

Best Practices in Victim Assistance Management

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Keywords: *Transportation - Safety - Victim Assistance - Best Practices*

Received: 25/02/23
Approved: 20/03/23

Abstract

This article details the good and applicable practices of the Information to Accident Victims and Their Families (IVAF) area of the Transportation Safety Board (JST) in the process of counseling and accompanying victims of an occurrence and their families, which also involves promoting a transportation safety culture and ensuring the protection of people.

Victims and their families have the right to request and access public information about the progress of technical investigations into transportation accidents, as well as the results and recommendations issued by the JST. In recent years, the establishment of a procedure for the creation of a channel of communication and support for the victims and their families in the face of unexpected and traumatic events has emerged as one of the agenda items of public policies in order to provide a response. According to emergency experts, the rise must be understood in the context of the sociohistorical changes that society as a whole is undergoing. Moreover, the fact that support for victims and their families is gradually being considered as public policy is linked to the growing discussion about more just and equitable ways of governing at global, regional, and local levels. In other words, it involves addressing specific forms of vulnerability, enforcing civil, political, economic, social, and cultural rights, as well as fostering greater awareness about validating and strengthening the restoration of rights to prevent the revictimization of those involved.

Addressing Victims and their Families at the Global Level

Regarding the transportation system, specifically in the aviation sector, the International Civil Aviation Organization (ICAO), an agency whose vision is to achieve the sustainable growth of the global civil aviation system by developing policies and standards through the cooperation of its member states, has largely addressed this issue. To this end, it has developed the "ICAO Policy on Assistance to Aircraft Accident Victims and Their Families," outlined in Doc. 9988, whose preamble states: "Concern for persons who have suffered distress and loss as a result of an aircraft accident has led to increased efforts within the aviation industry to establish procedures which address the needs of victims and their families in a timely manner." Therefore, "the mental, physical and spiritual well-being of victims involved in civil aviation accidents and their families are considered and accommodated by ICAO and its Contracting States." ICAO Doc. 9973 "Manual on Assistance to Aircraft Accident Victims and their Families" also agrees on the premise and expresses in Chapter 2: "The aim of family assistance is to address the concerns and the needs of the victims and their families, to the extent possible, and to provide them with easily accessible factual information about the progress of the accident investigation." Information as well as social, emotional and psychological support must be provided.

These milestones involve a review and analysis of the experiences, requiring the development of specific work plans and procedures aimed at this subject with a broad scope.

Addressing Victims and their Families at the Local Level

Following this concept and focusing on the Argentine Republic, there are constitutional principles and guarantees that provide a regulatory framework, such as the right to access public information as expressed in Law 27275, which states that its objective is "to guarantee the effective exercise of the right to access public information, promote citizen participation, and ensure transparency in public administration." Additionally, the right to comprehensive health protection and to dignified treatment also apply, supporting specific national legislation that safeguards the rights of victims and their families. The policies and regulations previously described by ICAO have been adopted by the JST, which led to the creation of the Information to Accident Victims and Their Families Area (IVAF), thus institutionalizing internal procedures. Along these lines, National Law 27514, which established the JST and was enacted on August 21, 2019, states in its Article 1: "Transportation safety policy is hereby declared to be of national public interest and a goal of the Argentine Republic, with the purpose of providing mobility while ensuring the protection of people, their property, and the environment within the national territory." We focus on the statement ensuring the protection of people to emphasize that our law was born 'in part' as one of the socio-historical responses to a recognized fact: the fundamental role that civil associations and social

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organizations of transportation accident victims and their families have played. After tragedies with individual losses, they managed to organize a collective action in pursuit of justice, safety, and improvements in the transportation system. In short, they have been the expression and manifestation of the need to raise awareness, educate and sensitize the public, promote preventive actions, and place this matter on the political agenda in order to make progress in the relevant legislation.

In this regard, the tireless battle of the crew members' families of the fishing vessel Repunte, which sank on June 17, 2017, and their organization into the group 'No More Sinkings,' prompted the Ministry of Transportation, led at the time by Mario Meoni, to initiate an investigation to determine the causes of the accident. To this end, the JST was established as the first decentralized body in Argentina to carry out this task in relation to maritime tragedies. In this way, sinkings were brought to the national agenda at a time when independent maritime investigation commissions did not exist, and sinkings, along with the visibility of their victims, were not yet recognized as a problem.

Other groups that work tirelessly on addressing this issue and, consequently, in the fight for recognition, as well as on actions aimed at raising awareness and restoring rights, include the Air Accidents Victims Association (Asociación Víctimas de Accidentes Aéreos), the Civil Association Mothers of Pain (Asociación Civil Madres del Dolor), Let's Fight for Life (Luchemos por la Vida), Driving with Awareness (Conduciendo a Conciencia), among others. Recently, the National Road Safety Agency (ANSV) has created the Federal Network for Assistance to Road Accidents Victims, which provides psychological and legal assistance, advice on social services, medical care and rehabilitation, transportation and accommodation, and financial aid, among other resources.

So far, investigating the establishment of public policies in terms of communication, support, and assistance to victims and their families, across all modes of transportation, involves understanding the characteristics of accidents as stressful and traumatizing events. These are unexpected, destabilizing occurrences, and as such, they can significantly impact people both individually and collectively. Complex scenes of what happened may be experienced, such as injuries or deaths, contact with personal belongings, with survivors, etc. Consequently, during and after this exposure, various reactions may be experienced that affect individuals physically, emotionally, in their thoughts and behavior, in social relationships, and so on.

It is necessary to ask ourselves: Why do we talk about best practices in the approach to transportation accident victims and their families?

It is important, before being involved, to keep in mind that, as a result of such an occurrence, victims and their families are going through unique and vulnerable processes, such as, for example, an abrupt grieving process. In this sense, considering the effects involves distinguishing the external factual event from the internal psychological event. Regarding the latter, it may trigger different emotional and psychological reactions, lasting for varying periods of time. A person's ability to recover and heal is always subjective. The impact may be stressful or traumatic, but this can only be determined after the event has occurred, by observing and analyzing the individual reactions of those who experience it, and by taking into account each person's psychological makeup, their coping resources, and the relational and community protection and support they have in the face of what has happened.

For this reason, when making the first contact with victims and families affected by an occurrence, it is crucial to adopt a comprehensive intervention approach. Thus, we must consider aspects related to the professional involved, as well as the objectives and guidelines under which the communication will take place.

"It implies dimensioning the characteristics of accidents as stressful, traumatizing events, understanding that they are unexpected, destabilizing events that can have a significant impact on people."



The Participating Professional

It is relevant to point out important issues related to the participating professional, keeping in mind that the people who communicate with those affected act as mediators between a given reality and the response to be provided. At the same time, they establish a channel between those conducting the investigation and the victims and their families. Therefore, it is important to consider that the professional must:

- Have specific training and/or education.
- Not be directly involved in the critical occurrence.
- Not have any emotional ties to the victims.
- Not suffer from any psychological disorders or subclinical forms that could worsen in stressful situations.
- Acknowledge their own limitations, while enhancing skills and abilities.
- Refrain from becoming personally involved in specific situations.

Objectives of the Approach

The framework for best practices in establishing contact with transportation accident victims and their families includes the following objectives:

- To provide information in a planned and strategic manner by establishing a proactive communication channel, so that families and victims can access reliable accident information. This helps avoid improvised interventions that could cause as much or even more harm than the issue itself.
- To manage information that adds value: it is necessary to understand the particularity of each case, taking into account who the interlocutor is in order to build trust and create a clear and productive exchange.
- To avoid secondary victimization or revictimization: that is, ensuring that the treatment and the circumstances of the procedures do not make the victim more of a victim than they already are.
- To provide support when appropriate: through information and facilitation, the aim is to assist in restoring the victim's coping abilities and personal autonomy.
- To contribute to minimizing the traumatic effects of what has been experienced: through effective actions aimed at reducing stressors, helping victims and their families enhance their coping skills and effectively manage the stress associated with or arising from critical incidents and traumatic situations.
- To facilitate the grieving processes by allowing families to express themselves in a supportive temporal space.

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Best Practices: Guidelines for the Approach

The comprehensive approach for accident victims and their families must be carried out with the understanding that the behaviors may include: paralysis, withdrawal, aggression, cathartic rage, and various expressions of trauma, such as avoidance and dissociation, re-experiencing, startle responses, and exaggerated reactions. Thus, the initial actions are focused on:

- Establishing a trusting relationship with the victims and families: introducing oneself appropriately, using kind and respectful language.
- Communicating the objective and scope of the investigation and participation.
- Maintaining active listening, allowing time for those affected to express their emotions, concerns, and needs in order to understand the victim's experience as well as that of the affected families.
- Providing clear and reliable information about the progress of the investigation, avoiding false expectations or incorrect information while maintaining empathetic communication.
- Implementing functional actions and establishing priorities, offering some protection regarding the crisis situation.
- Informing and being available for the other, providing relief, calm, and a sense of control.
- Considering different cultural and religious guidelines.
- Focusing on the task, meaning that attention is selectively directed only toward the stimuli significant to the task, leaving out others.
- Identifying potential effects that communication may have and defining the most appropriate channels: the what, how, and when of communication will help minimize unexpected effects and emerging ones that may worsen the traumatic situation.
- Identifying the victim's and their family members' relational structure, meaning their social support, attachments, points of connection, conflicts, or the transmission of these to the outside. The characteristics of this structure will also greatly influence the emotional course of the affected individuals at the time of communication.
- Encouraging positive behaviors and minimizing those that are not: this helps foster communication in a kind context for the affected individual, allowing them to discern between their emotions and the circumstances of their current situation, thereby providing a sense of security and a calm environment.
- Having flexibility in the assistance: it is essential to be sensitive to the needs and preferences of the victim and their families, agreeing on times and methods of communication.
- Respecting privacy: no personal information must be shared without the consent of the victim and their families, keeping in mind that each person has the right to choose what information they want to share and with whom.
- Providing support and assistance during the investigation process: each investigation has its own timeline and complexity, and new concerns or needs may arise from those involved that must be addressed in a timely manner.
- Anticipating possible interaction with other cultures: the level of helplessness and vulnerability is heightened in the case of foreign victims, as their social support networks are in their country of origin. This implies a potential decrease in coping capacity and the use of personal resources and strategies. In these cases, it is important to analyze the situation and seek tools that facilitate communication.

These practices aim to prioritize the quality of the communication, as long as the situation and context allow for it. The application and planning of strategic actions are essential to achieve the proposed objectives.

Safety in the transportation system, based on the JST in our country, is a public policy that addresses the long-standing demands of various social movements that have called on the state for transportation accident prevention and, consequently, the protection of life.

As such, it is essential to rethink our practices when addressing transportation accident victims and families, placing special emphasis on viewing them as social actors who are rights holders within public policies. Assistance to victims is part of the systemic investigation model proposed by the JST.

An approach focused on best practices directed at the population inevitably involves considering the potentials, capacities, and skills of the participating team as well as their internal care. This includes developing actions that promote the strengthening of comprehensive competencies understood as institutional ethics, professional technique, and the attitudinal aspect.

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