
THE VICTIMOLOGIST

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Editor's Welcome

Michael O'Connell

Maria de la Luz Lima (a member of the WSV Executive Committee) was invited to the Workshop on Elimination Violence against Women at the Seventeenth session of the Commission on Crime Prevention in April, 2008. In this edition of *The Victimologist* she reports on the paper she presented.

Victims of violence continues as a theme with a link to a paper on trafficking in unborn children, a briefing on the United Nations commitments to victims of terrorism, and a commentary on a new text on racist victimization. Several members of the WSV contributed to this book, including Georgios Antonopoulos who is a member of the Publications Committee and helps me produce *The Victimologist*.

The usual sections under the banner of Across Our World follow. There are reports on fear of crime, sentencing and restorative justice, as well as statistics on violent victimization, amongst other things.

Do not forget to check the WSV website over the next few months for the minutes of the WSV Executive Committee who met in August at Tokiwa University's International Victimology Institute, Mito, Japan.

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WOMEN, GIRLS AND TERRORISM

Workshop on Violence against Women
Vienna

Prof. Dr. Maria de la Luz Lima

In seeking to define an agenda for the prevention and reduction of violence against women and girls in specific instances of terrorism, it is important for us to re-examine certain concepts and assumptions that have been useful to us in the past but now need to serve as a focus for the discussion of alternatives and reflection on how they might be adapted to accommodate the different realities of today. A reappraisal of the notions of terrorism, non-state, unconventional, armed conflict, security, personal security, gender as an analytical tool, gender-based violence and gender-based violence in the context of terrorism is needed, as we consider to what extent the legal framework of international law, human rights law and humanitarian law currently at our disposal is adequate to the task.

The combination of terrorism and gender-based violence against women and girls has a variety of implications that need to be considered before any decision can be taken with a view to redefine appropriate methods of intervention. In particular women and girls are seen as a significant tactical component of terrorist activity, and are set to become a basic resource of terrorist networks in the new century. We are aware of the great effort that has been made to create indicators that measure violence against women, especially the work undertaken by the UN group of experts.



Newsletter of the World Society of Victimology



WSV Newsletter

It is therefore considered to be important to create methods of measuring violence against women in terms of terrorism, gauging both the qualitative and quantitative criteria in order to include indicators of violence against women which have already been undertaken.

Recognising the importance of women's work in the formulation of international agendas and in particular in the areas of peace processes and promoting democracy, I drew attention to the need for them to become more involved and their contribution highlighted in all the activities covered by the United Nations Global Counter-Terrorism Strategy and its annexed Plan of Action, which makes no explicit reference to them. In particular United Nations Security Council Resolution 1325 calls for increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict and in peace processes; and calls on all parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict.

In a paper I set out some proposals for prevention, analysis and intervention in response to violence against women and girl victims of terrorism to realized and put in to action by different agencies with the objective of achieving synergistic cooperation and optimum use of resources by all the various entities concerned at international and regional levels, including Member States, non-governmental organisations and civil society general. I suggested that existing mandates relating to armed conflict and warfare should be used (where feasible) insofar as they are able to meet the needs of women and girl victims of terrorism; alternatively, I added that new and robust instruments will be required. As well, I emphasised that existing legislation and the empirical and analytical tools currently at our disposal are inadequate for the task, and likewise the methods that we are currently using to understand, respond to and investigate this problem. Therefore, I invited

all parties concerned to offer their contributions.

Trafficking in Unborn Children

The Chief Magistrate of the Australian Federal Magistrates' Court, Mr John Pascoe AO, presented a paper on "Trafficking in unborn children" at the International Conference on Child Labour and Child Exploitation, Cairns, Australia, 4th August 2008. For a copy of his paper see the Federal Magistrates' Court web-site, under News and Events - <http://www.fmc.gov.au/>

Commitments to promote and protect the rights of victims of terrorism

Source: United Nations

On 9 September, 2008, the United Nations issued a media release encouraging Members States to take practical steps to implement their commitments to promote and protect the rights of terrorism victims so that they can help create a global culture against the scourge.

Secretary-General Ban Ki-moon stressed at the Secretary-General's Symposium on Supporting Victims of Terrorism that terrorism is a global phenomenon, capable of striking at any ethnic, religious or national group. "It attacks humanity itself," he said, adding that "it is for the sake of humanity that we must create a global forum for your voice and listen to you, the victims."

Eighteen victims of terrorist attacks and 10 experts from across the world are participating in the day-long symposium, which follows the UN Global Counter-Terrorism Strategy – adopted unanimously by Member States in 2006 – that, among

other measures, urged an end to the dehumanization of terrorism victims.

Under the strategy, countries committed themselves to consolidating their systems of assistance to promote the needs of victims and their families and facilitate the normalization of their lives; to promoting international solidarity in support of victims; and to protect victims' rights.

"Today we must strive to give practical meaning to these commitments," said Mr. Ban, calling for an open dialogue on the issue between governments, the UN, civil society and victims.

The Secretary-General praised the victims of terrorism for their strength and courage in advocating against the menace. "Your stories of how terrorism has affected your lives are our strongest argument why it can never be justified. By giving a human face to the painful consequences of terrorism, you help build a global culture against it... You deserve support and solidarity. You deserve social recognition, respect and dignity. You deserve to have your needs addressed."

Before the forum, the General Assembly unanimously adopted a resolution renewing the commitment of United Nations Member States to the strategy and expressing a willingness to advance further on implementing it. Assembly President Srgjan Kerim told the symposium that "it was precisely the human suffering, the senseless violence, the haunting stare of victims that spurred us to action." He said the international community can show its solidarity with victims by "unequivocally and continuously" condemning all acts of terrorism, regardless of their motivation.

"We must not leave any doubt that these acts are criminal and reprehensible," he added. Mr. Kerim asserted the United Nations can and must be used to harmonize international efforts against terrorism, starting with individual Member States sharing with each other their successes and experiences.

The eighteen victims who took part were intended to be a microcosm of victims worldwide, and included Ingrid Betancourt, who was released after six years in captivity in Colombia, and Ashraf Al-Khaled whose

wedding in Amman, Jordan, was marred by terrorist bombings in November 2005.

In a separate press conference, Mr. Ban said it was clear that the international community needs to do much more to support terror victims. "Still too often there are gaps in addressing the needs of survivors and their families," he said. "Still too often victims are registered only as numbers and not as human beings that bear witness to stories of immense injustice."

Ms. Betancourt said she hoped the symposium would lay the ground for ensuring that victims of terror are truly heard by the wider world. "When we talk about victims of terrorism, we are talking about human suffering," she said. "It is not statistics. We are not numbers. We are a people who suffer."

Racist Victimization: International Reflections and Perspectives

Editors: John A. Winterdyk &
Georgios A. Antonopoulos

Michael O'Connell
Commissioner for Victims' Rights
South Australia

The despicable phenomenon of victimising another human being simply because of their race has plagued humankind for many thousands of years and, alas, will be with us for many years to come. Consequently, it is no surprise that this is not the first time that a group of leading thinkers have come together on racial victimisation.

This book, however, is an important book in many respects. Racial tensions underlie much conflict across our world and unless we resolve those tensions, the conflict will prevail. These essays will make a valuable contribution to the dialogue that should — indeed, must — happen between politicians, policy makers, government officials and

students as well as people on the streets whose lives are impacted daily by racial hatred.

Complex questions, which some among us choose to ignore, are tackled from an interdisciplinary approach with unique victimological perspectives.

The authors explore definitional issues (such as ethnicity and multi-culturalism), examine sources of racial victimisation (including personal and structural sources); and transcend socio-political and geo-political realities (for example, social exclusion and disempowerment). They draw on an array of explicit examples, like the shocking killing of Devin Brown by police in Los Angeles and the horrific racist murder of Stephen Lawrence in England.

For these and other purposes, readers traverse Australia, United States, Canada, England and Wales, France, Germany, Greece and Japan as they are challenged by a melding of statistics, literature review and notable (at times contrasting) commentary.

Collectively, the authors develop an in-depth analysis of the roots of racial victimisation and develop, perhaps for the first time, a victimological framework on the prevention of racial violence, the provision of services for victims of racial violence and the protection of those affected by racial victimisation. They make a strong case for all of us to look beyond (but not ignore) isolated violent incidents to the much wider arenas of social, political and economic relations and the important implications for humankind.

Being impressed by the content, however, is not enough. Being stirred to confront racial victimisation would be a true testament to the worth of this vanguard of a global victimology.

Across Our World

RESEARCH

Australia

Circle Sentencing Evaluation

Circle sentencing, which is an alternative method of sentencing Aboriginal offenders that involves the offender's community in the sentencing process, does not reduce the risk of re-offending by Aboriginal offenders, a new report by the NSW Bureau of Crime Statistics and Research has found.

The Bureau study examined three issues:

- Whether circle sentencing reduces the frequency of offending
- Whether circle sentencing increases the time between offences
- Whether circle sentencing reduces the seriousness of any further offending

Circle sentencing participants were found to offend less frequently in the 15 months following their circle sentence than in the 15 months prior to the circle sentence. However the same was found to be true of a matched control group of Aboriginal offenders dealt with in a normal court proceeding.

After adjustment for various factors (e.g. offence, prior record, number of concurrent offences), no difference in time to the next offence was found between Aboriginal offenders who were circle sentence and a control group who were not circle sentenced.

Finally, no difference was found between circle sentence participants and a control group of Aboriginal offenders in the proportion whose next offence was less serious than their index offence (viz the one that led to the circle sentence or previous conviction).

Commenting on the findings, the Director of the Bureau, Dr Don Weatherburn, said Circle Sentencing should be strengthened rather than abandoned. "Giving Aboriginal

Elders direct involvement in the sentencing of Aboriginal offenders encourages offenders to critically reflect upon their behaviour.”

“Personal reflection on its own, however, is not enough to reduce the risk of re-offending. Offenders also need to be given opportunities to address the factors that get them involved in crime, particularly drug and alcohol abuse.”

The Bureau of Crime Statistics and Research report titled "Does circle sentencing reduce Aboriginal offending?" can be downloaded, see: <http://www.bocsar.nsw.gov.au>

Mandatory Sentencing

The Victorian Sentencing Advisory Council released two papers looking at the issue of mandatory sentencing. The papers aim to inform people about mandatory sentencing, which is an ongoing topic of debate in Australia and other places.

Sentencing Matters: Mandatory Sentencing is a research paper that offers an in-depth analysis of various mandatory sentencing regimes and other types of sentencing systems, including the current Victorian sentencing system. The paper examines the extent to which mandatory sentencing schemes have been able to achieve their aims, and provides a detailed discussion of the social and economic costs of such schemes. It considers the central aims of mandatory sentencing schemes - to increase both the severity and the consistency of sentences. The paper looks at two case studies to demonstrate how current Victorian law (a State in Australia) deals with the issues of leniency and inconsistency and how these cases could be dealt with differently under various mandatory sentencing schemes.

The Sentencing Advisory Council also released an update to its July 2006 research paper, *Myths and Misconceptions: Public Opinion versus Public Judgment about Sentencing*. This paper examined Australian and international research on public

attitudes towards sentencing. One of the key findings was that when asked a simple abstract question, people believe that sentences are too lenient. But when given more information about the crime or about the offender, people's levels of punitiveness drop dramatically.

The update, *More Myths and Misconceptions*, revisits some of the key messages derived from the original *Myths and Misconceptions* and updates the findings with the most recent research that has been published since the first paper's release in mid-2006. In particular, the update reports on the following key research findings:

- People have little confidence in the courts
- In the abstract, people believe sentences are too lenient
- People have little accurate knowledge of crime and the criminal justice system
- The mass media is the primary source of information on crime and justice issues
- When given more information, people become less punitive
- People are willing to accept alternatives to imprisonment
- Victims of crime are no more punitive than others
- People who fear crime are more likely to be punitive (see below in this edition of *The Victimologist* for research on fear of crime in Canada).

Measuring Public Opinion About Sentencing

The Victorian Sentencing Advisory Council has also released an associated methodological paper, *Measuring Public Opinion about Sentencing*, which considers some of the issues that arise when measuring informed public opinion about sentencing.

The three papers on sentencing are available from the Council's website, see: www.sentencingcouncil.vic.gov.au

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Canada

Fear of crime and the neighbourhood context in Canadian cities

*Robin Fitzgerald, Statistics Canada,
Canadian Centre for Justice Statistics*

Numerous studies have observed that the negative consequences of crime extend beyond crime victims themselves (Gardner 2008; Sacco 1995). In particular, fear of crime has been identified as a widespread social problem that can influence individuals' health and well-being, and at a broader level, can influence the quality of life in local communities by limiting interaction and trust among residents (Conklin 1975; Ross 1993; Skogan 1990).

Much of the current Canadian research has been aimed at understanding the characteristics of individuals who are at greatest risk of experiencing fear of crime. A consistent finding in this work is that, on average, women and older Canadians report higher levels of fear in local communities (Sacco 1995). Other research suggests that women and older people experience higher levels of fear of crime regardless of income, education, or personal experiences of victimization (Garofalo and Laub 1978).

More recently, research on American cities suggests that it may also be important to consider the neighbourhood context in attempting to understand patterns of fear of crime in Canada for two reasons. First, some aspects of the social and economic conditions of neighbourhoods may be directly related to individuals' behaviours and perceptions, regardless of their own personal characteristics (Sampson, Raudenbush and Earls 1997). Second, individuals' perceptions of the level of crime and 'social disorder' in the neighbourhood, (i.e., perceived signs of 'incivilities' such as prostitution, drug addicts, loitering, vandalism, etc.), may explain variations in levels of fear even after accounting for neighbourhood and individual characteristics (Wyant 2008).

The aim of this study is to present information about the extent to which fear of crime differs across neighbourhoods in Canadian urban areas, and to assess whether the characteristics of individuals and/or neighbourhoods explain this variation. For more information see: <http://www.statcan.ca/english/research/85-561-MIE/85-561-MIE2008013.pdf>

United Kingdom

Early Evaluation of the Domestic Violence Act

The Ministry of Justice, UK has published an *Early Evaluation of the Impact of the Domestic Violence and Victims of Crime Act 2004*. The report is based on cases in South Tyneside and Croydon, and concentrates on three specific aspects of the Act.

- ***Making common assault an arrestable offence***

Professionals viewed being able to arrest for common assault as a positive move

The proportion of incidents recorded as common assault went up over the three years in both South Tyneside and Croydon. While the numbers are small, especially in South Tyneside, they support a tentative finding of an increasing use of common assault since this became an arrestable offence.

In South Tyneside the increase in use of common assault did not affect Breach of the Peace being used as the main arrestable offence. By contrast, in Croydon the increased use of common assault paralleled a decrease in the use of other arrestable offences (in particular assault causing bodily harm and criminal damage), indicating that the police may previously have been using other offences in order to procure an arrest. Making common assault an arrestable offence may thus have helped to overcome this anomaly.

- ***Criminalising the breach of a non-molestation order***

Professionals expressed concerns about the phased entry of the new measure with different time limits for different jurisdictions, which was causing confusion among legal professionals and the police.

Views differed among professionals as to the impact of the criminalisation of breach of a non-molestation order on applications and orders:

- Some expected little impact as it had always been possible to attach a power of arrest to an injunction anyway.
- Those engaged with the court process felt that there had been a reduction in applications for non-molestation orders and orders granted since July 2007 either due to both a reduction in the availability of legal aid and the criminalisation of breaches, or because victims were concerned about potential imprisonment that follows a breach.
- Most advocates indicated that victims/survivors welcomed the new measure.

Victims/survivors were generally supportive of heavier sanctions for breaches, and were especially concerned with enforcement.

Following criminalisation of breach of a non-molestation order the number of applications and orders decreased when compared with the previous year. However, with such a short trend it is not possible to conclude whether this is linked to the *Domestic Violence and Victims of Crime Act* or whether it represents a consolidation of previous trends.

- ***Extending availability and use of protection orders***

The period of evaluation of the extension of non-molestation and occupation orders was too brief for any

real findings to emerge, and this is an area that will need to be monitored in the longer term

Overall though the team concluded that the impact by December 2007 had been "limited and in some respects unclear." To download the report see:

www.justice.gov.uk/publications/domestic-violence-act-2004.htm

Report from England: Research on Restorative Justice and Reoffending

The evaluation team led by Joanna Shapland, University of Sheffield, (also known to WSV members as the Editor for the *International Review on Victimology*) reports on seven trials beginning in 2001. It compares approximately 400 adult cases in which offenders attended restorative justice conferences to approximately 400 adult cases in which they did not. Restorative justice¹ conferences were found to decrease reoffending by an average of 27 percent. Victims participating in the conferences found the experience helpful and positive. In addition, the report found conferences to be much more cost-effective than conventional justice processes.

To download the full report titled *Does restorative justice affect reconviction?* see: www.iirp.org/realjustice/library/cambridgerreport.html

The 13th International Symposium on Victimology



Aug 23-28, 2009
Tokiwa University
Mito, Ibaraki, Japan

¹ Restorative justice is defined by the Home Office as: "a process whereby parties with a stake in a specific offence collectively resolve how to deal with the aftermath of the offence and its implications for the future."

RESOURCES

Crime Prevention

Australia

Crime Prevention Website

The Government of New South Wales, Australia, launched a crime prevention website to provide information for councils, members of the community, businesses and practitioners. The website - <http://www.crimeprevention.nsw.gov.au/> - includes crime prevention checklists and special sections for councils, the community, and business.

Canada

International Report on Crime Prevention and Community Safety

The International Centre for the Prevention of Crime in Canada published its first *International Report on Crime Prevention and Community Safety* in September, 2008. This report and another titled *International Compendium on Crime Prevention Practices* can be downloaded, see: <http://www.crime-prevention-intl.org/>

STATISTICS

Australia

Recorded Crime, Victims

The Australian Bureau of Statistics has released its annual crime victimisation statistics, *Recorded crime, victims, 2007*, ABS cat no 4510.0. It shows a rise in robberies, but falls in manslaughter, murder, unlawful entry with intent, other theft and motor vehicle theft. See: <http://www.abs.gov.au/AUSSTATS/abs@.nsf/mf/4510.0?OpenDocument>

Risk factors in Indigenous violent victimisation

Colleen Bryant and Matthew Willis describe sources of data on victimisation, noting the gaps in data on Indigenous status and victimisation types, and arriving at trends in Indigenous violent victimisation. They identify factors that act individually or collectively to increase victimisation, and makes some recommendations about addressing these risks. See:

<http://www.aic.gov.au/publications/tbp/tbp030.html>

Finland

Risk Factors of Violence in Finland

The National Research Institute of Legal Policy in Helsinki, Finland has published a report on *Risk Factors of Violence in Finland*. Further information can be read in *Research In Brief* 6/2008, see:

<http://www.optula.om.fi/uploads/qibmvhg1hzf.pdf>

Germany

Geographical Behaviour of Strange Offenders in Violent Sexual Crimes

This report by the German Federal Criminal Police Office (Bundeskriminalamt) can be downloaded in English, see:

http://bka.de/lageberichte/weitere/engl_uebersetzung.pdf

United Kingdom

Young people and crime: Main findings from the 2006 Offending, Crime and Justice Survey

The Home Office has published *Statistical Bulletin 09/08 Young people and crime: main findings from the 2006 Offending, Crime and Justice Survey*. For this and other related reports, see "What's New":

<http://www.homeoffice.gov.uk/rds/whatsnew1.html>



Integrated British Report on the Main Findings of Police Recorded Crime and Victimization Survey Results

The annual crime statistics for England and Wales were published in July, 2008. These cover latest results from the British Crime Survey and police recorded crime. The spreadsheets and separate sections of the report can be downloaded at: <http://www.homeoffice.gov.uk/rds/crimeew0708.html> including a summary of the main findings at <http://www.homeoffice.gov.uk/rds/pdfs08/hosb0708sum.pdf>

'Beta' test versions of new mapping and tabulation software are also available to analyse data by offence type and financial year for individual local authority areas. The Home Office intends to widen the offence coverage of these systems once full application of disclosure control has been applied. See: <http://www.homeoffice.gov.uk/rds/soti.html>

United States

Sexual Victimization

Sexual Victimization in Local Jails Reported by Inmates - this US Department of Justice report presents data from the 2007 National Inmate Survey (NIS) that was conducted in 282 local jails between April and December, with a sample of 40,419 inmates. See: <http://www.ojp.usdoj.gov/bjs/abstract/svljri07.htm>

Sexual Violence in U.S. Juvenile Correctional Institutions

This US Department of Justice report presents data from the 2005 and 2006 *Survey on Sexual Violence*. It covers incidents of youth-on-youth and staff-on-youth sexual violence reported to juvenile correctional authorities. See: <http://www.ojp.usdoj.gov/bjs/abstract/svrjca0506.htm>

Cybercrime in the USA

Cybercrime against Businesses - this report presents the nature and prevalence of computer security incidents among 7,818 businesses in 2005. See: <http://www.ojp.usdoj.gov/bjs/abstract/cb05.htm>

FORTHCOMING CONFERENCES

April 2009

International Conference on Transnational Law Enforcement in Canberra (Australia) in 8-9 April 2009

The aim of the Conference is to bring together academics, public policy and legal practitioners and law enforcement officials from Europe, Australia and the Asian-Pacific region to review and discuss the pressing problems impeding cross-border policing and law enforcement. The Conference will provide opportunities to review common problems and to explore innovative solutions from around the world. See:

<http://www.anu.edu.au/NEC/CONFERENCES&WORKSHOPS/CrossingBorders.php>

Further enquiries should be directed to:

National Europe Centre / Australian National University
1, Liversidge Street
Building 67a
Canberra Acton ACT 0200

June 2009

11th European Conference on Traumatic Stress Studies 14 – 18 June 2009 in Oslo, Norway

The next European Conference on traumatic stress studies will take place in Oslo, Norway. The theme will be *Trauma in Lives and Communities - Victims, Violators, Prevention and Recovery*. The conference will cover a range of topics such as refugees and forced migration, torture and violence, individual and collective stress exposure sexual abuse, female genital mutilation, domestic violence. It will also focus on children and adults, prevention and recovery as well as victims and violators. See: www.ecots2009.com

International Conference on Forensic Health Services 24-26 June, 2009, in Edinburgh (Scotland)

The key themes for this conference are:

- Outcomes of Treatment in Forensic Mental Health Services
- Sex Offending
- Personality Disorder
- Shaping Service Design
- Risk Assessment and Management
- Recovery
- Education and Training
- Legislative Change
- Minority Populations in Forensic Mental Health Services (such as women, migrants, those with acquired brain injury or learning disability)
- Human Rights
- Stigma

See: www.iafmhs.org

August 2009

Woman and Policing Conference in Perth (Western Australia) in 23 – 26 August 2009

The Australasian Council of Women and Policing will be holding the Sixth Women and Policing conference at the Duxton Hotel in Perth, Western Australia. The conference theme is *Making it Happen* and the main themes will be:

- Technology: friend and foe - while technological advances provide considerable opportunities for women to influence and improve our society and to flexibly contribute to policing; it is also being used against women,

with the rapid growth of and access to increasingly violent pornography, an increase in bullying, harassment, and its role in stalking women.

- Skills Development - skill development workshops will be offered at the operational and the leadership levels on a wide range of topics.
- Finders Keepers? - finding and recruiting women to policing is difficult but keeping them seems to be even harder.
- Partnerships - exploring the practical partnerships that policing needs to make sure it responds to women in the community.

See: www.acwap.com.au

September

International Penal Law Congress in Istanbul, September 2009

The International Association of Penal Law will hold its next International Congress in the Istanbul, Turkey. See:


<http://www.18.congressofpenallaw.com/>

October

Children as Victims and Witnesses in Switzerland

The *Institut International des droits de l'enfant* (International Institute on Children's Rights) in Sion, Switzerland will hold an international seminar from 14 to 18 October, 2008. Its theme will be Children Victims and Witnesses, A question of law and of Rights. For further details see:

http://www.childsrighs.org/html/site_en/index.php?c=for_sem



WHERE IS TOKIWA UNIVERSITY, MITO, JAPAN - THE VENUE FOR THE 2009 INTERNATIONAL SYMPOSIUM?

