

Specific protection needs shall be deemed to exist where the victim is a child or a disabled person; the victim is a victim of terrorism, trafficking in human beings, an offence committed on the orders of or in pursuance of a decision of an organised criminal group, an offence under Chapter Two, Section VIII of the Special Part of the Penal Code, an offence committed in the context of domestic violence or an offence committed on racist or xenophobic grounds; the victim is materially or otherwise dependent on the perpetrator.

The individual assessment shall take into account the type and nature of the offence and the circumstances surrounding it; the type and extent of the harm suffered; the victim's age, intellectual development, emotional and social maturity and education, as well as other personal characteristics. The authorities of the Ministry of the Interior or the investigators who have established initial contact with the victim shall carry out the individual assessment on the basis of a conversation with the person without undue delay. Where the victim approaches another person, authority or organisation outside the above, the report shall be forwarded to the authorities of the Ministry of the Interior for individual assessment.

In relation to persons with special protection needs, and where it is suspected that the victim has suffered significant harmful consequences as a result of the offence, an extended individual assessment shall be carried out. The individual assessment and the extended individual assessment shall be carried out in confidence and the results shall be recorded on a form. If new circumstances arise which may have a significant impact on the personality of the victim, the individual assessment and the extended individual assessment shall be updated. Where the victim is a child, the body or organisation carrying out the assessment shall immediately inform the Child Protection Department of the Social Assistance Directorate of the child's current or permanent address.

If an extended individual assessment is necessary, the authorities of the Ministry of the Interior or the investigators shall, without undue delay, form a team with the participation of representatives of the Social Assistance Directorate and the local administration. Depending on the specifics of the case, the team may also include the personal physician, psychologist and other appropriate specialists. The members of the team shall jointly decide on the necessary action to be taken for the purposes of the assessment. Where necessary, representatives of the district police station and the social assistance directorate of the victim's current or permanent address shall thoroughly investigate the victim's family, social and educational background.

The Criminal Procedure Code also provides for measures to protect the victim within the criminal proceedings. On the proposal of the prosecutor with the consent of the victim or at the request of the victim, the relevant court of first instance may prohibit the accused from approaching the victim directly; from making contact with the victim in any form, including by telephone, electronic or ordinary mail and fax; from visiting certain localities, areas where the victim resides or visits. The court shall inform the victim of the possibility of issuing a European protection order.

The court shall immediately hear the motion or application alone in open court with the prosecutor, the accused and the victim. The order of the court shall be final. The prohibition shall be lifted when the case has been concluded by a final judgment or when the proceedings are terminated on other grounds. The victim may at any time request the court to lift the prohibition. The court shall rule in accordance with par. 3. Where the accused violates the prohibition imposed on him, he shall be remanded in custody or the remand imposed shall be changed to a more severe measure.

The Criminal Procedure Code also provides for an obligation to inform the victim with specific protection needs in relation to pre-trial detention measures. The prosecutor in pre-trial proceedings and the court in court proceedings shall immediately inform the victim with special protection needs in cases where:

- the accused violates the pre-trial detention measure of house arrest or remand in custody;
- the measure of house arrest or pre-trial detention taken is revoked or replaced by a petition or bail.