ADVOCATES AND THEIR ROLES

LEARNING OBJECTIVES

Upon completion of this module the participant will be able to:

- Explain different types of advocacy
- Discuss the different types of advocates
- Identify the roles, duties and responsibilities of advocates
- Discuss and apply the ethical standards for victim advocates.
Advocate Roles and Ethical Standards

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What is Advocacy?

Types of Advocacy
- Individual advocacy—advocating for or protecting the rights of a person
- Self advocacy—advocating for oneself
- System or political advocacy—advocating to change the system and/or promote cause
- Legal advocacy—advocating for legal rights and protections
- Legislative advocacy—advocating to change laws
Types of Advocates

- Community based advocates
- Law enforcement based advocates
- Prosecution based advocates
- Federal system advocates
- Corrections system advocates

Other Partners

- Members of the clergy
- Mental health and public health professionals and agencies
- Public policy makers
- News media
- Researchers and practitioners in the field of substance abuse

Roles of the Advocate

- Advocate for crime victims
- Empower crime victims to advocate for themselves
- Provide support
- Analyze issues and information that may affect the victim and the services they need
- Assist with identifying and examining options
- Referral when requested or appropriate
- Prepare for future events
Roles of the Advocate (cont’d)

- Help victims understand their specific rights
- Provide accompaniment if requested
- Collaborate with other advocates when needed
- Represent your agency to the person with whom you are working and to the systems people with whom you work

Ethical standards for victim advocates

- Do no harm
- Promote the good of the victim
- Maintain confidentiality
- Assess immediate safety concerns
- Create a safe environment
- Believe and support (if allowed by your job)

Ethical Standards (continued)

- Foster and respect the victim’s right to information and to make decisions based on that information (informed consent)
- Leave behind personal agendas
- Maintain appropriate boundaries
- Honor the limitations of your role
- Keep your word.
Ethical Standards (continued)

- Avoid conflicts of interest.
- Mandated reporting.
- Self care
- Seek supervision to assure adherence to ethical standards.
INTRODUCTION

WHAT IS ADVOCACY? A special type of problem solving which serves to protect the personal, legal, and societal rights of an individual

Act on behalf of
Promote
liaison

TYPES OF ADVOCACY:

Individual advocacy—advocating for and/or protect the rights of another
Self-advocacy—advocating for oneself
System or political advocacy—Advocating to change the system and/or to promote causes
Legal Advocacy—advocating for legal rights and protections
Legislative Advocacy—Advocating to change laws

TYPES OF ADVOCATES

- **Grass roots advocates**-community based e.g. employees and/or volunteers of nonprofit organizations working with crime victims, most often victims of sexual assault or domestic violence. They may be the first advocates to connect with a victim, and they often stay connected over a period of time (including the victim's involvement in the legal system). Therefore, they may have the broadest range of advocate roles and responsibilities

- **Law enforcement based advocates**- Employees of law enforcement agencies e.g. Portland Police Department’s Advocate whose primary responsibilities are to assist a victim through the law enforcement investigation process.

- **Prosecution based victim witness advocates**- Employees of the District Attorney’s Office (ME), County Attorney’s office (NH), Attorney General's office. Their primary focus is supporting the victim through the court case (prosecution)
• **Federal system advocates**—federal employees who work with victims of federal crimes (e.g. kidnapping, drug trafficking across state lines, Internet crimes) through the investigation and prosecution. There are many different types of Federal advocates—prosecution based, system based (FBI, Homeland Security, Postal) and advocates within other Federal law enforcement agencies.

• Advocates who are based within the corrections system. Their primary responsibility is to give voice to victims within the corrections system and to provide relevant services to victims whose offenders are incarcerated in the prisons.

While not formally called Advocates, others might act in or join with you an advocacy role:

• *Members of the clergy* are often professionals to whom victims turn following the crisis of victimization. As such, clergy members are important partners in any effort that seeks to help victims cope with trauma and loss.

• *Mental health and public health professionals and agencies* possess expertise and resources that can assist victims of crime

• *Public policy makers* have historically had a significant role in effecting changes in laws that define and protect victims' rights

• *The news media* wield tremendous influence over public policy and program development in the disciplines of victim assistance and public safety. Timely information about trends in crime and victimization, model programs, and responsive public policy is available to concerned citizens, elected officials, justice practitioners and victim advocates through the news media.

• *Researchers and practitioners* have much to contribute to the discipline of victimology.

**ROLES**

As an advocate you work with the victim in the “here and now”, helping the victim identify their needs and working with them to get those needs met.

The overall goal of victim advocacy is to help victims move through and beyond their victimization experience. The specific goals may be dictated by the type of advocate and their role within the system.
- **Advocate for crime victims**: Treat the victim with respect and dignity. Help them and help the system respond to them more effectively. For example, in the Emergency Department during a rape examination it is critical that the chain of evidence be preserved. This requires the examiner to maintain control of any gathered evidence or officially pass it along to the next person. If in the middle of the exam the examiner says “Just a minute I forgot something. I’ll be right back.” then leaves the room without signing over the evidence it would result in a broken chain of evidence. It is the advocate’s responsibility to remind the examiner that the chain of evidence must not be compromised and to suggest that either someone else bring the forgotten item or that any gathered evidence be officially turned over.

- **Empower crime victims to advocate for themselves**: Help the victim recognize the power they own. Give them the tools and information they need to meet their needs. Successful advocacy does not result in victims who stop making their own decisions and become dependent on others. Instead it encourages and promotes independence and victims acting on their own behalf.

- **Provide support**: Support can take many forms. It may be as concrete as accompanying the victim to a difficult task/situation, or it might involve teaching, emotional support and validation.

- **Analyze issues and information that may affect the victim and the services they need**.

- **Assist with identifying and examining options**: Many victims have difficulty broadening their thinking. Our role is to help them identify possible choices/options to meet their needs. We are not telling them what to do or providing all the answers. Although we do have a responsibility to point out concerns about potentially unsafe choices. One method of identifying options is to “brainstorm” and ask questions. Here is a dialogue to illustrate:

- **Referral when requested or appropriate**: Referrals are generally done either when the victim requests one or when the advocate feels unable to sufficiently meet the victim’s needs. “I can help you with X but not Z. I know someone who could help with Z if you think you would like help with that.” A referral may be as simple as arranging housing and food stamps or it may be a more complex referral to a therapist for mental health issues. The advocate should remain sensitive to the victim’s experiences with being referred. It is important the victim not feel “dumped” or like a ping pong ball going from place to place without resolution or assistance.

- **Prepare for future events** (medical exam, law enforcement interview, court proceeding, etc.) This is the primary role of the law enforcement and Prosecution based advocates. It’s providing the victim with the information they need to understand what happened, what’s happening now, what will happen in the future, who will be involved, what they do and, for some circumstances, ascertaining that the process is something the victim is agreeing
to participate in. For prosecution based advocates, there may also be an obligation to prepare and support witnesses to the crime.

- **Help victims understand what their specific rights are in a given situation.** For example, victims should be told that they do not have to talk to a defense attorney prior to trial, and that they should notify the prosecuting attorney or the victim advocate if such an approach is made.

- **Provide accompaniment to hospital, police station, court or other sites per organizational policy:** This is a form of support for the victim provided upon the victim’s request.

- **Work with other advocates to provide a comprehensive level of assistance to the victim.** Let each advocate work within their area of expertise, and coordinate services in the best interest of the victim.

- **Represent your agency to the person with whom you are working and the people with whom you interact.**

**ETHICAL STANDARDS FOR VICTIM ADVOCATES**

- **Do no harm.** Make sure that you have sufficient training and preparation to provide appropriate and helpful services. Always keep in mind the best welfare of the person with whom you are working. Be diligent in your work so as to avoid causing any harm to that person.

- **Promote the good of the victim.** The good of the victim should always be central when you are interacting with the victim and advocating with others on behalf of the victim. The victim has the right to self determination in making choices that he/she believes to be for their good. As an advocate, your job is to make sure they have enough accurate information to make appropriate choices.

- **Maintain confidentiality:** Make certain victim understands your limitations of confidentiality--what can be kept in confidence and what can not. Advocates are mandated to report certain situations/events (i.e. child abuse, elder abuse). Be clear that if they share certain types of information that you must follow through by reporting it to authorities.

- **Assess immediate safety** concerns of crime victim: Is the victim safe both generally and at this moment? Are you as the advocate safe? Longer term, help victims think about ways to enhance their safety and minimize the risks of further or additional victimization.
• Create a safe environment for interactions with crime victim: Ask victim question like “Is it safe for you to talk? When and where would it be safe?” “If I call you back how should I identify myself? Will you remember it’s me?” “Can I leave a message?” Also, create an environment that is free of distractions. For example, if taking a call from home, try to avoid a blaring TV or screaming kids in the background. If distractions may potentially occur (barking dog, chiming clock, children crying, etc.), let the victim know ahead of time that that may happen.

• Believe and support: [This is fundamental to community based advocacy, but may not be an appropriate role for law enforcement or prosecution based advocates.] The victim is telling their truth. It is not up to the advocate to judge if the story makes sense, is true or possible. If the victim tells you that aliens landed in a spaceship, abducted and raped her then that is what she believes. You may not believe it, but as the advocate you work with the victim from the perspective that the victim believes this is what happened to her.

• Foster and respect the victim’s right to informed consent. You may be interacting with a victim at a time when they are receiving a lot of information about things they never thought they would need to know about. As an advocate, you can make sure that they have all the information they need in order to make an informed choice, including a review of any risks and benefits that you can foresee.

• Leave behind personal agendas: Aside from safety issues and needed medical care it’s not about what the advocate thinks should happen but about what the victim thinks should happen. [Victims who are engaged in the legal system may not have direct choices over what happens, but they should still have the ability to talk about what they would like to happen.] In some instances, victims may want you to make decisions for them because they are feeling overwhelmed by events. But choices you make might not work for the victim. The victim needs to figure out what will work for their life.

• Maintain healthy and respectful boundaries and honor the limitations of your role. This is an important element of advocacy. Know your appropriate role and also what is inappropriate for the victim-advocate relationship. Know boundaries between personal and professional roles. For instance if a victim wants the advocate as a friend and invites the advocate to lunch or a movie the advocate should recognize that socializing in this manner is usually not within the role of an advocate and can lead to difficulties in your professional role. Also, recognize when what is needed to most effectively meet the victim’s needs can best be provided by someone else. For example, if there are significant mental health needs and you are not trained to provide mental health services then a referral to a mental health worker is in the best interest of the victim.
• **Keep your word/follow through.** Do what you say you are going to do in the time frame you said you would do it: This is extremely important. Let the victim know what time frame you plan to work within, when you will get back to them with a status report and verification that you are to continue. An example is “It’s been the three days we agreed upon and I’m calling to let you know that I have not been able to reach XYZ. Do you want me to keep trying?”

• **Avoid conflict of interest.** Ensure that your only interest is focused on the good of the victim and not on anything that might benefit you (i.e. a graduate study you are working on, asking the victim to provide a good reference for you for your next evaluation, etc.). If you know the victim in some other capacity, you might want to ask the victim if that prior relationship makes it uncomfortable for them to have you as an advocate. Or, you might know things about the victim that might compromise your ability to be objective in your assistance. In these situations it would be better to arrange for another advocate to assist the victim.

• **Mandated reporting:** Know what must be reported, how to report it and how to inform the victim that you must report. Sometimes this can sneak up on you. For example while talking with a rape victim she reveals that her young daughter is also being sexually abused. Your follow-up response could be: “I’m concerned about what you just told me. I need to ask you a few questions. Is your daughter safe right now? Did you report this to anyone? If you did not, can you report it now? I’m concerned about your daughter and I need to follow-up on this. I’m going to check in again tomorrow and as a mandated reporter must report this to DHS.”

• **Self care:** This subject will be addressed in another module, but essentially know when enough is enough and how to ensure your physical and emotional safety. How do you take care of yourself so you can continue to do advocacy work? What do you do if your own issues are triggered while working with a victim? Your obligation is to take care of yourself. You should also think about the physical safety of advocates. Advocates need to know how to manage the risks (meet with victims in safe places, don't transport victims in your personal vehicle unless authorized to do so, carry a cell phone, etc.) and also need to know how to leave a situation and when (paying attention to environmental cues, feelings of discomfort, gut feelings, etc.

• **Seek supervision to ensure adherence to ethical standards.** Make sure that you have the availability of supervision from your job supervisor and also from a clinical supervisor if that is available to you. This will help to ensure that you are doing the right things and will also help you to avoid burnout.