

Victims' insecurity and criminal policy: The role of victim's support services

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Riassunto

Questo articolo si focalizza sulla necessità di elaborare procedure e predisporre servizi per il sostegno alle vittime del crimine, enfatizzando l'importanza che alcuni fattori rivestono sia nell'ambito della prevenzione e protezione delle vittime che nella pianificazione e realizzazione di politiche criminali razionali. Queste ultime non possono essere implementate se prevalgono punti di vista esageratamente punitivi e vendicativi. Occorre naturalmente tener conto sia del ruolo regolatore dello stato che del partenariato tra governo centrale e istituzioni decentralizzate delle comunità locali.

Résumé

Cet article met au point la nécessité de l'établissement des procédures, des services et des institutions d'aide aux victimes de crimes. L'accent est donné à l'importance des facteurs préventifs de criminalité et de protection des victimes pour l'application d'une politique criminelle rationnelle. La dernière ne peut pas être matérialisée si des attitudes punitives et vindicatives prévalaient. Le rôle régulateur de l'État se rend aussi compte ainsi que le rôle du partenariat entre le gouvernement central et les institutions décentralisées des communautés locales.

Abstract

This paper focuses on the necessity for establishing procedures, services and institutions for the support of crime victims, emphasising the importance of such factors for prevention and victim protection, as well as for the planning and implementation of a rational criminal policy. The latter cannot be practically realised if exaggerated attitudes of punitiveness and vengefulness prevail. The regulating role of the state is taken into consideration, as well as the importance of the partnership between central government and decentralised institutions of local communities.

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1. Introduction.

Research on fear of crime -whether independent or in the context of victimisation surveys- was first conducted around 1970 (by Katzenbach Committee in the USA and by Prevost Committee in Canada)¹ and is still conducted with ongoing interest up to these days. At the same time, there is debate over the research methodology that needs to be followed, in order to achieve not only quantitative analysis, but also the necessary insight.

In this context, from very early on some 'paradoxes'², which should be clarified, were found. One of these paradoxes is the disparity between crime rates and fear of crime. Although it was initially found³ that the intensity of fear of crime coincided with that of criminality that occurred in the 1970s, it quickly became apparent that the intensity was not reduced at the same rate that crime was decreased. Important is, however, the distinction drawn early in 1971 by Furstenberg⁴, between direct fear of victimisation, which affects the subject and his family, and the conception of criminality as a serious social problem, which concerns him, even though it does not directly affect him. Similar is the later

distinction of Louis-Guerin, between serious personal and social issues⁵.

A similar discrepancy is also found between the low level of victimisation of certain categories of people -including women and the elderly- and the high level of their fear of crime. On this issue, Steven Balkin has argued that "crime occurrences depend on both the amount of criminality in one's environment and the adjustments one makes in avoiding it. It is this ex ante criminality upon which fear of crime and safety are based-not the rate of crime occurrences"⁶. Under this light, some people, even though they present high risk of victimisation, are not victimised because they are not exposed to risks.

Respectively, contemporary research evidence faces similar 'paradoxes' mainly concerning the relationship between victimisation experience and the fear of crime. This relationship varies, depending on the type of crime and the reporting country. The role of vulnerability is also important as well as the determinants of agents to 'subjective' and 'objective' level such as⁷: the fact that someone is vulnerable against the threat of victimisation, the extent, the form and the source of information on criminal victimisation, as well as the environmental conditions of the place of residence, the trust in the police and penal justice, the personal risk perception and finally the nature and seriousness of the crimes. Furthermore, the

¹ President's Commission on Law Enforcement and Administration of Justice: *The challenge of crime in a free society* (1967) & *Task force report: Crime and its impact – An assessment* (1967), Washington D.C., Government Printing Office. Commission d'enquête sur l'Administration de la Justice en matière criminelle et pénale, *La société face au crime*, Montréal, Editions officielles du Québec, 1968, 1970.

² Tremblay P., Cordeau G., Kaczorowski J., « La peur du crime et ses paradoxes: cartes mentales, écologie criminelle et sentiment d'insécurité », in *Revue Canadienne de Criminologie*, Janvier 1993, pp. 1-18.

³ Taylor R., Hale M., "Testing alternative models of fear of crime", in *The Journal of Criminal Law and Criminology*, vol. 77, 1986, p. 152.

⁴ Furstenberg F., "Public reaction to crime in streets", in *The American Scholar*, vol. 40, 1971, pp. 601-610.

⁵ Ch. Louis-Guérin refers to the 'saillance personnelle' and 'saillance sociale', in « Les réactions sociales du crime: peur et punitivité », in *Revue française de sociologie*, vol. 25, 1984, pp. 623-635.

⁶ Balkin St., "Victimization rates, safety and fear of crime", in *Social Problems*, vol. 26, 1979, p. 344.

⁷ Box St., Hale C., Andrews G., "Explaining fear of crime", in *The British Journal of Criminology*, Vol. 28, 1988, p. 341.

fearful victims are also presented as more punitive.

This paper will focus on the necessity for establishing procedures, services and institutions for the support of crime victims, emphasising the great importance of such factors for prevention and victim protection, as well as for the planning and implementation of a rational criminal policy. The latter cannot be practically realised if exaggerated attitudes of punitiveness and vengefulness prevail. All the above result, of course, in the regulating role of the state, as well as in the partnership between central government and decentralised institutions of local communities.

2. Victimisation and unsafety.

The research evidence confirms that personal and social anxieties influence the feeling of insecurity⁸. In fact, these parameters define the sense of vulnerability. According to M. Killias⁹, fear of crime occurs when: a) the risk of an unpleasant incident is not negligible, b) the potential defense or protection seems inadequate to deal with it, and c) the expected consequences are extremely unpleasant and cannot be prevented. The probability of risk, remedies and severity of

consequences have at the same time a physical dimension, a social and a situational one, so that the nine dimensions of vulnerability are represented (i.e., gender, age, region of residence, signs of environmental and social disorder etc.).

There is a serious scientific debate on the relationship between the previous victimisation experience and the feeling of fear and insecurity. The research findings are not homogeneous, as they depend on the type of crime. Thus, although Skogan's¹⁰ victimisation survey has come to the conclusion that this feeling of insecurity was intensified after each victimisation, many research data have come to different conclusions. The following basic explanations for this complex relationship are included in the British Crime Survey¹¹: a) victims take self-protection measures and therefore do not worry¹², b) some victims neutralise the negative effects of victimisation and so worry less, and c) some other victims simply let experience atrophy as time passes by. However this relationship is differentiated, when it is examined in an environment with a high rate of 'antisocial behaviors', since it is found that victimisation increases fear of crime¹³.

A., *Précis de criminologie*, Stampfli Éditions SA, Berne, 3rd édition, 2012, p. 401.

¹⁰ Skogan W.G., "The impact of victimisation on fear", in *Crime and Delinquency*, vol. 33, 1987, pp. 135-154.

¹¹ Box St., Hale C., Andrews G., *op.cit.*, p. 352.

¹² M. Killias et al. (*op. cit.*, 2012, p. 407), also argues that self-protection measures, as well as restraint measures, obtained after the first victimisation reduce the fear of crime and explain, therefore, the negative correlation with the experience of victimisation.

¹³ Box St., Hale C., Andrews G., *op.cit.*, p. 352. A possible explanation mentioned in this context is the difficulty faced by the victims to take effective measures so as to protect themselves, while facing the risks and dangers associated with these areas. At the same time, the process of neutralization and the mitigation of negative consequences of their experience as victims, worsen, because of the continuing contact with the "signs of environmental disorder," which not

⁸ Zarafonitou Ch., "Fear of crime and victimization: the Greek experience", Kury H. (Ed.), *Fear of crime-Punitivity. New developments in Theory and Research*, Universitätsverlag Dr. Brockmeyer, Bochum, 2008, pp. 159-172; Tseloni A., Zarafonitou Ch., "Fear of crime and victimisation: A multivariate multilevel analysis of competing measurements", in *European Journal of Criminology*, vol. 5, 2008, pp. 387-409.

⁹ Killias M., "Vulnerability: Towards a better understanding of a key variable in the genesis of fear of crime", in *Violence and Victims*, vol. 5, 1990, pp. 97-108; Killias M., Clerici Ch., "Different measures of vulnerability in their relation to different dimensions of fear of crime", in *The British Journal of Criminology*, vol. 40, 2000, pp. 437-450; Killias M., Aebi M., Khun

Respectively, this relationship is differentiated by the effects each type of crime has, while research in Zurich linked fear of crime of the inhabitants of certain areas with their frequent victimisation near their residence¹⁴.

Although the research findings are not homogeneous concerning the relationship between past victimisation experience and the feeling of fear, this connection clearly and steadily comes out of a Greek research¹⁵. According to these findings, in 2001¹⁶, victims expressed higher levels of unsafety compared to non-victims (42.8% vs. 28.4%). Likewise, in 2004, the inhabitants of Athens, who had one or more victimisation experiences, claimed that they were feeling more insecure¹⁷. This assumption could convincingly explain the higher representation of victims among those who feel unsafe in comparison to that of non-victims (72.8% vs. 47.5%) and vice-versa (see table 1)¹⁸.

This finding is also verified by the multivariate multilevel modelling of the aforementioned data according to which “previous victimisation increases the odds of feeling unsafe while walking

alone after dark by 166%, at home by 69% and the perceived risk of future victimisation by 193%”¹⁹. The feelings of unsafety are also influenced by indirect victimisation, since “knowing a victim increases the odds of unsafety in the streets by 79% and the perceived risk by 128%”²⁰.

The same picture is also derived from the later research studies in Athens, as is the case with the study of 2006, which shows that approximately three-fourths (73.3%) of those who declared having been victimised²¹ answered that they were feeling unsafe on the street at night. Likewise, the percentage of victims is more than double among those who feel unsafe in comparison to those who feel safe (40.7% vs. 19.4%, see figure 1)²².

Obviously, citizen insecurity is not only linked with the experience of victimisation, but also with some other factors. The research data often associate the fear of crime with the lack of trust in the criminal justice. Especially, the lack of trust in the effectiveness of police with respect to crime control seems to play a dominant role. According to the research data of a victimisation study conducted in the Emilia-Romagna Italian region, in 2007, the victims’ fear of retaliation, on the part of the offender, constitute a plausible explanation of victims’ preference for alternative solution such as formal or informal support services²³.

only remind them of their victimisation but also make them fear a possible recurrence.

¹⁴ Killias M. et al., *op. cit.*, 2012, p. 114, and p. 392.

¹⁵ Tseloni A., Zarafonitou Ch., *op. cit.*, 2008.

¹⁶ Karydis V., *The invisible criminality. National victimological survey*, Athens-Komotini, A. Sakkoulas Publisher, 2004 (in Greek), p. 162.

¹⁷ Zarafonitou Ch., “Fear of crime in contemporary Greece: Research evidence”, Zarafonitou Ch. (Guest Editor), *Criminology* (special issue), October 2011, pp. 50-63. The picture is similar according to the findings of the research on immigrants conducted in Athens (Zarafonitou Ch., “La peur du crime parmi les immigrés et leurs attitudes face aux institutions de la justice pénale”, Papatheodorou Th., Mary Ph. (Eds.), *Mutations des politiques criminelles en Europe*, Athènes, Éditions Papazissis, 2006, pp. 91-138).

¹⁸ Zarafonitou Ch., *Insecurity, fear of crime and attitudes of the inhabitants of Athens toward the criminal phenomenon* (unpublished research), Panteion University, Athens, 2004.

¹⁹ Tseloni A., Zarafonitou Ch., *op. cit.*, 2008, p. 397.

²⁰ *Ibid.*, p. 397.

²¹ Within the framework of this survey, the question was posed, basically, in order to examine the effect of a similar experience in shaping punitiveness of the subjects and not to measure victimisation. For this reason, the question was “in the last five years, have you become a victim of one or more crimes?”

²² Ch. Zarafonitou, N. Courakis (Eds), *(In)security, Punitiveness and Criminal Policy*, A.Sakkoulas Publ., Athens-Komotini, 2009, in Greek.

²³ Bisi R., Sette R., “Security and territory: a complex relationship comprising fears old and new”,

Especially, the citizens of Bologna, the largest city in Emilia-Romagna, when it comes to tackling a post-victimisation situation, are more reserved towards resources deriving from their relation with others and they rely, to a greater extent, on themselves²⁴. This psychological concern derived from the fear of crime leads to a perception of vulnerability and, therefore, to a feeling of insecurity.

Personal and social insecurities related to crime influence the citizens' decision to resort to self-protection measures and at the same time their demand for the establishment of special victims' support services. In the first case, people resort to a preventive action that could reduce the risk of victimisation and hence the insecurity associated with it, while in the second case an assistance to victims, which could potentially alleviate the unpleasant consequences of their experience, is required.

3. Self-protection measures.

The self-protection measures may have a relevant influence on the feeling of insecurity. However, this effect varies, depending on the influence of other factors, such as the satisfaction with the quality of life²⁵ in the residential area as well as the trust in the police²⁶. In general terms, it could

be mentioned that self-protection measures reduce the perception of vulnerability. As a result, the trust of citizens is increased, while the feeling of insecurity is decreased. In this way, the aforementioned negative relationship between victimisation and the fear of crime²⁷ can be better understood and therefore explained.

The fact that taking precautionary measures for personal safety is not very common in Greece could give some partial explanation for the high levels of victims' unsafety, as it is derived from the data of the European victimisation Survey of 2004/05 (see figure 2).

Furthermore, from the recorded answers registered in 2004 to the question "what changed in your everyday life after your victimisation" it was ascertained that more than half took absolutely no measures and answered either that they "feel generally unsafe" (31.4%), or "nothing has changed" (19.1%), while 23.3% made reference to security measures taken at home (locks, alarms, etc.) and 14.3% answered that they avoid certain areas (see table 2)²⁸.

The impact of self-protection measures is verified to a lesser extent in the survey on a sample of shopkeepers. Since most shopkeepers have taken similar measures, it becomes obvious that the diversification of the levels of insecurity stems from other factors too. Apart from their own victimisation, the serious problems of criminality and disorder in the area play a significant role too, in conjunction with the lack of satisfaction with the police. On this basis, the shopkeepers of the central area in Athens have experienced the

Zarafonitou Ch. (Guest Editor), *Criminology* (special issue), October 2011, pp. 5-15.

²⁴ *Ibid.*

²⁵ Gray E., Jackson J., Farrall St., *Feelings and functions in the fear of crime: applying a new approach to victimisation insecurity*, LSE Research Online, February 2013, <http://eprints.lse.ac.uk>

²⁶ Zarafonitou Ch., "New forms of policing and the feeling of (in)security among the shopkeepers in Athens and Piraeus", Khun A., Swarzenegger Ch., Margot P., Donatsch A., Aebi M., Jositsch D. (Eds.), *Essays in honour of Martin Killias. Criminology, Criminal Policy and Criminal Law in an International*

Perspective, Stampfli Verlag, Berne, 2013, pp. 485-498.

²⁷ Killias M. et al., *op. cit.*, 2012, p. 392.

²⁸ Zarafonitou Ch., 2011, *op.cit.*

highest rates of insecurity, in accordance with relevant findings of previous surveys of residents of the Greek capital²⁹. Certainly, this relationship can also be reversed, in the case of repeated victimisation, which leads to the extensive use of protective measures³⁰.

4. Victim's support services.

Evidently, the aforementioned reactions of victims do not include any mention of recourse on their part to victim unions or to procedures of victim protection in general. This fact can be explained as a result of the insufficiency of such solutions, as well as of the lack of information with regard to available solutions. In any case, the relationship between the victim's insecurity and the lack of Victim Support Issues from specialised agencies should be further examined.

The victims' need for support becomes more obvious if we take into consideration the reasons for reporting to the police, as recorder in the previous international crime victimization surveys³¹. This refers to information relating to the victims' attitudes and their different views depending on the type of offense, which are particularly useful for the criminal policy. From these research data derives the differentiation of crime victims and in particular of sexual attacks and assaults and threats. The main reasons, expressed by the victims, for reporting to the police was "to stop it" (53% and 39% respectively), while outnumbered those who were victims of similar crimes who wanted some

help (26% and 23% respectively). The attitude of the victims of the two predominantly violent crimes against the person is indicative of the psychological consequences of this type of crime and the victims' fear to potential new victimization or victimization of others (see table 3).

In offenses against property, accompanied by violence against person (robbery) the dominant reasons for reporting to the police was the "retribution" (40%), while in the corresponding crimes accompanied by violence against things (burglary) the predominant discourse complaint was that "it had to be reported because it was serious"(44%). The "retribution" (*the hope that the offender will be arrested and punished*) remains, however, an important reasons for reporting for almost all offenses except car thefts - in which the 'insurance reasons' (36%) prevail. The 'retribution' is, however, a more important reason for reporting as far as the crimes against person are concerned, since it is the first response among the victims of robbery and assaults and threats (with their desire to stop the offender, presumably via penal system) and the second response among the victims of sexual assaults. From these figures it becomes obvious that the attitudes of victims against person are more punitive than those of victims of property.

The ICVS of 2004/5 has not recorded the reasons for reporting to the police. However, it has recorded victims who had reported to the police any of the four types of crime with the most serious consequences for victims – burglary with entry, robbery, sexual incidents and threats & assaults. These victims were asked if they had received support from a specialised agency. Such

²⁹ Zafalonitou Ch., "New forms of policing and the feeling of (in)security among the shopkeepers in Athens and Piraeus", *op. cit.*, 2013.

³⁰ AuCoin K., Beauchamp D., "Impacts and Consequences of Victimisation, GSS 2004", *Juristat*, Canadian Centre for Justice Statistics, Statistics Canada – Catalogue no. 85-002, Ottawa, Vol. 27, no. 1, 2004.

³¹ van Kesteren J., Mayhew P., Nieuwbeerta P., *Criminal Victimization in Seventeen Industrialised Countries. Key findings from the 2000 International*

Crime Victims Survey, Onderzoek en beleid 187, The Hague, NSCR/WODC, 2000, p. 69.

support was described as ‘information or practical or emotional support’³². According to research findings:

- 9% from these victims had received specialised support in 2005
- Most likely to receive support are the victims of sexual offences (30%)
- This rate was 8% in the cases of robberies or threats & assaults and
- 4% in the case of burglaries with entry.

The highest rates of Victim Support Services are registered in New Zealand (24%), Scotland (22%), Northern Ireland (21%), England & Wales (17%) and the USA (16%). The lowest rates are registered in Hungary (0.4%), Bulgaria (1%), Finland (2%), Germany (2%), Greece (2%), Turkey (2%), Italy (3%) and Spain (3%). In any case the average was low: 9%.

However, the need for support expressed by the victims is high especially in Europe. On average 39% of victims reporting any of the four types of crime felt *such help would indeed have been useful for them*³³. The highest rates were reported in Portugal (70%), Spain (68%), Greece (64%), Turkey (64%), Mexico (54%), North Ireland (45%), England & Wales (45%). The lowest rates were reported in Bulgaria (13%), Iceland (23%), Austria (26%), Germany (27%).

In Canada, also, the General Social Survey on victimisation (GSS) has recorded high numbers of victims who sought assistance in 2004 from both formal and informal support mechanisms³⁴.

³² van Dijk J., van Kesteren J., Smit P., *Criminal victimisation in international perspective. Key findings from the 2004-2005 ICVS and EU ICS*, The Hague, WODC, 2007, p. 119.

³³ *Ibidem*, p. 123.

³⁴ AuCoin K., Beauchamp D., “Impacts and Consequences of Victimisation, GSS 2004”, *op.cit.*

According to these data, formal support services were used less frequently than the informal ones. In any case, these services were mainly used by the victims of violent crimes. Formal support services were more concerned about violent incidents involving female victims than corresponding incidents involving male victims.

The victims’ impression, that the state does not care for them, influences their attitudes towards the criminal policy, often rendering such attitudes more punitive and confrontational, and thus pushing towards non-rational options³⁵. The impression which is obtained from Greek research evidence is that there is a tendency to adopt stricter criminal policies associated with citizens’ insecurity, previous experience of victimisation, the negative evaluation of the police, and the mass arrival of immigrants.

5. Discussion.

The victim and their family were invested with especially great powers during the age of private solution of conflicts. Revenge through retribution of the harm caused by the criminal awarded the victim a privileged position, turning the victim into a decisive factor in justice attribution³⁶. These “rights”³⁷ of the victim were gradually weakened

³⁵ Zafaronitou Ch., “Punitiveness, fear of crime and social views”, Kury H., Shea E. (Eds.), *Punitivity. International Developments. Insecurity and Punitiveness*, Universitätsverlag Dr. Brockmeyer, Bochum, 2011, pp. 269-294.

³⁶ Zafaronitou Ch., “From retributive to restorative justice: punitiveness or mitigation of conflicts?”, Yotopoulos-Marangopoulos A. (Ed.), *Criminology in the face of contemporary challenges. Anniversary Conference for the 30 years of the Hellenic Society of Criminology*, Nomiki Bibliothiki Publ., Athens, 2011, pp. 115-129 (in Greek).

³⁷ It has been stated, however, that the private solution of conflicts constituted a serious problem for the victim (obliging him to spend too much time, money and also running the risk of a potential vendetta) and that the

and the initial bipolarity of “criminal vs. victim” was modified into a tripartite relationship of “criminal-victim-state”³⁸. Under this light, crime does not create obligations towards the victim but rather a debt to the state, which the criminal will be obliged to pay if convicted. This pattern, nonetheless, caused significant reactions on the part of those maintaining that “in such a scenario there is no place for the victims, no role for them to play”³⁹. The restriction of the victim’s rights created the impression, shared by a large portion of the citizen body, that the victim is very often “ignored”⁴⁰. Already before World War II a new scientific discipline, “victimology”, was formed; this initially described “a research field concerning the relations between victim and criminal”,⁴¹ but from the end of the 1970s onwards it became a more general approach to the victim condition, while it was frequently cited as a sector of the science of criminology.

At the same time, international organisations have taken action so as to protect victims’ rights⁴² and a

main reason for the public legal prosecution was the solution of the above problems and the isolation of the victim from the perpetrator. Dolliver J.M., “Victims’ rights constitutional amendment: a bad idea whose time should not come”, *The Wayne Law Review*, vol. 34, 1/1987, pp. 87-93; Fattah E. A., “Victims’ rights: past, present and future. A global view” in Maganas A.(Ed.), *Human Rights, Crime – Criminal Policy. Volume in Honour to A. Yotopoulos-Marangopoulos*, Vol. I, Legal Library, Athens-Brussels, 2003, pp. 367-390.

³⁸ See also Garland D., *The culture of control. Crime and social order in contemporary society*, Oxford-N. York, Oxford University Press, 2001, p. 11.

³⁹ Fattah E.A., *op. cit.*, 2003, p. 373.

⁴⁰ Houchon G., “The victim as a factor of progress in Criminology” (translation in Greek by G. Nikolopoulos), *Hellenic Review of Criminology*, vol. 1, 1988, p. 11.

⁴¹ Walkate S., “Victimology”, McLaughlin E., Muncie J. (Eds.), *The SAGE Dictionary of Criminology*, SAGE, London, 2006, p. 452.

⁴² Tsitoura A., “Modern Trends on victimization. What was discussed in the 10th International Symposium of

number of significant measures has been taken, such as “the compensation of victims of criminal acts”⁴³, the International “Convention on the compensation of victims of violent crimes” (1983)⁴⁴, the Recommendations R(85) 11 on the “position of the victim in the framework of criminal law and procedure”, as well as R(87)21 on “the assistance to victims and the prevention of victimisation”, by European Council⁴⁵. We should also refer to the Directive 2012/29/EE of paramount importance, by the European Parliament and the Council on 25th October 2012, establishing minimum standards on the rights, support and protection of the victims of criminal acts and the amendment of the frame-work decision 2001/220/ of the Council.

Also, UNO has shown a great interest in the victims’ protection, with the “Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power”, which was formulated during its 7^o Conference, in Milan in 1985, as well as the publication of the «Basic Principles and Directions that should govern the restoration and compensation of victims of violation of the International Human Rights Law», by the Committee of Human Rights of the Economic and Social Council of U.N. in 2000⁴⁶. The concept of support to the victims and the prevention of their potential victimisation is also inherent in a number of other international texts, such as the

Victimization? Montréal, Canada, 6-11 August 2000”, in *Poienicos Logos (Penal Speech)*, Vol. 2, 2001, pp. 721-726 (in Greek).

⁴³ Decision (77) 27 by the Committee of Ministers, European Council, on the 28th September 1977.

⁴⁴ Farsedakis J., *Social reaction to crime and its limitations*, Nomiki Vivliothiki (Legal Library), Athens, 1991, p. 177.

⁴⁵ Alexiadis St., *Texts on the anti-criminal policy*, 4th publ., Sakkoulas Publ., Athens-Salonika, 2005, p. 191, and p. 262.

Declaration of the member states of UNO, 25-4-2005⁴⁷.

Various national legislations have taken a number of protective and compensatory measures for the victims of criminal acts, especially the violent ones. In Greece the basic laws which include similar provisions –apart from those which refer to the protection and compensation of the victims of terrorism- are the following: the law 3500/2006 on domestic violence, the juvenile criminal law (as amended and as it is in force with the law 3189/2003 and the law 3860/2010) and the recent law 4198/2013 “Prevention and fight against human trafficking and protection of the victims and other provisions”. This institutional framework includes measures whose principal aim is the reinforcement of social solidarity and the mitigation of the conflict between the victim and the criminal, through the promotion of mediation. It is also stated⁴⁸ that the mitigation of retributive feelings of the victims is reasonable, as long as “the retribution shows the disappointment from the correctional and deterrent policy». These measures also provide –apart from the compensation cases- other types of support to the

victim⁴⁹ and they are integrated in the general perspective of the restorative justice⁵⁰.

In this context it is attempted to find the solution of the “social problem” of crime and its disorganising consequences on the society⁵¹. The supporters of restorative justice believe that “it has the potential to become a fairer system for the victim, more reassuring for the community and more favorable for the offender”. This system is considered to have more benefits, compared to the punitive-retributive system, which is based on the confrontation between the perpetrator and the victim and also compared to the penal-welfare system, which “ignores” the victim. Besides all these, the procedures of restorative justice and, mainly, the legal mediation are thought to be the “third way between the repressive penal justice and the rehabilitative justice”⁵².

However, a great concern is spread even among those who are in favour of the movement of victims’ protection, concerning the limits of victims’ rights. This remark is indicative of the “need for the development of ethics in the field of Victimology”. This way, “the victim research and the reaction to the victimisation could become

⁴⁶ E/CN.4/2000/62.

⁴⁷ “Bangkok Declaration Synergies and Responses: Strategic alliances in Crime Prevention and Criminal Justice”.

⁴⁸ Spinellis C.D., “Crime and the victim”, *Volume in Honour to N. Xorafa, H. Gafou, K. Gardika, Vol. B’*, A.Sakkoulas Publ., Athens-Komotini, 1986, p. 280.

⁴⁹ Examples from the Greek institutional framework that can be mentioned are the following: a non- public trial, so as to protect the prosecutors’ private and family life (n.93 par.2 of the Constitution), the victims and witnesses’ protection in cases of organized criminality (n.9 N.2928/2001) as well as the protection of victims of human trafficking (L.3064/2002) but also domestic violence (n. 21, 22 L.355/2006).

⁵⁰ Braithwaite J., “Restorative justice: Assessing optimistic and pessimistic accounts”, *Crime and Justice*, vol. 25, 1999, pp. 1-127; Shapland J. et al., *Restorative justice in practice. The second report from the evaluation of three schemes*, Centre for Criminological Research, University of Sheffield, 2006; Alexiadis St., “Restorative Justice: Another way of dealing with the ‘criminal phenomenon’”, *Volume in Honour to Ioanni Manoledaki*, Vol. II, Sakkoulas Publ: Athens-Thessaloniki, 2007, pp. 991-1017.

⁵¹ Alexiadis S., *op. cit.*, p. 992.

more objective, as far as possible” and stop leading to “retributive attitudes towards the criminal”. Both parts should contribute so as to find the most efficient and effective solution to the existing problem”⁵³.

In this perspective, the establishment of mechanisms to assist crime victims may contribute to a balance in the attribution of criminal justice. The establishment of such support agencies also seems that it can alleviate the victims' vulnerability, at least on a psychological level, and boost confidence in the penal system. In this way, the mitigation of victims' insecurity seems to be realistic. All the above, combined with other measures to enhance confidence of citizens in criminal justice, can lead to a more rational criminal policy.

⁵² Tsitsoura A., *op. cit.*, p. 725.

⁵³ This point of view was expressed by E. Fattah in the 10th International Symposium of Criminology, (Tsitoura A., *op. cit.*, p. 724).

Athens, 2004	Safe		Unsafe		Total
Victims	25	27.20%	67	72.80%	92
No Victims	187	52.50%	169	47.50%	356
Total $\chi^2: ,000$	212	47.30%	236	52.70%	448

Table 1: *Victimisation and feelings of (un)safety*

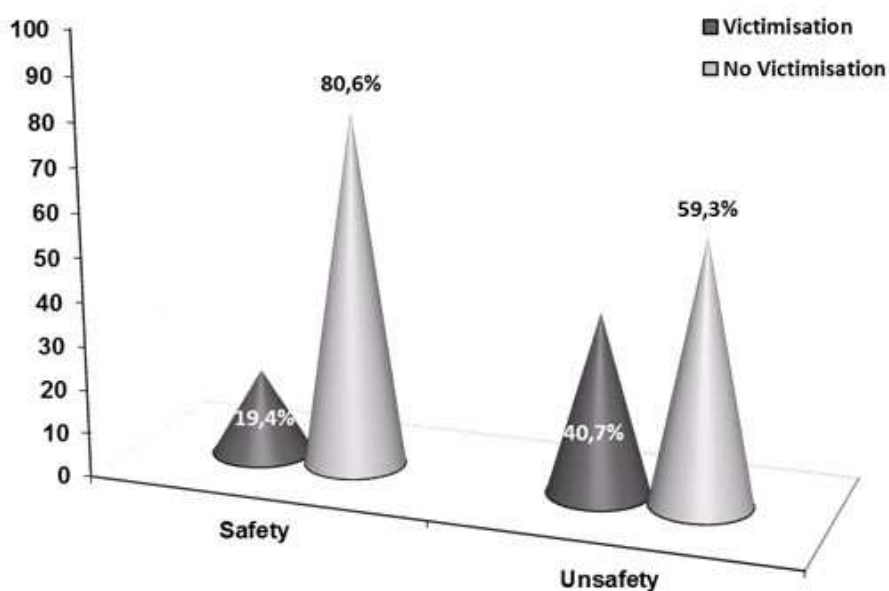
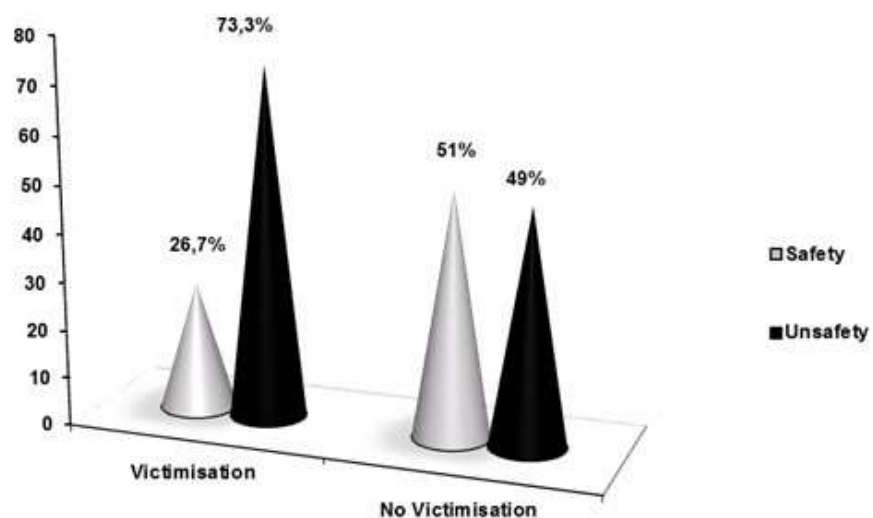


Figure 1: *Victimisation and unsafety, Athens 2006*

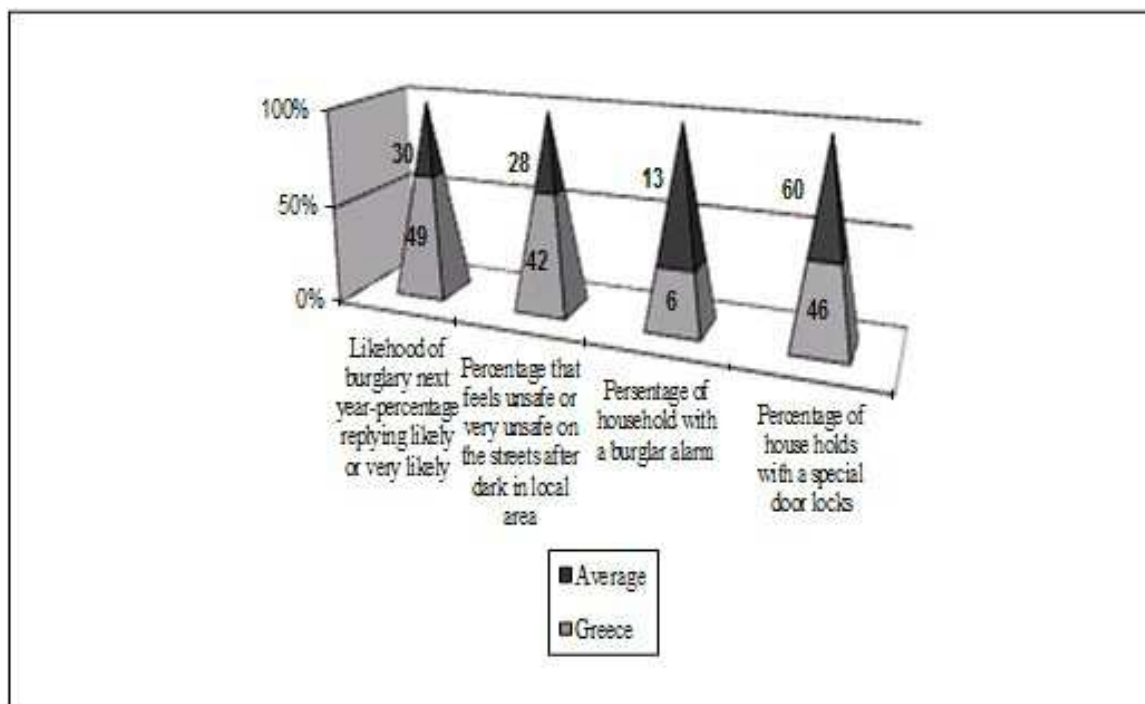


Figure 2: Perception of the likelihood of victimisation

Athens, 2004	Changes the victimisation	
Measures of safety in their houses (locks, alarm etc)	83	23.30%
Moving to another area	6	1.70%
Avoidance of some places	51	14.30%
Carrying weapons (knife, gun, spray)	16	4.50%
General unsafety	112	31.40%
Improvement of relations with neighbours	21	5.60%
No change	68	19.10%
Total	357	100.00%

Table 2: Changes in your life after the direct or indirect victimisation, Athens, 2004

Multiple responses	Should be reported/serious	Retribution	To recover property	To stop it	Insurance reasons	To get help	Compensation	Other/don't know
Theft from car	38	27	41	21	36	7	7	11
Burglary with entry	44	38	35	27	33	12	8	13
Robbery	38	40	38	26	12	15	7	17
Sexual Incidents	25	43	-	53	-	26	9	21
Assaults & Threats	35	39	3	39	4	23	7	15
Total of five Crimes	39	35	30	28	27	12	7	12

Table 3: *Reasons for reporting to the police: all countries (%)* (Source: van Kesteren J., Mayhew P., Nieuwbeerta P., *Criminal Victimization in Seventeen Industrialised Countries. Key findings from the 2000 International Crime Victims Survey*, Onderzoek en beleid 187, The Hague, NSCR/WODC, 2000, p. 69)

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