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CRIMINAL VICTIMISATION: CONCEPTUAL AND THEORETICAL PERSPECTIVES

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Abstract

Every crime is targeted at someone or something. Criminal victimisation is not just a concept, but a major area of research interest in victimology – a subfield of criminology. Thus, criminologists interested in criminal victimisation beam their searchlight to understanding its extent, pattern, cause, as well as its effect. Hence, this work aims at conceptual and theoretical review of the concept. In achieving the foregoing aim, the study, therefore, relies on secondary sources of data such as published works, journals, textbook, internet-based materials, among others. Based on the theoretical review, it was found that the cause(s) of criminal victimisation is multidimensional, ranging from victim precipitation, lifestyle-exposure risk factors, social disorganisation as found in victimogenic place, absence of capable guardian as espoused by routine activities theory, among others.

Keywords: crime, criminal victimisation, victimology, criminology

Introduction

Every criminal act is targeted at something or someone. As noted by Gyong (2010), one of the major components of criminology is the victims of crime. According to him, there can never be a crime without persons or organizations that suffer directly or indirectly. Criminal victimisation is one major issue that concerns most criminologists as well as victimologists, even though the study of the victims of crime is well situated in victimology – a sub-field or branch of criminology. Gyong (2010) submits that victimisation generally is a widespread phenomenon/problem encompassing every facet of the life of individuals and organizations. Thus, the generic meaning of victimisation is a situation in which persons or groups suffer physical, mental or psychological harm or injuries, material loss or damage or other social disadvantages resulting from either natural, socioeconomic, political, or physical or mechanical disaster or misfortune.

Criminal victimisation has serious impact on the well-being of victims, their families and friends, their community and on society as a whole. Its impacts can be direct and indirect (Perreault, 2015). Direct impact on the victims can include financial loss, injury, death, psychological and emotional trauma, and feeling of insecurity, among others. Indirectly, criminal victimisation puts the family of the victims of crime in confusion, fear, even pain and mourning, as the case may be.

Overall, crime can impact a community's sense of wellbeing, and can result in heightened costs for policing, victim services and additional prevention measures adopted by businesses and communities (Perreault, 2015). Travis (1996) notes that crime exacts a heavy toll on governments, and society at large. According to him, the cost of crime has two dimensions. Firstly, the monetary cost by adding up property losses, productivity losses, and medical bills. Secondly, the cost less easily quantifiable which takes the forms of pain, emotional trauma, and risk of death from victimisation.

As observed by the Canadian Resource Centre for Victims of Crime (2005), criminal victimization is a frightening and unsettling experience. It is unpredictable, largely unpreventable and often unexpected. Unlike normal life experiences, victimization is not sought out and never welcomed. It is debilitating and demoralizing. Its effects can often be a long-term phenomenon and are difficult to overcome. Similarly, Siegel (2007) submits that the costs of victimisation can include such things as damaged property, pain and suffering to victims, and the involvement of the police and other agencies of the justice system.

Thus, this work aimed at conceptual and theoretical review of criminal victimisation, with the view of exposing the readers to measures of criminal victimisation, as well as the major theories providing explanations for the cause of victimisation.

What is Victimology?

The term 'victimology' first appeared in 1949, in a book about murderers written by forensic psychiatrist Fredric Wertham. It was used to describe the study of individuals harmed by criminals (Karmen, 2007; Ferguson & Turvey, 2009). Today, victimology involves studying the nature and cause of victimisation; aiding crime victims; understanding the nature and extent of victimisation; and developing theories of victimisation risk (Siegel, 2007). It is the scientific study of victims and victimization, including the relationships between victims and offenders, investigators, courts, corrections, media, and social movements (Karmen, 1990). In a nutshell, Victimology adopts a scientific approach in its study of the victims of crime; it seeks to understand the nature and extent of crime; understands the relationships between the perpetrators and the victims who suffer violations.

The origins of victimology have been variously attributed to Benjamin Mendelsohn, Hans von Hentig and Stephen Schafer. Hans von Hentig's work was said to have focused attention on the relationship between the victims and the offender towards contributing to an understanding of the perpetration of a crime (Daigle, 2013; Walklate, 2007). Also, the works of von Hentig and Stephen Schafer have identified the critical role of the victim in the criminal process. They believe that the study of crime is not complete without considering the victim's role. Their works were among the early ones to suggest that victim behaviour is often a key determinant of crime and that victim's actions may actually precipitate crime (Siegel, 2007).

The areas of particular interests for victimologists (those who scientifically study the victims and their role in crime) studying the role of the victim in crime include:

- Using victim surveys to measure the nature and extent of criminal behaviour not reported to the police;
- Calculating the actual costs of crime to victims;
- Measuring the factors that increase the likelihood of becoming a victim of crime; Studying the role of the victim in causing or precipitating crime; and
- Designing services for the victims of crime, such as counseling and compensation programs (Siegel, 2007: 13).

Victimology is the study of the etiology (or causes) of victimisation, its consequences, how the criminal justice system accommodates and assists victims, and how other elements of society, such as the media, deal with crime victims (Daigle, 2013). Victimologists conduct research to attempt to identify the reasons why people or categories of individuals become victimised or more vulnerable.

Measuring Crime and Victimization

Crime statistics provides information about crime and criminal victimization with regards to their nature, prevalence, pattern and trend. It seeks to know who commits crime and who falls victim, when, where and how. Criminologists, as well as victimologists interested in criminal statistics try to formulate valid and reliable measurements of criminal behavior and criminal victimisation. They devise techniques of gathering data from the records of the criminal justice system (i.e. the police, court and prisons), and they analyse the data to understand the nature and extent of crime and victimisation. Criminologists and victimologists also administer survey instruments to relatively large samples of the population to obtain information on criminal incidences and victimisation, the violations and the victims, and crime reportage to the appropriate authorities especially the police.

According to Alemika (2004), criminal statistics provide data and evidence that can be used for law-making, policy formulation, and programme designed to prevent and control crime and disorder in society. The development of valid methods to measure crime and victimisation is a crucial aspect of the criminological and victimological enterprise because without valid and reliable sources of data, efforts to conduct research on crime and victimisation and create theories would be an exercise in futility.

Several sources of crime statistics exist. However, there are three major measures of crime and criminal victimisation. They are: official crime statistics, victimisation surveys and self-report survey. Official crime statistics(also known as Uniform Crime Reports – UCR) are mainly collected by the police, the courts, or prisons. They are used to calculate crime rates, usually in terms of offences per 100,000 people. As pointed out by Alemika (2013), official statistics are the traditional indicators used to determine the level and pattern of criminality in country. They are indicators of criminal activities brought to the attention of criminal justice agencies and the actions that they take in respect of reported incident. According to Daigle (2013), UCR is a valuable data source for learning about crime and victimisation.

The second measure of crime and criminal victimisation is *victimisation survey*. Victimisation survey is a systematic effort to measure the experiences of the victims of crime by interviewing a cross-section of a population; it measures amount, nature and pattern of victimisation in the population (Conklin 2007; Siegel 2007). Victimisation surveys are carried out to ascertain how often people are victimised by crime, and as a result of the fact that many people do not report their victimisation experiences to the police.

The third measure is referred to as *self-report survey*. Self-report survey or self-report study measures crime by having respondents report their own violation in confidential interviews or on anonymous self-administered questionnaire to collect relevant information, with assurance of the respondent's privacy and anonymity. Self-report studies usually reveal undetected or “hidden crime” which never make its way into police statistics.

From the foregoing, however, it can be pointed out that these three major measures of crime do have their specific usefulness in measuring crime. However, none of them is perfect because they also have their disadvantages. For example, UCR does not provide detailed information on crime victims, and it only includes crimes that are known (or reported) to the police. Also, the limitation of victimisation survey is that crime victimisation estimates depend on the ability of respondents to accurately recall what happened to them in the past. However, each measure can be employed to good advantage by criminologists to answer certain kinds of questions, for example, victimisation data and official crime statistics can be used to examine trends in crime rates. Self-report data provide broader view of the extent and pattern of crimes and social characteristics of offenders; they also provide a public perception of crime, feeling of safety and perception of criminal law enforcement in society (Conklin, 2007; Daigle, 2013).

The Victim of Crime

The United Nations Declaration of Basic Principles of Justice for Victim of Crime and Abuse of Power (1985) defines victims as:

Persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that are in violation of criminal laws operative within Member States... A person may be considered a victim, under this Declaration, regardless of whether the perpetrator is identified, apprehended, prosecuted or convicted and regardless of the familial relationship between the perpetrator and the victim...

From the United Nations' standpoint, however, a victim is a person who is at the receiving end of illegal acts perpetrated against him or hereither by a stranger or by someone close to him or her. Also, victims of crime suffer harm, loss and injuries which may have physical, mental, economic, and social effect on them.

According to Gyong (2010), victims of crime are individuals or corporate bodies that suffer directly or indirectly from acts of criminality. Dambazau (2011) submits that a victim of crime must have suffered such things as personal injury, death, loss of personal or real property, as a result of crime. In other words, to qualify as a victim of crime, an individual must have suffered loss or injury in emotional, economic and social terms (Dambazau, 2011).

Basically, victims of crime can be classified into two types: Primary or Direct victim (this is the person who suffers harms done by the perpetrator or the offender directly), and Secondary or indirect victims (this involves the immediate family or dependants of the direct victim and persons who have suffered harm in intervening to assist victims in distress or to prevent victimisation).

Risk Factors for Criminal Victimization

Overtime, there have been inquiries into the risk factors that predispose individuals to criminal victimisation. Depending on the nature of victimisation, it has been found that factors such as gender, age, social status, marital status, geographical location, race and ethnicity, etc., portend risk factors for victimisation. As noted by Siegel (2007), gender affects victimisation risk. Males are more likely than females to be the victims of violent crime. Men are almost twice as likely as women to experience robbery and fifty percent more likely to be the victim of assault. Similarly, women are much more likely than men to be victims of rape or sexual assault. However, for all crimes, males are more likely to be victimised than females.

Furthermore, there is an association between age and victimisation. Young people face a much greater victimisation risk than older people do. For example, based on the 2014 criminal victimisation study in Canada, being young was the main contributory factor to the risk of violent victimisation. The rate of violent victimisation was highest among persons from the ages 20 to 24 but decreased gradually with age (Perreault, 2015). Also, elders may suffer abuse and are most often the victims of a narrow band of criminal activities from which the young are more immune. The elderly are victims of fraud, purse snatching, pick-pocketing etc. Criminal victimisation evidence has also shown that the likelihood of criminal victimisation is not only structured along gender lines, they are also structured along ethnic lines. People from ethnic minorities, blacks, etc. are more likely to suffer victimisation.

Furthermore, the mental health of the individual also predicts risk factor for criminal victimisation. Again, the finding of the criminal victimisation survey in Canada shows that mental health was the second most influential factor associated with the risk of violent victimisation in 2014. Based on the report, 1 in every 10 Canadian reported a mental health-related disability, a developmental or learning disability, or self-assessed their mental health as poor or fair. These individuals combined reported a rate of violent victimisation four times more than people who self-assessed their mental health as excellent or very good (Perreault, 2015).

Also, being a criminal portends a risk factor for victimisation. In other words, studies have found that criminals are at greater risk for victimisation than non-criminals (Teplin, et al., 2005).

Furthermore, the earlier works of some of the founding fathers of victimology show classifications, characteristics and typologies of crime victims. For instance, Von Hentig originally classified victims into one of 13 categories, which could be described as a list of characteristics that increase victim vulnerability to danger. Hentig's classifications include:

- i. The Young
- ii. The Female
- iii. The Old
- iv. The Mentally Defective and Deranged
- v. The Immigrants
- vi. The Minorities
- vii. The Dull Normals
- viii. The Depressed
- ix. The Acquisitive
- x. The Wanton
- xi. The Lonesome or Heartbroken
- xii. The Tormentor
- xiii. The Blocked, Exempted, or Fighting

In the same vein, Benjamin Mendelsohn in his study of the victims of rape in the late 1940s, found that there was often strong interpersonal relationship between the offender (rapist) and the victim. This relationship was believed could lead the victims to unknowingly invite or cause their own victimisation (Karmen, 2005; Meadows, 2007). He referred to this situation as victim precipitation –that is crime caused or partially facilitated by the victim. Mendelsohn also believed that many victims shared an unconscious capacity for being victimised, this he referred to as being victim prone. Like Von Hentig, he develops a typology that categorises extent to which a victim is culpable in his or her demise. However, while VonHentig's typology explains victims' contribution based on personal characteristics, Mendelsohn's typology uses situational factors. As adapted from Meadows (2007, p. 22), Mendelsohn's victim typologies are:

- 1. Completely innocent victim: Exhibits no provocative behaviour prior to the offender's attack. In other words, the victim does not contribute to his or victimisation.
- 2. Victim due to ignorance: Unwittingly does something that places him or her in a position to be victimised.
- 3. Voluntary victim: Suicides or those injured while participating in high-riskcrime such as drug abuse or prostitution.
- 4. Victim more guilty than the offender: Victim provokes a criminal act (e.g. throws the first punch in a fight but ends up the loser).
- 5. Most guilty victim: The initial aggressor, but due to circumstances beyondhis or her control ends up the victim (e.g., attempts to rob a convenience store but is shot by the storeowner).
- 6. *Simulating or imaginary victim*: A pretender, or false reporter.

Furthermore, Stephen Schafer published "The victim and his criminal: A study in functional responsibility" in 1968. The publication was regarded by some as the first major textbook on the subject of victimology. His research involves interviews with criminals and aimed to build upon the typologies earlier presented by Von Hentig and Benjamin Mendelsohn by focusing on victims culpability.

According to Doerner and Lab (2002), Schafer proposed seven types of victim responsibility (or victim precipitation), which are essentially a variation on von Hentig's work. They include:

- i. *Unrelated victims* (no victim responsibility)
- ii. *Provocative victims* (victim shares responsibility)
- iii. *Precipitative victims* (some degree of responsibility)
- iv. *Biologically weak victims* (no responsibility)
- v. *Socially weak victims* (no responsibility)
- vi. *Self-victimizing* (total victim responsibility)
- vii. *Political victims* (no responsibility) (Ferguson & Turvey, 2009)

Crime Victims and Criminal Justice System

Victims of crime have not really been given adequate attention in the criminal justice system. They are often seen as observers and passive participants of the criminal justice process. Victims of crime, as Dambazau (2011) observes, are hardly consulted in any decision-making during the process. According to Walklate (2007), the adversarial criminal justice system offers no real status to the victim of crime over and above that of perhaps being a witness to a crime and thereby called to give evidence in court.

There is neglect of the victim's right comparable to the much emphasis laid on the defendant's rights. There are areas where the victim's rights can be enforced. Through a strategically and deliberately designed system of compensation and restitution, the victim's rights can be promoted or enforced. By compensation, we mean, 'a system by which a state repays victims for their financial losses or physical injuries' (Conklin, 2007). Under this system, as observed by Conklin (2007), it is not necessary to arrest and convict an offender for a victim to be compensated, nor does a convicted offender have to be financially solvent for the victim to be repaid for his or her losses. More so, a system of restitution requires offenders to make monetary payment or provide services, either to the victim or to the community at large (Conklin, 2007). One of the advantages of this system is that restitution makes offender to take responsibility for their behaviour. Thus, helps rehabilitate them.

It is important to note that compensation faces some problems. It must deal with the problem of the victim's contribution to the crime, because they sometimes precipitate a crime or contribute to their own victimisation. As a result, victim might not be compensated, if investigation reveals precipitation.

In addition, four major areas in which victims' rights could be improved have been identified by Mawby& Gill (1987, p.229), as cited in Walklate (2007, p.130). They include:

1. The right to play an active part in the criminal justice system
2. The right to knowledge,
3. The right to financial help, and
4. The right to advice and support.

Furthermore, in respect to the victim of crime, two main strategies have been used to try to render the criminal justice system more responsive to the victim of crime. These include:

- i. Reorienting the work of the criminal justice professionals and
- ii. Developing policies in relation to the offender (Walklate, 2007, p. 130).

Edwards (2004), cited in Walklate (2007, p. 131), suggests four ways in which victims might participate within criminal justice decision making:

1. Participate in an expressive fashion through the offering of their information or feelings
2. Participate by being required to provide information
3. Participate through consultation and as a result having informal influence on decision
4. Participate by having control over the decision-making process.

However, the criminal justice system needs to secure the cooperation of both victims and witnesses for cases to be successfully prosecuted. Victims' rights should be enforced within the criminal justice system. As a result, the benefits of incorporating the victims in the criminal justice system will help the system to function more efficiently.

Theoretical Perspectives on Criminal Victimisation

There are several theories upon which the explanation of the cause of victimisation is based. They include victim precipitation, lifestyle, deviant place, routine activities theories.

o Victim Precipitation Theory

Victim precipitation theory is based on the premise that victims trigger, or contribute to the criminal acts by their provocative behaviour. In other words, victims may actually initiate the confrontation that leads to their victimisation. Marvin Wolfgang is one of the proponents of this perspective. In his seminar book, 'Patterns of Criminal Homicide', published in 1958, Wolfgang used the term victim precipitated victimization to describe incidents in which the victims initiated or contributed to the onset of the behaviours of their attacker. This theoretical perspective draws attention to the dynamic interaction between offenders and victims.

Victim precipitation is the situation that exists when a person who suffers eventual harm from a crime plays a direct role in causing the crime to be perpetrated (Conklin, 2007). From this perspective, however, victim precipitation can either be active or passive. It is active precipitation when the victim is the first to hit, attack or insult his or her attacker that leads to a fight in which the victim gets injured or killed. Passive precipitation occurs when victim exhibits some personal characteristics that unknowingly threaten or encourages the attacker. The resultant crime can occur because of personal conflict; for example, when two people compete for a political position, love interest, job, or other scarce and coveted commodity.

Passive precipitation may also occur when the victims belong to a group whose mere presence threatens the attacker's reputation, status, or economic well-being. For instance, the arrival of immigrant group members in the community to compete for the scarce resources available in the place may precipitate hate crime violence. For example, the xenophobic attacks on Nigerians and other nationals of African countries in South Africa readily come to mind here.

The victim precipitated approach is not a comprehensive explanation of victimization. However, it provides insight for personal and community crime prevention strategies, including the introduction of target hardening strategies and reduction of attractiveness as target of crime. Criminologists recognize that wearing expensive jewellery and clothing, driving expensive cars, displaying expensive goods in parked vehicle, and presence in particular locations at particular times may render an individual vulnerable to attack. It also offers insight into the roles of certain implements such as weapons and alcohol in victimization. Both the life-style exposure and routine activities perspectives incorporated insights from victim precipitation approach (Alemika 2013).

The strength of victim precipitation theory is that it explains multiple victimisations. That is, if people precipitate crime, it follows that they become repeated victims if their behaviour persists over time. This theory can be employed in a research focusing on the victim's role, crime provocation, and the victim-offender relationship (Siegel, 2007).

o Lifestyle-exposure Theory

This theory believes that people may become crime victims because their lifestyle increases their exposure to criminal offenders. From this perspective, victimisation is not a random event. An individual can increase or decrease his or her chances of becoming a crime victim by virtue of his or her risk-taking behaviours. People are differently exposed to victimisation. However, individuals' lifestyles and socio-economic and demographic backgrounds are factors contributing to differential exposures to criminal victimisation. For instance, a high-risk lifestyle such as going out at night, drinking, hanging out with 'dangerous' people on the streets creates a high risk for criminal victimisation. However, staying home, living in a safe area, and avoiding alcohol reduce victimisation risk.

Hindelang et al. (1978), defines lifestyle as the routine or regular or recurrent activities of individuals. From this perspective, there are high-risk and low-risk lifestyles. Certain lifestyles engender violence while others attract theft. Rates and types of victimisation are therefore associated with the life styles of individuals. People involved in different lifestyles also experience different types of victimisation. Individuals who work during the night or patronize night clubs are more vulnerable to certain types of victimisation compared to people who work during the day or do not patronise clubs. This theory explains the differences in the rates of victimisation of different groups in terms of exposure to offenders that are associated with their life styles (Alemika, 2013).

Studies have been conducted to show that people who have high risk lifestyles – drinking, taking drugs, getting involved in crime – maintain a much greater chance of victimisation (Zhang, et al., 2001). A runaway youth is at risk of victimisation because the more they are exposed to street life, the greater the risk of becoming crime victims (Hoyt, et al., 1999).

The major premise of lifestyle theory is that victimisation risk is increased when people have a high-risk lifestyle such as going out to dangerous places. The strength of this theory is that it explains victimisation patterns in the social structure. Males, young people, and the poor have high victimisation rates because they have a higher-risk lifestyle than females, the elderly, and the affluent. The research focus of the theory are personal activities, peer relations, place of crime, and types of crimes (Sigel, 2007).

o Deviant Place Theory

Deviant place theory, also called victimogenic place theory, argues that victims of crime do not encourage crime but are victim prone because they reside in socially disorganised high-crime areas where they are at risk of coming into contact with criminals irrespective of their own behaviour or lifestyle. The more victims visit dangerous places, the higher the likelihood of being exposed to crime and violence (Siegel, 2007). According to Stark (1987), as cited in Siegel (2007, p. 77), deviant places are poor, densely populated, highly transient neighbourhoods in which commercial and residential property exist side by side.

From this perspective, it is suggested that the rates of crime are higher in neighbourhoods characterised by poverty and unemployment; high population density, diversity and mobility; lack of dominant cultural values and social control mechanisms; absence or inadequate or deteriorated housing, health, educational and recreational infrastructures. This implies that individuals who reside in such places are more likely to be involved in deviant or delinquent or criminal behaviours. From the logic of the theory, such places are both criminogenic and victimogenic. Thus, individuals who live in socially disorganised neighbourhoods are more vulnerable to victimisation. This implies that victimisation rates for different crimes vary across residential neighbourhoods (Alemika, 2013; Siegel, 2007).

This theory helps in understanding why people with conventional lifestyles become crime victims. It is used more in researches focusing on victimisation in high-crime disorganized neighbourhoods.

o Routine Activities Theory

Routine activities theory was proposed by Lawrence E Cohen and Marcus Felsonin (1979). They consider the trends in crime rates in terms of changing routine activities of everyday life. They argue that victimisation is determined by routine activities of individuals. According to them, routine activities refer to “any recurrent and prevalent activities that provide for basic population and individual needs” (Cohen & Felson 1979, p. 593 cited in Alemika, 2013). The major premise of routine activities theory is that for crime and victimisation to occur, certain necessary but not necessarily sufficient conditions must be in place. These conditions are: the presence of motivated offenders, availability of suitable targets, and the absence of capable guardians against a violation.

The strengths of the theory are that it can explain crime rates and trends; it shows a how victim's behaviour can influence criminal opportunity; and it suggests that victimisation risk can be reduced by increasing guardianship and/or reducing target vulnerability (Siegel, 2007). This theory can be used in the researches focusing on opportunity to commit crime, effect of police and guardians, population shifts, and crime rates.

Routine activities and life-style perspectives are similar because they focus on the exposure of individuals to risk of victimisation based on routine activity patterns or lifestyles. They recognise that lifestyles and routine activities correlate with socio-economic and demographic factors like age, sex, income, residence, etc (Alemika, 2013). Critics argue that routine activities theory focuses on criminal events, not on offenders, and that the theory makes no attempts to account for why some individuals do offend and why others do not.

Conclusion

All crimes have a victim. The victim of crime suffers as a result of illegal acts of another. Individuals can become victims of crimes such as murder, rape, kidnapping, robbery, assault, grievous harm and wounding, forgery, theft, housebreaking and burglary, vehicle-theft, receiving of stolen property, false pretence or cheating, impersonation among others. Victimisation can have either social, economic, physical, health or mental impact on the victim of crime.

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