



Max-Planck-Institut  
für ausländisches und  
internationales Strafrecht

# Introduction into Victimology

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# Origins and Development of Victimology

- Origins in the USA (late 1940s): *"The Criminal and His Victim"* (Hans von Hentig, 1948)
  - Reception in Germany (1970s): *"Das Opfer und sein Täter"* (Hans-Joachim Schneider, 1979)
  - 1980s: Re-discovery/renaissance of the victim in criminal law all over (Western) Europe
  - 1973: First International Symposium on Victimology (Jerusalem)
  - 1979: Foundation of the World Society of Victimology; first presidents: Hans-Joachim Schneider (GER), followed by Zvonimir Paul Šeparović (CRO)
  - Foundation of a multitude of national, regional, local NGOs of various provenance (e.g., 'Weisser Ring', 'Victim Support UK')
  - Criminal policy movement, from the beginning on based on empirical research methods/findings
  - Results: fundamental reforms in substantive criminal law, criminal procedural law, social law, other sectors of law
- ***...one of the most power- and successful social movements of the last decades***

# Classic Approaches and Empirical Research Findings of International Victim Research



- The victim as a producer of data on the crime situation:
  - 'Classical' research into the dark figure of crime
  - Victim surveys as a new method to enter the dark field
  - Focus was originally on the development of an accurate measurement in order to produce reliable data on victimization rates
  - Methodological problems and issues discussed: sampling & interview methods, selective forgetting, under-/overreporting, telescoping
  - The substantive dimension of these phenomena as indicator(s) for the individual relevance of victimizations was introduced much later

# Classic Approaches and Empirical Research Findings of International Victim Research



- The victim as a producer of data on the crime situation:
  - Life perspective: (total) absence of victimization experiences is statistically an exception
  - In 5-year reference periods victim rates are regularly > 50 percent (individually remembered victimizing events)
  - Incidence rates in 1-year periods regularly < 1
  - Prevalence rates in 1-year periods regularly > 1
  - The dynamics of re-victimization
  - The dynamics of multiple victimization
  - The phenomenon of (few) 'chronical' victims

# Classic Approaches and Empirical Research Findings of International Victim Research



- The victim as an important actor in social control:
  - Gate-keeper to social control through the criminal justice system
  - Motives for reporting of crimes
  - Motives for non-reporting

# Classic Approaches and Empirical Research Findings of International Victim Research



- The victim as a contributor to criminal events:
  - Early German approach of 'Victimo-Dogmatics'
  - Lifestyle concepts
  - Combined and integrated analyses of self-report and victim studies:
    - frequent status changes victim/offender
    - overlapping roles offender/victim
    - victim-offender sequences (carreers)
  - Support for inter-actionist and situative crime theories
  - Media portrayal of the 'innocent victim' is an unrealistic and highly biased stereotype

# Classic Approaches and Empirical Research Findings of International Victim Research



- Subjective impact of victimizing events:
  - Individual coping capabilities
  - Substantive dimension of forgetting
  - Relevance of the individual situation and psychological constitution of the victim
  - Impact of the specific offense: contact versus non-contact crime, sexual crime, burglary
  - The victim variable as an isolated category has no significant effects on victim perceptions and victim attitudes towards sanctioning
  - *'The'* (general) victim does not exist

# Classic Approaches and Empirical Research Findings of International Victim Research



- Extension of the victim perspective:
  - Extension of victimization categories:
    - secondary victimization,
    - tertiary victimization
  - Extension of victim typologies (according to the degree of personal involvement and impact):
    - direct victims,
    - indirect victims (*indirect victim as "co-victim"*, H.-J. Schneider)
  - Extension according to the subjective perception:
    - real/factual victims (criminal perspective)
    - self-perceived victims of events that are not of criminal relevance (victimological perspective)

# Classic Approaches and Empirical Research Findings of International Victim Research



- Subjective perception of crime risks:
  - Fear of crime
  - Independent branch within victimological research
  - Development of a methodology that is as uniform as possible in order to produce comparability (so-called standard items)
  - Different dimensions of fear of crime
  - Different correlatives of fear of crime
  - Objective security versus subjectively perceived ('imagined') insecurity
  - The so-called 'victimization-fear paradox'

# Classic Approaches and Empirical Research Findings of International Victim Research



- Dimensions of fear of crime:
  - Emotional
    - "Do you feel unsafe at night alone in the streets of your neighborhood?"*
  - Cognitive
    - "How likely do you think is your risk to become personally victimized during the next 12 months?"*
  - Behavioral (personal strategies of prevention)
    - "Would you walk alone through a park at night?"*
    - "Have you set up technical security measures for the protection of your house?"*
    - "Do you have one or more wappons at home?"*

# Classic Approaches and Empirical Research Findings of International Victim Research



- Correlatives of fear of crime:
  - Gender
  - Age
  - No significant effects of general victim variable (victimization/fear paradox)

# Classic Approaches and Empirical Research Findings of International Victim Research



- Impact/Consequences of fear of crime:
  - Controversial whether fear of crime is positive, or negative, or 'normal'
  - Fear of crime stimulates individual risk awareness and active strategies of avoidance/prevention (Ezzat A. Fattah)
  - Important parameter for the design of (community) prevention policies
  - Significant factor in the context of modern socio-environmental research approaches
  - Phenomenon not yet sufficiently explained by empirical research: victimization/fear paradox

# Classic Approaches and Empirical Research Findings of International Victim Research



- Victim needs/victim expectations:
  - Related to the personal situation
    - crisis intervention
    - protection against secondary victimization and (re-)traumatization
    - financial restitution/compensation
  - Related to the treatment of the (personal) offender
    - attitudes towards criminal sanctioning
    - intervention more important than severe punishment
    - protection against personal encounter with offender

# Classic Approaches and Empirical Research Findings of International Victim Research



- Victim needs/victim expectations:
  - Related to the criminal procedure
    - Information rights
    - Options for personal participation
    - *"procedural justice"*
  - Related to the outcome of the criminal trial
    - Public acknowledgement and of the harm suffered
    - Public acknowledgement of the responsibility of the offender
    - Expected sanctions quite moderate
    - Compensation, mediation
    - *"material justice/justice in outcome"*

# New Tendencies in International Victim Research



- Further extensions of the victimological perspective:
  - International, comparative research
  - Focus of new groups of victims
  - From the micro to the macro victimological perspective
  - Victim-oriented reform or re-design of the existing sanctioning systems
  - The victim in the context of theories of criminal prevention and punishment

# New Tendencies in International Victim Research



- New attention on particular groups of victims:
  - Sexually abused/misused children
  - Domestic violence
  - Foreigners/tourists
  - Hate crime
  - Organized crime
  - Terrorism
  - Civil wars, asymmetric wars, 'small' wars, international conflicts and other forms of mass victimization

# New Tendencies in International Victim Research



- From the micro to the macro victimological perspective:
  - New dimensions of victimization (quantitative)
  - New victim typologies (qualitative)
    - Individual victims
    - Collective victims
  - Specific needs and expectations of those victims
  - Definition of an adequate representation of those victims in the procedure of international criminal courts (ICTY, ICTR, ICC)
    - Individual victims
    - Collective victims

# New Tendencies in International Victim Research



- From the micro to the macro victimological perspective :
  - Relevance of restitution/reparation in the context of international prosecution (ICTY, ICTR, ICC)
    - Individual victims
    - Collective victims
  - New field of application for restorative justice in the context of post conflict situations (peace building potential, see John Braithwaite: *Restorative Justice and Responsive Regulation*, 2002)
    - as a substitute to criminal prosecution (South Afrika)
    - as a supplement to criminal prosecution (Rwanda)



*Thank you!*