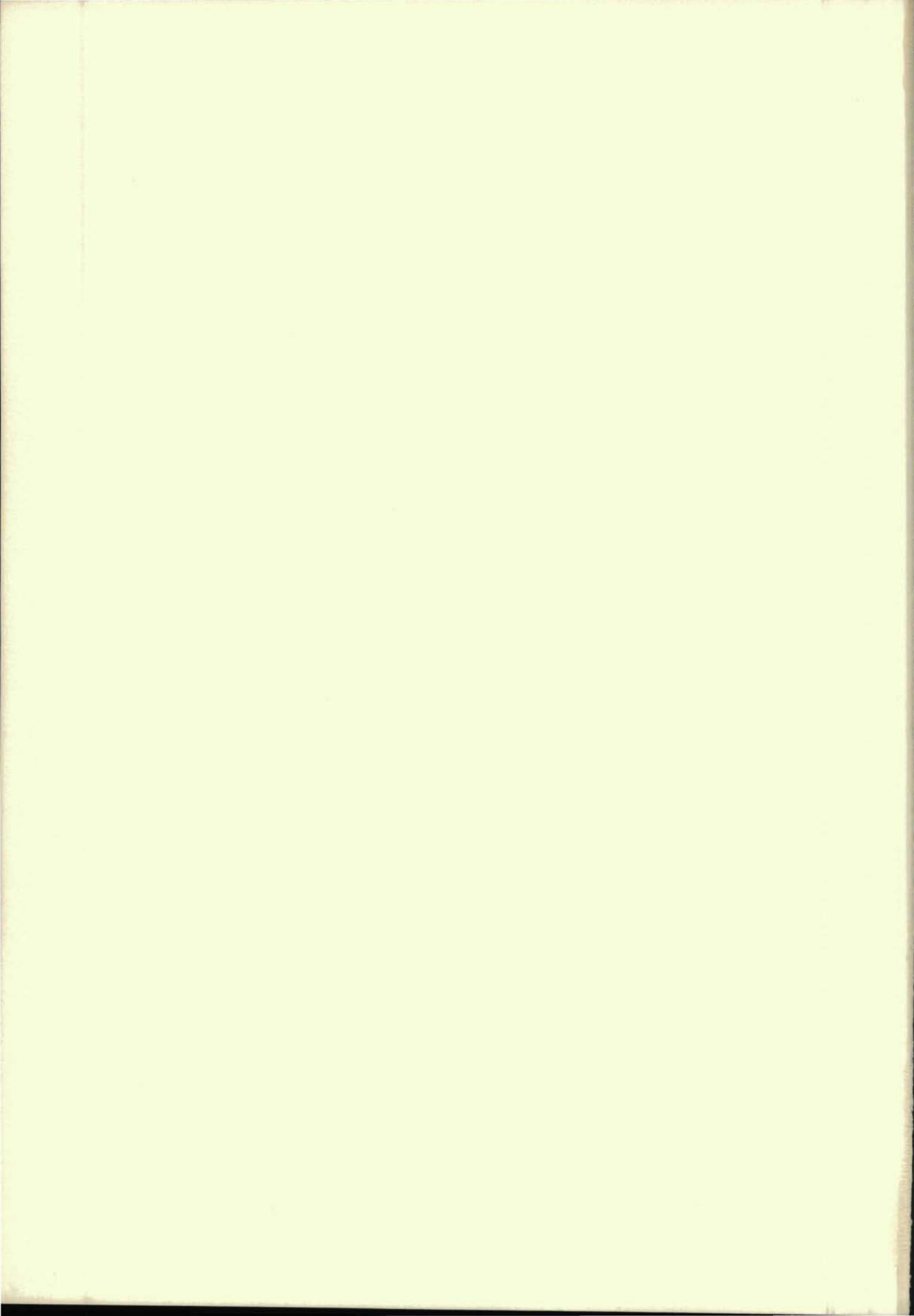




**Manual on assistance to
tourists who are victims of crime**

Workbook



Manual on Assistance to Tourists who are Victims of Crime

Part 2: Workbook

Amsterdam, May 1997

**J.E. Bruinink
G.J. Slump**

**Van Dijk, Van Soomeren en Partners BV
CoC Amsterdam number 176.766
Van Diemenstraat 410-412, Amsterdam
Postal address: Van Diemenstraat 374, 1013 CR Amsterdam
Tel: (020) 625 75 37, fax: (020) 627 47 59**

Manual on Assistance to Tourists who are Victims of Crime

Part 2: Workbook

Amsterdam, May 1997

J.E. Bruinink

G.J. Slump

**Van Dijk, Van Soomeren en Partners BV
CoC Amsterdam number 176.766
Van Diemenstraat 410-412, Amsterdam
Postal address: Van Diemenstraat 374, 1013 CR Amsterdam
Tel: (020) 625 75 37, fax: (020) 627 47 59**

Advisory committee:

K.B. Blits

**Department of Justice, Agency of Crime
Prevention, Youth Protection and Probation**

J.F. de Boer

Tourist Assistance Service The Hague

L.J.M. Tonino

**Department of Justice, Agency of Crime
Prevention, Youth Protection, and Probation**

M. Udenhout

Amsterdam Tourist Assistance Service (ATAS)

H.B. Verheul

Amsterdam Tourist Assistance Service (ATAS)

Table of Contents

1	Background	5
2	Basic knowledge concerning victims of crime and traffic accidents	7
2.1	Introduction	7
2.2	Psychosocial aspects	7
2.2.1	Shocking events	7
2.2.2	Psychosocial effects	7
2.2.3	Physical effects	9
2.2.4	Assimilation	9
2.3	Legal aspects	10
2.3.1	The legal system	10
2.3.2	Sectors of the legal system	11
2.3.3	Attention to the victim in criminal law cases	13
2.4	Aspects of loss	14
2.4.1	Possible compensations	14
3	Delineating the target group	19
3.1	The target group	19
3.2	Guidelines for assistance to the target group	20
4	Specific characteristics of assistance to tourists who are victims of crime	21
4.1	Introduction	21
4.2	Working under pressure of time	21
4.3	Assistance in an international and intercultural context	22
4.3.1	Introduction	22
4.3.2	Communication	22
4.3.3	Verbal and non-verbal communication	24
4.3.4	Conceptualization	25
4.3.5	Cultures	26
4.3.6	Intercultural communication	29
4.4	The assistance network	32
4.4.1	Maintenance of law and order	32
4.4.2	Documents of identity	33
4.4.3	Finances	33
4.4.4	Transport	34
4.4.5	Health	35
4.4.6	Accommodation	35
4.4.7	Culture	36
4.4.8	Miscellaneous	36
4.5	Limits to assistance and referral	36

5	Checklist and item lists	39
5.1	Using the checklist and item lists	39
5.2	The checklist	41
5.3	Practical item list	43
5.3.1	Theft of documents of value/money	43
5.3.2	Theft of personal possessions	44
5.3.3	Traffic and transport	44
5.3.4	Accommodation	45
5.3.5	Food and rest	46
5.3.6	Insurance	47
5.3.7	Death	47
5.3.8	Language problems	47
5.4	Financial item list	47
5.5	Legal item list	49
5.5.1	Private and collective facilities	49
5.5.2	Legal expenses insurance	49
5.5.3	Compensation via the party causing the situation/suspect	49
5.5.4	Other options	51
5.5.5	Traffic accidents	51
5.6	Emotional item list	52
5.7	Medical item list	53
5.8	Social/societal item list	54
	Index	55

1 Background

Starting 15 years ago, specific projects and victim support agencies have existed in the Netherlands. These organizations provide emotional and practical assistance to victims after a crime. Since 1984, these agencies have become organized in a growing association representing a network of agencies covering the entire country. Since 1988, these agencies have also provided assistance to victims of traffic accidents.

In Amsterdam, in 1989 a gap was noted in the scope of followup care to tourists who are victims of crime. Victim Support Amsterdam had indeed possessed a special folder containing practical information with regard to the assistance of victim-tourists since 1984. From time to time, tourists were assisted using this information.

Under the initiative of the Amsterdam Police Department, the VVV Tourist Office Amsterdam, The National Organization for Victim Support in The Netherlands, the Municipality of Amsterdam, the Department of Justice and the Foundation Together for a Safe Amsterdam (Stichting voor een Veilig Amsterdam), in 1991, in followup to an initiative which took place in Barcelona, a separate Foundation for Amsterdam Tourist Assistance Service (ATAS) was established.

Objective of this organization is to provide practical and emotional assistance to foreign tourists who are victims of crime. The programme of assistance to tourists who are victims of crime wished to fulfil a supplementary role with regard to the other types of assistance and government organizations. In most instances, what is involved are victim-tourists who find themselves in acute distress due to a crime. Nearly all referrals are done via the police.

In The Hague, in followup to the Amsterdam initiative, at the end of 1993 a study group was established consisting of representatives of The Hague Police Department, The Municipality of The Hague, Victim Support The Hague, The Hague Promotion (The Foundations Promotie Den Haag) and The Hague Safety (Veilig Den Haag), as well as the Departments of Economic Affairs and Justice. In the summer of 1994, Tourist Assistance Service (TAS) went into operation in The Hague. The target group specifically included the category of convention visitors. TAS The Hague has comprised a part, since the beginning, of Victim Support The Hague.

In Zeeland, too, in 1993 work commenced on establishing a project for assistance to tourists who are victims of crime. In Zeeland, as in The Hague, a decision was made to house the project under the auspices of the regular police department. Representatives of the Provinces of Zeeland, the Zeeland Police, local VVV Tourist Offices, camping organization RECRON, Victim Support Zeeland, and the Department of Justice are involved in the project.

What is special about the Zeeland target group is that it also explicitly involves Dutch tourists. Volunteers in Zeeland take a basic training course at Victim Support Zeeland.

Other programmes for assistance to tourists who are victims of crime exist in Beverwijk ("Black Market"), and Schiphol. Together, all the projects have become united in the National Consultancy for Assistance to Tourists who are Victims of Crime (LOT).

In all cases, eventually a choice has been made to house the programme of assistance to tourists who are victims of crime at the police departments. This has to do in part with the fact that this form of assistance is closer to tourist victim support than the regular assistance offered by the police. In addition, in this way short lines of referral can be maintained.

For more information about the organization of assistance to tourists who are victims of crime, the reader is referred to part 1 of the manual.

In part 2 we will further explore the basic knowledge required for assistance to tourists who are victims of crime, along with specific characteristics and necessary knowledge required in order to work with the projects of assistance to tourists who are victims of crime. And finally, we will explore the method of providing assistance on the basis of checklists and item lists.

2 Basic knowledge concerning victims of crime and traffic accidents

2.1 Introduction

A (foreign) tourist, too, can become a victim of a crime or a traffic accident. When it comes to how he handles the crime or the accident, as well as its legal repercussions in the Netherlands, the experience of this tourist will differ little from that of his Dutch counterpart. This is why, with regard to the psychosocial and legal aspects of being a victim, one can take direct recourse to the knowledge which has been accumulated from the vantage point of the regular offices of assistance to victims. This knowledge has relatively recently been bundled in a manual for volunteers who participate in the Basic Victim Support Training Course, and in the Memo Victim Support¹. In this chapter we will give a limited summary of the most important elements of knowledge from both documents. We will then sequentially explore the psychosocial, legal, and loss aspects of being a victim. For anyone who requires a more detailed and extensive summary, reference is made to the basic training course as well as the memo itself, which is available at each victim support office. The memo is also available in bookshops.

2.2 Psychosocial aspects

2.2.1 Shocking events

Many crimes and traffic accidents can be viewed as a shocking event for victim or witness(es). A shocking event is an experience which lies outside the realm of normal human experience, which causes suffering, and which occurs suddenly. Examples of such events are serious traffic accidents, physical attacks, rape, physical abuse and robberies. Less serious crimes can of course also be experienced by the victim as being shocking. With regard to a victim-tourist such an event is quite rapidly experienced as being shocking, since the crime occurs outside his home country and he cannot fall back on his own social network and familiar forms of assistance.

2.2.2 Psychosocial effects

When a tourist is confronted with a shocking event, the following are some of the possible psychosocial effects:

- 1 a feeling of powerlessness, vulnerability and loss of control;
- 2 a feeling of being unsafe;
- 3 damage to his trust in others;
- 4 a loss of the feeling of predictability, structure, and confidence that the world is fair.

1 feeling of powerlessness, vulnerability, and loss of control

When a shocking event occurs, the victim finds that he cannot exert any influence upon the situation, resulting in a(n) (extreme) feeling of powerlessness. And, as has been noted in the practice of victim support, people have a hard time dealing with powerlessness. Sometimes

Note 1 Basic Training Victim Support, introduction for the volunteer at the Office of Assistance to Victims, Huisintveld, J.A., LOS-Utrecht, February 1996;
Memo Victim Support 1996/1997, Kluwer, Deventer, 1996, ISBN 90-268-29094.

powerlessness is converted into a certain type of behaviour, for example aggressiveness, avoidance, or denial. In any case, powerlessness means that the victim is confronted with the fact that he is vulnerable, whereas in the past the victim had often had a feeling of being invulnerable. So the victim also loses the feeling that he has control over his own life which, in its turn, usually leads to an (increase in) feelings of fear.

2 feeling of being unsafe

A shocking event gives the victim a feeling of being unsafe. As long as that feeling persists, the victim will hardly be able to go on to other things, such as the need to belong somewhere, the need for self respect, and the need for personal development. So it becomes a necessity that the person assisting the victim first give him back a feeling of safety before starting to deal with other matters. A feeling of being unsafe, also, usually results in an undesired (permanent) alertness, which expresses itself in sleep problems, touchiness, concentration deficits and strong fright reactions.

3 damage to one's trust in others

One's trust in others can be damaged by a shocking event. For example, a crime makes it clear that not everyone is to be trusted. A loss of trust gives the victim the feeling that he is all alone. In order to get back on track, it is of great importance that the victim's feeling of trust be restored.

4 loss of predictability, structure, and confidence that the world is fair

A shocking event gives daily life a sharp jolt. The structure of daily life is interrupted, existing securities disappear, and the predictability of one's own future appears to have been destroyed. Situations which, before the crime, were taken for granted and considered routine by the victim, are now constantly assessed in terms of their value. So victims of a shocking event therefore often feel more tired than they did before. In addition the victim experiences the fact that society is not fair, and he often receives reproaches from the environment instead of sympathy; those around him continue to retain their belief in a fair world by passing the blame on to the victim.



2.2.3 Physical effects

Victims of an extremely shocking event are confronted, during or just after such an event, with all kinds of physical reactions, reactions which cannot be controlled but occur autonomously. For example, breathing becomes deeper, the heart speeds up, the blood pressure rises, perspiration increases, the senses become more acute, the abdomen and bowels temporarily stop functioning, and certain muscles, including the bladder and intestines, become weak. Such a rapid automatic reaction on the part of the body is then coupled with one of the following three forms of flight reaction (away from the danger), fight reaction (fight the danger), or absence of reaction (paralysed by the danger). These forms of reaction, too, occur automatically, and so it is not surprising that victims are often shocked at their own reactions. Once the danger has passed, the body starts to get back to normal, at least in most victims. In some cases, however, the body reverts to normal only very gradually, leaving the victim with a type of hyperactivation of his body, resulting in a variety of physical effects such as shock reactions, sleeping problems, hyperventilation, headaches, and abdominal and bowel complaints.

2.2.4 Assimilation

A shocking event will have to be dealt with by the victim. Two models describe this process:

- the phase model. In this model, processing occurs in three phases. The first phase consists of disbelief, shock and dismay, the second phase is characterized by denial, re-living the event and emotions, and the third phase consists of acceptance and reintegration;
- the scenario model. In this situation the victim "writes" a new story during the processing of the event, which "scenario" includes both past experiences and the shocking experience itself.

A characteristic of both models is that they are longlasting processes. Characteristic of assistance to tourists who are victims of crime is specifically that it generally concerns one-time, brief contacts with victims, immediately after a crime or accident (see also chapter 4). A worker in assistance to tourists who are victims of crime is, therefore, in most cases confronted with the first phase of processing in terms of the phase model. The other two phases of processing will generally be gone through by the victim at a somewhat later point, when he is no longer in the Netherlands. The same applies, actually, to the scenario model; the assistance worker in the Netherlands has too little time to assist during this phase.

The first reaction to a shocking event is, in most victims, disbelief, shock, and dismay. The entire situation seems unreal, and is experienced as though it were a dream. For this reason there is not yet any room for intense feelings in victims, and they usually react in a cold-blooded and very alert manner. During this time, however, it is so that a victim often acts in a high degree of numbness, so that, for example, important (assistance) information is often immediately forgotten.

In addition, during the first phase of dealing with events victims often need to talk (a lot) about the event. For the further assimilation of an event it is very important that victims are indeed given the time to do this.

Of course it is also true that not everyone assimilates a shocking event in the same way. Such processing depends upon three factors:

- characteristics of the event, such as its duration and the degree of danger to the victim's life it involved;
- characteristics of the victim, such as his degree of flexibility and his "locus of control", i.e. the manner in which the victim seeks the cause of the event. The victim may seek that cause in himself ("if only I'd...") or outside himself ("that stupid intersection!");
- characteristics of the environment, such as social support from family, colleagues, and acquaintances.

An Australian touring Europe is violently robbed, after already having been the victim of a robbery in London. After the second robbery he finds himself at the Victim Support Agency for Tourists. He's had enough of the tour: the trip he had been looking forward to for so long has become a nightmare. The volunteer on duty helps the man on his way by organizing various practical matters with him: blocking his credit card, notifying the bank that his cheques are missing and arranging for new ones, organizing some money to tide him over and a new passport and visa. While all this is going on the volunteer and the man start talking about Australia and his plans for the trip. A day later everything has been organized and the two of them have had a good chat. The man gains fresh courage to continue his tour and not to let himself be the victim of the robberies. A few weeks later the volunteer receives a thank-you card from Australia, in which the man says that without the help of the Victim Support Agency for Tourists he would probably have returned to Australia a few weeks earlier.

(The cases described in the text boxes are based on actual cases as described in the ATAS brochure 'ATAS - Five Years of Support for Tourists'. They give examples of tourists helped on their way by volunteers at the Victim Support Agency for Tourists.)

This was a brief summary of the most important psychosocial aspects of being a victim. How one should deal with these aspects in practice, particularly the assimilation of a shocking event by the victim, will be dealt with further in paragraphs 4.2 and 5.6. Anyone who would like more information about the ways a victim deals with an event is referred to chapter 3 of the Basic Training Victim Support.

2.3 Legal aspects

In addition to psychological aspects, being a victim also involves legal aspects. In this paragraph we will address a few important legal aspects. It will suffice to give a limited description. For more information the reader is referred to the Basic Training Victim Support, as well as the Memo Victim Support, which go into detail with regard to the legal aspects of being a victim.

2.3.1 The legal system

The Dutch legal system consists of (62) cantonal courts, (19) district courts, (5) Courts of Justice, and a Supreme Court. In the cantonal court, the magistrate holds sole authority, particularly concerning minimal monetary claims (civil law) and offenses (criminal and traffic law). Appeals can be made against the decision of the magistrate to the district court. The district court deals, among other things, with larger claims (more than NLG 5,000), in civil law and all crimes in the area of criminal law. In terms of criminal law, this court has a single chamber and a full court.

Complicated cases go to the full court where three judges preside. Simple cases go to the single chamber, where one judge presides (for example the police judge or the juvenile judge). Most crimes come before the single chamber. An appeal can be made against the judgement of the district

court at the courts of justice.

The Court of Justice, or "the Court", handles only higher appeal cases against judgements made by the district court. One can appeal ("lodge an appeal") a judgement made in the Court of Justice at the Supreme Court. The Supreme Court is the highest court of law, and consists of five judges. If the Supreme Court finds that justice has not been served, then the case is referred back to the lower Court which must then make a new decision.

2.3.2 Sectors of the legal system

Actually only two sectors of the legal system come into play with regard to assistance to tourists who are victims of crime, specifically criminal law and traffic law. Citizen's or civil law, which handles conflicts between citizens, deals with such cases as divorces, bankruptcies, labour disputes, and compensations for loss, rarely enters the picture. Apart from addressing mutual compensations (see paragraph 2.4.1), we will not go further into civil law² here.

Traffic law handles conflicts in traffic. Specifically, three articles within the context of traffic law may be important with regard to assistance to tourists who are victims of crime, specifically the following:

- article 6 of the Road Traffic Law (WVW). This article considers someone punishable whose fault it is that a fatal accident or an accident with serious (physical) injury takes place. Article 6 cases are assessed by the Public Prosecutor to determine which accidents will go before the Court;
- article 8 WVW (driving under influence). This article regulates such matters as when a driver under the influence of alcohol is determined to be punishable. The fact that a person is under influence can be determined by means of a breath test or a supplementary blood test. Article 130 WVW specifies that a driver with regard to whom mental or physical unsuitability has been determined (including alcohol abuse) can have his driver's license revoked.
- article 185 WVW. This article regulates liability in case of a collision between a vehicle and a bicycle rider (not a moped!) or a pedestrian. Liability here is **always** assigned to the owner of the motor vehicle, unless it can be proven that the accident can be blamed on force majeure. This can only be done if the driver of the motor vehicle can be blamed for nothing at all.

Incidentally, since a few years ago it has been so that upon a collision between a car and a bicyclist or a pedestrian the driver of the car was liable for at least 50%. With regard to the remaining percentage, a further determination of guilt was then established. An example: if the bicyclist is 50% guilty, then the car driver is 50% + (50% of the remaining 50% = 25%) = 75% liable. With regard to children under 14 years of age, the driver of the car is always liable, except in cases of force majeure.

Usually a volunteer providing assistance to tourists who are victims of crime will find himself confronted with situations in the realm of criminal law, so we will address that in somewhat more depth. Criminal law covers conflicts between citizens and the government/society, usually being processed via a criminal procedure such as that shown in the following diagram.

Note 2 Anyone interested in civil law is referred to the Memo Victim Support and/or the Basic Training Victim Support.



A person who is a victim or witness to a crime will usually make a report to the police. He can do this at the police department of the place where the crime took place, or at any other police department in the Netherlands³. The police then have the "choice" of either listening to the story about the crime or the offense, recording it, or making up an official report. If the police simply hear a story nothing happens to the report; if they record it, all the facts are written down in the police's daily report. Usually, however, the police will prepare an official report on what was told them, consisting of a description of what was said, which must be signed by the person making the report. The person making the report always has a right to receive a copy of the official report (own statement). A criminal investigation is carried out by the police, and usually consists of hearing witnesses and suspects and eventually having an investigation of evidence by the technical detective. The results of this criminal investigation are added to the official report and then presented to the Public Prosecutor. If the perpetrator of the crime or the offence is/has remained unknown, then the criminal investigation ends there for the time being.

If, however, an actual suspect is known, then the judge may make one of the following decisions:

- to dismiss the case, so that the case is viewed as having been dropped, usually on the basis of insufficient evidence;

Note 3 In the latter case, the official report is sent to the police department in the town where the crime occurred.

- to conditionally dismiss the case, so that the case is viewed, against certain conditions, as having been dropped, for example if a compensation is paid to the victim;
- to settle (transaction), so that the case can be bought off (by making a payment to the Kingdom of the Netherlands) by the suspect;
- to prosecute, so that the prosecutor brings the suspect before the Criminal judge. The criminal court then decides whether or not the suspect is guilty and if so, what penalty should be imposed.

2.3.3 Attention to the victim in criminal law cases

Until the mid-'80s, the efforts of the police and the Court system were virtually entirely directed toward the perpetrators of crimes, with hardly any attention being paid to its victims. On March 1, 1986, the establishment of the Beaufort directives and the Vaillant directives changed this situation, with the latter being superseded in 1993 by the Terwee law and directive⁴. The Beaufort directives contain recommendations for the police with regard to dealing with victims of a particular crime, specifically sexual violence. With regard to assistance to tourists who are victims of crime, the Terwee law and directive applies. The Terwee directive specifies the responsibility of the police through such stipulations as the following:

- dealing in a reasonable manner with the victim;
- referring (if necessary) the victim to victim support, including (tourist) victim assistance;
- giving general information to the victim with regard to the criminal justice procedure and the options concerning obtaining damages.
- including information about the victim in the official report, for example such aspects as loss, and whether damages are desired;
- mediating with regard to loss if the victim has suffered loss which he wishes to have compensated and the perpetrator is known. This, incidentally, concerns simple cases, not complicated ones.



Note 4 Since April 1, 1995, the Terwee law and directive has been in effect throughout the Netherlands.

The Terwee law and directive also applies with regard to traffic accident victims; however, in practice it is rarely applied in this context. In the Netherlands claims for damages are usually processed via the Act on Liability in Motor vehicle Traffic (WAM). The police should, however, inform the victims about victim support and/or (tourist) victim assistance. With regard to the Public Prosecutor, in the Terwee directive such matters as the following are dealt with:

- keeping the victim informed about the course of affairs in criminal law proceedings;
- holding a discussion between the Public Prosecutor and the victim - prior to the case being dealt with - for insofar as the victim so desires;
- mediating in more complex damages cases;
- if the case becomes a criminal case, and damages are demanded, a third-party joinder form must be sent.

Victim assistance employees are appointed at all offices of the Public Prosecutor who can provide information concerning what time a case is scheduled to be heard and the course of the criminal case. Victims - and victim support/(tourist) victim assistance volunteers, as well - may turn to these employees for information.

2.4 Aspects of loss

One can differentiate two different types of loss: material loss and immaterial loss. Material loss is understood to mean property detriment, such as medical costs, costs of repatriation, loss of income, loss associated with destroyed and stolen goods, stolen money and documents of monetary value, travel expenses, telephone expenses, plus extra, reasonably incurred expenses. Immaterial loss is understood to mean detriment resulting from pain, injury, no longer being able to exercise one's profession, fear, uncertainty, etc. Such loss is compensated by the payment of damages. A problem here is the absence of objective criteria for expressing immaterial loss in monetary terms.

2.4.1 Possible compensations (damages)

When tourists are confronted with loss, various forms of damages are possible, the most important of which will be dealt with in this paragraph. The possible types of damages can be classified in four categories, specifically:

- 1 private provisions c.q. insurances;
- 2 mutual arrangement concerning payment of damages;
- 3 payment of damages in the context of criminal law;
- 4 funds.

The process of organizing damages always runs in this sequence.

1 private provisions c.q. insurances

In the situation where a tourist is a victim, first of all a look will be taken to determine whether the victim could cover the loss he has suffered by his own private insurances. This can be done by the victim himself financing the loss and/or by his taking recourse to insurance. There are various types of insurance, such as:

- travel insurances;
- medical expense insurances;
- national insurances (only relevant for Dutch tourists);
- WA (third-party insurance) for motor vehicles and insurance on bodywork.

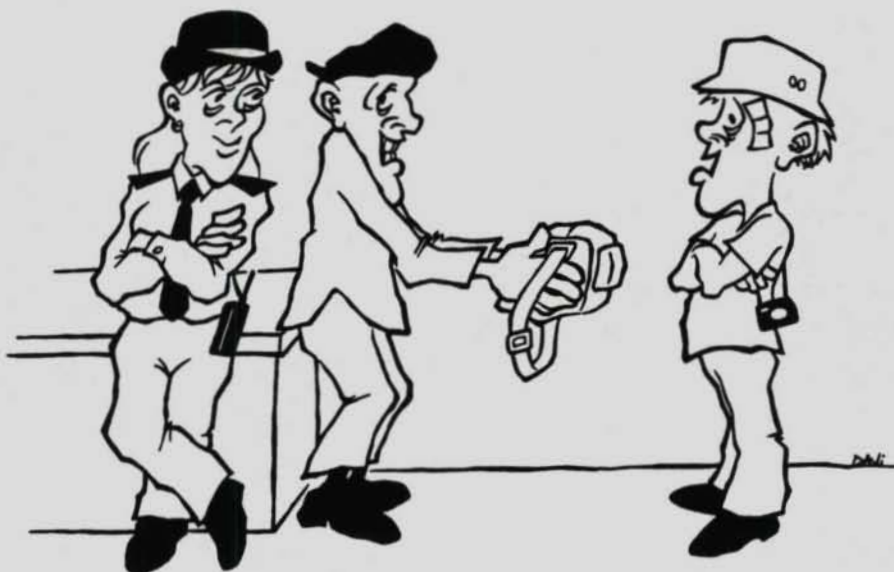
If a tourist himself is "perpetrator", i.e. has caused the injury himself though not intentionally, then of course he can compensate the injury himself or else with the help of one of the following insurances which he (the tourist) may have obtained:

- private liability insurance;
- WA (third-party) motor vehicle insurance and bodywork insurance.

2 mutual damages arrangement

If the perpetrator is known and the loss is not (entirely) covered by others (for example by insurance), then a mutual agreement concerning payment of damages can be established to cover the (remaining) loss. The victim and the perpetrator must both agree with such a plan. In brief, in such a plan first it is determined who is liable and what part of the obligation the liable party will assume. Then the amount of the loss is determined, and a mutual damages payment plan is established. For more information about this type of (civil law) procedure, the reader is referred to the Memo Victim Support.

Incidentally, in the context of the Terwee directive, mediation for loss by the police (and the Public Prosecutor) is also an option.



3 payment of damages in the context of criminal law

Should the two steps above not lead to adequate compensation of loss, then by means of criminal law proceedings the payment of damages by the suspect can be obtained. The following possibilities exist:

- payment of damages as a special condition of the Public Prosecutor in a situation of conditional dismissal or conditional transaction;
- payment of damages as a special condition imposed by the court upon conditional sentencing (is used less frequently since the introduction of the regulation concerning payment of damages - see below);
- damages payment measure by the court in a case of unconditional sentencing or claim;
- a third-party joinder in the criminal proceedings in a situation where the case comes to court.

If a case is presented in the context of any of the four above possibilities, upon presentation of the case it must always be specified that losses have been incurred, and that the victim wishes to have these compensated. For a third-party joinder in criminal proceedings, a special joinder form is sent by the Public Prosecutor.

If a victim asks for a third-party joinder, easily determined (material and immaterial) loss should be presented as the claim⁵. There is no maximally-claimable amount; there must, of course, however be a connection between loss and claim.

The victim who has been granted a claim after a (third-party) joinder is at all times himself authorized and himself responsible for the execution of that claim. To do this, the victim requires a copy of the judgement ("counterpart original"). Such a copy is provided, free of charge, to the victim by the clerk of the court or court of appeals (in case a claim is being appealed). It is important that the options of the procedure be explained to the victim-tourist and that perhaps the victim be allowed to sign a declaration in which he/she authorizes the volunteer or the Agency to act as his/her legal representative.

Incidentally, since April 1, 1995, for a third-party joinder, a victim or representative no longer needs to appear in person before the Court. Presenting the claim in writing by way of the joinder form (along with written documents of evidence of the loss incurred - sales receipts, physician's statement, inventory lists, etc.) by or in the name of the victim is sufficient.

The programme of assistance to tourists who are victim of crime may act as intermediary in the executory phase in order to have the money deposited in its own account, thereafter arranging for the transfer of funds to victim's account.

It is important in all cases that all personal details concerning the victim and the loss be completely and correctly recorded.

It is recommended that, where possible, a version or copy of the joinder form already be completed together with the victim if time permits. A definitive joinder form will be sent by the Public Prosecutor's office after a decision has been made to prosecute the suspect. After that this form can be completed and returned. For more information see paragraph 5.5.3 (under legal item list).

If the Public Prosecutor decides to claim damages at the hearing (this can be done in addition to a joinder by the injured party) and the judge approves this demand, then the Prosecutor is responsible for seeing that the measure is executed.

4 funds

As a last-resort means of salvaging a situation, the loss can also be (partly) compensated by making claim to a special fund. Some important funds are:

- Violent Crime Loss Fund (Schadefonds Geweldsmisdrijven). This fund is for victims of intentional violent crime who have suffered serious physical and/or emotional injury, even if that loss is being compensated in some other manner;
- Foundation for Compassion for those Injured as a Result of Crime (MGM). The MGM foundation was established for victims and their survivors of (serious) crime;
- The League with no Name (Bond Zonder Naam, BZN). This is a fund for victims of crime who find themselves, as a result of that crime, in serious (financial) difficulties;
- Guarantee Fund for Motor Vehicle Traffic (Waarborgfonds Motorverkeer). This fund is for victims of loss which was caused particularly by hit-and-run drivers and uninsured persons;
- Foreign charitable and/or church organizations.

Note 5 The criterium "easily determined" is of great significance. Sometimes consultation with the Public Prosecutor is necessary in order to determine what "easily determined" means. The Public Prosecutor can specify how a claim can be split into a "simple" part and a "complex" part. The part which is complex can then be dealt with in separate civil law proceedings.

A 25-year-old Irishman reports to the Victim Support Agency for Tourists after having his wallet, containing a few hundred dollars, stolen by a pickpocket. Contact with his family has been minimal since his parents' divorce. He is still in touch with his mother. The volunteer helps the man to get in touch with his family in an attempt to arrange some money. There is no money available, and bad news: his mother is seriously ill. After a lot of telephoning it transpires that the representative of the local English-speaking Catholic Church is willing to provide money for a return ticket, once the story has been verified. The Irishman is at his fatally ill mother's bedside the same night.

3 Delineating the target group

3.1 The target group

The programme of assistance to tourists who are victims of crime directs itself in particular toward a single target group, specifically tourists who have become victims (or were witnesses) of a crime or traffic accident, and who have, in principle, filed a report with the police, railroad police, or military police concerning that crime or accident.

A "tourist" is understood to mean, within the realm of assistance to tourists who are victims of crime, a person whose holiday address is located in the town or region where the programme of assistance to tourists who are victims of crime is active, or who is staying there only one day (the so-called day tourist). Convention visitors/business travellers can possibly also be considered to be tourists.

The programme of assistance to tourists who are victims of crime is intended primarily for foreign tourists, but Dutch tourists may also comprise a part of the target group. Dutch tourists, however, are usually referred on, after the first relief activities, to the regular programme of victim support in their own places of residence.

A "crime" is understood to mean any violent or immoral act, any illegal action involving threat of violence, break-in or theft from an accommodation of residence, theft of a means of transport (car, motorcycle, boat, bicycle), theft from a car, handbag theft and pickpocketing, and other simple theft, such as for example the theft of baggage.

P.S. Absence/loss of goods, documents of monetary value, or persons is not viewed as a crime, but if a report is filed with regard thereto c.q. a document of absence has been filed, then the victim can in most cases indeed count on help in the context of the programme of assistance to tourists who are victims of crime.

A "traffic accident" is understood to mean an accident of or between participants in traffic resulting in injury and/or fatal victims and/or material loss.

In general, no assistance is given to foreign "tourists" who:

- are not a part of the target group but nonetheless (wish to) appeal to the programme of assistance to tourists who are victims of crime (for example tourists with solely relational problems);
- are staying in the Netherlands for an extended period of time with the objective of temporarily or permanently remaining here (including refugees);
- are in the Netherlands illegally.

These "tourists" are referred through to the organization which covers the type of assistance which such a "tourist" requests. Chapters 4 and 5 contain more information in this area. In addition it is also important that the assistance worker possess a local overview list of relevant organizations.

Assistance to tourists can be prematurely terminated. More about this can be found in paragraph 4.5 "limits to assistance and referrals".

3.2 Guidelines for assistance to the target group

In determining the eligibility of tourists for assistance, in particular the following three guidelines are very important:

- the desire to be referred further to the programme of assistance to tourists who are victims of crime must, in principle, be stated in advance by the referring body or the tourist him/herself. The programme of assistance to tourists who are victims of crime can, using the report, then determine whether the tourist is eligible for assistance. In this way can be prevented that, for example, a tourist is sent (unnecessarily) to the office of assistance to tourists who are victims of crime to, for example, simply make a phone call;
- the tourist must be part of the target group and, in principle, have filed a report with the police, railroad police, or military police;
- the assistance to victim-tourists must, in principle, always be directly related to (the results of) the crime or traffic accident. Assistance cannot, for example, be given in order to find (temporary) employment.

P.S. If tourists are sent to the programme for assistance to tourists who are victims of crime without that organization first being informed, but they do belong to the target group, then the tourist must of course receive assistance. In such cases, the person who referred him must always be informed of the proper means of referring a client.

In closing, it must be stressed that for advice alone, everyone may consult the organization of assistance to tourists who are victims of crime. So this also applies to the police, who may indeed have a referral function but may nonetheless of course consult the programme of assistance to tourists who are victims of crime at any time.

4 Specific characteristics of assistance to tourists who are victims of crime

4.1 Introduction

Of course, the programme of assistance to tourists who are victims of crime does look, in many ways, like regular victim support, in terms of organization and assistance. For example the latter organization also works with volunteers, its target group also consists of victims of crime and traffic accidents, it also works in (close) cooperation with the police, the assistance is also free of charge and, more in an overall sense, it also attempts to improve the situation of the victim in the broadest sense of the word. But of course there are clear differences. In this chapter we will deal with the specific characteristics of assistance to victim-tourists with which the volunteer in the programme of assistance to tourists who are victims of crime is confronted.

4.2 Working under pressure of time

With regard to assistance to tourists who have become victims, often there is very little time to organize matters. In general tourists remain in the Netherlands for a relatively brief period of time and "must" be home before a certain time. This "must" depends, to a great extent, upon the end of their holiday leave, the date of the booked return or continuing trip, and/or all kinds of other obligations (duration of a visa, for example). Assistance to a victim-tourist, therefore, is usually limited to the very first emotional and practical relief.



The emotional problems of victim-tourists concern not only the past (the crime), but, in particular, the very near future (the practical effects of the crime, such as for example no money for accommodation and/or a return trip). This is why adequate practical support virtually always has a favourable effect on the emotional condition (and also the further manner of dealing with the crime) of the victim. This is certainly true if the time in which practical matters must be organized is brief.

It is also important that volunteers be capable of working under pressure of time. This calls for a number of specific skills.

The first skill is being able to really listen to that which has happened to the victim. Victims often wish to speak about what has happened, and this is important, in its turn, for their later processing of the crime (see also paragraph 2.2.4). So it is important that the victim be allowed to talk a lot, but also to obtain, in the meanwhile, a clear picture of the problems.

The second skill is that a good knowledge of the social situation is desired. Once the problems have been clarified, then a strategy will have to be determined with regard to the method of proceeding. It is important to determine where a person can be with which problems.

And finally, it is important that the assister be able to act effectively. Once the problems are known and the strategy has been determined, activities must be carried out quickly and effectively. Because little time means, on a regular basis, organizing things in addition to standard procedures, not allowing oneself to be easily dismissed (by telephone), maintaining an overview, and not coming across to the victim as being under stress or being uncertain.

At the same time, the fact that something must be effectively accomplished on behalf of the victim may mean that solutions will not always fall within the confines of standard procedures. So some degree of persistence, ability to convince, and creativity must be used in order to find solutions, and the assister must be able to negotiate with regard to these solutions with the relevant organizations.

4.3 Assistance in an intercultural and international context

4.3.1 Introduction

Tourists may originate from other cultures than that from which the provider of assistance originates. In addition, besides the language problem there may also be a translation problem. In this paragraph, we place the provision of assistance in an international and intercultural context.

When writing this paragraph, we make use of that which Pinto has written⁶ with regard to intercultural communication.

4.3.2 Communication

Communication plays an essential role in daily life. We attempt, in many ways, to give information to one another. This process of transferring information is a continual one. It is virtually impossible not to communicate within society.

Communication can take place in various ways. With regard to communication we can differentiate a number of elements:

Note 6 D. Pinto; Intercultural communication; Houten, 1994

- sender the person who sends out the message
- receiver the person who receives the message
- In a conversation, these roles change constantly, and in fact they can be held simultaneously as well.
- information that which a person wishes to put across to another person (for example: "it is raining".)
- message the manner in which the information is transferred (for example: "yuck, it's raining", or "hey, it's raining!").
- static factors which may influence the transfer of the message such that it becomes deformed during the transfer. These can be internal (dependent on one or both parties who are communicating) and external (independent of the parties, environment) factors.

Communication can be subclassified even further. Here Pinto makes use of the concepts of communication-message and communication-feedback. The concepts refer to the two streams of information between sender and receiver. Further, he differentiates, in these streams of information, a mental component (preparations which are made in the mind of the sender and receiver), a coding component (placing the information into words), and a language component (transfer of the message in words from sender to receiver).

Communication message

This component concerns that which the sender wishes to communicate.

The four phases are the following:

- What will I say? (mental content)
- What will I actually be saying? (coding in language)
- What does the other person hear? (language)
- What does the other person think he hears? (coding in mental content)

Communication feedback

This component concerns the reaction of the receiver to the message sent by the sender. The four phases are the following:

- What does the other person intend to reply? (mental content)
- What is the other person actually replying? (coding in language)
- What do I hear the other person say? (language)
- What do I think the other person is saying? (coding in mental content).

Communication is, in this model, a cycle in which a message calls up a reaction or feedback. The feedback, in its turn, again calls up a reaction to the person who sent out the original message. And thus a conversation is created.

Communicating effectively

In order to be able to communicate effectively, at least four conditions must be met in order to be sure that the communicated message and the communicated response to it come across without misunderstandings. The four conditions are the following:

- Technical: people understand each others' languages (including literally)
- Cognitive: people are capable of communicating at the same level
- Interpretative: people interpret the words which are used in the same way
- Affective: the language used calls up the same emotions in sender and receiver.

Much communication takes place without our being aware of these mechanisms. So communication is something that we take for granted. And that's a good thing.

In the context of this manual and training course it is, however, important that the aspects of communication be named. A person's awareness of what is involved in communication may lead to improvement in communication.

4.3.3 Verbal and non-verbal communication

Verbal communication is all communication which is carried out with the aid of spoken language. Two important components of verbal communication are unequivocal use of language, and implicit and explicit assignment of meaning.

Non-verbal communication is all communication which is carried out in ways other than via the spoken language. For example, communication can be transferred via body language, spatial relationships (just think of looking for a seat in a tram), the sound of the voice (speed, volume, calm, etc.), eye contact, sense of smell and scent, mimicry and gestures. It is known, for example, that southern Europeans often use more gestures to put a message across.

Verbal communication, unequivocal language use

In verbal communication, in the interest of optimal communication it is important that the persons who are communicating (sender and receiver) use the same type of language concepts. This is to say that they assign the same meanings to words. The better one is able, in the broadest sense of the word, to understand the other person, the better the communication goes. Think of the four conditions we mentioned earlier in 4.3.2.

As an example we can mention the use of professional jargon. The police, for example, can use concepts which might not mean too much to an outsider ("sending in" or "recording" a case, etc.).

Of course, in this context the fact that people speak a different language is an extra barrier. This barrier varies according to the degree to which one of the two is capable of speaking the language of the other (in a finely-tuned manner). Not only the actual lack of vocabulary skills but also the limited skill in finely tuning the language play a role here. Just try to translate the Dutch words "gezelligheid" and "sociale zekerheid" into another language. Part of the emotional value which a word calls up will most probably be lost in the translation.

Verbal communication, implicit and explicit assignment of meaning

Not all assignments of meaning goes explicitly via language concepts or logical combinations. By way of forming sentences and groups of sentences, implicit messages can be sent out. So it is then not the literal content of language concepts and combinations which are important, but the message "between the lines". The situation, the person of the speaker, and the context of the speaker can have an influence upon this message between the lines.

An example: if a glass installer says "It's stormy outside. There'll be work to do", he will probably mean something different than if a dike warden says the same sentence.

Non-verbal communication

What is special about non-verbal communication is that we only have control over it to a certain extent. For this reason we do differentiate between intended and unintended or unconscious non-verbal

communication. An example of intended or conscious non-verbal communication is the use of eye contact and body language to demonstrate that you are paying attention to the person with whom you are having a conversation.

An example of unintended or unconscious non-verbal communication is perspiring and trembling during a speech or an important conversation. And finally, remember that if verbal communication is difficult, the emphasis may come to lie upon non-verbal communication. It is then important to know that non-verbal expressions are interpreted differently in other cultures than they are here.

Equilibrium, verbal and non-verbal

Verbal and non-verbal communication can support each other; but they can also contradict one another.

For example, the verbal message "How are you?" can be supported by an open, attentive, buoyant posture toward your conversational partner, but it can also be negated by a nonchalant, backward-leaning posture through which the impression of a lack of interest will be created within the recipient of the message.

4.3.4 Conceptualization

In this paragraph, the mechanism of conceptualization will be explored. During his/her life, each person forms images of reality. These images are formed within such contexts as one's upbringing and socialization (with whom you associate, what you have experienced), and undergo a constant interaction with the reality around us. The images are thus constantly being adjusted.

Without images of reality, reality would probably be too complex and not possible to deal with. Therefore people have the need to make a summary of reality by making use of images and interpreting them. Often this simplifies reality.

A husband and wife from Saudi Arabia whose passports have been stolen are referred to the Victim Support Agency for Tourists by a telephone call from the police. The wife is very upset by what has happened; the husband makes a rather authoritarian impression and says precisely what he wants. He wants to get in touch with the Consulate and speak to the Consul, and as soon as possible. The volunteer explains that it will take a few days to replace the passports. Perhaps it would make sense to postpone the return flight. The husband says this is impossible. The volunteer thinks the man is pushing his luck and gets a little confused. To clarify the situation he asks the man why he is in so much of a hurry, to which the man replies, "Because I'm the captain of this flight!" Strange things can happen at the Victim Support Agency for Tourists.

Important in the formation of our image of reality is the role which the standards and values of an individual and group play in it. Each group, society or culture develops its own standards and values. These are the game rules to which the people who comprise the group, society or culture adhere, or in any case are supposed to adhere. The standards and values, once again, are taught and introduced by our upbringing, socialization, and sanctioning (some call this disciplining).

The standards and values comprise a part of the process which eventually determines our image of reality. From standards and values, in combination with an image of reality, we derive our security and feeling of having an overview. Reality becomes explainable and thus possible to deal with. Because each group of individuals develops these activities, various people have various images of reality, views of man and views of the world.

The overview which we have created through these self-created images, standards and values is put to the test as soon as we come into contact with the images which others have of reality, and in particular with the standards and values which lie at the base of that image.

Reactions

Two different reactions can occur if a person is confronted with two human/world images or standard/value systems.

The first type of reaction is the conscious reaction. On the one hand differences can be denied; this is followed by a rejecting reaction to the confrontation. On the other hand, differences can be recognized; this is followed by a reaction in which the difference in the image of humans or in value systems is accepted.

Denying or rejecting the existence of different images (something which often means presenting the personal image as absolute or monopolising) can make communication between people difficult or in fact impossible. This, in its turn, can result in stereotypes and prejudices. These are ideas or images (positive or negative) which one has formed, either based on reality or not, of a group of people and thereafter applies to all the members of that group.

The recognition of the fact that a variety of images exist can result in tolerance, understanding, and open discussions. This requires the realization that one's own experience of reality is subjective, and that other realities exist in addition to one's own.

In addition to these conscious reactions there are also unconscious reactions, in which a person is not alert to differences in standards and values, and images formed on the basis of these. If this occurs in a conversation, this conversation will tend to go less smoothly, and communication problems will be likely to occur. In such a case it is much more difficult to comprehend what the other is trying to say, both verbally (implicitly and explicitly) as well as non-verbally.

4.3.5 Cultures

At the beginning of this paragraph we first wish to give a definition of the concept of culture.

Pinto (1994) answers the question of what a culture is as follows: "A culture is a developing system of values, standards and rules of living which are passed on from generation to generation and internalized. For the people within a group the culture is often the unconscious steering force for their behaviour and view of the world."

In assistance to tourists who are victims of crime, it is a fact that tourists often come from different cultures. The differences which exist between the cultures are expressed in the use of language, clothing, customs, expectations, rules of etiquette - but also in the way people think about good and evil, and crime and punishment.

The cultural differences between employee and victim-tourist can lead to a (mutual) lack of understanding.

Here it must be remarked that not all communication problems have to be attributed to cultural differences! Labelling something a cultural difference can also become an easy excuse for miscommunication.

It is important that people not be too quickly labelled as being not nice, unreliable, or strange. Our natural reaction is often something like: "unknown is unloved".

It is important that one try to find out how and in what ways one's own formation of images is influenced, and how the attitude of another person can be thus determined.

Becoming conscious of what has influenced your own formation of images and standards and values is a process that can take some time. Each new situation, however, can enrich you. Being able to look at yourself critically (and at influences which play a role in this self-reflection) is of essential significance here.

In order to find out what determines the attitude/reactions of another person, one must have an open attitude toward that other. Knowledge of the existence of other cultures can help. We will discuss classifications later on.

In order for us to have understanding, in our practice of assistance to tourists who are victims of crime, for other cultures, far-reaching knowledge about cultures and cultural differences is not the most essential factor - although practical knowledge can sometimes be handy.

What is, however, essential, is the understanding or consciousness that cultural differences do exist, and the preparedness to consider how to deal with these.

Cultures can be classified in a variety of ways. We will give the classifications of Hofstede and Pinto.

Hofstede (1984) states that cultural differences can be traced back to 4 main points:

- **Social inequality:**

In some cultures, the principle of equal rights for everyone (very strong in Scandinavian countries) applies, while in other cultures, privileges and status symbols are accepted to be the right of certain groups of people (Arab countries, Indian caste system, etc.).

- **Individualism versus collectivism:**

In an individualistic society (for example the United States), privacy is a major possession and more important than group life. A wrong step leads to a decrease in self-respect and to a feeling of guilt. In a collectivistic society, the private life is subordinate to the group experience. A wrong step on the part of an individual leads not only to loss of face for the person himself, but most of all for the group to which he belongs (for example Asia).

- **Manliness versus womanliness:**

In a society which gives precedence to manliness, people live to work, and strong people and winners are admired (for example Japan). One has no sympathy for victims. They are losers. In a society which leans more toward womanly values, people work to live, and there is sympathy for victims, the weak and losers (for example Scandinavia).

- **Avoiding uncertainty:**

This point has to do with the degree to which members of a society feel threatened by uncertainty or unknown situations, and people have a need for predictability and for formal c.q. informal rules. In cultures with a low avoidance of uncertainty, uncertainty is part of life, and people live from day to day. There are not more rules than are necessary (for example, Portugal, Greece). In cultures with a high avoidance of uncertainty, people attempt to always keep uncertainty under control, and there is a great need for rules (Singapore, Great Britain).

Pinto's style of classification is of another type. He looks at the structure of the system of rules of behaviour which are utilized in a culture. He differentiates in:

- Cultures with a fine-meshed structure of behavioral rules (F- culture);
- Cultures with a rough-meshed structure of behavioral rules (G-culture);
- Cultures with a mixed structure of behavioral rules (M-culture).

The most important difference between F-cultures, G-cultures, and M-cultures is the degree of individual freedom. In F-cultures, the individual freedom is minimal (for example Morocco, Turkey, or on a smaller scale: Dutch provinces like Friesland, Zeeland, Limburg). In G-cultures there is a great freedom of individual behaviour (for example the US, Germany, the Netherlands, or on a smaller scale: big cities). M-cultures are somewhere in between (many Latin American or Caribbean cultures belong to this group).

Some of the ways in which people from F- and G-cultures differ from one another are the following (we have chosen the most relevant differences in terms of the practice of assistance to tourists who are victims of crime):

- People from F-cultures are more dependent upon the group than those from G-cultures. One of the ways in which this is expressed is in their very strong and extensive family connections. Within a group they trust one another implicitly. The group provides safety and security. The bond is strong and leaving the group is difficult.
- Modesty and a feeling of guilt are greater in F-cultures than in G-cultures. It is important that people behave in the manner which is demanded by the group. In G-cultures, a feeling of guilt is linked more with bad actions (defined by laws and public opinion) than the expectations of the group.
- Status and reputation are determined, in an F-culture, by origin and position/role in the family, and in addition by visible wealth and respectable behaviour. In a G-culture, status and reputation are more individually-earned factors based on personal accomplishments.
- In an F-culture, roles are more extensive, precise and clearly delineated than they are in a G-culture. People are also judged more on how they fulfil these roles. This is expressed in such ways as the role distribution between man and wife, child-parent, and roles within the family. There is a great amount of security and little freedom of individual expression. In a G-culture, on the other hand, there is much space for a person to define his/her own roles.
- Image of the world: an F-culture sees the world primarily as being less controllable and changeable. There is little need for control upon the environment, and little resistance against the natural course of affairs. In G-cultures, the individual is the pivot of society. Society can be controlled by the individual, in such ways as by the application of technology.
- The interpretation of time in F-cultures is loose (no longterm planning, a relative experience of time), and geared, in particular, toward the past (importance of tradition and customs). In G-cultures, on the other hand, the interpretation of time is strict (agreements have a set beginning point and end point), and geared toward the present and the future (changes are measured in terms of possible benefits to be gained).
- Communication: because of the importance of roles and the abundance of norms and requirements in F-cultures, there are detailed guidelines with regard to conversations, and the recipient of a message will have to be very aware of those norms and requirements (which are often implicit) in order to be able to interpret the message of the person sending the message. In G-cultures, communication is less influenced by group norms and guidelines, and there is less implicit communication in terms of this point.

- In a G-culture, there is a differentiation between business and personal contacts. A problem between two persons with a business relationship will not be immediately brought into the personal sphere, whereas in G-cultures that will indeed be done: there is no differentiation between business and personal contact. In an F-culture, therefore, good personal contacts (attention to the person) furthers business contacts.
- Conflicts will be experienced, by someone from an F-culture, as being the result of his failure to fulfil the collective norms and values. The role which these norms and values play makes a person avoid conflict. Should a conflict nonetheless occur, then informal strategies are the preferred response (implicit communication). If, despite this, direct action is taken, then it will escalate quickly, coupled with emotions and geared toward the (restoration of) harmony in the group.
A person who comes from a G-culture will view conflicts more as stemming from the maintenance of individual game rules. The chance of making errors is greater; collective values and norms play a lesser role. When conflicts occur, a direct confrontation will be sought, geared toward a rapid resolution of the conflict. Here emotions will play a less prominent role; much more often a rational strategy will be applied.
- Establishing direct contacts is very important in the context of an individualized G-culture. The role of intermediary seldom occurs. In F-cultures, on the other hand, much more frequent use is made of intermediaries. This can occur in order to avoid disagreements or because the intermediary has a certain status. The intermediary is the buffer between the two parties.
- A person from an F-culture is more likely to expect socially-desirable responses. A question calls for a certain answer. One can express his good will by means of a confirmatory response. The result is something else again: the reaction to a deviating response depends upon the status of the person who promised the result. In G-cultures, answers will be taken much more literally.

Pinto says that the F-cultures include mostly the traditional cultures, while the G-cultures include the modern ones.

Also, in non-western cultures one will find, relatively speaking, F-cultures more often, whereas in western cultures G-cultures are more often noted.

A variety of cultures will also be found within the borders of a single country. For example a person from Egypt will be different depending upon whether he comes from the countryside or a large city. Similarly, one will note cultural differences between a person from Rotterdam or from the Veluwe (part of the Netherlands).

4.3.6 Intercultural communication

In terms of the communication between people from two different cultures, this is based upon the premise of the individual cultural pattern. In intercultural communication one often notes that the parties are confronted with one another's cultures, and that they must have tolerance for each other. Usually one assumes that parties will have to give in to some extent in order to understand each other.

The method proposed by Pinto, however, assumes that in intercultural communication, the two parties will have to be capable of making a certain contribution to each other. To do this, according to him, three conditions must be met:

Intercultural consciousness (IC)

This means that people are conscious of the fact that there are different cultures, that within those cultures there are various systems of norms, values, and modes of life.

In the practice of assistance to tourists who are victims of crime this means that the volunteer is prepared and capable of recognizing that the victim comes from a different culture and that this origin will influence the reaction of the victim to the crime, as well as influencing his/her expectations of the assistance being offered.

Double perspective (DP)

Conversational partners apply a double perspective if they can view a situation from two different points. A positive result of this is that the chance of misunderstandings and irritations then becomes less. If a volunteer in the programme of assistance to tourists who are victims of crime is aware of the difference in cultures, then he/she may also be capable of re-assessing the assistance situation from two different points of view: from that of the person giving assistance, coming from one culture, and from that of the person requesting assistance, with his own background and origin.

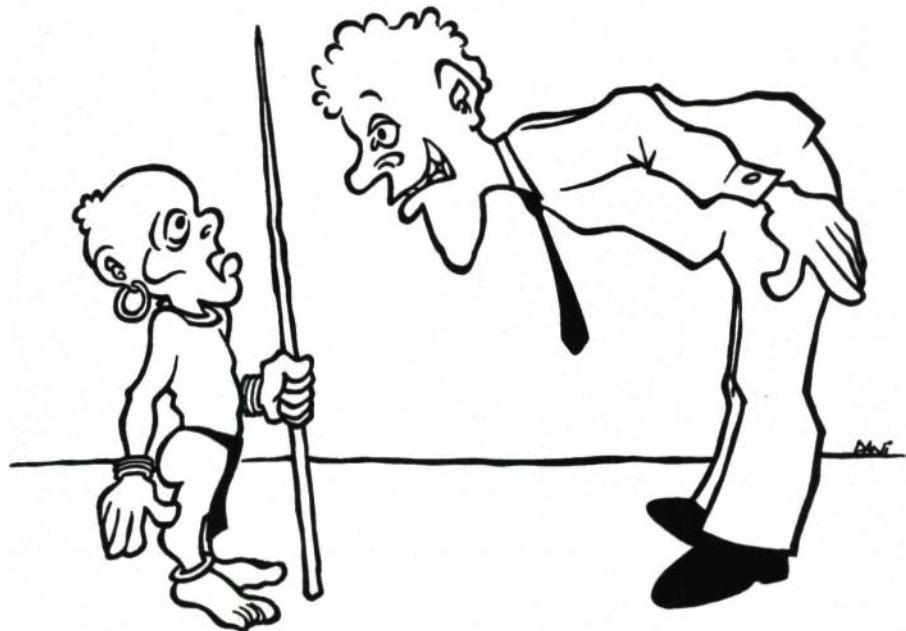
Actually part of the standard approach of a person giving assistance is to bear in mind both perspectives, that of the victim and the helper. Added to this is the role which cultural differences play in terms of expectations with regard to the assistance situation.

Three-step method (TSM)

The three-step method is a relatively simple and systematic method for differentiating facts in terms of one's own interpretation of the facts and another's interpretation of them. Basically this method comprises three steps:

- Step 1: get to know your own culturally-related norms and values. The point here is to discover what rules and codes have an influence upon one's own thought pattern, actions, and communication.
From what kind of (sub-)culture do you yourself originate, and what does this mean in terms of actions and perceptions? Make an inventory of what has happened to the victim, and determine which norms and values have an effect upon your own assessment of the event. Being conscious of the fact that an inventory of the event, and a judgement of the event, are two different things is important here.
- Step 2: get to know the norms, values, and behavioral codes of the other.
It is important that in step 2, facts/event also be separated from your own opinion of the behaviour of the other. Subsequent to this you should consider what the strange behaviour of the other might mean. When making an inventory of the facts, attempt to proceed in as non-judgmental a manner as possible. Be alert to your own judgement of the facts, and separate this from the facts themselves. Sometimes consultation with another person can help in the (non-judgemental) inventorying of the facts.
When assessing the behaviour of the other person (the client), you might attempt to obtain any missing information about his the culture and its customs from a colleague who has perhaps dealt with a person from that same culture in the past. A foreign cultural organization, too, might be consulted to obtain answers to questions or for discussion.

- **Step 3: Establish the manner of dealing with differences in norms and values in the situation of the victim-tourist.**
In steps 1 and 2, the difference between the facts and the judgement of these facts, as well as the differences in the judgement of those facts, was dealt with.
In step 3 it was specified how to deal with this situation.
What it actually comes down to is to determine how far you can go in "meeting the other person halfway". This has to do with observed differences, but also with the person and the situation itself. This means that the way of dealing with the differences in step 3 will always have to be separately determined, case by case.
Here, limits of acceptance and adaptation also play a role; one's own norms and values can be an inhibiting factor (I am wary of what is different, I must be tolerant).
The better it can be clarified to the other person where one's own limits lie, in a manner which is understandable to the other (proceed as far as possible in the context of the other's cultural background), the better the other will know where he/she stands.



The use of the three-step method aims for three effects, specifically:

- erasing existing prejudices;
- attempting to understand, accept and respect the norms and values of the other;
- establishing and clarifying your own limits in order to prevent irritations, incomprehension, and exaggerated tolerance.

We consider it important to stress that in the practice of assistance to tourists who are victims of crime, much standard work will actually be done without these steps being consciously followed. However, cases may also occur with which a volunteer is involved for a longer period of time and in which more contact with a victim-tourist will take place. In those cases the steps will often overlap with each other.

The point is not to follow the model precisely. Of much greater importance is to possess the skill to make use of the mechanisms contained in the steps.

The application of the method will require some practice. This is a method which is, in particular, geared toward awareness. Dealing consciously with communication in a situation in which two cultures play a role is, for this reason, a challenge within the realm of providing assistance to tourists who have become victims of a crime or traffic accident.

A crime or accident in itself often leads to incomprehension, disbelief, or confusion. So it is even more important that the victim-tourist be given the best possible help.

4.4 The assistance network

The network of assistance to tourists who are victims of crime is very extensive and, to some extent, related to a specific town or region. Below is a survey of all of the organizations with which you as volunteer (may) find yourself dealing. The organizations are grouped in 8 main categories, specifically maintenance of law and order, documents of identity, finances, transport, health, accommodation, culture, and miscellaneous.

4.4.1 Maintenance of law and order

Police

The police act as the most important referrer to the programme of assistance to tourists who are victims of crime. The assistance programme nearly always deals with the police, so that maintaining good contacts with the police is of great significance.

Every day the police record each case in a daily report. One might consider requesting a survey of all cases (also called transactions) in which foreign tourists were involved⁷. The police can also be consulted in cases where the property of tourists is missing; they have a lost and found department. In addition, the police may also call upon the programme of assistance to tourists who are victims of crime. This often concerns providing (telephone) advice with regard to practical information.

Railroad police

The railroad police function as the second important referrer. In addition, the railroad police approach the programme of assistance to tourists who are victims of crime relatively often for practical information. In such cases, therefore, assistance to the tourist runs indirectly, that is to say via the railroad police.

If a tourist is a victim of theft on NS property, he must file a report with the railroad police. Such a report has the same value as a report to the (regular) police department.

Military police/border control

The military police can be approached with questions and problems in which it is not clear whether a person may leave The Netherlands and/or enter the country of destination, and how this works in terms of specific procedure.

Note 7 Actually this may only be done if a volunteer in the programme of assistance to tourists who are victims of crime is (occurs very occasionally) a voluntary police official. In addition, according to the official guidelines only those victim-tourists who have made it known to the police that they have no objection to their name, (holiday) address, and phone number being passed on to the office of assistance to tourists who are victims of crime may be approached. Here the police must always ask first (see also the Terwee law and directive, paragraph 2.3.3).

The legal system

The assistance agency to tourists who are victims of crime may become involved with the legal system if the victim-tourist wishes to become involved as the injured party in criminal law proceedings via a third party joinder in order to claim his/her loss from the suspect/perpetrator. The victim may authorize the programme of assistance to tourists who are victims of crime to act in his/her name⁸ in the case. In this way the victim can file a claim for damages without him/herself having to appear in court. See further paragraph 2.3.

4.4.2 Documents of identity

Embassies and consulates

In cases of theft or loss of a passport, tourist card (travel document valid for a specific period of time), or laissez-passer (travel document valid upon a certain date for a certain route), in order to obtain a new or replacement travel document the (consular department of) an embassy or consulate of the country of origin of the tourist will have to be consulted. Often this takes too long for the tourist, so that the options must be assessed of returning home without a passport. This is being permitted in more and more countries, as long as the tourist goes directly home without stopping in the territory of other countries, and if he can show a copy of the official report in which it is stated that his travel document and/or other proof of identity has been lost/stolen.

A Russian couple are brutally robbed of a handbag on New Year's Eve. The husband tries to catch the thief and receives some telling blows. The thief jumps onto a waiting motorbike and rides off. The couple are very upset by the incident, particularly because all their money, passports and travel documents are in the handbag. Next morning they are referred to the Victim Support Agency for Tourists and tell their story. The whole family had contributed to the money for the trip and there was no-one at home who could now provide financial assistance. After listening to the story the volunteer rings the Russian Embassy. After a lot of telephoning back and forth among the Embassy staff they find the right person. The official is told the story and asked what he can do. He says he will arrange new passports and promises that financial aid will be provided somehow or other. The Victim Support Agency for Tourists provides the couple with tickets, passport photos and a plan of The Hague, where the Embassy is located. The couple go on their way with the idea that there are still people with good intentions.

4.4.3 Finances

Organizations for travellers' cheques and credit cards

When travellers' cheques and/or credit cards are stolen, various "organizations" can be consulted to block these and for replacements. For travellers' cheques this is usually American Express International, Thomas Cook, Visa, Bank of America, Marks and Spencer, and Eurocheque. For credit cards it is often Eurocard, Mastercard, Diners Club Benelux N.V., Access, and as already mentioned American Express International and Visa Card.

"Money transfers", banks, post offices and (border) exchange offices

For the transfer of funds from abroad, often use is made of Western Union and Thomas Cook. The family or friends of the victim can transfer money in the country of origin of the victim very quickly - often within 15 minutes! -

Note 8 A third party joinder by or on behalf of the victim can, as of April 1, 1995, also be realized in writing.

to the Netherlands, often at a border exchange office (Grenswisselkantoor)⁹. Transferring money from abroad via the victim's own bank is also possible. Via a "commitment by a bank", within 1 day money can be transferred to any bank in the Netherlands. It is also possible to have money transferred to the programme of assistance to tourists who are victims of crime via a channel account. To have bank accounts blocked, the victim's own bank must also be consulted. And finally, money can also be transferred via the post office (in the Netherlands the Postbank), with the help of a telegraphic postal money transfer. This takes an average of two days. Another separate bank is the lending bank or the municipal credit bank. Here articles of value can be pawned to give the victim access to funds while waiting for a transfer.

Emergency funds

In general, an appeal may be made to emergency funds if the damage is not compensated in some other way, and if the victim cannot compensate the loss himself. Assistance to tourists who are victims of crime works mostly with the Foundation for Compassion for those Injured as a Result of Crime (Stichting MGM), the Guarantee Fund for Motor Vehicle Traffic (Waarborgfonds Motorverkeer), the League with no Name (Bond Zonder Naam), and the Violent Crime Loss Fund (Schadefonds Geweldsmisdrijven) (see also paragraph 2.3.5). Often, because of the associated administrative processing involved, the money is not immediately available. Sometimes, however, an advance can be arranged.

Insurance companies

Though the programme of assistance to tourists who are victims of crime is directly associated with the alarm centres of insurance companies, only rarely does it deal with the insurance companies themselves. Often what is involved here is reminding tourists of the necessity of filing a report to the police, and of saving all receipts and proofs of expenses. Both of these actions are a condition for the payment of compensation by the insurance companies.

4.4.4 Transport

Air line companies/travel agents

If return flight tickets have been stolen, they will have to be replaced. Tickets can usually indeed be replaced, but how quickly this can be done depends upon where the ticket was purchased. That is where the permission must come from to write out a new ticket. With most air line companies it is possible to book a ticket abroad and have it picked up at Schiphol. Someone, then, abroad must take care of the payment of the ticket before the ticket is telexed to Schiphol.

Railroad

If tourists wish to travel home by train, then this will usually involve the Dutch, Belgian, German or French railroad companies. In contrast to the situation with air line tickets, often train tickets cannot be replaced. It is possible to organize train tickets with statements of obligation to pay, so that the tourist can travel first and pay later.

If tourists are robbed on NS¹⁰ property, the victim may inquire about found articles. At many NS stations found articles are stored for 4 days. After that the found articles are stored in a central repository in Utrecht.

Note 9 Western Union is represented in the Netherlands by the GWK (border exchange office).
Note 10 NS stands for Nederlandse Spoorwegen, the Dutch Railroad Company.

Boat and bus companies

For tourists who wish to return home to England by boat, contact can be taken up with various shipping companies, such as North Sea Ferries, Stena Line, and SeaLink. Some large bus companies are National Express Coach and Budgetbus/Eurolines. For both boat and bus tickets, it is often possible to have a ticket ordered in England by someone with a credit card.

International Hitchhiking Centre Amsterdam

A relatively inexpensive way of returning home is organized by the Hitchhiking Centre. The hitchhiker pays insurance and mediation costs to the Hitchhiking Centre, and gasoline costs to the driver.

ANWB

In case of a traffic accident, Dutch tourists who are members of the ANWB (automobile association) may call on the ANWB Alarmcentrale. Foreign tourists must generally call on the alarm centres of their own automobile clubs. If after the accident the automobile must be repaired at a garage, then often payment can be made with an International Travel and Credit Letter (IRK). Dutch tourists, incidentally, cannot pay with an IRK in their own country.

4.4.5 Health

Family physicians, dentists, pharmacists and hospitals

If this is necessary, tourists can be referred through to the physician, dentist, and pharmacist on duty. All three of these usually have (night) services for emergency cases. For emergency assistance and serious accidents, tourists can go to a hospital. In Amsterdam there is even a tourist medical service.

Centres for psychiatric assistance

For tourists with psychiatric problems, there is a wide range of organizations to which they may apply. Some of the more important of these organizations are (in random order):

- Crisis service (GG&GD, RIAGG), for tourists who are in such distress that acute help is urgently required.
- The Rutgers Foundation, for sexually-transmitted diseases and the Morning After pill. Important in, for example, sexual crimes.
- Social Work, for such assistance as in cases of abuse;
- Migrante, Spanish-language organization for such help as socio-psychiatric help.
- The Foundation for Assistance to Foreigners (Hulpverlening Buitenlanders), helps foreigners with problems, gives them advice, support and/or assistance, and makes referrals where necessary.

Undertakers

If a tourist dies, the programme of assistance to tourists who are victims of crime can consult an undertaker. The undertaker will usually deal with the case further.

4.4.6 Accommodation

Hotels, youth hostels, campgrounds, etc.

The programme of assistance to tourists who are victims of crime has often established a contract with a variety of overnight addresses with regard to a (less) expensive overnight rate for victim-tourists. (Free) emergency overnight stays take place, in general, with the Salvation Army or perhaps

homes for the homeless. Youth hostels and campgrounds are inexpensive overnight addresses.

Special (theme) parks, restaurants, and other recreation areas

The programme of assistance to tourists who are victims of crime has also often made arrangements for a free or less expensive meal and/or admission ticket. The objective of this is to make the victim's stay somewhat more pleasant.

VVV (tourist office)

The VVV is usually consulted to organize accommodation for the victim. When stranded tourists report to the VVV, the VVV refers them to the police and perhaps to the programme of assistance to tourists who are victims of crime.

4.4.7 Culture

Language and interpretation centres

Within the Netherlands there are various language and interpretation centres to which you can apply if you do not speak the language of the tourist. Telephone interpretation can be provided, or an interpreter can be called in.

Cultural institutions and centres for foreigners

There are quite a few cultural institutions and centres for foreigners in the Netherlands. The function of these institutions, however, varies considerably, ranging from championing of interests for nationals of certain countries staying in the Netherlands, to representing the culture of the relevant country. The help which they can offer is that persons within these institutions usually have a good command of the language and can function as interpreters, so that the tourist can tell his story in his own language.

4.4.8 Miscellaneous

Victim support outside The Netherlands

If it appears that the victim-tourist will require further assistance abroad, he/she is often referred to victim support abroad, at least as far as such exists.

4.5 Limits to assistance and referral

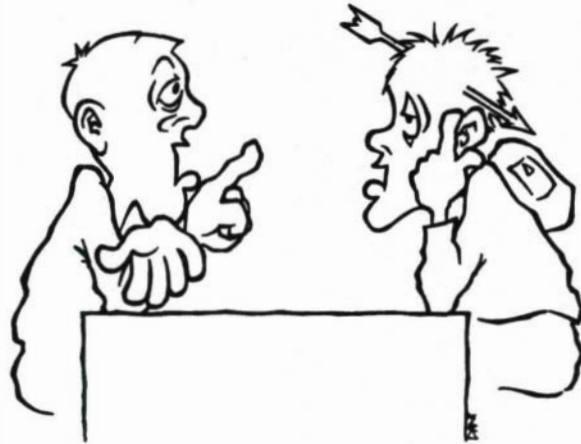
A volunteer in the programme of assistance to tourists who are victims of crime is not a specialist, and does not need to offer (extensive) help in all cases. There are, after all, limits to what he can offer. The following victim-tourists are usually immediately referred through to professional providers of assistance:

- tourists who are in very serious mental and/or physical distress. This will often involve a tourist who has been confronted with a shocking event, and responds exceptionally emotionally immediately after the event, who is very frightened, drinks much alcohol or cannot care for himself. This tourist is indeed given the necessary assistance with regard to practical problems resulting from the crime or accident;
- tourists who are alcohol, drug, or gambling addicts. For these tourists the same principle applies as above: no help with the addiction, but help with practical matters.

The provision of assistance is prematurely terminated if:

- a tourist continues to act in an insulting manner, behaves aggressively or abuses the assistance programme, for example by lying;
- no solution is found, for example if the tourist does not wish to cooperate sufficiently.

Referring tourists on to specialized organizations at a psychosocial level is not simple. There are many organizations in this area, so a good knowledge of the assistance network (see the paragraph above) is desirable. One must prevent tourists being sent from pillar to post. In case of doubt, it is therefore a good idea to first consult a contact person from the organization to which the referral is being made.



5 Checklist and item lists

5.1 Using the checklist and item lists

In order to organize the problems with which assistance to tourists who are victims of crime in some semblance of order, a choice has been made for a general checklist in combination with supplementary item lists. The survey of problems and questions is a representation of experience accumulated within the programme of assistance to tourists who are victims of crime up to the present, and is thus practical in nature. The checklist and the item lists together form a practical foundation for project-related scenarios of assistance to tourists who are victims of crime which have been/must be established by the agencies themselves.

First of all, the checklist. Proceeding on the basis of a checklist has a number of advantages:

- a checklist gives, as far as possible, a point by point summary in order of procedure;
- a checklist makes it possible to arrive at a rapid and efficient inventory of problems and questions;
- a checklist offers a basis through which to make it clear to a victim-tourist what you have to offer in terms of assistance;
- a checklist furthers the uniformity of assistance;
- a checklist makes it easier to train new staff members;
- a checklist furthers an overview and clarity in registration and assignment.

So, in short, a checklist is meant to make the work of volunteers easier.

An American tourist has her handbag stolen. Everything of value is lost, including the key to her hotel room. The woman sighs that it would have been more sensible to leave her things in the hotel safe. The volunteer rings the hotel immediately to report the theft of the key and stop all the luggage being taken from the hotel room. He also sets about making arrangements regarding the lost cheques and travel documents. The tourist is very impressed by the volunteer's swiftness and attention to detail. "We should have something like this in America!". While the volunteer, rather flattered by this remark, continues sorting things out, two policemen come in with the lady's handbag. The thief had apparently taken out the cash and put down the bag, still containing all the papers, on the pavement near the police station. The woman, disconcerted, thanks the policemen, adding, "Even thieves are nice here!"

The checklist can be used at a variety of points in the assistance process.

1 The phase preceding the consultation with the victim-tourist

If the arrival of the victim-tourist has been announced ahead of time, on the basis of the preliminary information which has been provided (for example a transaction form) it may be handy to make a first assessment of the expected questions and matters to be organized. But always do this only briefly. Too much preliminary work can also overly organize the first contact with the victim, thus putting the victim (and the volunteer) on the wrong track.

2 The first phase of the consultation

Certainly if the case concerns a non-emotional tourist, having a checklist handy can be helpful in order to work with the tourist to determine which points need to be organized. It is handy to use a form when doing this upon which notations can be made point by point.

If the case concerns an emotional tourist, then it is a good idea to put the

checklist aside during the first phase so that you can give your full attention to immediate emotional relief.

3 During the course of a consultation

Once the consultation is underway, and the tourist's story becomes clear, then the checklist and item lists can also play a role during the further period of contact: concrete matters and information can be linked to the story of the tourist.

The volunteer can phase the consultation: "now you have told your story, let's see what needs to be organized". Here, too, it is recommended that you use a form whose organization corresponds with the items.

4 In the final phase of the consultation

Certainly with regard to a tourist for whom initial emotional relief is the most important, it can be advantageous to only look during the final phase of the consultation at the points on the checklist and the item lists which may be important for the tourist and which require organization.

It can also be a good idea to first screen the checklist when concluding or summarizing the case. In this way clarity can be established, together with the tourist, with regard to what has been or has to be organized.

5 After the conclusion of the consultation

The checklist can be quite helpful for the registration and transfer of the case to a colleague. Good written and oral reports are benefited by an overview.

One must bear in mind, whenever the checklist and item lists are used, that the two are a tool and not a goal in themselves. An open discussion requires attention to the victim, and cannot be carried out from behind or on the basis of forms. Forms can be helpful in terms of support, but they can also make support impossible. Carefulness and the use of good timing are of essential importance when it comes to using the checklist and the item lists. Every victim-tourist requires his own approach.

In addition to the checklist, there are six item lists. These item lists propose solutions for item-specific problems/questions. We can differentiate, sequentially, the following items: practical (paragraph 5.3), financial (paragraph 5.4), legal (paragraph 5.5), emotional (paragraph 5.6), medical (paragraph 5.7), and social-societal (paragraph 5.8).

Preceding the item lists the check list itself is dealt with (paragraph 5.2). The checklist is comprised such that referrals are made to the relevant items.



5.2 The checklist

The checklist has an inventorying character and is comprised of two parts. The first part consists of questions which are directed toward the referrer or the organization which registers the victim-tourist (by phone). The second part of the checklist consists of questions which are asked of the victim-tourist at the time of the first meeting between the victim and the assistance worker.

Checklist: Questions for the referrer

First note the information which the referrer gives (name, possible address and telephone). Then determine, using the following three questions, whether the victim is a member of the target group:

- What are the personal details, nationality, place of residence, and language of the victim?
- What happened?
- Did the victim make a report to the police?

If the victim is not a member of the target group, then close the case quickly and refer him further if necessary. If the victim is indeed a member of the target group, then the following questions are relevant:

- Can the case be concluded by means of a simple recommendation to the referrer?
- Must an immediate referral to an assistance organization be made?
- Who is with the victim now?
- Does a crisis situation exist?
- What has already been done by the referrer and/or the victim to limit consequences? Have, for example, credit cards already been blocked?
- Is the victim capable of coming to the office on his own, or should the victim be visited by the programme of assistance to tourists who are victims of crime?

Checklist: questions for the victim

First of all, on the basis of the following three questions, check c.q. verify the information which you have received from the referrer and/or those mentioned in the official report (statement of victim):

- What are the personal details, nationality, place of residence, and language of the victim?
- Where can the victim be reached?
- What happened and where?

If the victim has not yet filed a report to the police, then remind him/her of the necessity of doing this. In addition the following questions are relevant:

- What is the victim's emotional condition?
If not good, see paragraph 5.6.
- Does the victim also have physical injuries?
If so, see paragraph 5.7.
- Is the victim being followed medically or does the victim take medications?
If so, see paragraph 5.7.
- Has the victim suffered a loss?
If so, see paragraph 5.5.
- Have documents of value and/or goods been lost/stolen?
If so, see paragraph 5.3.
- Of what means and contacts can the victim make use?
See paragraphs 5.4 and 5.8.
- Does the victim require pocket money or other material supplies?
If so, see paragraphs 5.3 and 5.4.
- Does the victim require replacement accommodation?
If so, see paragraph 5.3.
- Are there family members or acquaintances who should be contacted?
See paragraph 5.8.
- Is a perpetrator known against whom a damages claim can be made?
See paragraph 5.5.

5.3 Practical item list

5.3.1 Loss of documents of value/money

- *Has money been stolen?*

Does the victim still have pocket money? Investigate to determine how money can perhaps be obtained. See further the financial item list in paragraph 5.4.

- *Have (travellers') cheques or credit cards been stolen?*

The victim must immediately report this to the issuing organization according to standard procedure. Usually the risk of theft of the credit card is at the expense of the holder until the time of report/blocking. On the other hand, travellers' cheques are insured against theft or loss. Remember the reference numbers (cheques), the card number and the date of validity of the credit card. Let the victim speak for himself as much as possible on the telephone. Warn the victim about bothersome questions. The victim can request a duplicate credit card/replacement cheques. Organize possible emergency funds via the company. If the passport has been stolen, as an exception it is possible to cash travellers' cheques with a copy of the official report obtained when the report was made.

- *Have eurocheques or girocheques been stolen?*

Let the victim inform the bank where the cheques were issued, report the theft, then have the account blocked and finally, request replacement cheques. Possibly emergency funds can be organized through the bank (see further paragraph 5.4).



- *Has the passport or other document(s) of identity been stolen?*

Report the passport as having been stolen, and apply for a new passport via the consulate or the (consular department of the) embassy. If the victim is travelling directly to the country of origin, a copy of the official report and/or other identity document (for example, driver's license) is sometimes sufficient. In addition in nearly all cases the permission of the air line company is required!

Often organizing a "laissez-passer" (= permission to travel a certain route on a certain date while passing borders) via the consulate or the embassy is sufficient for crossing the border.

A third possibility is to travel after theft of the passport without border documents but with a copy of the official report obtained at the time the police report was made. An accompanying letter from the police sometimes helps. In addition it is possible to make arrangements with the border-controllers (military police/border police) of the countries which have to be passed.

5.3.2 Theft of personal possessions

- *Have goods been stolen?*

Remind the victim of the necessity of a complete specification when a report is made to the police, this in connection with insurance. Have a note made on the report if necessary.

Remind the victim to report to the insurance company in good time. For insofar as relevant: call a lost and found department as soon as possible to determine whether goods have been found. Give the victim the address and telephone number of the lost and found, so that he can call them again in a few days.

- *Are basic necessities missing?*

Can/must the victim be provided with necessary replacement articles (socks, underwear, toiletries, etc.)?

- *Is the victim missing the key and/or locker code of his/her baggage locker?*

If the victim still knows the code, have the victim contact the relevant station or airport to have the locker blocked. If the victim no longer knows the code, then the victim must report to the station or airport and show identity. The contents of the locker will then be checked.

5.3.3 Traffic and transport

- *Is the victim travelling with a travel organization?*

If so, for all subsequent questions contact the travel organization who will handle the case further.

- *Does the victim wish to cut short his/her holiday?*

If a victim is travelling on his own, then contact the transport company to change the travel date.

- *Have travel documents been stolen?*

A replacement ticket will have to be organized. Usually airline tickets can be replaced. Sometimes certain extra costs are involved.

Also remember that a family member in the country of origin can buy a ticket. After payment the ticket is faxed to the airport in the Netherlands.

Train tickets are, generally speaking, not replaceable. New tickets will have to be purchased. Sometimes it is possible to travel with a ticket which can be paid for later. More information from the NS¹¹, international department. The railroad police can be asked to mediate in transport (to the Dutch border) by the NS. If bus and boat tickets have been stolen, have the victim contact the travel agency where the trip was booked to attempt to have a copy of the ticket sent by fax. For ferries, it is sometimes possible to have a ticket bought in the country of origin and have it faxed. The hitchhiking centre may be an option for getting home inexpensively. In extreme cases attempt to organize something via the embassy or the consulate.

- *Has the car been damaged or lost at the traffic accident or crime?*
Always be sure that the car insurance company is consulted and that the alarm centre is notified. No expensive repairs may be made without a report. If the victim is a member of an automobile club, a sister organization of the ANWB¹² abroad, or better yet if he has an International Travel and Credit Letter (IRK), then he/she can contact the alarm centre of the relevant automobile association or the ANWB. With regard to the loss report of a traffic accident, see the legal item list, paragraph 5.5.5.
- *Has the car been towed or has a wheel clamp been placed?*
If the towing or the wheel clamping of the car has to do with organizing the effects of a crime (for example while the police report was being made a wheel clamp was placed), then, perhaps in cooperation with the police, an attempt can be made to determine whether the victim can obtain the car without the need for payment.
- *Has the windscreen of the victim's car been destroyed during theft of the car?*
Many insurance companies have arrangements with Carglass International. The owner of the vehicle then only pays any possible own risk. Carglass has a 24-hour mobile service, available via their own alarm centre. There are also 24-hour mobile services (see Yellow Pages).

5.3.4 Accommodation

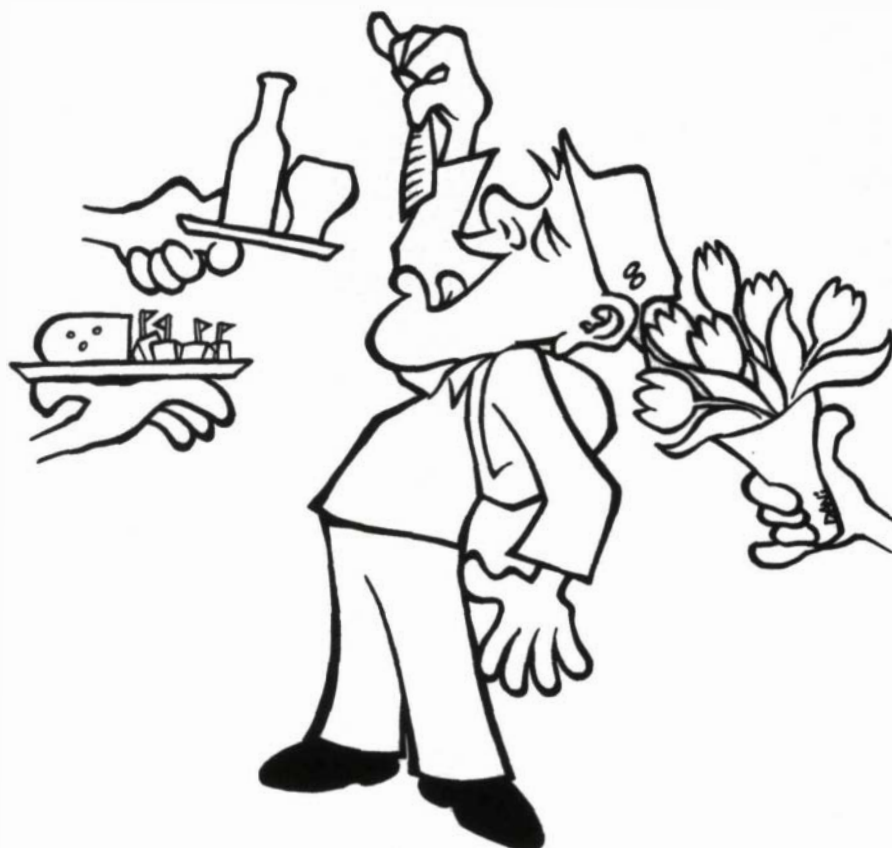
- *Does the victim no longer have any financial means to pay for accommodation as a result of the crime?*
If assistance to tourists who are victims of crime has arrangements with hotels, then with a promise to pay and a referral form from the assistance office an overnight stay can be organized. In addition, an emergency overnight stay can be organized via the Salvation Army or a homeless organization/bed, board, and bath facility. First do ask if the victim has no objection to this, and fax/give the victim a referral form. Always call first to see if there is room!
- *Are there inexpensive overnight possibilities?*
Check the survey of inexpensive hotels, pension, youth hostels or campgrounds. If assistance to tourists who are victims of crime has arrangements with such overnight addresses, then it is possible to have the victim pay the bill for these facilities at a later date.

Note 11 NS is the Dutch Railroad Company.

Note 12 ANWB is the Dutch Automobile Association.

5.3.5 Food and rest

- *Does the victim (temporarily) have no money for food and beverages?*
If the tourist no longer has any money, consider a meal facility via charity organizations or restaurants where assistance to tourists who are victims of crime has made arrangements.
- *Must the victim, while awaiting his departure, still spend some time in our country?*
In these cases, if arrangements have been made with the relevant companies, free admission tickets can be given to make the victim's stay somewhat more pleasant and to somewhat ease his suffering.



5.3.6 Insurance

- *What is covered by the insurance company?*
Let the victim inquire of his insurance company.
- *Must the loss be reported to the insurance company/alarm centre?*
Remind the victim of the requirement of making a report of significant loss within 24 or 48 hours.
- *Can the insurance company provide assistance?*
This is usually organized via a mutual insurer assistance service. Have victim make contact.
- *Must a loss report form be completed with the victim?*
- *Has the victim received a copy of the official report? This is often required by the victim's insurance company.*

5.3.7 Death

- *Is the victim insured via a travel insurance company or medical insurance company?*
Obtain information concerning what action to take. Often the travel insurance will handle repatriation.
- *What is the victim's nationality?*
Contact the embassy or the consulate of the country of origin in connection with registration, travel documents etc.
- *Are there travel companions who are able to organize matters?*
Use them. Ensure optimal involvement.

5.3.8 Language problems

- *Is an interpreter needed to communicate with the victim?*
If possible, use a colleague in the programme of assistance to tourists who are victims of crime who has command of the language. If this is not possible, then contact the regional interpreters centre/interpreters' telephone. Telephone interpreting is free, and there is a fee for on-site interpretation. And finally, you can always try to obtain the help of someone from a cultural organization.

5.4 Financial item list

- *Can the victim borrow money from his travelling companions?*
- *Can money be transferred via his own bank account?*
"Commitment by a bank", perhaps with a confirmation by the bank for an advance from its own resources. A "Swift" procedure is then the fastest way to obtain money. This takes approximately one day. Have such a procedure requested at the bank if the victim wishes to use it. The victim needs a valid document of identification or a copy of the official report. Give the address of the bank (in the Netherlands) to the victim.

- *Can money be transferred via postal wire transfer by family/acquaintances?*
A telegraphic money transfer (money order, mandat postale, postanweisung, mandato postale) can be made to a post office here. This takes at the least 4 hours and at the most 2-3 days. There is no commission charge.
The victim needs a valid proof of identity (temporary passport with notation "titre de voyage" is also a document of identification, and sometimes after mediation even a copy of the official report is sufficient).
Remember to give the victim the address of the post office (in the Netherlands).
- *Can money be transferred at the expense of assistance to tourists who are victims of crime?*
This procedure runs the same as if money is transferred from the victim's own bank account or postal wire transfer, except now to the bank/giro account of the programme of assistance to tourists who are victims of crime.
Remember that the bank or giro office providing the funds must send a fax concerning the postal transfer or a proof of deposit to the office. Do not forget to register the accommodation address of the victim.
- *Does the victim have a credit card?*
If so, sometimes emergency funds can be obtained.
- *Is a "money transfer" possible/necessary?*
This is a rapid emergency money procedure, but it is rather expensive. Family members or friends deposit money via American Express (30 minutes, commission 10-45%), Thomas Cook (4-24 hours, commission \pm NLG 60), or Western Union (within 20 minutes, commission \pm 10%). At Western Union and Thomas Cook, the victim does not need a passport to pick up the money; a password can be agreed upon. The victim receives a money transfer control number with which he can pick up the money.
- *Is the embassy or consulate prepared to function as intermediary?*
In countries where transferring money abroad is not permitted, sometimes the family can organize the payment by contacting the Department of Foreign Affairs there. Via the department the money comes in to the embassy or the consulate in the Netherlands.
- *Is an advance by the programme of assistance to tourists who are victims of crime possible after the victim signs a promise to pay?*
Only for very small amounts, because of the risk that the money may not be paid back.
- *Can a fund be contacted which will handle rapid assistance?*
Think of such organizations as Foundation for Compassion for those Injured as a Result of Crime (Stichting MGM), and the League with no Name (Bond Zonder Naam), or a local or national cultural organization which works on behalf of people from the country of origin of the victim.
- *Is the victim perhaps prepared to pawn goods at the lending bank or the municipal credit bank?*
Once he has pawned articles of value (for a period of at the most 6 months), the victim may receive money immediately.

5.5 Legal item list

5.5.1 Private and collective facilities

- *Did the victim receive a copy of the official report made up by the police?*

The victim may need the copy for his insurance, for replacement of his ticket, for the transfer of funds and other practical matters.

Remind the victim of the necessity of completeness in the official report (possibly additions made to it).

- *What type of insurance does the victim have?*

Via a travel insurance many practical matters can be organized. The insurance companies make use of their own international 24-hour service centres.

If a victim has a credit card, then a travel insurance may be linked with it.

Sometimes a homeowners' insurance includes more extensive coverage than one might think. For example in Scandinavia this includes a travel insurance, and in the Netherlands sometimes violent crime is covered.

- *What about social facilities in the country of origin?*

This is not the most relevant question at the first time of assistance. You will only actually deal with it when you are determining the remaining loss in connection with an arrangement/compensation via the perpetrator. The question is always: what will these collective facilities themselves compensate?

5.5.2 Legal expenses insurance

- *Does the victim have insurance for legal expenses?*

Such insurance for legal expenses may be included in his travel insurance, have been purchased separately by the victim, have been purchased on the vehicle (for legal conflicts in traffic), or be a part of the membership in an automobile association.

5.5.3 Compensation via the party causing the situation/suspect

- *What is the remaining loss which is not covered by private facilities?*

Along with the victim, calculate points of loss and calculate the remaining loss (think of all material and immaterial losses).

Determine whether, and how, damages may perhaps be claimed from the party causing the loss/suspect?

- *Is a perpetrator/party causing the loss known?*

The victim (or his representative) has a right to know the personal information concerning the suspect, this in the context of claiming damages.

Find out whether the perpetrator/party causing the loss is someone from whom collection is feasible.

Determine whether damages can be claimed in a simple manner via the party causing the loss.

- *Can the claim be organized simply?*

If what is involved is a simple (demonstrable) loss of a limited amount of money (up to some 1500 guilders), and if making arrangements are not complicated, then this can be done via the police. We call this a loss

mediation. If what is concerned is simple (demonstrable) loss of a limited amount, but the case is somewhat more complicated, then at the request of the victim you can attempt to handle it (see further Memo Victim Support 1996/1997). Never act as mediator.

- *What if processing the loss cannot be easily accomplished?*
If the case is not so simple and is greater in scope, then it is a good idea to advise the victim to have his claim go via possible criminal proceedings (third party joinder), or to commence civil law loss compensation proceedings. The latter is relatively expensive, because it usually requires an attorney.
Advise the victim, with regard to damages arrangements in case of bodily injury, to always consult a legal expert.
- *Will the official report be sent by the police to the Public Prosecutor?*
If not, then compensation for loss is possible only via the police (mediation in simple loss cases).
If so, then the victim can state when he makes the report that he wishes to obtain information about the course of the criminal law proceedings and compensation for losses via the criminal proceedings (third party joinder).
- *Has the victim stated that he wishes to obtain compensation for losses via criminal law proceedings?*
The victim (or his representative) must then be kept informed.
- *Is the case being handled by the Public Prosecutor?*
Prior to the criminal proceedings, the Public Prosecutor may suggest a conditional transaction or conditional dismissal with regard to the suspect. The condition might be, for example, that the suspect pays damages. Possibly consult with one of the employees at victim assistance of the Public Prosecutor's office.
The victim has the option of commencing third-party joinder at the criminal hearing as injured party. The Public Prosecutor may also claim a damages payment arrangement.
- *Does the victim wish to join the claim as injured party via a third party joinder?*
Remember that it may be a long time before the case comes to court, and that the victim will have long been back in his own country by that time. Remind him that a third party joinder can take place orally or in writing (in principle, completing a joinder form is sufficient). The victim can have mail sent to his own address; it is also possible that the programme of assistance to tourists who are victims of crime may act on his behalf as the authorized (in writing) party representing his interests, or the office may be used by the victim as his mailing address.
- *What are the damages which a victim can demand via a third party joinder?*
The amount of damages which can be claimed via a third party joinder is unlimited, but it must be possible to establish the amount in a simple manner. Examples: sending along copies of evidence and possible supplementary motivation. The claim from the victim can be split into complex and simple parts. See for this the joinder form, or contact the Public Prosecutor's office. Via the joinder, the victim claims only the simple part, and retains the right to claim the complex part in a different manner.

- *How does the sum in damages reach the victim?*

With regard to a conditional transaction or dismissal the Public Prosecutor supervises. The sanction is that prosecution will take place at a later date. If what is concerned is a payment of damages, the collection of the money from the suspect is carried out by way of the Central Legal Collection Agency in Leeuwarden. Correspondence with regard to this always goes via the office of the Public Prosecutor. If damages have been granted to the injured party via a joinder, then he himself is responsible for collecting those damages (by corresponding with the suspect, via a process-server). The victim has the right to receive a copy, free of charge, of the judgement which he needs for the collection (via the clerk of the Court or the Court of Appeals). When representing the victim, if necessary make use of an intermediate account (account of the agency) through which to pass the money.

5.5.4 Other options

- *Has the victim suffered residual loss which cannot be collected from the suspect?*

There are a number of private funds which may compensate in urgent cases. For example the Bond Zonder Naam (League with no Name), or Stichting MGM (Foundation for Compassion for those Injured as a Result of Crime).

- *Was the tourist the victim of an intentional crime of violence, and can the damages not be collected, or does the victim, for urgent reasons, not wish to obtain the damages from the suspect?*

Remind the suspect of the existence of the Schadefonds Geweldsmisdrijven (Violent Crime Loss Fund). Give him information and the conditions of this Fund, and if he so desires introduce the victim to that organization in writing.

When the victim leaves, if necessary have him sign an authorization; then you can act as intermediary between the Fund and the victim.

5.5.5 Traffic accidents

- *Must damage to a car be registered and repaired?*

Remind the victim to complete the European Damage Form (have both parties sign two forms). Requesting a copy of the official report from the police formally runs via the Dutch Association (Nederlandse Vereniging van Automobiellasseuradeurs (NVvA)). Sometimes a police officer is prepared to provide the "blue copy" (= copy of the accident registration form). If there are any questions, call the ANWB traffic victim line.

- *Has there been considerable damage and injury due to a traffic accident?*

Advise the victim to assess the damage and to keep a record of damage items. In such a case, suggest that the victim consider obtaining (including for establishment of liability) professional legal help via the ANWB or his own automobile association, a bodily injury attorney or damage registration agency.

- *Did the party who caused the accident hit-and-run or is he uninsured?*

Remind the victim of the option of reporting the case to the Guarantee Fund for Motor Vehicle Traffic (Waarborgfonds Motorverkeer). Note the conditions and the own risk.

5.6 Emotional item list

- *Was the victim travelling with travelling companions?*
Remember the great significance and value of effective assistance and support by travelling companions. Let them become involved if possible! Do bear in mind, however, the possible need which the travelling companions themselves may have for support.
If the victim was travelling alone, he will lack the natural assistance reactions from his environment. Keep this in mind.
- *How much time has passed between the crime/accident and the assistance?*
Pay attention to how the victim deals with the crime, or has dealt with it.
Possibly give information concerning the process of dealing with a crime.
Note whether or not the victim is receptive to information.
- *Is the victim demonstrating intense emotional reactions?*
Let the victim release his emotions, and help him organize them. Pay attention to possible contradictory emotions, and emphasize that emotions are part of processing something and are therefore normal. Do not try to play doctor yourself, but refer the victim further!
- *Does the victim have physical complaints which can be traced back to emotional or psychological reactions (stress reactions)?*
Observe these and stress that these complaints, too, are part of the process, and are thus normal.
- *Does the victim feel guilty about what happened?*
Feelings of guilt can help him deal with the event (by putting what happened into context), but can also hinder his dealing with it (overestimating his own part). Remember that the victim never asked for the crime or accident.
- *Does the victim feel understood?*
For the victim the reaction of the environment, and therefore your reaction as well, is often very important. Demonstrate empathy and not rejection.
- *Does the victim dare ask for help and support?*
Victims are not always equally capable of asking for help (shocked feeling of trust), or of accepting it (I don't want to act pathetic).
- *Does the situation cause painful past experiences to come back to the victim?*
The fact that a person becomes a victim can bring back painful past experiences (which he has not entirely dealt with). Observe, identify, and refer the victim if needed for further psychosocial help.

5.7 Medical item list

- *Does the victim have medical insurance coverage?*

Note the conditions for coverage. Perhaps have the victim contact his medical insurer. Also note collective medical insurances in the country of origin. The embassy or consulate can give you information with regard to this.

Sometimes the victim will first have to pay for the treatment himself. If there are money problems, try to make an arrangement with the treating physician or the pharmacist providing medications.

- *Has the victim suffered injuries?*

Let the victim go to the Area Health Authority (GG&GD), an Emergency Room/First Aid department, or a physician with whom the programme of assistance for tourists who are victims of crime has made arrangements. The police, too, often have made arrangements with physicians or the GG&GD.

Remind the victim that it is important that the injury be properly recorded in a medical file. If requested, the physician can give the victim a letter/list of medical injury(ies) to use when organizing compensation.

- *Does the victim have physical complaints?*

Pay attention to possible vague complaints immediately after the event. Advise the victim to have these examined or confirmed by a physician without delay, in connection with possible hidden injuries.

- *Has there been injury to the victim's teeth?*

Should emergency measures need to be taken, let the victim go to a dentist. Perhaps there is a physician with whom arrangements have been made.

- *At the time of the crime, were necessary medications lost?*

Take an inventory of exactly which medications are concerned (note possible foreign names).

Send the victim to a physician for replacement prescriptions. If necessary contact the home front or subscribing physician in the country of origin.

- *Has there been a sexual offence?*

In such a case, valuable evidence must be collected as rapidly as possible after the crime. This is quite traumatic for the victim. Good preparation, information and support are of great significance here. In addition, in the interest of the victim's health a number of medical investigations must be carried out, among others for internal injuries, sexually-transmitted diseases (although for a number of sexually-transmitted diseases, including HIV infection, tests are only valid after a period of time), and undesired pregnancy.

P.S. In view of the seriousness of a sexual crime, this is more a task for the police and specialized assistance than for assistance to tourists who are victims of crime.

- *Is the victim addicted to drugs?*

If necessary, in such a case you can refer the victim to an organization which provides methadone or deals with addicts.

5.8 Social/societal item list

Here one should think, in particular, of contacts with the victim's home, continuing the holidays or the stay in the Netherlands, or in extreme cases having the family come to the Netherlands.

- *Does the victim have relatives?*
If desired, organize contact with the family (also handy for various matters which may have to be taken care of.)
- *In what condition is the victim?*
There may be situations or reasons why the family should be brought here.
- *Does the victim have other acute problems in addition to those concerning the crime?*
Consider consulting, if necessary, general social workers or the Crisis Service (RIAGG).
- *Are there options for assistance from foreign aid organizations?*
Consider cultural organizations at a local or national level which can often be helpful in many areas. For addresses, see the list of foreign institutions in the local municipal manual.
- *Will the victim need further support when he arrives home?*
In such a case, for insofar as this is known give the victim the address of the organization for assistance to victims in his/her country (addresses are known to the National Organization for Victim Support); or advise that he/she contact other assistance organizations.
- *Does the case concern a refugee situation?*
Refer to the local Foundation for Assistance to Refugees.



Index

accomodation	45
act on liability in motor vehicule traffic	14
addiction	36, 53
air line company	34
alarm centre	35, 45, 47
ANWB	35, 45
assimilation, psychosocial	9, 10, 22, 52
assistance, limits	36
assistance network	32
boat company	35
bus company	35
cantonal court	10
car, damage	45
car, towed, wheel clamp	45
car, windscreen	45
checklist	39, 41, 42
checklist, use of	39
civil law	15, 50
commitment by a bank	33, 47
communication	22, 23, 24
communication, intercultural	26, 29, 30, 31
communication, non-verbal	24, 25
communication, verbal	24
compensations	14, 15, 16, 49, 50, 51
compensations in criminal law	14, 15, 49, 50, 51
complaints, physical	35, 53
complaints, psychiatric	35
conceptualization	25
consular department of embassy	33, 44
consulate	33, 44, 47, 48
counterpart original	16
Court of Justice	10
creditbank, municipal	34
crime (definition)	19
criminal investigation	12
criminal law	11, 12, 13, 14, 15
criminal law procedure	12, 13
cultural differences	26, 27, 28
cultural institutions, foreign	36
culture	26, 27, 28, 29
culture, F-	28, 29
culture, G-	28, 29
culture, M-	28, 29
dismissal	12, 15
dismissal, conditional	13, 15
district court	10
double perspective (DP)	30
embassy	33, 44, 47, 48
executory phase	16

Foundation for Compassion for those Injured as a Result of Crime (MGM) funds	16, 34, 48, 51 16, 34, 48, 51
Garantee Fund Motor Vehicule Traffic	16, 34, 51
hitchhiking centre	35
hotels	33, 41
insurance company	34, 45, 47, 49
insurance, legal expenses	49
insurance, liability	15
insurance, medical expenses	14, 47, 49, 53
insurance, national	14, 49
insurance, travel	14, 44, 47, 49
intercultural conciousness	30
interpretation centre	36
item list, emotional	52
item list, financial	47
item list, legal	49
item list, medical	53
item list, practical	43
item list, social/societal	54
League with no Name (BZN)	16, 34, 48, 51
liability, civil law	15
liability insurance	15
liability, traffic law	11
locus of control	10
loss, creditcard	19, 33, 43
loss, immaterial	14, 15, 16, 49
loss, material	14, 15, 16, 49
loss, passport	19, 33, 44
loss report	47
loss, ticket	19, 44, 45
loss, travellers cheques	19, 33, 43
mediation for loss	13, 15, 50
medications	53
military police	32
money transfer	33, 48
mutual damage arrangement	15
official report	12, 49
phase model	9
police	12, 13, 14, 15, 32, 50
postal money transfer	34, 48
pressure of time	21, 22
Public Prosecutor	14, 15, 16, 50, 51
railroad	34
railroad police	32, 45
referral	19, 20, 36, 37
report	12, 15, 32, 44, 45
restaurants	36, 46
road traffic law	11
scenario model	9

sexual crime	35, 53
shocking events	7, 8, 9, 10
social plan	22, 32
Supreme Court	10
Terwee, law and directive	13, 14
third-party joinder	15, 16, 50, 51
third-party joinder form	14, 15, 16, 50
three-step method (TSM)	30
tourist (definition)	19
traffic accident (definition)	19
traffic law	11
transaction	15
transaction, conditional	15, 50
undertaker	35
victim relief (Terwee directive)	13, 14
victim support, international	36, 54
victim support, national	19
Violent Crime Loss Fund	16, 34, 51
VVV (tourist office)	36

Colophon

By order of Department of Justice
Agency of Crime Prevention, Youth Protection and Probation

Production Van Dijk, Van Soomeren en Partners BV (DSP), Amsterdam

Text J.E. Bruinink (DSP)
G.J. Slump (DSP)

Design and layout Roel Heerema (DSP) BNO

Illustrations D.A. Orkin, Diemen

Justitie



TOURIST ASSISTANCE SERVICE THE HAGUE

TAS
THE HAGUE



Slachtofferhulp
N e d e r l a n d
Toeristen Slachtofferhulp Zeeland



×
× AMSTERDAM TOURIST ASSISTANCE SERVICE
×



van dijk, van soomeren en partners