

# RESTORATIVE WORK WITH VICTIMS OF CRIME

## *The Experience and Needs of Victims of Crime*

### **Experience**

Restorative Justice stresses that we take crime seriously because one person has been harmed by the wrongful acts of another. It is the concrete damage which crime causes that is the problem, partly material but mainly psychological and relational. Being a victim of crime is a deeply traumatic occurrence because it damages the person's sense of autonomy, order and relatedness. There is thus a need for justice to repair this psychological and relational damage.

### **Damage**

The pattern of reaction common to victims contains three phases:-

**Emotional:** Victims are overwhelmed by feelings of confusion, helplessness, terror and vulnerability.

**Recoil:** These feelings decline but powerful emotions arise such as anger, guilt, anxiety, wariness, shame and feelings of self-doubt. Victims experience mild mood swings with their feelings of being safe and in control of their lives shattered and their trust in others damaged. Victims experience traumatic adjustment in their self image. Those who see themselves as trusting and caring persons have to adjust to take account of their increased caginess and fantasies of vengeance. Their view of their environment changes. What they felt to be secure and predictable becomes a potentially perilous place. Relationships become strained. Just when the victim needs the emotional and practical help of others they tend to distance themselves from them. Those who hear the story themselves often experience some of the painful feelings of the victimisation. They seek to avoid such feelings by insisting the victim puts the experience behind him or her and 'moves on'. Being a victim can impinge on all areas of life. It can have a detrimental affect on victim's health, close relationships and sex life.

All crimes are experienced as attacks on the person. This challenges our belief that the world is an orderly, meaningful place and our belief in personal autonomy.

If the above needs of the victim are met they move on to the recovery phase.

**Recovery Phase:** In this they recover from the emotional trauma, regain their sense of autonomy and power and resume normal relationships with others. While their experience may still affect them, it no longer

dominates them. If the victim's needs remain unmet, however, recovery can be difficult and limited. In many cases, perhaps the majority, these needs are unmet and victims remain permanently in the recoil phase.

<b>What victims say they need</b>
<b>Compensation from the offender – even for its symbolic value</b>
<b>Answers as to why the crime happened to them</b>
<b>Some questions can only be answered by others and offenders especially</b>
<b>Understanding why they responded as they did</b>
<b>Knowing what to do if it happens again</b>
<b>Having opportunities to communicate emotions – anger and fear – to have them endorsed by others</b>
<b>Expression of retributive emotions. This can be a crucial part of the healing process for victims. If this cannot happen then justice is denied</b>
<b>Empowerment is necessary. Personal autonomy has often been stolen from victims and they need to have the sense of personal power returned</b>
<b>To recover a sense of security – they need the reassurance that steps are being taken to avoid the recurrence of the crime</b>

The following papers seek to advise those in prisons working with victims and offenders about safe procedures to enable meetings to take place. There is also a draft pamphlet that might be used in the future after further consultation.

- What victims want from prisons
- Protocol for hosting victims in the prison (toolkit 6)
- Arrangements in prison for mediated visits (toolkit 7)
- Pamphlet for victims of crime and the prison (toolkit 8)

## **The victims' needs in events of murder and manslaughter**

It is clear from all surveys with victims that the system needs to change if it going to meet the needs of victims of serious crime even remotely. The first thing that should happen is that the need for change is recognised.

The process for victims' families involves things like the following: breaking the news to the victim's family; identification and viewing of the body; short term support (and special support if the crime took place in the home); the post-mortem and inquest; the funeral; settling the victims' affairs such as will and probate, custody of children and financial affairs; the pre-trial/committal hearing; the trial itself; sentencing; media attention; and the release of the offender. The effect of each of these stages in the process has a direct impact upon all those close to the victim, and can damage their ability to cope with coming to terms with what has happened.

The survey demonstrates that the first change required is that the professionals involved in the process must examine how they perceive the victim and the bereaved family. It is a question of understanding and attitude. Symptomatic of the need for a change of attitude is that we too often still hear the comment that the 'victim died because he/she was in the wrong place at the wrong time'. I was upset and angry when I read this about my daughter because she was exactly where she should have been at that time, in her place of work. The statement 'in the wrong place at the wrong time' appears to transfer responsibility for what happened onto the victim.

The harsh truth for the victim's family is spelt out on day one of receiving the notice of death. On the same day one may have chatted over breakfast with a loved one, or planned over the phone a get together at the weekend or offered to pick their clothes up from the cleaners, just normal everyday life, but suddenly that warm loving person with whom one's life has been shared – has gone – and he or she has now become the 'body', property of the State, evidence in a criminal investigation.

One is left in shock, bereft, disbelieving, full of pain and anguish. The heartache is unbelievable. It is against this background of dreadful loss and trauma that the families have to face the 'process' ahead and what should have been a private grief is exposed in the glare of publicity.

<b>What victims want from prisons</b>
<b>To be respected as the individuals they are and taken into account in regard to their future safety and security – physical and emotional.</b>
<b>To be able to comment sometimes on the future safety and security of the prisoner</b>
<b>To be recognised as having some significance in the criminal justice scene and to be consulted over decisions</b>
<b>For other agencies to take seriously the behaviour of the offender and its consequences</b>
<b>For others to be aware of the impact of the crime upon their circumstances and on their neighbourhood – shock, fear, loss, anger, bereavement, guilt, understanding</b>
<b>For the offender to be held to account for the damage the offence has caused through the process of the sentence</b>
<b>For the offender to be encouraged to improve his/her behaviour so that he/she does not repeat the damaging behaviour</b>
<b>For the offender to have opportunities to learn</b>
<b>For the offender to offer to make reparation</b>
<b>For the offender to express remorse and to say sorry</b>
<b>To be kept informed about the progress of the offender and the decisions about release and other arrangements</b>