virtue of the fact that you work for the benefit of at-risk groups."

Kalibová, K., Pawlik, K., Synowiec, J., Kalik, A. and Bihárіová, I. *Face to Face with Bias Violence. Guidelines for Social Workers*, (In IUSTITIA, o.p.s. [Czech Republic], Nomada Association for Multicultural Society Integration [Poland], Ľudia proti rasismu [Slovakia], Vive Žene [Bosnia and Herzegovina] and International Aid Network [Serbia], 2016), p. 27.

Caseworkers and other staff need to be conscious of not exercising privilege over service seekers. They need to understand how systems of privilege and oppression function, and where they themselves are situated on the spectrum of privilege. They need to be vigilant about how their privilege might consciously and unconsciously impact their perceptions, attitudes and behaviour when working with service seekers. They also need to be aware of the projections that service seekers might have towards their privilege and understand that service seekers might prefer to work with someone of the same gender and/or background.

Given that work with hate crime victims requires some fundamental awareness of "self", as just outlined, all staff have a responsibility to reflect upon and nurture their self-awareness and their unconscious bias. Awareness about victim-centred working with difference and diversity on the part of caseworkers and other staff in contact with service seekers requires an ongoing commitment to self and professional development.[26] Supervision of staff can provide space and opportunity for self-reflection about attitudes and feelings concerning working with difference and diversity, about their capacity for empathy, and about the impact that working with trauma might have upon them (see section 3 Service organization and management, below). Specialist hate crime victim support services need to ensure that they have the capacity for continuous, supported self-reflection to ensure critical self-awareness in hate crime victim support staff. This can be undertaken through supervision, peer group support and training.

5. Fundamental knowledge

Understanding the impact of hate crime, and the subsequent common needs of service seekers, provides a basis for authentic empathy with victims. Caseworkers and other staff who interact with service seekers therefore need to be knowledgeable about the common trauma and needs associated with crime victimization in general, and the traumatic impact of hate crime and the common needs of hate crime victims, in particular. In the case of child victims of hate crime, understanding how children experience and react to trauma is also required.

The damaging impact of hate crime can be magnified by the victim's consciousness of the prevalence of everyday prejudice, social exclusion and structural disadvantage. Knowledge is also required, therefore, about how hate crime is part of a process of

26 For a useful source of guidance on self and professional development for working across difference, see: Lago, C. "On Developing our Empathic Capacities to Work Inter-culturally and Inter-ethnically: Attempting a Map for Personal and Professional Development", *Psychotherapy and Politics International,* 8(1), 2010, pp. 73–85.

oppression and not just an isolated experience. Furthermore, understanding that oppression can be intersectional is needed. Applying an intersectional perspective prescribes examining how identities are related to each other and how the social structures of race, class, gender, sexuality, age and ability intersect and impact the person's experience of crime.

Although each service seeker must be treated as an individual with their own reaction to their experience of victimization, and with their own needs, insight into common reactions and the feelings of victims can help caseworkers and others be more sensitive and alert to the feelings and needs expressed by service seekers. Empathy enhancing knowledge can be gained from practice experience and practitioner training.

To be able to advise service seekers about their rights and advocate for their needs effectively, caseworkers and other staff need to have basic legal knowledge about the criminal, civil, and administrative law, and human rights standards, concerning hate crime as applicable in their own state. Knowledge about general crime victims' rights in their own state and the international standards that apply is also necessary. They also need to have a basic level of digital literacy to be able to effectively advise service seekers victimized online and on social media.

In combination, these dimensions of specialist knowledge constitute a fundamental quality standard for all hate crime victim support service caseworkers and other staff who work with service seekers, irrespective of the professional specialty of the service. Practitioners in services providing legal support will have more substantial legal knowledge than the fundamentals outlined, potentially including expertise on asylum, immigration and residency rights. Likewise, practitioners in services oriented towards the provision of psychosocial counselling will have greater psychological expertise than the fundamentals of knowledge outlined. For all hate crime victim support services, all staff also have a responsibility to evaluate their specialist skills as relevant to the particular orientation of their service and seek further professional development as necessary. Caseworkers and other staff should also be knowledgeable about where to refer the service seeker for more specialist support if needed, with informed consent.[27]

6. Duty of confidentiality

All staff working for hate crime victim support services need to be fully familiar with, and exercise, their duty of confidentiality to service seekers and abide by any legal

27 The variety of hate crime victim support service providers is noted in *Hate Crime Victims in the Criminal Justice System: A Practical Guide*, (Warsaw: OSCE/ODIHR, 2020) p. 120.

obligations for confidentiality in their state. The practice of confidentiality applies when cases are discussed in case meetings and ad hoc exchanges with colleagues, in supervision, training and research, as well as in collaboration with, and referral to, other organizations and authorities. It also applies to communication with the service seeker. Information can only be shared with the explicit informed consent of service seekers (see 1.4 Data protection, above).

7. Disclosure obligations

All staff working for hate crime victim support services need to be familiar with their state's legal obligations for potentially breaching confidentiality in the case of information disclosure. This is necessary to understand their own responsibilities and for advising service seekers accordingly (see 1.2 Confidentiality, above).

In rare conditions, information can be shared with others without the service seeker's consent. These can include instances where:

- The service seeker is considered to be at high risk of serious harm to themselves or others and a report is made to another agency for their safety;
- Disclosure aids the prevention and detection of serious crime; and
- A court order is made for the sharing of information in the course of criminal proceedings. In many states, courts may have the power to order disclosure of documents and other information, and order caseworkers and other staff from hate crime victim support services to attend court with their notes and records, and answer questions.

All staff working for hate crime victim support services therefore need to be familiar with legal obligations for information disclosure in any specific instances. If in doubt, legal advice must be sought.

Service organization and management

In addition to the professional responsibilities of hate crime victim support services staff to ensure quality standards to meet the entitlements of service seekers, responsibility also rests with the organization and management of the service. There are some fundamental quality standards concerning the conduct of services that apply to, and can be met by, all hate crime victim support services irrespective of their size and capacity.

1. Visibility

Hate crime victims will only use specialist support services if they are aware of the existence of the service and what it offers. Hate crime victim support services therefore need to ensure that potential service seekers, and others who might refer them, are aware of the service and clear about the support offered. This can be achieved by varying means depending upon the capacity and resources of the service:

- Building and sustaining relationships with professionals who might refer service seekers, such as social workers, hospital and community health workers, police, housing and welfare officers, and teachers;
- Promotional activity in local and social media, an informative website and publicity material, such as leaflets and posters in retail and leisure, health, welfare and social services establishments, directed at communities affected by hate crime;
- Dialogue with communities affected by hate crime by building and sustaining relationships with community workers, community activists, elected representatives, religious leaders, community associations and community businesses;
- Participation in community events;
- Pro-active outreach to offer support to hate crime victims identified through reports in the media and information from contacts in communities and other services;
- Organizing and delivering awareness raising and educational events for professionals and members of the public;
- Public campaigns against hate crime; and
- Locating service offices in areas most affected by hate crime to maximize visibility for potential service seekers, such as residential areas with concentrations of

minority communities and areas with cultural or commercial services specifically catering to communities of identity commonly targeted by hate crime.

2. Accessibility

The visibility of services and the clarity of support offered is not sufficient for their uptake. For ease of access, hate crime victim support services need to ensure that ways of contacting them are clear, uncomplicated, understandable and accessible. At the very least, the provision of remote first contact for service seekers by telephone, email, web forms and letter, and ongoing access by telephone and video call will help overcome any travel or mobility impediments and will be more convenient for many. Web-based information and forms need to be accessible to people with sensory impairments. Translation of key first contact information into different languages as applicable to the local context of the service will help ease access for people from linguistic minorities.

For referrals from other professionals, hate crime victim support services need to ensure that referral pathways are clear and straightforward. Where capacity and resources allow, the provision of mobile in-person support will also ease access to support.

Hate crime victim support services need to ensure that they comply with national rules, regulations and law concerning access to buildings and services for persons with a disability, and seek specialist advice if needed.

3. Inclusivity

Many hate crime victim support services have been established in response to the needs of specific groups of hate crime victims, such as those targeted by anti-LGBTI hate crime or victims of racist and xenophobic hate crime, including refugees and asylum seekers, or certain religious or belief communities such as Jewish or Muslim communities, or persons targeted because of a disability. However, to be inclusive, services need to ensure that they have pathways to refer individuals who need specific specialist support further to appropriate support services that cannot be effectively provided by their own service because of its particular community orientation.

4. Casework arrangements and management

Goal oriented

To ensure a victim-centred and needs driven approach to casework, clear goals need to be agreed in an individual plan in consultation with each service seeker. The outcomes must be kept under review and amended as necessary.

The agreed goals in the individual plan for casework with service seekers must determine the duration of support provided and cases closed when outcomes are achieved or alternatively support is no longer sought by the service seeker. It is good practice to produce a case outcome review upon closing each case to contribute to quality assurance review.

Consultation arrangements and working in teams

In addition to one-to-one support meetings with service seekers, hate crime victim support services must be prepared to undertake group support meetings if the service seeker prefers to be accompanied by family, friends or other people. Where capacity and resources allow, working in teams is desirable whereby casework is undertaken by two colleagues in collaboration. This enables peer support and continuity should one caseworker become unavailable.

Supervision and casework management

Processes must be maintained for the supervision and management of casework to identify appropriate support needed for staff and to monitor and ensure consistent effectiveness in the service provided.

Supervision

"A basic supervision relationship should recognise and respond to the following:

- Workload management;
- Demand, the intensity of casework and time commitment to cases;
- How much out-of-hours work is being done;
- Training and professional development;
- Release of intense feelings generated by casework;

- Giving constructive feedback and appreciation;
- The needs of the caseworker to perform effectively;
- Opportunities for the caseworker to benefit from peer group support; and
- Reflective practice."

From: Chahal, K. *Supporting Victims of Hate Crime. A Practitioner Guide*, (Bristol: Policy Press, 2017), pp. 111–112.

5. Casework records

Hate crime victim support services must ensure that all staff working with service seekers are fully aware of their responsibility and given the means to maintain casework records according to their state's legal requirements and good professional practice. It is good practice for casework recording to be undertaken as much as possible in partnership with service seekers. Casework recording is an integral part of the support process as it helps to retain important contextual information relevant to the planning of support, promotes continuity of support, and aids review and reflection of actions undertaken. Casework records are also important for accountability.[28]

6. Human resources

Staff, and others such as volunteers, trainees and interns, engaged in hate crime victim support services, are entitled to quality standards of ethical and respectful practice in the way they are managed. There are certain fundamental benchmarks that can reasonably be expected to be achieved by all hate crime victim support services irrespective of size and capacity.

Equal opportunity and diversity

Hate crime victim support services must exercise non-discriminatory recruitment and employment practices and ensure equality of opportunity for all job applicants, staff, volunteers, trainees and interns. Applicants with the greatest degree of competency identified for vacant positions should be selected. Such equal opportunity practice does not conflict with measures, where permissible under the state's law, to attract

28 For a useful resource on casework recording, see the material provided by the Social Care Institute for Excellence.

diverse applicants for employment, volunteer, trainee and intern opportunities to reflect the diversity of service seekers.

Induction and probation

All new staff, volunteers, trainees and interns must be given the opportunity to become familiar with the service and understand the requirements of their role through appropriate induction, training in the service's procedures, as relevant, and probation provisions.

Pay, annual leave and expenses

Staff remuneration and paid annual leave should be in line with comparable positions in social services, health and welfare employment in the state and region in which the hate crime victim support service is located. If trainees are engaged, remuneration should be in line with international standards.[29] All staff, volunteers, trainees and interns, must be fully compensated for any out of pocket expenses incurred in the course of their activity for the hate crime victim support service.

Working conditions

The workload of staff must not exceed what can reasonably be achieved within contracted or agreed working hours. The same applies to volunteers, trainees and interns, where applicable. To enable reasonable adjustment of working days to manage out of work responsibilities, provisions should be made for flexible working and working from home.

Volunteers

Ongoing support should be provided to volunteers to help them undertake their volunteer roles. Their contribution to the service should be regularly acknowledged.

Interns

Unpaid interns engaged for work experience should be provided with a structured programme of support to maximise the benefit from their work experience. If interns undertake work for the benefit of the service they should be contracted and paid according to the equivalent job role.

---

29 See, for example, Council of Europe, 'Traineeships'.

Performance and development review

All staff, volunteers, trainees and interns should be given the opportunity to participate in regular performance and development review to determine their needs for personal and professional development and training. The precise nature of the review will be variable according to the capacity and resources of the hate crime victim support service.

Personal and professional development and training

All staff, volunteers, trainees and interns should be given ongoing opportunities for personal and professional development and training undertaken by the hate crime victim support service, or by other organizations if necessary, to meet the quality standards of the service as identified by performance and development reviews.

7. Leadership and management

For hate crime victim support services to work effectively, clear lines of accountability must be evident for all staff, trainees, volunteers and interns. Management of the service must be accountable to a board of trustees or independent outside directors. It is good practice for service development and resource planning to be undertaken by senior management in partnership with the board, with the participation of staff.

8. Security and safeguarding

Data protection

Hate crime victim support services must be familiar with, and comply with, their state's legal requirements on the storage of personal data for the secure protection of casework and human resources records against breaches of confidentiality, unauthorised access and processing, as well as accidental loss, destruction and damage. This applies to physical and digital storage. The period of personal data retention must comply with their state's legal requirements. Processes must be maintained to continuously review the need for retention and erasure of information.

Occupational health and safety

All hate crime victim support services must comply with their state's legal requirements concerning the provision of a safe working environment. A written health and safety policy needs to be established and subject to periodic review. All new staff, trainees,

volunteers and interns need to be advised about the policy during their induction into the service.

Welfare needs of hate crime victim support service staff

"I have met caseworkers who, while doing their job, are suffering from depression, are close to burnout, are feeling unsupported and isolated, are managing an increasingly large caseload and complex political relationships with other agencies, and are working on fixed-term contracts in projects with time-limited funding. Hate crime practitioners also have needs that must be recognised and responded to by the services that employ them. […]

Listening to, recounting and responding to the experiences of hate violence victims can result in secondary traumatic stress or vicarious trauma. Such levels of distress require the same care and compassion from managers and supervisors that is given to clients."

From, Chahal, K. *Supporting Victims of Hate Crime. A Practitioner Guide,* (Bristol: Policy Press, 2017), pp. 109–110.

Occupational health also includes the mental wellbeing of staff. The emotional impact from working with hate crime victim support can be considerable. Hate crime victim support services need to have a process in place to monitor and respond to the emotional and mental welfare needs of staff. It is important that team and case supervision are carried out at regular intervals, by trained psychologists and that adequate funding is allocated for such supervision. Staff must have access to the support they need and be directed to appropriate external support, if necessary. The specific process will depend upon the capacity and resources of the service. But at the very least, the mental welfare of staff can be addressed through the supervision process.

Security of premises and staff

Some hate crime victim support services can be targets of politically motivated attacks. Services must therefore continuously review the security of premises, and the security of all personnel while within the premises and entering, exiting and journeying to and from the premises, and take protective measures according to any identified risk.

Harassment and bullying

To ensure a respectful workplace, hate crime victim support services should maintain a harassment and bullying policy even if not legally required by their state. The policy should include a clear commitment against bullying and harassment and detail the grievance procedure to be followed.

9. Grievances

All hate crime victim support services should maintain a grievance procedure and share it in writing with all service seekers, staff, trainees, volunteers and interns. It should specify their entitlement for grievances to be addressed and the process involved if they feel they have been treated unfairly, wrongly or inappropriately, and wish to raise a complaint. The grievance procedure should include details about the person with whom the complaint should be raised, and specify an alternative if the usual person is involved in the grievance.

10. Community engagement

To ensure that hate crime victim support services are responsive to the needs and views of communities affected by hate crime, proactive measures should be taken to engage and consult with community workers, community activists, local elected representatives, religious leaders, community associations and community businesses, not only for awareness raising about the service, but also when planning, reviewing and developing the service (see 3.1 Visibility above).

A holistic approach to hate crime victimization requires measures to try to prevent the occurrence of hate crime. Evidence-led interventions involving preventative measures with young people, including hate crime awareness raising and educational initiatives in schools, colleges and communities, as well as activities with older adults, should be taken by hate crime victim support services where capacity and resources allow, and in partnership with local residents and other agencies and organizations.

11. Partnership and co-operation

Local authorities, social welfare groups, civil society and criminal justice organizations all recognize the importance of a multi-agency approach against hate crime. Responding effectively to hate crime involves the input of a variety of specialist competences that

go beyond the capacity and responsibility of any single agency. Inter-agency partnership and co-operation applies to case work with hate crime victims, policy-making, and strategic response and planning.[30] Working together is critical.

Hate crime victim support services, therefore, need to identify partners for inter-agency co-operation in the areas they serve, set up referral processes, and proactively establish and maintain effective casework relationships with public agencies such as police and prosecution services, health, social welfare, local government and community services, religious communities and organizations and other CSOs. Where service capacity and resources allow, participation can be established in multi-agency forums, and relationships proactively sought with public agencies and other civil society organizations, for both strategic dialogue and joint policy, working to promote, support and improve responses to hate crime.

12. Autonomy

To exercise partiality with service seekers by advocating on their behalf with other organizations, and even challenging practices of secondary victimization, hate crime victim support services need to be able to exercise autonomy. This applies to specialized hate crime victim support services provided by the state, as well as CSOs. While they might be financially accountable to the state and accountable through accreditation conditions, specialized hate crime victim support services need to be able to always act on the side of service seekers.

Sharing premises with state agencies, for instance, can be beneficial for sustaining relationships for co-operation and partnership working against hate crime. However, as much as possible, service premises accessed by hate crime victims should not be located in shared premises to strengthen the confidence of service seekers in the autonomy of the service. If funding is received from the state and other organizations, it should be ensured that contracts do not compromise the partiality of the support offered by specialist hate crime victim support services.

30 See, Iganski, P. "Evaluation of the London–wide Race Hate Crime Forum as a model of good practice between statutory Criminal Justice Agencies and Voluntary Sector Non-Governmental Organisations", London Probation Service, 2007, pp. 5–7.

13. Quality assurance review

To ensure that service provision meets its objectives, hate crime victim support services need to have in place continuous quality assurance review measures. At the very least, quality assurance review should include periodic analysis of casework outcomes and service seeker feedback. The precise arrangements for such measures will vary according to the capacity and resources of the service. The establishment of quality assurance review measures might also be a requirement of mandatory accreditation or licensing of the service, where applicable.

External independent quality assurance review can be valuable for providing objective and in-depth evaluation of services. Such independent, preferably scientific, expert evaluation of services can be a useful quality management and development tool. Including a wide range of stakeholders and partners in the review process will add to its value. Funds should be sought for periodic independent external evaluation to be conducted by experienced evaluators from academic or other public sector organizations, or from the private sector.

For transparency, quality assurance review reports should be published on the service's website or otherwise made public, along with details about any responsive action taken.

14. Oversight and governance

All non-governmental hate crime victim support services, irrespective of size and capacity, must ensure that they comply with governance requirements of charity law or corporate law as applicable in their state. Certain dimensions of good practice governance are commonly required in law. They include the writing of a governing document and the appointment of a board of trustees or outside independent directors responsible for:

- Ensuring that the service complies with its governing document;
- Setting strategic objectives for maintenance and direction of the service;
- Meeting any contractual requirements;
- Monitoring and regularly reviewing practice, performance and outcomes of the service, and ensuring quality standards;
- Monitoring and responsibly managing the service's resources and the potential risks faced;
- Ensuring that the service complies with charity law requirements and other laws as applicable; and
- Ensuring that the service complies with statutory accounting and reporting requirements.

The accountability of senior management to the board of trustees or outside independent directors, on the above, must be clear. Where specialized hate crime victim support services are state provided, similar good governance practice should be adopted.

For accountability to beneficiary communities, it is good practice for the composition of governing boards to reflect the diversity of service seekers It is also good practice for services to publish an annual report, including an annual accounts summary, for transparency for beneficiaries, communities, funders and collaborating services.

ANNEX 1

Checklist of Model Quality Standards for specialist hate crime victim support services

Service seeker entitlements:

Support should be available:

- ☐ To anyone affected by hate crime, and not restricted to direct victims and their families;
- ☐ Regardless of whether the direct victim's experience legally qualifies as crime;
- ☐ Irrespective of whether a crime is reported to the police or other official authority;
- ☐ Regardless of the service seeker's nationality, residency or citizenship status; and
- ☐ Free of charge.

- ☐ Remote interaction with the service should be made available, by telephone, email, mail, video call or through online forms, as well as in-person support.

- ☐ Contingency plans should be made for crisis response during and outside office hours to ensure their accessibility to persons in immediate need.

- ☐ All information about services, such as details about accessing the service, the types of provision offered, and the rights of service seekers who engage with the service, should be clear, concise, understandable and accessible.

- ☐ Service seekers should regularly be kept informed of progress if actions are taken by the service provider in partnership with them.

- ☐ Service seekers' comprehension of the language used by the service when providing information, advice and support, orally and in writing, always needs to be considered with measures taken to ensure effective communication.

- ☐ It should be ensured that services comply with national rules, regulations and law concerning access to buildings and provisions for persons with a disability.

Service seekers must be informed, and give their explicit consent, for:

- [ ] Any action taken on their behalf; and
- [ ] The storage, use and sharing of their personal data.

- [ ] Service seekers must be made aware of the limits of confidentiality.

- [ ] Service providers must be familiar with their own national laws, regulations and administrative provisions concerning breach of confidentiality.

It must be ensured that services comply with regulations governing data protection in their own state.

Service seekers must be:

- [ ] Given sufficient information to exercise their choice to consent or decline to the processing of their data;
- [ ] Asked to provide their informed consent for the sharing of their information with other services; and
- [ ] Advised about the circumstances under which the confidentiality of their information might be breached.

- [ ] Service seekers are entitled to be treated in a respectful professional manner without discrimination on any grounds.

- [ ] Decisions about actions to be taken for, and in partnership with, the service seeker must be decided solely by the person concerned once made aware about their rights and entitlements.

- [ ] Services must have the skills and resources necessary to respond to service seekers' needs for advice, information and assistance, or know where to refer them for such support.

- [ ] A risk assessment at the first opportunity must be undertaken so that the service seeker can be advised about, and exercise, personal security measures, or agree to measures taken in partnership with them.

- [ ] An individual needs assessment must be undertaken early and in partnership with the service seeker and support must focus on the specific needs articulated by them.

- [ ] A holistic approach should be taken so support is not confined to service seekers' direct needs but also related to the impact of the victimisation experience, as sometimes a spectrum of needs is apparent.

- [ ] All communication with service seekers must be through their preferred means of contact.
- [ ] Service seekers must be clearly advised about who they can contact, and by what means, for any enquiries.

Staff competencies:

- [ ] Caseworkers and other staff who interact with service seekers must apply a victim-centred approach to their work.
- [ ] It is vital that caseworkers and other staff show solidarity in their interactions with service seekers and act as their advocates with others with their consent.
- [ ] Caseworkers and other staff who come into contact with service seekers should demonstrate authentic empathy.

Caseworkers and other staff should be:

- [ ] Conscious of not exercising privilege over service seekers; and
- [ ] Vigilant about how their privilege might consciously and unconsciously impact their perceptions, attitudes and behaviour when working with service seekers.

Caseworkers and other staff who interact with service seekers should:

- [ ] Be knowledgeable about the common trauma and needs associated with crime victimization in general and hate crime in particular;
- [ ] Have basic legal knowledge about the criminal, civil and administrative law concerning hate crime as applicable and general crime victims' rights in their own state;
- [ ] Have knowledge about applicable international standards concerning crime victims' rights; and
- [ ] Have a basic level of digital literacy to be able to effectively advise service seekers victimized online and on social media.

All staff should:

- [ ] Exercise an ongoing commitment to self and professional development;
- [ ] Exercise their duty of confidentiality to service seekers and abide by any legal obligations for confidentiality in their state;
- [ ] Be familiar with their state's legal obligations for potentially breaching confidentiality in the case of information disclosure; and
- [ ] Be familiar with court order powers in their state in respect of how they might affect their responsibilities in criminal and civil proceedings.

Service organization and management:

- [ ] It should be ensured that potential service seekers, and others who might refer them, are aware of the service and clear about the support offered.
- [ ] Ways of contacting services should be clear, uncomplicated, understandable and accessible.
- [ ] Services should ensure they comply with national rules, regulations and law concerning access to buildings and services for persons with disabilities.
- [ ] Services with a particular community orientation should ensure they have pathways to refer to appropriate support service seekers who need specific specialist assistance that cannot be effectively provided by their own service.
- [ ] Clear goals should be agreed in an individual plan in consultation with each service seeker and kept under review and amended as necessary.
- [ ] Services must enable group consultations if the service seeker prefers to be accompanied by family, friends or others.
- [ ] Processes must be maintained for the supervision and management of casework.
- [ ] The duration of support should be determined by agreed goals in service seekers' individual plans for casework or alternatively when support is no longer sought by service seekers.
- [ ] It must be ensured that all staff working with service seekers are fully aware of their responsibility, and given the means, to maintain casework records according to their state's legal requirements and good professional practice.
- [ ] Services must exercise non-discriminatory recruitment and employment practices and ensure equality of opportunity for all job applicants, staff, volunteers, trainees and interns.
- [ ] Induction, and initial training if needed, should be provided to all new staff, volunteers, trainees and interns, with an appropriate probation period.
- [ ] Staff remuneration and paid annual leave should be comparable to equivalent jobs in social services, health and welfare in the state and region.

- [ ] Full compensation must be given to staff, volunteers, trainees and interns, for expenses incurred in the course of their activity for the service organization.
- [ ] Staff workloads must not exceed what can reasonably be achieved within contracted working hours.
- [ ] Ongoing professional development should be provided to volunteers to help them undertake their activity.
- [ ] Unpaid interns should only be engaged for work experience with structured support and paid if they undertake work for the service.
- [ ] All staff, volunteers, trainees and interns, should be given opportunity for regular performance and development review and training.
- [ ] Lines of accountability must be clear for all staff, trainees, volunteers and interns.
- [ ] Senior management must be accountable to a board of trustees or independent outside directors.
- [ ] Services must comply with their state's legal requirements for the storage of personal data for the secure protection of casework and human resources records.
- [ ] Services must comply with their state's legal requirements for the provision of a safe working environment.
- [ ] Processes should be in place to monitor and respond to the emotional and mental welfare needs of staff and direct them to appropriate external support if needed.
- [ ] Services must continuously review the security of premises and all personnel and take protective measures, as necessary, according to any identified risk.

Services should maintain:

- [ ] A harassment and bullying policy; and
- [ ] A grievance procedure.

- [ ] Proactive measures should be taken for community engagement.

- [ ] Services need to identify partners for inter-agency co-operation and proactively establish and maintain effective casework relationships with them.
- [ ] Services should be able to exercise autonomy so that they can always act on the side of service seekers.
- [ ] Hate crime victim support workers cannot serve as impartial restorative justice practitioners or victim-offender mediators as they always must be able to act on the side of service seekers.
- [ ] Measures must be in place for continuous quality assurance review.
- [ ] Services provided by non-governmental organizations should comply with governance requirements of charity law or corporate law as applicable in their state.
- [ ] There must be clear accountability between senior management of services and governing boards.

ANNEX 2

EStAR Expert Network Members

Country	Government members	CSO members
Albania	Directorate of Counter Terrorism, Albanian State Police	Institute for Activism and Social Change
Armenia	Department for Crimes Against Public Security of the Prosecutor General's Office of Armenia	Pink Armenia
Austria	Federal Agency for State Protection and Counter Terrorism, Federal Ministry of Interior	ZARA – Civil courage and anti-racism work
Belgium	Belgian Equality Body Unia	Collective Against Islamophobia in Belgium (CCIB)
Bosnia and Herzegovina	Cantonal Court Bihać	Association for Democratic Initiatives (ADI)
Bulgaria	Prosecutor's Office	Bulgarian Helsinki Committee
Croatia	Service for Victim and Witness Support, Ministry of Justice	Victim and Witness Service Support Croatia (VWSSC)
Cyprus	Office for Combating Discrimination, Police	Migrant Information Centre – MiHub
Czech Republic	Criminal Law Unit, Ministry of Justice	In IUSTITIA
Denmark	National Centre of Crime Prevention, National Police	
Estonia	Department of Victim Support and Prevention Services, National Social Insurance Board	Estonian Human Rights Centre
Finland	Office of Ombudsman for Equality	
France	Court of Paris	The International League Against Racism and Anti-Semitism (LICRA)

Country	Government members	CSO members
Georgia	Office of the Public Defender	Tolerance and Diversity Institute
Germany	Support for Victims of Crime Unit, Federal Ministry of Justice and Consumer Protection	ZEBRA – Centre for victims of right-wing attacks
Greece	Department on Combating Racism, Hellenic Police	Racist Violence Recording Network (RVRN)
Hungary		Háttér Society
Iceland	Bjarkarhlid – Center for violence survivors	Throskahjalp – National Association of People with Intellectual Disabilities
Ireland	Community Safety Policy, Ministry of Justice	European Centre for the Study of Hate, University of Limerick
Italy	Gender Violence and Vulnerable Victims Unit, Ministry of Interior	COSPE – Cooperation for the Development of Emerging Countries
Latvia	Ministry of Justice	Latvian Centre for Human Rights
Lithuania	Public Security and Migration Policy Department, Ministry of Interior	Lithuanian Gay League (LGL)
Malta	Victims Support Unit, National Security and Law Enforcement, Ministry for Home Affairs	
Moldova	Office of the Prosecutor General of the Republic of Moldova	The Information Centre "GENDERDOC-M"
Montenegro	Division for International Judicial Cooperation, Ministry of Justice	LGBT Forum Progress
Netherlands	Ministry of Justice and Security	Victim Support Netherlands
North Macedonia	Basic Public Prosecution Office Skopje	Helsinki Committee for Human Rights
Norway	Oslo District Police	Romano Kher
Poland	Unit for the European Migration Network and Combating Human Trafficking, Ministry of the Interior and Administration	Antidiscrimination Education Society

Country	Government members	CSO members
Portugal	Department of European Affairs Directorate General of Justice Policy	Portuguese Association for Victim Support (APAV)
Romania		Center for Legal Resources
Serbia	Office of the Public Prosecutor	Da se Zna!
Slovakia	Human Rights Division, Ministry of Justice	The Islamic Foundation in Slovakia
Slovenia	European Affairs and International Cooperation Unit, Ministry of Justice	Union of Roma in Slovenia
Spain	National Office Against Hate Crimes, Ministry of Interior	Movement Against Intolerance (MCI)
Sweden	Swedish Crime Victim Authority	Victim Support Sweden
Switzerland	Federal Commission against Racism	Network for Victims of Racism
Turkey	Human Rights Department, Ministry of Justice	
Ukraine	Human Rights Directorate, National Police	Social Action Centre
United Kingdom	National Online Hate Crime Hub	Galop

International organizations and other multilateral institutions	CEC – Conference of European Churches
	CEJI – A Jewish Contribution to an Inclusive Europe
	DG JUST – Directorate-General for Justice and Consumers, European Commission
	ENAR/Dokustelle – European Network against Racism
	ENIL – European Network for Independent Living
	ERRC – European Roma Rights Centre
	FRA – EU Agency for Fundamental Rights
	VSE – Victim Support Europe

* Membership as of April 2021