

Victims, victimization and victimology

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Who or what are victims, and what do we know about them? Such questions are disarmingly and misleadingly simple, appearing as they do to invite a straightforward factual response. In reality, however, questions relating to the concept and identity of victims are highly problematic, often controversial and generally call for highly nuanced answers. It is important to stress this at the outset because our attitudes towards victims and how they should be dealt with are likely to be shaped by the assumptions we make about them, which may not always be well founded. This applies just as much to those who advocate restorative justice approaches as the most appropriate way of dealing with victims as it does to those who are responsible for formulating other aspects of criminal justice policy, or indeed to criminal justice practitioners, those working in the media or the public at large.

We may start by observing that, contrary to contemporary popular perceptions, the apparently inextricable connection in the public mind between 'victims' and 'crime' is a relatively recent phenomenon. Formerly, the term 'victim' was as likely to be associated with general misfortune as it was with crime. This point is reinforced by the *New Shorter Oxford English Dictionary*, whose definition starts by referring to 'a person killed or tortured by another', but then continues: 'a person subjected to cruelty, oppression, or other harsh, or unfair treatment, or suffering death, injury,

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ruin, etc., as a result of an event, circumstance or oppressive or adverse impersonal agency’.

Thus, when post-war social policymakers began to lay the foundations of the welfare state, the ‘victims of misfortune’ for whom they sought to make provision were those oppressed by the five ‘giant evils of society’ – want, disease, ignorance, squalor and idleness – but not crime¹ (Mawby and Gill, 1987: 38). During the early post-war period, crime victims were for the most part invisible, not only to public policymakers² but also to criminal justice agencies and practitioners, the media, the general public and indeed to most criminologists. Several decades were to elapse before crime victims were recognized as a distinct social category in their own right, and the first co-ordinated responses were formulated to address their concerns also.

Factors contributing to the increase in victim ‘visibility’

The much higher public profile that is currently accorded to victims is the result of a lengthy process to which various factors have contributed. First, and somewhat ironically, the interests of victims were initially championed by penal reformers who are usually better known for their campaigns on behalf of offenders. The most notable example is Margery Fry (1951, 1959), who campaigned tirelessly to promote the idea of victim compensation as something to which they should be entitled both from the state and also, by way of reparation, from their offender (Jones, 1966). Although their motives may not have been entirely disinterested – since the provision of additional assistance to victims was seen as the key to reforming the penal system for the benefit of offenders³ (Priestly, 1974) – their impact was nevertheless profound. At the penal policy level they helped to shape some of the first victim-focused reforms of the criminal justice system. But also at an ideological level, their arguments that the law should not just ‘take it out of the offender’ but ought rather to ‘do justice to the offended’ (Fry, 1951: 125) helped to pave the way for a later generation of restorative justice advocates. For they were among the first to argue for a reconceptualization of crime, suggesting that we should view it not (simply) as a ‘violation of the legal order’ but (also) as a ‘violation of the rights of the individual victim’.

A second important and much more obvious factor in the process of increasing the visibility of victims relates to the role of the media and is exemplified by the continuing prominence given to the families of murder victims in such notorious cases as the ‘Moors Murders’ during the 1960s. The convictions of Ian Brady and Myra Hindley in May 1966 for a series of gruesome child murders that were committed in the early 1960s coincided with the dawn of the television age. Both the original convictions and the further confessions that followed in 1987 resulted in intense media

exposure not only for the killers themselves but also the families of their victims. In subsequent high profile murder cases the media have again not only continued to ensure the much greater visibility of victims but have also frequently accorded to victims' families a prominent voice in public debates about the way 'their' offenders should be dealt with.⁴ Indeed, in some cases, they have provided them with a public platform from which to campaign for wider criminal justice reforms.⁵

A third factor contributing to the higher public profile that is now accorded to victims in general was a growing sensitization during the 1960s and 1970s towards the existence and needs of particular groups of 'vulnerable' victims: notably women who experienced domestic violence at the hands of abusive partners; women who had been sexually assaulted or raped; and children who were the victims of incest or other forms of abuse. The women's movement, comprising political and practical activists who were inspired and often radicalized by feminist ideals, played a major role in this process. Campaigning activists responded by not only setting up support networks such as the Women's Refuge Movement⁶ and 'Rape Crisis Centres',⁷ but also by drawing attention to the manifest inadequacies of the criminal justice system in dealing with such offences. Initiatives such as these helped to fuel broader concerns about the way victims in general are dealt with,⁸ and these now form part of the agenda of the so-called 'victims' movement', though the aptness of this term is belied by its ideological diversity, as we shall see in Chapter 2.

A fourth factor contributing towards the higher public profile for victims of crime in recent years relates to the spate of well-publicized incidents both at home and abroad involving serious acts of politically inspired criminal violence. They include acts of terrorism that are directed against innocent civilians, political assassinations, violent outbursts resulting from ethnic or intercommunal tensions and even, on occasion, violent acts carried out by state agencies. At a more mundane but equally significant level – not least because its effects have had a more immediate personal impact – the period between the early 1950s and mid-1990s witnessed a dramatic escalation in the level of recorded crime in most modern industrial countries.⁹ Both sets of phenomena have received extensive media coverage, much of which has focused on their impact on victims.

The fifth factor relates to the introduction and increasingly widespread use of victim surveys on the part of both central and local government agencies. The first such survey was conducted on behalf of the American President's Crime Commission in 1967, which was established in the wake of serious urban rioting in over 150 US cities earlier in the year (Ennis, 1967; President's Commission on Law Enforcement and the Administration of Justice, 1967). The motive for conducting the survey was partly in response to concerns about the impact of the increasing level of crime on ordinary Americans. But it was also prompted in part¹⁰ by a desire to devise more accurate ways of measuring crime that might avoid some of the known defects associated with traditional methods based on police

records. This ulterior motive was reflected in the widespread use of the term *crime survey*, both initially in the United States,¹¹ and also in the many other jurisdictions that have subsequently adopted the same technique. They include Canada (since 1981), England and Wales (since 1982), Scotland (since 1983), Australia, the Netherlands and Switzerland. In addition to these national crime surveys, a series of international crime victim surveys has also been conducted,¹² which provides a range of comparable data relating to victims and victimization in different countries.

The sixth and final factor that may have contributed, albeit marginally, to the much higher public profile that is now accorded to crime victims relates to the often belated and sometimes grudging response made by academic criminologists to these various phenomena. Much early post-war criminology could be described without exaggeration as comprising a victim-free zone, though some feminist criminologists of the 1970s and early 1980s¹³ deserve an honourable mention for bucking the trend (Rock, 2002a: 3). However, even the ground-breaking furrows they ploughed were prompted by the work of other feminist political activists. For other radical criminologists (for example, Lea and Young, 1984) it took the incontrovertible data provided by the first British Crime Survey (BCS) to drive home the message that much crime impacts most heavily on the poorest and least privileged urban sectors of the community. Or, as Downes (1983) had rather more pithily put it, much crime operates as a 'regressive tax on the poor'.¹⁴ More recently, the growing prominence accorded to victims has not only been acknowledged by growing numbers of academic criminologists but, as we shall see, has helped to carve out a new agenda for the discipline. Some police studies, for example, have engendered a much more realistic – and modest – appreciation of the extent to which the police depend upon victims' readiness to report crime and provide relevant information rather than their own unaided powers of detection (see Reiss, 1970; Shapland and Vagg, 1988). Others (for example, Shapland and Vagg, 1988: 136ff; Bucke, 1995; Sims and Myhill, 2000) have documented widespread dissatisfaction on the part of victims at the quality of service they receive from the police and other criminal justice agencies, which is further compounded by declining detection rates. Still others, as we shall see, have supplemented the information imparted by victimization surveys by undertaking more detailed investigations of the impact of crime on different categories of victims (for example, Maguire, 1980 on the victims of burglary and Morgan and Zedner, 1992 on child victims).

Despite the increased prominence that is now accorded to victims, there are still many unanswered questions, for example; relating to:

- the identity of victims and their attributes
- the way they are affected by crime and the way they respond to it
- the way they are represented in academic criminological discourse
- the extent to which they are acknowledged and provided for by criminal justice policymakers.

The first three sets of issues are addressed in the rest of this chapter; the final set of issues is addressed in subsequent chapters.

Victims: identities and attributes

The most obvious category of victims encompasses those who have been personally affected by ‘conventional crimes’, which are the kind of predatory offences involving assaults or property loss or damage that are most likely to be recorded by the police. What we ‘know’ about even these victims is both contingent and contested, however, depending as it does on the type of discourse – academic, administrative, legal, media, political – from which it is derived, the purpose for which has been compiled and the methodology on which it is based.

One helpful starting point in exploring ‘what we know’ about the identity and attributes of victims is Nils Christie’s (1986) celebrated stereotype of ‘the ideal victim’. Christie perceptively identified six attributes that – at the level of social policy – are most likely to result in the conferring of complete, legitimate and unambiguous victim status on someone who has had a crime committed against them. Paraphrasing Christie, the six attributes are:

- 1 The victim is weak in relation to the offender – the ‘ideal victim’ is likely to be either female, sick, very old or very young (or a combination of these).
- 2 The victim is, if not acting virtuously, then at least going about their legitimate, ordinary everyday business.
- 3 The victim is blameless for what happened.
- 4 The victim is unrelated to and does not know the ‘stranger’ who has committed the offence (which also implies that the offender is a person rather than a corporation; and that the offence is a single ‘one-off’ incident).
- 5 The offender is unambiguously big and bad.
- 6 The victim has the right combination of power, influence or sympathy to successfully elicit victim status without threatening (and thus risking opposition from) strong countervailing vested interests.

It seems probable that assumptions based on this stereotypical image of the ‘ideal victim’ may help to generate criteria by which those in the media assess the ‘newsworthiness’ of specific crime stories.¹⁵ Such images may also be invoked, consciously or unconsciously, by ‘moral entrepreneurs’,¹⁶ single issue campaigners and also politicians when seeking to promote the interests of victims or influence the way their offenders are dealt with. It is possible (though difficult to prove) that they may influence the specific content of reforms that are devised by social and criminal justice policy-makers. An interesting though, as yet, largely unexplored question,¹⁷

is whether such assumptions derived from Christie's image of the 'ideal victim' may also have influenced restorative justice theorists, advocates and practitioners. This is an issue to which we will return in the final chapter of the book.

Idealized 'images' and empirical 'realities'

Meanwhile, another obvious question concerns the extent to which Christie's stereotypical 'ideal victim' image is confirmed or confounded by empirical data, and the possibly contrasting light that these may shed on the 'actual' identity of victims and their attributes. Most of the demographic information relating to victims is derived from victim surveys, and therefore needs to be treated with considerable caution. This is partly, as we have seen, because despite their name they are largely compiled for administrative purposes; to supplement and improve the accuracy of the existing criminal justice database for example. They also suffer from methodological shortcomings since they omit significant populations at risk of victimization.¹⁸ The British Crime Survey,¹⁹ which is typical, for instance, concentrates mainly on certain types of conventional crime, particularly the so-called 'household' offences such as assaults, burglary or vehicle theft, but excludes many others. So-called 'victimless' offences (such as motoring and many regulatory offences) and those in which victims are complicit (such as prostitution and those involving drug or alcohol abuse) are excluded. So are newer types of crime (including those involving fraud or use of the internet), and even other forms of personal crime such as stalking and sexual abuse²⁰ (Kershaw et al., 2001: i, 3). Moreover, even with regard to the limited range of offences that it does cover, certain whole categories of victims are missing from the BCS. They include victims under the age of 16,²¹ victims of whatever age who live in institutions²² or who have no home²³ and non-personal victims including commercial and public sector enterprises and establishments.²⁴

These are all significant omissions but, with these important caveats in mind, such victim surveys can nevertheless shed some useful light on the susceptibility of different groups of personal victims to particular types of crime. The pattern they illuminate contrasts sharply in several important respects with Christie's 'ideal victim' stereotype. Thus, with regard to violent crime, men are twice as likely to be victimized as women,²⁵ and those most at risk are young men aged 16 to 24 (Simmons and Dodd, 2003: 84). Men are also the victims of 83 per cent of assaults by strangers, and of 59 per cent of muggings, though women are the victims in 73 per cent of assaults involving domestic violence: statistics that graphically illustrate the gendered nature of much personal violence.²⁶ Conversely, the extremely elderly of both sexes are among the least likely to be involved in violent assaults of any kind, notwithstanding the fact that they may approximate much more closely to the 'ideal victim' stereotype on the statistically rare occasions on which this does happen.

Victim surveys also reveal that certain individuals and groups run a disproportionately high risk of being victimized compared with others. For example, it is known that people living in certain kinds of neighbourhoods²⁷ are far more likely to be victimized than those living elsewhere. In the case of violent offences, the level of victimization reported by those living in council estates that are characterized by multi-ethnic occupation and low income levels is more than three times the level reported by those living in affluent suburban, rural or retirement areas. In the case of burglaries, the rate of victimization reported by those living in areas of council housing experiencing greatest hardship is nearly seven times as high as it is for those living in affluent rural communities. In general, it may be said that victims are likely to live in the same kind of impoverished communities as offenders are likely to be found in. To the extent that Christie's 'ideal victim' stereotype implies that victims and offenders form entirely separate categories, inhabiting completely different geographical and social milieux, therefore, it is again at odds with the 'real world', at least insofar as this is accurately captured by victim survey data.

Moreover, it is also known that the burden of victimization falls unevenly on individuals even within those populations that are known to be most at risk (Genn, 1988; Trickett et al., 1995; van Dijk, 2000). Thus, while the overall 'victimization rate' for adults living in private households in respect of conventional personal crimes was 26.8 per cent in 2000,²⁸ a significant proportion of this subset was repeatedly victimized (Kershaw et al., 2001: 21, Table A2.9). Indeed, approximately one in seven adults who had been the victim of at least one violent offence during the previous 12 months reported three or more such incidents (rising to one in four of those whose victimization involved acts of domestic violence); and one in ten who had been the victim of a burglary reported three or more such incidents. Even so, there are strong grounds for believing that the incidence of 'multiple victimization' is likely to be significantly *under-reported* in victim surveys (Genn, 1988: 90). In part this is because victim surveys tend to adopt a rigid 'counting' frame of reference, which requires respondents to be able to specify fairly precisely when each incident occurred, and partly because an arbitrary upper limit is generally imposed on the number of incidents that any one victim will be deemed to have suffered. This approach causes problems in the case of those victims for whom victimization is not so much a series of discrete and relatively infrequent events, but is more of a process, or even a way of life. This methodological weakness is confirmed by other studies which have shown not only that such 'chronic' victims do exist, but that they also tend to be concentrated – in both Britain and America – in poor, run-down residential districts (Sparks et al., 1977; Skogan, 1981; Hough, 1986). Once again, victims' experiences in the 'real world', where a significant minority are liable to be repeatedly victimized by those who live alongside or even with them is markedly at odds with the pervasive 'ideal victim' stereotype.

Furthermore, there is also evidence to suggest that not only are victims and offenders drawn from the same populations, but they may sometimes form overlapping categories (see e.g. Fattah, 1994; Peelo et al., 1992). In the case of violent offences it is known, for example, that both men and women who themselves admit to having committed violent offences or being aggressive in the recent past are very much more likely to be victimized in this way than those who have never offended (Hough, 1986: 126; Pedersen, 2001). As Hough (1986: 126) laconically remarks, this may ‘reflect the fact that some people who start fights lose them, ending up as “victims”’. It is also known that violence-related victimization patterns are to some extent related to lifestyles, including the frequency of visits to pubs and clubs and, presumably therefore, the consumption of alcohol. This also invokes a victim image that contrasts sharply with Christie’s ideal type. In reality it seems that victims of violence are often young men who hang around bars and become involved in altercations – in respect of which they may not be entirely blameless – with other young men, with whom they may already be acquainted. In many such instances, it may be more or less fortuitous who is labelled ‘the victim’ and who ‘the offender’ assuming the incident comes to the attention of the authorities.

A recent study in Sheffield has shown that a similar blurring of categories may also be found with regard to a wide range of recorded property offences,²⁹ in respect of which prevalence rates were statistically significantly higher for offender households than they were for non-offender households (Bottoms and Costello, 2001). Yet again such findings are at odds with the stereotypical ‘ideal victim’ image, which is predicated on an empirically false assumption that victims and offenders are invariably polar opposites of one another in almost every respect. To the extent that much legal, media and political discourse represents vulnerable and innocent victims as the very antithesis of dangerous and wicked offenders, it is failing to engage with a far less predictable world in which much crime is committed in the context of highly complex social interactions between victims, offenders and possibly others. Real victims and offenders – like most human beings – rarely conform to such stereotypes.

Expanding the category of victims

So far we have been concentrating on personal victims who have been directly affected by ‘conventional’ predatory crimes that have been committed by personal offenders, since they are the ones who are most likely to be fully and unambiguously identified and acknowledged as victims. The range of people who are affected even by these crimes often extends beyond those who are directly harmed by them, however, which raises a further set of questions about the ‘identity’ of victims and how this is constructed. Does it include secondary or indirect victims, such as the immediate relatives of murder victims (see Rock, 1998)?³⁰ Does it also extend to those who witness such events, or whose professional duties require them to assist and

deal with the possibly traumatic aftermath?³¹ And what about those who may be indirectly but possibly deeply affected by less serious offences, such as the children of households that have been burgled (Morgan and Zedner, 1992)? Should we also include among this category of indirect or secondary victims, the families of offenders who have been convicted and imprisoned, some of whom may also suffer as a result of the crime committed by the offender?³² And what about the families of those who may have been killed while in police custody or in prison?³³

Once we move beyond the realms of conventional predatory offences, further questions abound relating to the identity of victims. Should it include the victims of those killed or injured in road crashes, for example, at least where these are caused by a culpable motoring offence? Or what if the 'offender' is a corporation or business entity and thus falls outside the scope of Christie's implicit 'ideal offender' stereotype? In many cases of corporate malfeasance involving so-called 'regulatory offences',³⁴ the issue of 'victim identity' is especially problematic because the wrongdoing may not be unambiguously recognized – either legally or in the popular imagination – as criminal (Sanders, 2002: 198). Recent examples abound in which lives have been lost and horrific injuries sustained as a result of recklessness or gross negligence on the part of organizations that would have resulted in criminal convictions if the failing had been attributable to a single individual.³⁵ In 2000 the Corporate Homicide Bill was introduced which would have introduced the offence of corporate killing where management failure by a corporation was the cause, or one of the causes, of a person's death. However, the Bill appears to have been dropped in somewhat mysterious circumstances, prompting accusations that the government was reluctant to expose large corporations to the threat of criminal sanctions for fear of antagonizing them (Mansfield, 2002). If true, such accusations testify to the veracity of Christie's observation that victim status is unlikely to be accorded to victims who pose a threat to strong countervailing vested interests, however closely they might conform to the 'ideal victim' stereotype in other respects. A similar point could also be made in respect of crimes that are committed by or on behalf of agents of a state, for example, those involving unlawful acts of violence resulting in the deaths of those detained in police custody or in prison. Neither those who die in such circumstances nor their relatives are likely to be acknowledged or dealt with as victims (Ruggiero, 1999: 27).³⁶

Even where corporate wrongdoing is acknowledged to constitute a criminal offence, as in the case of corporate fraud, victims may not always be aware that they have been victimized, or may be unwilling to admit that they have been cheated (Box, 1983: 17). It is still fairly unusual for the plight of such victims to be acknowledged and when this does happen it is normally only in exceptional circumstances. Recent examples include cases where either the scale of the fraud is exceptionally notorious, as in the Barings Bank affair, or the victims conform more closely to Christie's stereotype, as was the case with the beneficiaries of the pension funds that

were embezzled by Robert Maxwell (Levi and Pithouse, 1992, 2005 forthcoming).

Finally, it needs to be acknowledged that business corporations and other public bodies, as well as individuals, can also be *victimized* in a variety of ways.³⁷ Such cases may also represent a departure from the stereotypical image of victim and offender attributes, at least where they involve offences that are committed by relatively weak offenders, sometimes in extenuating circumstances, against ostensibly very powerful and wealthy organizations. Legally, however, the identity and status of the corporate victim is not usually in doubt in such cases, notwithstanding this departure.

This review of our current state of knowledge concerning the identity and attributes of victims has confirmed its often highly contested and contingent nature.³⁸ It has also thrown up a number of challenging questions relating to the way victims (and offenders) are conceptualized by and within the conventional criminal justice system. However, the questions that are summarized below also pose a major challenge for those who favour the adoption of a restorative justice approach, whether as theorists, advocates or practitioners.

- 1 To what extent has restorative justice theory, ideology and practice been influenced by stereotypical assumptions about the identities of both victims and offenders and their respective attributes?
- 2 Are there any types of victims (or offenders) for whom restorative justice initiatives are inappropriate or potentially harmful?
- 3 How suitable are restorative justice initiatives for (and how sensitive are they towards) victims and offenders who do not conform to the 'ideal victim/offender' stereotypes?
 - e.g. victims who know their offenders as opposed to offenders who are strangers
 - e.g. victims who inhabit the same social milieu as their offender(s)
 - e.g. victims (or offenders) who are inarticulate, lacking in social skills etc., and who may consequently find it more difficult to actively engage in any offence-related dialogue
 - e.g. victims who have been victimized not just once but repeatedly (whether by the present offender, or by various offenders) as is often the case with offences involving domestic violence
 - e.g. victims who may be capable of posing a threat to the physical safety, economic well-being or emotional stability of the offender (or conversely, who may be threatened, physically, economically or emotionally by the offender)
 - e.g. victims who may not be entirely blameless with regard to this particular offence
 - e.g. victims who may also have offended against this offender or against others in the past
 - e.g. victims who may have had prior dealings with criminal justice agencies in the past (either as victims or as offenders)

- e.g. corporate victims.
- 4 How suitable are restorative justice initiatives for dealing with cases in which the ‘identity’ or ‘status’ of the victim is in some way problematic?
 - e.g. cases involving indirect or secondary victims
 - e.g. cases involving victims of corporate wrongdoing
 - e.g. cases involving wrongdoing by agents of the state (or other forms of wrongdoing that are not universally acknowledged as crimes).
 - 5 How suitable are restorative justice initiatives for dealing with so-called ‘victimless’ or ‘victim complicit’ offences (see above)?
 - 6 To what extent are restorative justice initiatives capable of striking an appropriate and fair balance between the interests of victims, offenders and other interested parties including the wider community?

The above questions present an alternative set of *victim sensitive* criteria against which it should in principle be possible to assess the various restorative justice initiatives and compare them with conventional criminal justice (and other) approaches. This is a task to which we will return in the final chapter of the book. In the meantime it is important to consider what we know about the way victims are affected by crime and the manner in which they respond to it.

Victimization and its effects

Victimization is a highly complex process encompassing a number of possible elements. The first element (often referred to as ‘primary victimization’) comprises whatever interaction may have taken place between offender and ‘victim’ during the commission of the offence, plus any after effects arising from this interaction or from the offence itself. The second element encompasses ‘the victim’s’ reaction to the offence, including any change in self-perception that may result from it, plus any formal response that s/he may choose to make to it. The third element consists of any further interactions that may take place between ‘the victim’ and others, including the various criminal justice agencies with whom s/he may come into contact as a result of this response. Where this interaction has a further negative impact on the victim, it is often referred to as ‘secondary victimization’.

Primary victimization and its consequences

We will consider each of these elements in turn. With regard to the ‘primary victimization’ phase of the process, it may be helpful to begin by distinguishing between the ‘effects’ or consequences that are known to result from crimes of different kinds and their ‘impact’ on victims themselves. It is a relatively straightforward task (see e.g. Newburn, 1993) to

identify and categorize the different types of *effects* with which various crimes may be associated, even though in practice (and particularly from the victim's own perspective) it may be much more difficult to compartmentalize them in this way. Certain crimes entail physical effects, which are likely to involve some degree of pain and suffering, and may also entail loss of dexterity, some degree of incapacity and/or possible temporary or permanent disfigurement. Many crimes also have financial effects, which may be either direct – where they are attributable to the theft of or damage to property – or indirect. Very often crime can result in additional costs that might be incurred, for example, in seeking medical treatment or legal advice, or loss of income as a result of attending to the crime and its aftermath, or possible loss of future earning potential.³⁹ Certain crimes can also have psychological and emotional effects upon victims including depression, anxiety and fear, all of which can adversely affect their quality of life. Finally, though it is often overlooked, crime can also adversely affect victims' social relationships with family, work colleagues and friends. In principle, at least, it should be possible to quantify most of these effects reasonably objectively, though in practice it is methodologically very difficult to do this (see Maguire, 1991: 387–402), particularly in the case of those effects that do not have direct financial consequences. The measurement of any emotional effects is particularly problematic, not least because both the emotional experience itself and the extent to which people are willing and able to discuss it are themselves highly subjective and, to some extent, culturally specific (see Wortman, 1983).

The *impact* of crime is perhaps best thought of as a product of the perceived seriousness or intensity of these effects plus their duration *from the victim's own standpoint*. Defined in this way, the term refers to an inescapably subjective assessment and evaluation by the victim of the overall consequences of the offence. This includes its meaning and significance for the victim, and whether or not it has resulted in a change of self-perception by which the victim comes to perceive himself or herself *as* a victim. Thus, the 'impact' of a crime has a crucial bearing on the way the victim interprets and responds to it during the second phase of the victimization process, as distinct from whatever tangible or intangible 'effects' may be associated with the primary phase. Unfortunately, most researchers have tended to conflate these two terms and to treat them as interchangeable, which has added to the methodological problems mentioned above, though it might help to account for the seemingly confused nature of many of the findings.

Our understanding of the process of victimization and what it entails has mainly been shaped by three very different types of research (Maguire, 1991: 387): victimization survey data, which tend to concentrate on the effects of relatively less serious 'conventional offences' and their impact on victims; in-depth qualitative studies that mostly focus on medium/serious conventional crimes and their impact on victims; and clinical studies investigating the psychological effects of catastrophic events and their

impact on victims.⁴⁰ The latter include some of the most serious conventional crimes such as rape and certain 'state crimes' such as those committed in concentration camps, as well as some non-criminal catastrophic events. Not only do the various studies focus on different categories of crime victims, they also employ different methodological approaches in order to investigate different facets of the victimization process. Not surprisingly, therefore, the findings themselves are seemingly inconsistent and provide an insecure basis on which to draw general conclusions.

Victim survey studies tend to rely on telephone interview methods in order to elicit mostly quantitative data relating chiefly to the physical, financial and practical effects of certain crimes, and some more subjective data relating to their emotional impact on victims. Not only are the offences themselves mostly at the less serious end of the spectrum, however, there is also evidence (Waller, 1986) that telephone survey techniques tend to reveal lower levels of emotional distress than interviews conducted in person. The latter are favoured by most of the in-depth qualitative studies which tend to investigate the impact of offences that are either moderately serious, such as burglary (e.g. Maguire, 1980; Maguire with Bennett, 1982) or rather more serious, such as robbery, wounding and rape (e.g. Shapland et al., 1985). Moreover, studies such as these tend to be much more specific than general victim surveys, allowing plenty of time for victims to focus their thoughts and memories. Clinical studies are different again, relying as they tend to on the physiological and psychological effects and behavioural impact of very serious (and almost certainly, therefore, atypical) offences such as rape (Burgess and Holmstrom, 1974a, 1974b) or other violent crimes including torture (e.g. Eitinger, 1964; Eitinger and Strom, 1973). One additional general observation is that the effect of crime specifically on victims' social relationships with family friends and associates has largely been neglected by researchers,⁴¹ or if acknowledged has been treated merely as an aspect of the psychological effect of crime. This is somewhat surprising as crime and its aftermath are known to be a stressful experience for victims, and social relationships are also known to be adversely affected by stress of different kinds.

What we know about the consequences of victimization

Both the effects of crime and also their impact tend to be highly offence specific. First, in terms of their initial effects, violent offences in general are, not surprisingly, frequently likely to result in physical injuries, though the degree of violence (and thus its physical effects) can vary considerably even within specific offence types. Significant physical injury is relatively unusual, however, and in 49 per cent of violent incidents reported to the British Crime Survey in 2002–3 there was no physical injury at all (rising to two-thirds of those involving robberies and common assaults (Simmons and Dodd, 2003: 77ff).⁴² Eleven per cent of violent incidents reported to the BCS resulted in medical attention from a doctor (rising to 33 per cent

for victims of wounding), but only 2 per cent resulted in a hospital stay (rising to 6 per cent for victims of wounding). In the BCS figures for 2000–1, the likelihood of violent offences resulting in physical injuries that require medical attention was greater for offences committed by known offenders – as in the case of domestic violence⁴³ (18 per cent) – than for most forms of violence committed by strangers (8 per cent) apart from muggings (18 per cent). However, the differences between these categories were much less pronounced in the 2002–3 figures (Simmons et al., 2002; Simmons and Dodd, 2003).

Even where they do not result in physical injury, however, violent offences are frequently traumatic for victims, and sometimes extremely traumatic in terms of their emotional and/or psychological impact. Thus, just under half (44 per cent) of victims of violence report that they were shocked by the incident, just under one in three (29 per cent) were fearful, one in four were emotionally upset and one in five reported that they had difficulty sleeping (Maguire and Kynch, 2000: 4ff, which is based on an analysis of data from the 1998 British Crime Survey). Threats of violence were even more likely to induce fear (in 35 per cent of victims), though in other respects their impact is somewhat less pervasive than it is for offences involving actual violence. Anger is, however, the commonest emotional reaction, as it is for all offence types, ranging from just under two-thirds (64 per cent) of victims of violence or threats of violence to just under three-quarters (73 per cent) of victims of vandalism.

The intensity of any impact that violent crime may have is both highly subjective and also, partly for that reason, much more difficult to measure. There is a tendency for survey techniques to report lower values than in-depth interviews. Nevertheless, just under one-quarter (24 per cent) of British Crime Survey victims of violence report that they were ‘very much affected’ by the offence, rising to just over one-third (35 per cent) in respect of those incidents that were reported to the police (Maguire and Kynch, 2000: 5). In terms of its duration, most studies report that for the majority of victims of ‘ordinary’ violent crime the emotional impact is particularly intense at the outset, but that after a few days the initial fear, shock and anger gives way to a longer period of nervousness, anxiety, sleeplessness, depression, fear of a repeat attack and, often, self-blaming. Some studies (e.g. Maguire, 1985; Mawby and Gill, 1987) have suggested that the duration of any serious psychological effects is unlikely to persist beyond a few months, at least in the case of ‘ordinary’ violent offences, and also burglary. However, one of the few longitudinal studies to have been carried out on victims of ‘ordinary violence’ found that over half of the sample of 216 victims who were interviewed at up to four different stages of the legal process (in some cases up to two or three years after the original offence), reported some kind of persistent emotional effects (Shapland et al., 1985).⁴⁴ One possible explanation for these inconsistent findings is that the legal process itself could resensitize victims towards, and remind them of, the effects of the offence and its impact upon them.

Other types of violent crime including rape and other serious sexual assaults have also been widely studied, using both clinical techniques and intensive interview studies and, not surprisingly, these tend to show that a large proportion of victims experience acute physical pain and suffering in addition to the increased risk of pregnancy, sexually transmitted diseases or fear of the possibility of such consequences (Newburn, 1993: 4–5; see also Katz and Mazur, 1979). The psychological effects tend to be equally profound and longer lasting, and some (e.g. Ellis et al., 1981; Burt and Katz, 1985) have suggested that they may sometimes be permanent. This is particularly true of those who have been sexually abused during childhood (Morgan and Zedner, 1992: 44–5). Relatively little research has been conducted in respect of murder and its impact on victims' surviving families and associates, and most of the studies involve clinical techniques which tend to focus on its psychological impact (see e.g. Burgess, 1975; Magee, 1983). Some studies (e.g. Malmquist, 1986) have investigated the impact on children of interspousal murders, and others (e.g. Ryncarson, 1984, 1986) have drawn attention to the psychological problems that arise in intrafamilial murders as a result of family members identifying with both the perpetrator and the victim.

Still with regard to victims of violence in general, it is easy to overlook, finally, that there are often financial consequences that result either directly or indirectly from this type of crime. One of the few studies that attempted to document these in the case of moderately serious violent offences was conducted by Shapland et al., 1985, who found that a quarter of victims reported financial loss as a result of the offence and 30 per cent incurred additional incidental financial expenditure as a result of helping the police and attending court. One category of offence that almost invariably involves potential property loss is robbery, which involves the use or threat of force in the course of a theft or attempted theft of property. A high proportion of robbery offences involve young offenders and young victims. A recent survey of police personal robbery files indicated that while cash is the most likely item of value to be taken in the course of a robbery, over one-third involved the theft of mobile phones (Simmons and Dodd, 2003: 83).

Apart from offences involving violence, the other main type of conventional offence whose effects and impact have been widely studied is burglary. This is also very likely to result in property loss, and in the 2002–3 British Crime Survey of domestic burglary victims, the three most commonly stolen items were cash (39 per cent), jewellery (23 per cent) and videos, DVDs, CDs and tapes (19 per cent) (Simmons and Dodd, 2003: Table 4.07).⁴⁵ Although it is categorized as a property offence, however, Maguire and Kynch (2000: 4) point out that the emotional reaction to burglary is very similar to that associated with violent offences. Presumably this has to do with the victim's perception that the offence involves a violation of a very precious and personal space or 'cocoon'. Thus, it is not altogether surprising that no fewer than 83 per cent of those experiencing a

domestic burglary involving entry reported that they had been emotionally affected by it, and 37 per cent indicated that they had been ‘very much affected’ (Simmons and Dodd 2003: 60; see also Maguire with Bennett, 1982). Lesser property offences such as vandalism and theft tend, unsurprisingly, to have less of a severe emotional impact on victims, though they may be just as likely to make them angry (Maguire and Kynch, 2000: 4).

Studies investigating the impact of ‘ordinary’ crime have tended to show that while this varies considerably according to the type of offence, as we have seen, it appears to be less affected overall by other general factors such as the personal and social characteristics of the victim. Maguire and Kynch, for example, found that although women and poorer people were somewhat more likely to report emotional effects than men and wealthier people, the differences were not that great, and there was little significant variation according to age. When they looked beyond these broad socio-demographic categories, however, they did find certain highly specific categories of victims who were disproportionately likely to report that they had been ‘very much’ affected by the incidents they had experienced. Among this group of ‘exceptionally vulnerable’ victims who reported the highest levels of emotional impact were those who had experienced some form of ‘intimidation or harassment’ from the offender (or their friends or family) since the incident. Two-thirds of these victims of intimidation who reported the incident to the police said that they had been ‘very much’ affected by it.⁴⁶ Other ‘exceptionally vulnerable’ victims included the very poor, particularly those who are uninsured or have restricted mobility, single parents and those who are relatively house-bound. Serial or repeat victims were felt to be vulnerable, but not exceptionally vulnerable, while very elderly victims living alone reported levels of vulnerability that – somewhat surprisingly – were slightly lower than average.

Victims’ responses to victimization

Having discussed the effects of crime and its impact on different categories of victims, we will now examine the way victims respond to their initial victimization and its impact. These responses may take a number of different forms including the possibility of changes in the attitudes and behaviour of the victim, changes in the victim’s own self-perception and even self-identity, and attempts to elicit support or reactions from others including formal agencies such as the police and the courts. Once again we will consider each of these in turn.

It is reasonably well established that being the victim of a crime is frequently associated with attitudinal changes. Thus, those who have been the victim of a conventional BCS crime in the previous year are,

unsurprisingly, somewhat more likely to be 'very worried' about such crimes than non-victims (Simmons and Dodd, 2003: Table 8.05). Victims of violence and victims of burglary are especially likely to be worried about those particular categories of crime, respectively, though they are also significantly more likely than non-victims to be worried about all other conventional categories of crime as well. Victims of motor vehicle crime, on the other hand, tend to be rather more specifically worried than non-victims about these particular crimes, but are only marginally more concerned than non-victims about other types of crime. Victims of crime are also more likely than non-victims to perceive that they are at risk of being victimized in the future, and once again the general pattern for different offence types is broadly comparable to that described above. Moreover, victims of violence and burglary are also far more likely than non-victims⁴⁷ to be afraid of walking alone in the area after dark and to feel insecure when alone at home during the night, whereas victims of motor vehicle crime do not feel any less safe than non-victims in either respect.

In terms of behavioural changes, such evidence as there is mostly relates to the more serious kinds of conventional offences and is mainly based on intensive interview studies involving victims of more serious forms of violence including rape. Shapland et al. (1985), for example, found that 14 per cent of victims experiencing some form of assault responded by going out much less frequently than before the offence. Rape victims appear to be particularly likely to undergo major behavioural changes including moving house or changing jobs. Williams and Holmes (1981), for example, found that one in four victims identified in a sample drawn from police records moved house following the assault, while Burgess and Holmstrom (1976) found that just under half of their small sample of rape victims (19 out of 45) had changed jobs within six weeks of the attack. Other behavioural effects include withdrawal from social contacts and drug or alcohol abuse (Peters et al., 1976; Herman, 1981; Briere, 1984, all cited in Newburn, 1993).

With some types of offences the behavioural consequences can be even more severe. This is particularly true of crimes involving serious physical or sexual abuse that is directed against child victims. In both instances⁴⁸ there is evidence that a cycle of abuse may be instigated, whereby some of those who have been victimized as children go on to perpetrate the abuse against succeeding generations of victims. Indeed, this is another illustration of the fact that, in reality, victims and offenders often belong to overlapping categories rather than the mutually exclusive camps to which they tend to be assigned by popular stereotypes. More generally, another behavioural response that is not restricted to a particular category of offence types is for the victim to engage in direct retaliatory action against the offender or suspected offender (as discussed by Miers, 2000). While such behaviour may be relatively uncommon, it too serves as a reminder that we should not rush to dichotomize too rigidly between victims and offenders when considering how each needs to be dealt with.

Quite apart from any direct behavioural consequences it might have, however, one of the most important issues when considering the impact of a specific criminal offence is whether it causes the person(s) against whom it is directed to think differently about themselves. Does it result in them seeing themselves as 'a victim' and actively seeking to assume the identity and status of a victim, with all that that entails, or not? And, if they do seek such status, will it be conferred on them by those who have the power to authoritatively bestow it?

Becoming a victim, in other words, is a social process that starts with a criminal offence but also requires a cognitive decision by the person(s) against whom it is directed to see themselves as, and assume the status of, victims as part of their strategy for coping with it. Not everyone who has been offended against will necessarily regard themselves as a victim. Some, for example, may not recognize that they have in fact been offended against.⁴⁹ This could be because the crime itself might not conventionally be recognized as such, as in the case of 'corporate manslaughter'. Or it might be that the behaviour in question forms such an intrinsic part of their everyday experience that the person against whom it is directed does not consider it to be criminal or even abnormal. Children who have been sexually abused by a relative, for example, may not appreciate at the time that they have been victimized. Similarly, women who were raped by their husbands or beaten by their partners were not, until relatively recently, encouraged to think of themselves as victims of criminal offences. Others may consciously reject the victim 'label', either because they consider it to be pejorative or because they prefer to pursue or promote other 'coping strategies'. Some of those who work with women who have experienced rape or domestic violence, for example, have deliberately renounced the 'victim' label and prefer to use the term 'survivors'. Still others may consider a potentially victimizing incident too trivial to bother about or would prefer to deal with it themselves. For example, over half (55 per cent) of those who had experienced a potentially victimizing incident over the previous 12 months reported that they did not want any help or support in dealing with it (Maguire and Kynch, 2000: 8).

Reflections such as these may help to explain the well-known phenomenon that a majority of all conventional crimes (57 per cent in 2002–3) are not reported to the police by those who experience them (Simmons and Dodd, 2003: 11). In the survey conducted by Simmons and Dodd, for most crimes (69 per cent), the main reason for not reporting the matter was because the incident was considered too trivial, there was no real loss or the police were thought to be unable to do much about it. However, decisions not to report a matter are not solely decided on the basis of how serious the 'victim' – or others – might consider it to be. Many incidents that would generally be thought of as serious in terms of their offence classification – such as robbery, wounding and burglary – for example, go unreported, and the main reason for this⁵⁰ is that the victim considers it a private matter that is best dealt with by themselves. Even when a given

incident is considered by victims themselves to be 'serious', many still choose not to report it. Indeed, in the 2001 BCS, over one-third of offences (37 per cent) that fell in the top band of seriousness (as defined by victims) went unreported, and the same was true of over half (54 per cent) of those in the medium band of seriousness (Kershaw et al., 2001: 11).

Assuming that a person who has been offended against does actively seek to be recognized and treated by others as a victim, this will normally set in motion a range of other processes over which the victim has little or no control. These processes may or may not result in victim status being granted but, even where successful, they may inflict additional costs and further hardship on the victim: a consequence that is often referred to as 'secondary victimization'. We will examine the phenomenon of secondary victimization in more detail in subsequent chapters. But in the meantime this review of the victimization process may help us to identify an additional range of criteria by which we may seek to assess the performance of various victim-focused measures (including restorative justice) that are designed to alleviate the harmful consequences of victimization. The most obvious of these concern the extent to which they are capable of addressing the following kinds of harm that may result either directly or indirectly from the commission of a criminal offence:

- financial loss or additional short or longer term economic hardship
- physical harm including pain and suffering plus any longer term incapacity
- short and longer term psychological and emotional effects
- damage to social relationships, particularly those involving the victim and other family members, colleagues and acquaintances but also including the offender where known to the victim
- subjective impact of any of the above from the victim's own standpoint
- any longer term legacy including feelings of insecurity, concern about crime in general or fear of being (re-)victimized
- any negative consequences that might be associated with a person's self-perception as a victim
- the negative consequences associated with any possible 'secondary victimization'.

Victimology and its variants

Victimology as a field of study is a recently developed subdiscipline of criminology. Whereas the latter is very broadly concerned with the study of crime and criminals, victimology focuses equally broadly on crime and its victims. As within criminology itself, however, individual victimologists have tended to focus on very different sets of issues, as a result of which a number of variants within the subdiscipline may now be differentiated.

The position within victimology is further complicated by the fact that the academic study of victimology is closely intertwined with – and is consequently almost impossible to disentangle from – the equally diverse philosophies and practices that have been adopted by various sets of activists who have championed the cause of victims (Fattah, 1989). In this section, three principal variants within the field of victimology – positivist, radical and critical victimology – are briefly described and linked with the discrete tendencies within the diverse victims’ movement with which they are most closely associated.⁵¹

Positivist victimology

Positivist victimology, like its counterpart in criminology (see Cavadino and Dignan, 2002: 49), is influenced by the view that crime, along with all other natural and social phenomena, is *caused* by factors and processes which can be discovered by scientific investigation. But whereas positivist criminologists attribute the causes of crime to various forces (including environmental and genetic factors) that act upon *offenders* and are beyond their control, early positivist victimologists were interested in the possibility that certain *victims* might in some way contribute to their own victimization. Von Hentig (1941, 1948) and Mendelsohn (1956, 1974), for example, were interested in observing and identifying regularities or non-randomized patterns of victimizing events, and in linking these to particular types of victim who could then be categorized within various typologies.⁵² For instance, victims were classified according to how ‘victim prone’ they were, in von Hentig’s case, or even (and far more controversially) according to the degree of ‘culpability’ exhibited by the victim, in Mendelsohn’s case. The influence of positivist victimology can be discerned at the policymaking level with regard to both the development and deployment of victim survey techniques and also the launch of official campaigns to encourage victims who may be susceptible to various types of victimization to take steps to reduce the risks involved.⁵³

A major weakness with positivist victimology, however, is that it assumes that the identity of victims is self-evident, since it is linked to the harm that they have sustained and the fact that their status is defined and recognized by the criminal law. Thus, there is a tendency to concentrate almost exclusively on victims of conventional interpersonal crimes, particularly those involving violence and predatory attitudes towards the property of others. There is also a tendency to view the criminal justice system in relatively unproblematic terms as the ultimate guarantor of retributive justice, thereby assuming that what victims want above all else is to see their offenders being punished for their crimes (Karmen, 1990: 11). These assumptions are reflected in those elements within the victims’ movement that have assertively and, in some cases, aggressively, championed the interests of particular groups of victims. Examples include the Victims of Violence organization in England and Wales during the early

1980s (Jonker, 1986) and a more recent pressure group, the Victims of Crime Trust. In the United States the Justice for All pressure group actively campaigns in support of the death penalty.

Positivist victimology can be criticized for failing to realize the extent to which our assumptions about the identity of victims are contingent rather than self-evident. For they are shaped not only by the law itself but also by the pressures that may be brought to bear on the state and the legislature by different organizations and individuals seeking to influence that law. Moreover, it fails to appreciate the fact that both the state itself, through its agencies, and also the legal and penal processes that it sanctions may themselves create new victims and also further victimize those who have already been victimized by an offender. It also fails to acknowledge the process of social construction that is involved in the labelling of victims – both by themselves and also by others – and the aforementioned possibility that some who are victimized may nevertheless actively resist or even reject the label altogether.

Radical victimology

Radical victimology likewise resembles its criminological counterpart in rejecting the theoretical underpinnings of positivist victimology. Instead of seeing victimization as a product of the personal attributes of individual victims, early radical criminologists such as Quinney (1972) drew attention to structural factors relating to the way society is organized, and also the role of the state itself and the legal system in the social construction of both victims and offenders. Viewed from this perspective, the definition and identity of victims is far from self-evident since it extends to those who are oppressed, and thus victimized, both by ‘the powerful’, and also by those who act on behalf of the state, including the police and correctional agencies. For many radical criminologists (see, for example, Taylor et al., 1973; Platt, 1975; Pearce, 1976), such insights resulted in a tendency to see offenders as the principal victims of state oppression and to downplay or ignore altogether those who were in turn victimized by them. For others, including a group who became known as ‘radical left realists’ (see, for example, Lea and Young, 1984; Young, 1986) the findings of the first British Crime Survey alerted them to the fact that most predatory crime was directed not against the wealthy bourgeoisie but against the poorest members of society who tend to live among those responsible for such crime. Other radical victimologists have been motivated less by empirical findings than their own normative predilections. Robert Elias (1985) for example, sought to place a human rights perspective⁵⁴ on the victimological agenda. His aim was partly to devise a more objective and less parochial criterion by which victimization might be defined and measured, and partly to mobilize support in favour of measures ‘to relieve human suffering’ on the part of victims.

This realignment within the field of radical victimology is also reflected in certain specific tendencies within the wider victims' movement. At a political and policymaking level the concerns of new left realism were mirrored in a commitment to improving the lot of 'ordinary' victims without necessarily adopting the highly repressive responses towards offenders that are associated with more conservative law and order advocates. At a practitioner level, the quest for a human rights approach was manifested in a search for more constructive ways of dealing with both victims and offenders that sought as far as possible to meet the needs and interests of both. Thus, certain strands within radical victimology are reflected in more liberal approaches with regard to penal policy, such as the promotion of state-funded compensation schemes, support for restitution or compensation for victims by their offenders and even attempts at reconciliation (see also Karmen, 1990: 8). In this respect, some of the early progenitors of the restorative justice movement espoused aims that were certainly consistent with, even if they were not directly inspired by, some of these developments within radical victimology.

However, radical victimology has in turn been criticized for its partial and incomplete portrayal of the processes of victimization since it tends to confine its analysis to the impact of social class relationships while neglecting other factors such as gender, race and age (Jefferson et al., 1991; see also Mawby and Walklate, 1994: 16). Attempts to overcome these limitations have drawn on two main perspectives: the first derived from an approach within critical criminology that is known as 'symbolic interactionism' (see e.g. Miers, 1989, 1990a); and the second from feminist accounts (see e.g. Mawby and Walklate, 1994). Despite the differences between them, both approaches have appropriated the label 'critical victimology', which represents the third main variant within the field of victimology.

Critical victimology

For David Miers, the key questions for a critical victimology are 'who has the power to apply the label?', and 'what factors are significant in determining whether or not to bestow it?'. While acknowledging that such questions represent an advance on positivist victimology by emphasizing the contingent and culturally specific nature of our assumptions about who victims are, Mawby and Walklate do not accept that it takes us far beyond the portrayal provided by radical victimologists. This is mainly because it fails to explain how those labels are constituted and why it is that certain conceptions of who, really, are the victims, come to prevail at different times and in different sets of social and political circumstances.

Mawby and Walklate (1994) themselves have been inspired by a feminist perspective rather than one derived from symbolic interactionism as in David Miers's case. Although not initially directly concerned with criminal victimization per se, feminism did highlight the importance of neglected

issues such as rape, sexual harassment, domestic violence and child abuse. It also drew attention to an additional pervasive mechanism – patriarchy – which, like social class, helps to shape both the process and pattern of victimization and also our ability or willingness to recognize them for what they are. It is by no means the only one, however. Race, for example, is another factor that, like gender, is implicated in the process of victimization and, through its effect on social attitudes, one that may also obscure these processes⁵⁵ unless and until they are revealed by campaigners, social commentators and other opinion formers.

Critical victimology has highlighted the importance of historical and cultural contexts in shaping both victimizing practices and our sensitivities towards them. Even more importantly, perhaps, critical victimology should alert us to the fact that concepts such as ‘victim’ and ‘victimization’ are contested and, being historically and culturally specific, are both malleable and far from universal. It is also worth pointing out that, perhaps because of the sympathy that it evokes, the image of ‘the victim’ is capable of being invoked and sometimes even manipulated or exploited, whether to serve the interests of victims per se, particular groups of victims or even other objectives altogether. We will come across examples of all of these tendencies in the two chapters that follow, which examine ‘victim-focused policymaking’.

Summary

In this chapter we have examined some of the factors that have contributed to the increasing ‘visibility’ of crime victims in recent years, both as the subject of media attention and also (as we shall see in the next three chapters) as the object of public policymaking. We have examined the concept of the victim, both in terms of the idealized imagery that is often deployed when talking about victims, and also in terms of the empirical data that are available with regard to those categories of victims who are most likely to feature in victim surveys. Questions have been raised about the adequacy of conventional conceptions of crime victims and whether these need to be extended. Attention has also been drawn to the challenges such questions may pose for the exponents of all three victim-focused approaches featured in this book and, in particular, for restorative justice theorists, advocates and practitioners, which is a topic we shall return to in Chapter 6.

We have examined the process of victimization itself, both in terms of its consequences for victims and also with regard to the different responses that it may elicit from victims themselves. This assessment has also generated an additional set of criteria by which the performance of different types of victim-focused measures might be judged. Finally, we have briefly examined the field of study that is known as victimology, including some of its more important variants. In succeeding chapters the focus switches

from victims as the subject of academic scrutiny to victims as the object of endeavours by campaigners, policymakers and practitioners to promote, formulate and implement reforms are claimed to address the concerns, interests and needs of victims in a variety of different ways.

Notes

- 1 At least not directly; victims did, of course, benefit indirectly from many of the welfare provisions introduced during this period, including free healthcare, income maintenance and unemployment benefits.
- 2 Whether domestic or international. The international human rights instruments that proliferated during the early post-war period did not contain any specific measures relating to crime victims either.
- 3 Or as Rock (1990: 270) has more cynically put it: 'It was a form of Danegeld that was supposed to enlarge the Welfare State and ease the passage of penal reform.'
- 4 One notable example was the part played by the mother of Jamie Bulger in campaigning against the release of two young men who had been convicted of murdering her 2-year-old son in 1992 while they themselves were only 10 years of age. This culminated in a letter-writing campaign orchestrated by the *Sun* newspaper, which was intended to influence the Home Secretary's decision on when they should be released.
- 5 One example is the call for a law giving parents controlled access to information relating to convicted child offenders living in their neighbourhood. The campaign for the introduction of a 'Sarah's Law', following the murder of Sarah Payne in July 2000 followed the adoption of a similar law known as Megan's Law in the USA, and was supported by the *News of the World* as well as by parents of the murdered victim.
- 6 The first refuge for battered women in Britain was established in Chiswick by Erin Pizzey in 1972 (Pizzey, 1974), and served as a model for a network of some 250 projects running 400 safe houses. These are co-ordinated by the Women's Aid Federation, which was founded in 1974. In 2000 refuges took in 54,000 women and children in England alone, and offered support or advise to 145,000 others who contacted them (Zedner, 2002: 434). Similar refuges had also been set up in the USA since the early 1970s (Fleming, 1979; Walker, 1979).
- 7 The first rape crisis centre opened in London in 1976, offering practical legal and medical advice, together with emotional support, to women who have been sexually assaulted or raped. Just over a decade later 40 similar centres had been established (Zedner, 2002: 434).
- 8 See, for example, Philip Priestley's (1970) pamphlet, entitled 'What about the victim?'
- 9 In England and Wales the level of recorded crime experienced an elevenfold increase, from 500,000 in 1950 (Barclay et al., 1995: 2) to 5.5 million notifiable offences in 1993 (Barclay, 1995: 38). This was matched by an increase in the rate of recorded crime from roughly one offence per 100,000 population in 1950 to ten per 100,000 in 1993, though since then there have been falls in both the number of offences and also offence rates.

- 10 Another concern, which has also resurfaced in Britain more recently, was that victims may become reluctant to co-operate with judicial proceedings by reporting crime and testifying in court.
- 11 Annual national crime surveys have been conducted in the USA since 1972, though they are now known as National Crime Victimization Surveys.
- 12 For example those conducted under the auspices of the International Crime Victim Survey (ICVS) programme (see van Dijk and Mayhew, 1992; Mayhew and van Dijk, 1997; see also Mayhew, 2000: 92; van Kesteren et al., 2000; van Dijk, 2000). See also the ICVS website at: <http://ruljis.leidenuniv.nl/group/jfcr/www/icvs/>.
- 13 See in particular Smart (1977), Edwards (1981) and Adler (1987).
- 14 See also Crawford (2000: 286), who pointed to the 'double whammy' effect whereby high crime areas are not simply afflicted by higher levels of crime but also experience a greater concentration of multiple and repeat victimizations than low crime areas.
- 15 See, generally, on the reporting of crime by the media Ditton and Duffy (1983), Soothill and Walby (1991: ch. 8) and Wykes (2001).
- 16 Moral entrepreneurs are individuals or groups who seek to persuade a society to adopt policies that reflect their moral standpoint, one example being Mothers Against Drunk Driving.
- 17 A notable exception is Richard Young (2000, 2002), who is one of the few to have questioned the assumptions on which restorative justice's concept of victimhood has been based.
- 18 This is not the only methodological defect. Another has to do with variable rates of reporting to BCS interviewers. For example, some respondents may tend – for obvious reasons – to under-report offences committed by members of the same household. Conversely other respondents – notably well-educated, middle-class victims – appear to be more able and willing to report offences.
- 19 The British Crime Survey began in 1982 and continued to measure both reported and unreported crime every two years before moving to an annual cycle in 2001. However, the first major victim survey in Britain was conducted in London in the mid-1970s (Sparks et al., 1977).
- 20 This is partly due to the relative infrequency of such offences, rendering hazardous the making of estimates based on small samples. An additional consideration relates to concerns about the willingness of victims to disclose such potentially sensitive information (see Stanko, 1988). More recently, however, offences such as these have been included in supplementary surveys conducted as part of the regular B.C.S. See, for example, Myhill and Allen, 2002; Walby and Allen, 2004.
- 21 Though the 2001 sweep included a booster sample of young people to enable their experiences of crime to be canvassed.
- 22 Including prisons which – as the work of O'Donnell and Edgar (1996, 1998) and Edgar et al. (2003) have shown – are far from crime free.
- 23 Thus, it almost certainly systematically excludes many of the most heavily victimized populations including those in care, the homeless, squatters and other geographically rootless people including travelling families and illegal aliens.
- 24 Though there has also been a commercial victimization survey (see Mirlees-Black and Ross, 1995).

- 25 However, the overall level of risk for both groups is relatively small, being 4 per cent for all adults, 5.3 per cent for men and 2.9 per cent for women (Simmons and Dodd, 2003: Table 5.01).
- 26 The gap has narrowed since the previous year, however, when women were victimized in no fewer than 82 per cent of assaults involving domestic violence (Simmons et al., 2002: 57).
- 27 The British Crime Survey utilizes the ACORN system for categorizing residential neighbourhoods, which is based on demographic, employment and housing characteristics that are derived from census data.
- 28 This was the lowest rate ever recorded by the BCS, which had previously recorded an increase in the percentage of adults who had been victimized in respect of such offences from 27.7 per cent in 1981 to 39.3 per cent in 1995. Since then, however, it has fallen in every subsequent sweep of the survey (Kershaw et al., 2001: 21).
- 29 They include residential burglary, criminal damage directed against a private individual and unlawful taking of a motor vehicle. Moreover, significant differences in prevalence rates were found across a range of census enumeration districts that were characterized by widely varying overall property crime rates.
- 30 The United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power did include within the definition of 'victim' the immediate family and dependants of the direct victim, and also those who suffer harm trying to assist victims in distress or in seeking to prevent victimization. However, the relatives of homicide victims were not included among those who were entitled to make victim personal statements in court (see below) on the grounds that the 'real' victim had been killed (Rock, 2002a: 15).
- 31 The award of £300,000 compensation to a former police officer who had allegedly been traumatized by his experience while attending a disaster at a football stadium in Sheffield in which 96 people died in 1989 provoked anger on the part of the Hillsborough Family Support Group. They refused to accept that the police, whom they held partly responsible for the tragedy, could also be treated as victims, and were also aggrieved at the size of the award compared with the amounts paid to survivors or the relatives of those who died, many of whom received nothing.
- 32 See, for example Gampell (1999: 28), who is the director of the Federation of Prisoners' Families Support Groups.
- 33 See, for example, the work of INQUEST, which is briefly described by Ruggiero (1999: 27).
- 34 A term which includes acts of pollution, health and safety infractions and corporate fraud, all of which can inflict extremely serious harm on large numbers of victims on a scale that is rarely matched by most conventional crimes and public order offences.
- 35 In Britain alone they include various disasters: on the railways, such as Clapham, Hatfield, Paddington, Potters Bar and Southall; at sea, such as the Zeebrugge ferry sinking and the explosion on the Piper Alpha oil platform; and even on the River Thames, in the case of the sinking of the *Marchioness* riverboat (see also note 32). In other countries, including the USA, such corporate wrongdoing is more likely to be punishable under the criminal law.
- 36 See also Cohen (2001), who has written more generally on the subject of 'state-sanctioned violence'.

- 37 Although not covered by the standard British Crime Survey, there are also comparable crime surveys covering corporate victims (e.g. Mirlees-Black and Ross, 1995). It is also important to remember that crimes directed against corporations often have an impact on the people who work within them and have to deal with them.
- 38 Richard Young (2000: 229) has performed a valuable service in questioning the validity of the simplistic image of crime as something that is committed against a single, individual, identifiable victim.
- 39 NB The financial consequences may thus be borne not just by the victim and any dependants but also by financial institutions such as insurance societies and, indeed, by society as a whole, in cases where the victim suffers a permanent loss of productivity or becomes notably dependant upon financial support from the state or other bodies.
- 40 It is only relatively recently that research into the consequences of primary victimization – whatever form it takes – has been undertaken.
- 41 But see Morgan and Zedner (1992: 28–31), who are among the few to have commented on the stress that crime may place on family relations, its capacity to rupture them, and the effect of any resulting dislocation on other members of the household, many of whom are children.
- 42 It must be remembered, however, that the British Crime Survey does not attempt to measure the incidence or effects of some of the most serious crimes such as murder.
- 43 The corresponding figure for cases involving ‘acquaintance violence’ was 12 per cent.
- 44 Long-term psychological reactions to crime have also been reported as routine occurrences among victims of various types of crime in other studies (see, for example Frieze et al. 1987; Norris et al., 1997).
- 45 Just over half (52 per cent) of domestic burglaries reported in the 2002–3 British Crime Survey interviews were covered by insurance.
- 46 Categories of victims with the highest reported levels of intimidation included people living in poorer households, those in ‘striving’ areas, black or Asian victims, and victims of violence. See also Tarling et al. (2000) for further findings on victim and witness intimidation that are likewise derived from the British Crime Survey.
- 47 NB This is not to deny that some non-victims of crime are also concerned about their personal safety; nor that they may worry about the risk of victimization and, in some cases, modify their behaviour or lifestyle accordingly. To this extent they too may be counted as ‘indirect victims of crime’, even though they have not been victimized and may not be related to or closely associated with anyone who has been.
- 48 In respect of physical abuse, see Morris and Gould (1963) and Kaufman (1985). In respect of sexual abuse, see Goodwin (1982) and Eve (1985). See also Widom (1991).
- 49 Victims of corporate fraud, for example, as mentioned above.
- 50 Cited by 47 per cent in the case of violent offences (Simmons and Dodd, 2003: 12).
- 51 This section draws heavily on the very helpful typology that has been developed by Mawby and Walklate (1994: 8ff). See also Miers (1989, 1990a) and Walklate (1999).
- 52 The use of techniques that are derived from the natural sciences, such as

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‘objective’ observation and attempts to develop appropriate taxonomies, are also characteristic features of the positivist’s approach.

- 53 One example has been the advice issued to mobile phone owners not to carry them too prominently or use them too ostentatiously in public, which is intended to reduce the risk of falling victim to this widely prevalent form of robbery.
- 54 Elias’s approach also has a counterpart in the field of radical criminology: see in particular Schwendinger and Schwendinger (1975).
- 55 The events surrounding the murder of the black teenager, Stephen Lawrence, and its handling by the authorities, provide one obvious example.

Further reading

- Christie, N. (1986) The ideal victim, in E. Fattah (ed.) *From Crime Policy to Victim Policy*. Basingstoke: Macmillan.
- Mawby, R.I. and Walklate, S. (1994) *Critical Victimology*. London: Sage.
- Newburn, T. (1993) *The Long-term Needs of Victims: A Review of the Literature*, Home Office Research and Planning Unit Paper no. 80. London: Home Office.
- Rock, P. (2002a) On becoming a victim, in C. Hoyle and R. Young (eds) *New Visions of Crime Victims*. Oxford: Hart.
- Walklate, S. (2004) Justice for all in the 21st century: the political context of the policy focus on victims, in E. Capes *Reconciling Rights in Criminal Justice: Analysing the Tension between Victims and Defendants*. London: Legal Action.
- Zedner, L. (2002) Victims, in M. Maguire, R. Morgan and R. Reiner (eds) *The Oxford Handbook of Criminology*, 3rd edn. Oxford: Oxford University Press.