

WORLD SOCIETY OF  
VICTIMOLOGY



Advancing research, services and  
awareness for victims

# 15<sup>TH</sup> INTERNATIONAL SYMPOSIUM

*Victimisation, justice and healing:  
challenging orthodoxies*

PERTH, WESTERN AUSTRALIA

5-9 July **2015**

Perth Convention and Exhibition Centre

# Program



**Government of Western Australia**

Department of the Attorney General

**Western Australia Police**

Department of **Corrective Services**

**Disability Services Commission**

Department for **Child Protection**  
and **Family Support**

# **Western Australian Government Support for Victims of Crime**

Supporting victims of crime and recognising their role in the justice system is a key commitment of the Western Australian Government.

The first Commissioner for Victims of Crime was appointed in Western Australia in 2013 to advise Government about victim of crime matters, advocate for

victims and increase awareness of the guidelines for treatment of victims under *the Victims of Crime Act 1994 (WA)*.

The Western Australian Government is proud to be Platinum Sponsor of the 15th International Symposium of the World Society of Victimology.

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# Welcome from the Organisers

Welcome to the 15th International Symposium of the World Society of Victimology (WSV) where our presenters will explore the overarching theme: *Victimisation, justice and healing: Challenging orthodoxies* and the many ideas and concepts which emerge.

The Symposium has been organised by Victims Support Australia and the non-government, Perth-based victim support service angelhands Inc, in collaboration with the Australian Institute of Criminology. The involvement of the WSV and its executive has meant the Symposium is a truly international event.

The conference organisers are also pleased to welcome you to one of the most beautiful regions in Australia and are very grateful to the Government of Western Australia for becoming the Symposium's Platinum Sponsor.

Victimology has burgeoned as a discipline in this country over the past 30 years and the results are slowly being reflected in mainstream policies to acknowledge the challenges victims face. Policies emerging from this discipline have gained traction within law enforcement, the courts and the broader human services community, in both government and non-government sectors. Most Australian states and territories now have a Victims of Crime Commissioner, a Charter/Guideline of Victims Rights and dedicated victim support services to assist victims/survivors and their families. While a lot of traction has been gained, there is still work to be done.

It is true that serious violent crimes, such as homicide, are at historic lows in Australia. Unfortunately, the same is not true for other forms of violence. Despite showing a decrease in reported incidence, the rate of physical assault remains alarmingly high at 515 assaults per 100,000 persons. Similarly, sexual assault victimisation has been increasing slightly in the last few years; but it is too early to tell whether this trend is consistent, or is a function of victim/survivors greater willingness to report these crimes in light of increased awareness raising and the commencement of the Royal Commission into Institutional Responses to Child Sexual Abuse.

Direct national data around domestic violence or, for example, on the victims of cybercrime is still piecemeal and non-standardised, so there is much work to be done to achieve a consistent reflection of these offences and the extent of their impact on victims. There are also other crime types that are coming to light in Australia, including human trafficking offences resulting in sexual servitude and labour exploitation.

Victimology has become more mainstream as policy makers and criminal justice practitioners begin to fully recognise the importance of incorporating, responding to and managing the needs and rights of the victim. And victimology is caught between the need to better understand how crime affects a victim, the public's desire for justice and systemic legacies of the judicial system. This means victim advocacy is often part of a robust debate, and dependent on good evidence-based research.

For those engaged in victims advocacy and rights, this Symposium is an excellent opportunity to disseminate the latest thinking. We trust you will have an enjoyable and



stimulating four days in Perth discussing and sharing best practice and emerging responses, and participating in a critical reflection on contemporary views of victimisation and justice in various settings and disciplines—from the world of everyday crime to post-colonial and post-conflict settings, and to transnational, cyber and institutional environments.

We are pleased that the papers accepted by the Symposium's Program Committee canvass a multitude of topics across the broad discipline of victimology, and that the participants who are here to present papers, and listen, come from across the globe. Discussions over the four days will include the views and voices of advocates, victim/survivors, police, researchers, victim support workers and the judiciary.

This mix of ideas, people and cultural and intellectual approaches will provide what we know will be a valuable and stimulating Symposium.

A strong international perspective will be brought by Professor Sandra Walklate, Eleanor Rathbone Chair of Sociology, Liverpool University; Eric Stover, Director of the Human Rights Centre Berkeley School of Law; from South Africa, Professor Robert Peacock, Department of Criminology, University of the Free State and Vice President of the WSV; from Cambodia, Helen Sworn, Founder & Executive Director Chab Dai; and Dr K. Jaishankar, Senior Assistant Professor, Department of Criminology & Criminal Justice, Manonmaniam Sundaranar University, India.

We also thank our Australian Keynotes for taking time out to speak at this gathering – including Commissioner Helen Milroy, Royal Commission into Institutional Responses to Child Sexual Abuse, Australia, Dr Ann O'Neill and South Australian Commissioner for Victims' Rights, Michael O'Connell APM.

The conference also features a welcome reception on Sunday, a Symposium dinner on Tuesday and a site visit program on Wednesday where you can share research and experiences, and network in a more informal setting.

We hope you are both challenged by, and find value in the ideas presentations and discussions. The outcomes of the conference will add to your knowledge of this complex discipline of research and practice. We also hope that you take back with you new and innovative ideas to action in your own place of work and practice to broaden and expand the knowledge of victimology and victimisation. We also hope that you meet new people and make connections with others working in your field to allow for cross-jurisdictional and international collaborations and cooperation.



**Mahashini Krishna**

NSW Commissioner of  
Victims Rights, Victims  
Services

Chair, Victim Support  
Australia



**Dr Ann O'Neill**

Chairperson, Founder,  
Patron & Clinical  
Supervisor (volunteer)  
angelhands Inc



**Dr Adam Tomison**

Director, Australian  
Institute of Criminology  
Executive Councillor,  
International Society for  
the Prevention of Child  
Abuse and Neglect



## World Society of Victimology

The World Society of Victimology (WSV) is a not-for-profit, nongovernmental organisation with Special Category consultative status with the Economic and Social Council (ECOSOC) of the United Nations and the Council of Europe. Brought together by a mutual concern for victims, its world-wide membership includes: victim assistance practitioners, social scientists, social workers, physicians, lawyers, civil servants, volunteers, university academics of all levels, and students. The purpose of the WSV is to advance victimological research and practices around the world; to encourage interdisciplinary and comparative work and research in this field; and to advance cooperation between international, national, regional and local agencies and other groups who are concerned with the problems of victims.



## Victim Support Australia

Victim Support Australia (VSA) is the national professional association representing generic crime victim services across Australia. VSA aims to advance the interests of people victimised by crime and encourage development of support services throughout Australia whilst striving towards a crime-free society. Victim Support Australia encourages a sustained and committed partnership between the States and Territories and the Commonwealth, and with all sectors. VSA has developed a number of position papers and urges the adoption of policies at all levels of government and in the community that seek to meet the needs of crime victims across Australia, to prevent re-offending, to reduce fear of crime, and to prevent crime.



## angelhands Inc

angelhands Inc is a not-for-profit organisation based in Western Australia that provides recovery from extreme trauma involving violence. angelhands Inc aims to promote and encourage community awareness and responses conducive to a person's recovery from trauma and positive experiences of the criminal justice system.



## Australian Institute of Criminology

The Australian Institute of Criminology (AIC) is Australia's national research and knowledge centre on crime and justice. Founded over 40 years ago, the Institute seeks to promote justice and reduce crime by conducting and funding criminological research, generating a crime and justice evidence base and disseminating research findings to inform policy and practice.

# Program committee

Dr Ann O'Neill, angelhands Inc (Co-Chair)

Associate Professor Frank Morgan, University of Western Australia (Co-Chair)

Professor Dr Ivo Aertsen, KU Leuven

Dr Harry Blagg, University of Western Australia

Dr Samantha Bricknell, Australian Institute of Criminology

Deputy Commissioner Steve Brown, Western Australia Police

Georgina Fuller, Australian Institute of Criminology

Associate Professor Sam Garkawe, Southern Cross University & WSV

Commissioner for Victims of Crime Jennifer Hoffman, Department of the Attorney General, Western Australia

Dr Robyn Holder, Griffith University, Victim Support Australia

Superintendent Noreen O'Rourke, Western Australian Police

Professor Robert Peacock, University of the Free State

Professor Fernanda Fonseca Rosenblatt, Catholic University of Pernambuco

Dr Jane Nady Sigmon, U.S. Department of State

Heru Susetyo, University of Indonesia

Dr Adam Tomison, Australian Institute of Criminology

Professor Jo-Anne Wemmers, University of Montreal

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### Western Australian Government

Supporting victims of crime and recognising their role in the justice system is a key commitment of the Western Australian Government. The first Commissioner for Victims of Crime was appointed in Western Australia in 2013 to advise Government about victim of crime matters, advocate for victims and increase awareness of the guidelines for treatment of victims under the Victims of Crime Act 1994 (WA). The

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Justice  
Victims Services

## Gold sponsor

### Victims Services, NSW Department of Justice

Victims Services, part of the NSW Department of Justice, helps victims of crime access services to aid in their recovery and assists victims with their rehabilitation. Victims Services administers the Victims Support Scheme which offers victims of crime a package of care including counselling, information, referrals and advice, financial assistance and recognition payments. The Commissioner of Victims Rights directs the work of Victims Services and promotes and oversees the Charter of Victims Rights. Victims Services also participates in policy and law reforms as they relate to victims of crime.



### Australian Government

#### Australian Institute of Criminology

## Silver sponsors

### Australian Institute of Criminology

The Australian Institute of Criminology (AIC) is Australia's national research and knowledge centre on crime and justice. Founded over 40 years ago, the Institute seeks to promote justice and reduce crime by conducting and funding criminological research, generating a crime and justice evidence base and disseminating research findings to inform policy and practice.





### Commissioner for Victims' Rights, South Australia

The Commissioner for Victims' Rights is an independent statutory officer (appointed by the State Governor) whose role is likened to a crime-victim ombudsman. The Commissioner's functions, however, are broader than traditionally associated with an ombudsman as s/he can assist victims dealing with the criminal justice system as well as public officials and public agencies; and, can represent victims in particular and in general in certain criminal proceedings.



### Australasian Society of Victimology

The Australasian Society of Victimology (ASV) is a non-profit community organisation dedicated to furthering the interests of victims, in particular victims of crime, through research, training and education. The ASV is affiliated with the World Society of Victimology which, in turn, is formally affiliated with the United Nations as a non-government organisation.

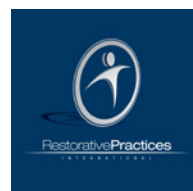
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# Keynote speakers



## **Michael O'Connell**

**Commissioner for Victims' Rights and Secretary-General of the World Society of Victimology, Australia**

Michael O'Connell, Commissioner for Victims' Rights in South Australia, also lectures and writes on Victimology and Criminal Justice locally and internationally. Michael was previously appointed as South Australia's first Victims of Crime Coordinator and inaugural Victim Impact Statement Coordinator; and served for over 20 years as a police officer. He is a life member, and since 2012 the Secretary-General, of the World Society of Victimology. In 1995 he was awarded the Australian Police Medal for his victimological work; in 2003 he was a finalist in Australian of the Year 2004 (South Australia); and in 2010 Victim Support Australasia presented him with its national award for advancing Victimology and promoting victims' rights.

### **ADDRESS: Challenging Orthodoxies: Victimology, victims' rights and victim assistance**

What is Victimology? Proposed as a science to focus on victims rather than criminals, who are the focus of criminology, has Victimology really (after more than 70 years) attained the status of a science. If so, what is its scope? Do victims have rights? 2015 marks the 30th anniversary of the United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power; yet three decades since that Declaration has the standing of victims in criminal justice truly improved? Are victim assistance programs effective? Studies in Germany and the USA reveal a mismatch between victims' needs and the victim assistance offered; and some question whether the aims of such assistance (including state-funded compensation) are being achieved. Is a new approach to victim assistance required?

**Presentation Time: Sunday 5 July 2015 at 5:35 pm**





**Professor Sandra Walklate**  
**Eleanor Rathbone Chair of Sociology at the University of Liverpool,  
United Kingdom**

Professor Sandra Walklate is Eleanor Rathbone Chair of Sociology at the University of Liverpool. She is internationally recognised for her work in victimology particularly around criminal victimisation and the fear of crime, and gender and crime. Over the last decade this work has extended into understanding the nature and effect of 'new' terrorism, connected policy responses, and presumptions around resilience. Her recent publications include: *The Contradictions of Terrorism* (2014, Routledge with Gabe Mythen), *Gender and Crime* (2012) (4 volumes) (ed) Routledge Major Works Series); *Handbook on Sexual Violence* (2011) (co-edited with Jennifer Brown) Routledge-Willan and forthcoming are *Criminology and War: Transgressing the Borders* (edited collection, Routledge, 2015, with Ross McGarry) and *Victims, Trauma, Testimony* (2015, Routledge with Ross McGarry) Her first book dealing with victimology has recently been reissued as part of the Routledge Revival Series, entitled *Victimology: The Victim and the Criminal Justice Process* (1989-2012). From January 2014 she took up the role of Editor in Chief of the *British Journal of Criminology* and in July 2014 received the British Society of Criminology's award for outstanding achievement.

**ADDRESS: Justice as reconciliation: A healing moment for victims?**

Reconciliation is vague, fuzzy, elastic, multi-faceted and multi-layered. Nonetheless, much effort has been put into initiatives designed to facilitate reconciliation either between individual, groups, or nation states. These 'regime(s) of reconciliation' (Verdoolaege 2008) can, and do, promote 'good' victims and neglect those considered to be 'bad'. This can result in the victim's voice being muted or erased rather than recognised. Yet victims, as human beings with agency, find their own way as individuals or collectives to work with their experiences. This presentation will explore how and under what conditions formal and/or informal reconciliation provides the kind of healing that victims consider appropriate for them.

**Presentation Time: Monday 6 July 2015 at 9:30 am**



## **Commissioner Helen Milroy** **Royal Commission into Institutional Responses to Child Sexual Abuse, Australia**

Commissioner Helen Milroy is a Consultant Child and Adolescent Psychiatrist and Winthrop Professor at the University of Western Australia. Commissioner Milroy has been on state and national mental health advisory committees and boards with a particular focus on the wellbeing of children.

Commissioner Milroy is a descendant of the Palyku people of the Pilbara region of Western Australia and was born and educated in Perth. She studied medicine at the University of Western Australia and worked as a General Practitioner and Consultant in Childhood Sexual Abuse at the Princess Margaret Hospital for Children for several years before completing specialist training in Child and Adolescent psychiatry.

Commissioner Milroy's work and research interests include holistic medicine, child mental health, recovery from trauma and grief, application of Indigenous knowledge, cultural models of care, Aboriginal health and mental health, and developing and supporting the Aboriginal medical workforce.

As a result of her appointment as a Commissioner of the Royal Commission, Commissioner Milroy has taken extended leave from her roles with University of Western Australia and Health Department WA.

### **ADDRESS: Supporting survivors of institutional child sexual abuse: Learnings from the Royal Commission**

The Royal Commission into Institutional Responses to Child Sexual Abuse was appointed in 2013 to investigate how institutions have responded to allegations and incidents of sexual abuse of children in Australian institutions.

In our effort to uncover where systems have broken down and make recommendations on how to improve laws, policies and practices to better protect children, the Royal Commission has so far held 28 public hearings around the country into dozens of institutions; rolled out a comprehensive research and policy program; and listened to the stories of over 3,400 survivors of institutional child sexual abuse in private sessions.

Commissioner Milroy will outline what the Royal Commission has learnt about the impacts of child sexual abuse, and how our society can help meet the needs of people who have been sexually abused as children in institutions. She will outline the trauma-informed approach Royal Commission staff have adopted in working with survivors, and how this work will contribute to the Royal Commission's final outcomes.

**Presentation Time: Monday 6 July 2015 at 1.15 pm**





**Professor Robert Peacock**  
**Department of Criminology, University of the Free State and Vice President of the WSV, South Africa**

Professor Robert Peacock is attached to the Department of Criminology (Chair) at the University of the Free State, South Africa and is currently a Vice President of the World Society of Victimology. Professor Peacock has written extensively about victimology, in particular on institutional victimisation, identity and the legacies of colonial and post-apartheid South Africa. He is the recipient of a number of awards (for instance honorary academic colours, media publication awards, study and teaching) and serves regularly on scientific committees and boards. He is a founding member of the African Postgraduate Course of Victimology, Victim Assistance and Criminal Justice (WSV) seeking to advance justice on the African continent and elsewhere, focusing on the plight of disenfranchised and marginal individuals, groups and communities. Prof Peacock's work can be considered pioneering in its celebration of an African victimology that embodies the Ubuntu values of intense humanness and universal interconnectedness.

**ADDRESS: 'I am what I am because of who we all are': A victimological exploration of the African values of Ubuntu**

With Africa as the cradle of humankind it does not surprise that the ancient world view of Ubuntu was prevalent already thousands of years ago during the time of Netchar Maat, an Egyptian deity (circa 2400 BC). In essence, it refers to the affirmation of one's humanity with others in its infinite variety of context and form, whereby one's own sense of humanity is gained from the humanity shared with others. The spirit of Ubuntu, as enshrined in the Promotion of National Unity and Reconciliation Act (34 of 1995) of the Republic of South Africa, forced a country to redefine itself and for the citizens to become each other through the accounts of its victims and perpetrators at the South African Truth and Reconciliation Commission. With victimisation that seeks to dehumanise, this presentation focuses on a critical exploration of the restorative Ubuntu values of interdependence and communality that seek to advance the intense humanness of a universal personhood in our attempts to address and transcend institutional, structural and interpersonal victimisation.

**Presentation Time: Tuesday 7 July 2015 at 9:00 am**





### **Dr Ann O'Neill**

**Chairperson, Founder, Patron & Clinical Supervisor of angelhands Inc, Australia**

Dr Ann O'Neill is an award winning humanitarian, victimologist, educator, activist, volunteer and researcher. Her interests lie in social justice and victims of serious interpersonal crimes such as homicide and family and domestic violence. She has a unique and innovative approach to motivating, educating and assisting government departments, organisations and people to deal with trauma, stress and change in their lives and their workplaces. Her pursuits are recognised internationally as she has presented in England, Croatia and the United States. Ann founded and directed angelhands Inc for more than a decade, inspiring people in all areas of life to follow their dreams.

#### **ADDRESS: What do victims/survivors tell us they need to help them heal?**

Highly traumatised victim/survivors frequently identify that they want support and to heal from their experiences, but how are such broad concepts conceptualised? How are such concepts perceived by victim/survivors from diverse backgrounds and experiences? What sorts of supports are identified by victims/survivors as important for their recovery and what expectations do they hold for others to assist them to heal or as they often say 'to achieve justice'? This presentation will explore how some victims' interpretations and experiences of support might be categorised and understood in terms of what they perceive assists them to recover and explores the implications for criminal justice systems, the health system, the non-government advocacy and support sector, the clergy, victim/survivors' families and the wider community.

**Presentation Time: Wednesday 8 July 2015 at 9:30 am**



## **Eric Stover**

**Faculty Director of the Human Rights Center and Adjunct Professor of Law and Public Health, University of California, Berkeley School of Law, USA**

Eric Stover is Faculty Director of the Human Rights Center and Adjunct Professor of Law and Public Health, University of California at Berkeley. Stover has built the Human Rights Center into a premier interdisciplinary research and policy center that is highly regarded nationally and internationally. He is a pioneer in utilising empirical research methods to address emerging issues in human rights and international humanitarian law.

Before coming to Berkeley in 1996, Stover served as the Executive Director of Physicians for Human Rights and the Director of the Science and Human Rights Program of the American Association for the Advancement of Science. He has served on several forensic missions to investigate mass graves as an “Expert on Mission” to the International Criminal Tribunals for the former Yugoslavia and Rwanda. In the early 1990s, Stover conducted the first research on the social and medical consequences of landmines in Cambodia and other post-war countries. His research helped launch the International Campaign to Ban Landmines, which received the Nobel Prize in 1997. He has published six books, including *The Witnesses: War Crimes and the Promises of Justice in The Hague* and *The Breaking of Bodies and Minds: Torture, Psychiatric Abuse, and the Health Professions*. He is a member of the editorial boards of the *International Journal of Transitional Justice* and *Human Rights Quarterly* and a board member of the Crimes of War Project.

### **ADDRESS: The Disappeared, Landmines, and Child Soldiers: Responding to Survivors and Communities**

What are the specialized needs of survivors of forced disappearances, landmines, and the recruitment of child soldiers? How have health professionals, forensic scientists, and community activists responded to these needs? And what can be done to prevent these violations of international humanitarian and human rights law? This presentation will describe how research can be used to help survivors and their communities rebuild their lives, obtain justice, and prevent future violence.

**Presentation Time: Wednesday 8 July 2015 at 1.15 pm**





## **Helen Sworn**

### **Founder & Executive Director, Chab Dai, Cambodia**

Helen Sworn is from the UK and has been living and working in Cambodia for 16 years with her family. She holds a masters degree in Leadership, Innovation and Change from York University, UK. Helen has been working in the field of counter-trafficking and abuse since arriving in Cambodia in 1999. During this time she has worked in the border regions of Cambodia and Thailand with trafficked children, assisted with the development and implementation of an aftercare home and reintegration program for trafficked children; has worked on prevention programs among the street children of Phnom Penh; carried out various program research in the field and served in organisational development and field support roles for other international and local NGOs.

Helen founded Chab Dai in 2005 and is now the International Director, having the privilege to work with and be inspired by a passionate team of change makers. In 2010 Helen completed a succession plan in handing Chab Dai Coalition Cambodia to national Cambodian directors. Since then she has been responsible for the international strategy and planning for Chab Dai, mentoring and coaching national directors, facilitating communication and partnerships such as UN agencies in SE Asia and in other parts of the world and most recently, developing the Freedom Collaborative, an online coalition and information portal as part of the global learning community, modeled on the lessons learned from the coalition in Cambodia and now working in partnership with government, NGOs, professionals and academia in more than 20 countries.

#### **ADDRESS: Challenging present responses to victims: A case for long-term focus and research**

There are many dilemmas when working directly with vulnerable or oppressed populations. We can see their immediate needs and are able to respond within the area of our professional competency but often make assumptions regarding these needs and our own impact.

However, we rarely have time (or find appropriate partners) to conduct longitudinal, meaningful, relevant and ethical research to determine whether we are truly meeting their needs in a complex and ever changing environment of issues and responses. How can we develop frameworks in order to listen and learn from the experiences of those we serve? How can we develop trust with vulnerable and oppressed populations that exposes the truth and also respects their dignity and rights? How can we best use this data for advocating for these populations at both service and policy levels?

These issues and questions will be explored, drawing from experiences of working in the field of human rights and trafficking for the past 16 years in Cambodia and from the past five years of lessons learned in implementing a longitudinal ten year research in partnership with 15 aftercare providers and 128 survivors of sex trafficking in Cambodia.

**Presentation Time: Thursday 9 July 2015 at 9:00 am**





## **Dr K. Jaishankar**

**Senior Assistant Professor, Department of Criminology & Criminal Justice, Manonmaniam Sundaranar University, India**

Dr. K. Jaishankar is a Senior Assistant Professor in the Department of Criminology and Criminal Justice, MSU & Member of Syndicate (Board of Management), Manonmaniam Sundaranar University (MSU), Tirunelveli, Tamil Nadu, India.

He has several publications, including articles in peer reviewed journals such as the British Journal of Criminology. He was a Commonwealth Fellow (2009-2010) at the Centre for Criminal Justice Studies, School of Law, University of Leeds, UK and has completed a research project on Victims of Cyber Crimes. He is the founding Publisher & Editor-in-Chief of the International Journal of Cyber Criminology, [www.cybercrimejournal.com](http://www.cybercrimejournal.com), and International Journal of Criminal Justice Sciences, [www.ijcjs.co.nr](http://www.ijcjs.co.nr), and is the founder President of South Asian Society of Criminology and Victimology (SASCV), [www.sascv.org](http://www.sascv.org), and founder Executive Director of Centre for Cyber Victim Counselling (CCVC), [www.cybervictims.org](http://www.cybervictims.org). He was a member of the UNODC (United Nations Office of Drugs and Crime) Core Group of Experts (15 member group) on identity related crime (2007-08). He is a member of the Membership and Advancement Committee, World Society of Victimology (WSV).

Dr Jaishankar pioneered the development of the new field of cyber criminology and is the proponent of the space transition theory of cybercrimes.

### **ADDRESS: Cybercrime victimisation: New wine into old wineskins?**

Until the arrival of cyberspace, humans were only victims of crime in spaces like land, air and sea. Though, cyberspace provides ample scope for the growth of human beings, it also provides significant scope for their victimisation. The convergence of cyber and physical spaces has brought large numbers of humans nearer and this has created both positive and negative issues. Due to the anonymous nature of the cyberspace, there is even larger displacement of offenders from physical space to cyberspace and new forms of victimisation have emerged. Also, there is an overlap of physical crime victimisation and cybercrime victimisation. Notably, some scholars do not perceive cyber crime victimisation as a new form of victimisation and some do not holistically group them. Invariably, many countries are dealing cybercrime victimisation with their conventional laws, without creating specific laws. Why is cybercrime victimisation not considered as a new form of victimisation? Is it possible to mitigate cybercrime victimisation with conventional laws? This presentation will try to address these issues and will provide suitable recommendations to mitigate cybercrime victimisation.

**Presentation Time: Thursday 9 July 2015 at 10:00 am**

# Conference opening speaker



## **Rabia Siddique**

Rabia is an Australian criminal and human rights lawyer, retired British Army officer, former terrorism and war crimes prosecutor, international humanitarian, hostage survivor, professional speaker, facilitator, coach and published author. In 2006 Rabia was awarded a Queen's commendation for her human rights work in Iraq, in 2009 was the runner up for Australian Woman of the Year in the UK and in 2014 was selected as a Telstra Business Woman of the Year finalist and was named as one of the Westpac/Australian Financial Review's Top 100 Women of Influence.

In October last year Rabia received a standing ovation from 1,700 people at her TEDx talk entitled *Courage Under Fire* where she spoke about the power we all have as individuals to create the change we wish to see in this world. In March this year Rabia was nominated for the WA Woman Lawyer of the Year Award, was used as a case study at the most recent UN Commission on the Status of Women in New York and was nominated as the National Speakers Association of Australia keynote Speaker of the Year.

Rabia's best-selling memoir *Equal Justice* was published in 2013 and is currently in its fifth reprint. She has appeared in various Australian, UK, South-East Asian and Middle Eastern media and print publications and has appeared as a guest at several Australian Writers Festivals.

She has earned an international reputation as a powerful, transformative and unforgettable inspirational/motivational speaker, as well as a committed and passionate human rights advocate.

Rabia speaks English, French, Spanish and Arabic, has run the London marathon for charity, undertaken human rights and community aid work in the Middle East, South America, United Kingdom and Australia, and is a mother to young triplet boys, her biggest and most rewarding challenge yet!

**Presentation Time: Sunday 5 July 2015 at 5:15 pm**



# Site visits

A schedule of site visits to organisations and agencies which deliver services for victims and their families will take place on Wednesday afternoon so delegates can talk to agency heads and support staff in their work environment.

Registration for the site visits is required due to strictly limited places available. Registrations can be made through the information and registration desk on a first-come, first-served basis when you arrive at the conference. Further information about each site will be at hand. Please register by COB Tuesday 7 July if you would like to visit any of the sites.

Site visits – Wednesday, 8 July at 3:45 pm (groups depart at the main entrance of the conference venue at 3:30 pm.)

## angelhands

angelhands is a not-for-profit organisation that provides support and assistance to those who have been affected by homicide or serious personal violence. Those services include:

- Befriending people who are victims of serious crime to provide support through individual face-to-face contact, group mentoring, telephone support, email contact and through the angelhands forum on their website.
- Residential retreats run over a weekend with a small group of people affected by violence for peer-to-peer support.
- The Hope Program, which provides the opportunity for people to come together to learn techniques and strategies on how to master our different trauma symptoms. Hope and Healing will include holistic and therapeutic alternative workshops and activities.

## Anglicare

Anglicare provides a range of different support and counselling services that respond to the needs of both adult and child victims of crime. These include their Domestic Violence Advocacy and Support Service; Young Hearts Child Counselling Service; Victim and Child Witness Service and the Reclaiming Our Lives program that supports women who have been or are currently in an abusive relationship.

Anglicare is also responsible for providing support services to anyone involved with or who would like to know more about the Royal Commission into Institutional Responses to Child Sexual Abuse.

## Family Violence Service (A Walk in Her Shoes)

The Family Violence Service is a free confidential service which provides information, advocacy and support on dealing with violence in intimate or family relationships.

Specially trained staff assist with discussing specific violence issues and the options available to deal with them including such matters as developing a safety plan, completing court-related documents and applying for a violence restraining order.

## Nyoongar Patrol

The Nyoongar Patrol Systems Inc. was initiated in 1998 by a group of Aboriginal people and government and non-government agencies with a vision of providing culturally appropriate services to young unsupervised people who were at risk of moral dangers and coming into contact with the criminal justice system. The services focused only in the night precinct of Northbridge, an area immediately north of the Perth city centre; it has, over the years, grown to include the further three metropolitan suburbs of Vincent, Fremantle and Midland.

The Nyoongar patrol is the only night and day Indigenous patrol service that provides outreach support outside the traditional working hours to the nominated locations in the Perth metropolitan area.

## Prisoners Review Board

The Prisoners Review Board has authority to grant, defer or refuse parole, taking into account factors affecting the offender, victims of crime and, most importantly, the safety of the community.

Victims are encouraged to speak up on the prospect of parole for offenders who targeted them.

The Board welcomes submissions from victims. All victims' input is fully considered when deciding on a prisoner's suitability for parole and when determining the conditions imposed on a parole order.

A victim's submission must be in writing and must address either or both of the following:

- the victim's opinion of the effect the release of the prisoner would have on the victim; and
- suggestions about the conditions that should apply if the prisoner is released.



[facebook.com/worldsocietyofvictimology](https://facebook.com/worldsocietyofvictimology)

**Connect with  
WSV and  
stay up-to-  
date during  
the event.**



[twitter.com/WrldSocVictim](https://twitter.com/WrldSocVictim)

## Victim-offender Mediation Unit/Victim Notification Register

The Victim-offender Mediation Unit (VMU) provides a mediation service between victims of crime and offenders. This service is available to both adult and juvenile offenders and the respective victims of their crimes.

The mediation is free, impartial and private, and two types are offered:

- protective conditions
- reparative mediation.

Offenders on parole or community-based orders are not permitted to contact their victim(s) under Department of Corrective Service's victim/offender contact policy without Victim-offender Mediation Unit approval. If a victim agrees to have contact with the offender, VMU will monitor all contact for as long as necessary. Victims of crime may use the Victim Notification Register to receive information about the perpetrator of the crime against them, for as long as that person is under Department of Corrective Services supervision.

## Victim Support Service/Child Witness Service

The Victim Support Service offers confidential counselling and support services to victims of crime. These services are provided by professional counsellors and trained volunteers.

The Child Witness Service provides free emotional support and practical preparation for children under 18 years of age who are to give evidence to a court, and aims to reduce the trauma experienced by a child witness – and their family – during the legal process.

The children involved can be victims or witnesses to any criminal charge, in any court. This includes the Magistrates Court, Children's Court, District Court or Supreme Court.

# Victims Services Helping victims of crime in New South Wales



**Victims Services NSW** provide support services, including free counselling and financial assistance to victims of crime in NSW. We also work with agencies in other states to ensure consistent provision of services to victims.

Victims of crime are able to contact the **Victims Access Line** on **1800 633 063** for information about their rights, how to access services and for help with completing victim impact statements.

Victims also have rights which are set out in the **Charter of Victims Rights**, which includes the right to be treated with courtesy, compassion and respect. The **Code of Practice** sets out minimum standards that service providers have to follow when working with victims.

Victims Access Line **1800 633 063** (8am to 6pm, Mon to Fri)

Sydney metropolitan area (02) 8688 5511

Aboriginal Contact Line **1800 019 123**

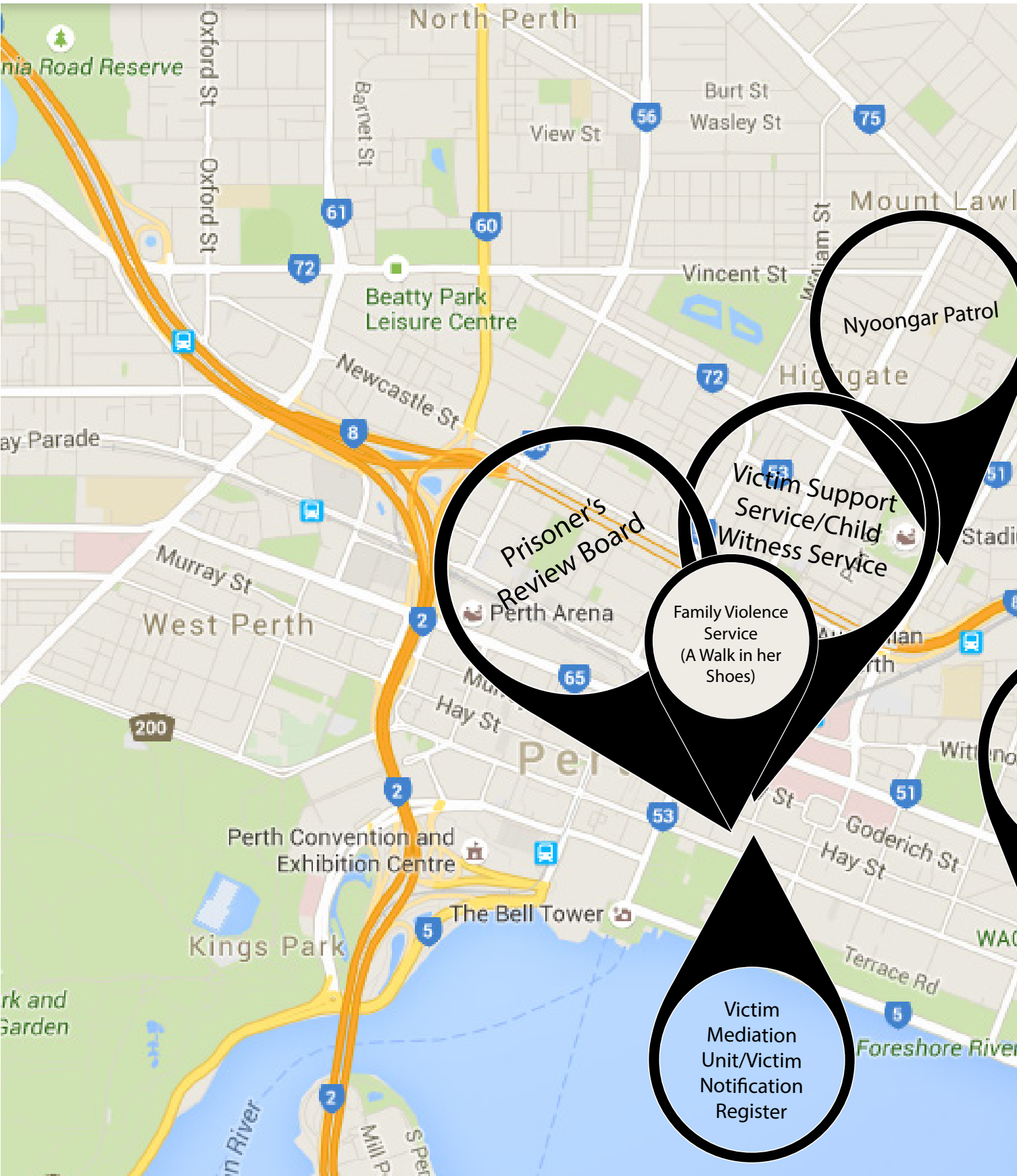
Email [vs@justice.nsw.gov.au](mailto:vs@justice.nsw.gov.au)

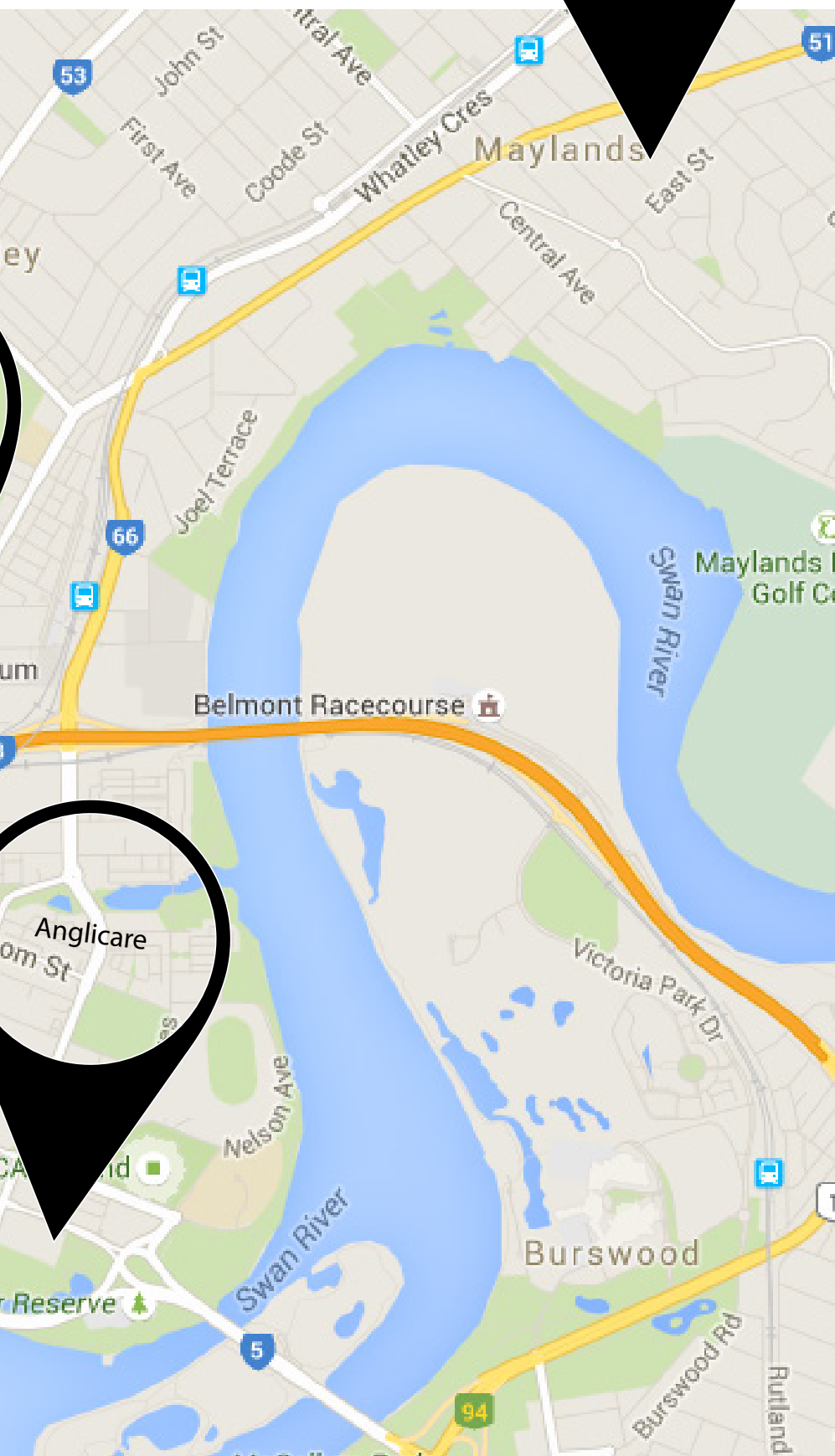
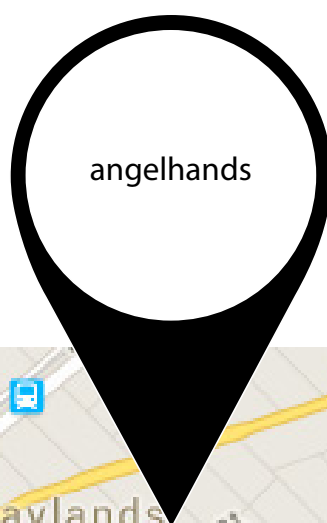
Web [www.victimsservices.justice.nsw.gov.au](http://www.victimsservices.justice.nsw.gov.au)



**Justice**  
Victims Services

Site visit locations





**angelhands**

28 Eighth Ave. Maylands

**Anglicare**

23 Adelaide Terrace Perth

**Family Violence Service  
(A Walk in her Shoes)**

501 Hay Street Perth

**Nyoongar Patrol**

35 – 37 Gladstone Street East Perth

**Prisoner's Review Board**

501 Hay Street Perth

**Victim Mediation Unit/Victim  
Notification Register**

26 St Georges Tce. Perth

**Victim Support Service/  
Child Witness Service**

500 Hay Street Perth



# Venue

## Perth Convention and Exhibition Centre

Through the innovative fusion of space, catering, technology and design, PCEC provides an unequalled range of meeting possibilities optimally suited to promoting positive interactions between business, industry and community.

Each year, over 500,000 people attend one or more of the 600 plus events conducted at Perth Convention and Exhibition Centre – Perth's premier event destination.

Our purpose is to provide a place of connection to serve both our clients' and our community's needs: connecting people and connecting Perth to Western Australia, Australia and the world. We serve our purpose by pursuing event excellence through the superior delivery of event space, catering and venue services.

Address: Perth Convention and Exhibition Centre

21 Mounts Bay Road

Perth WA 6000

Phone: +61 8 9338 0300

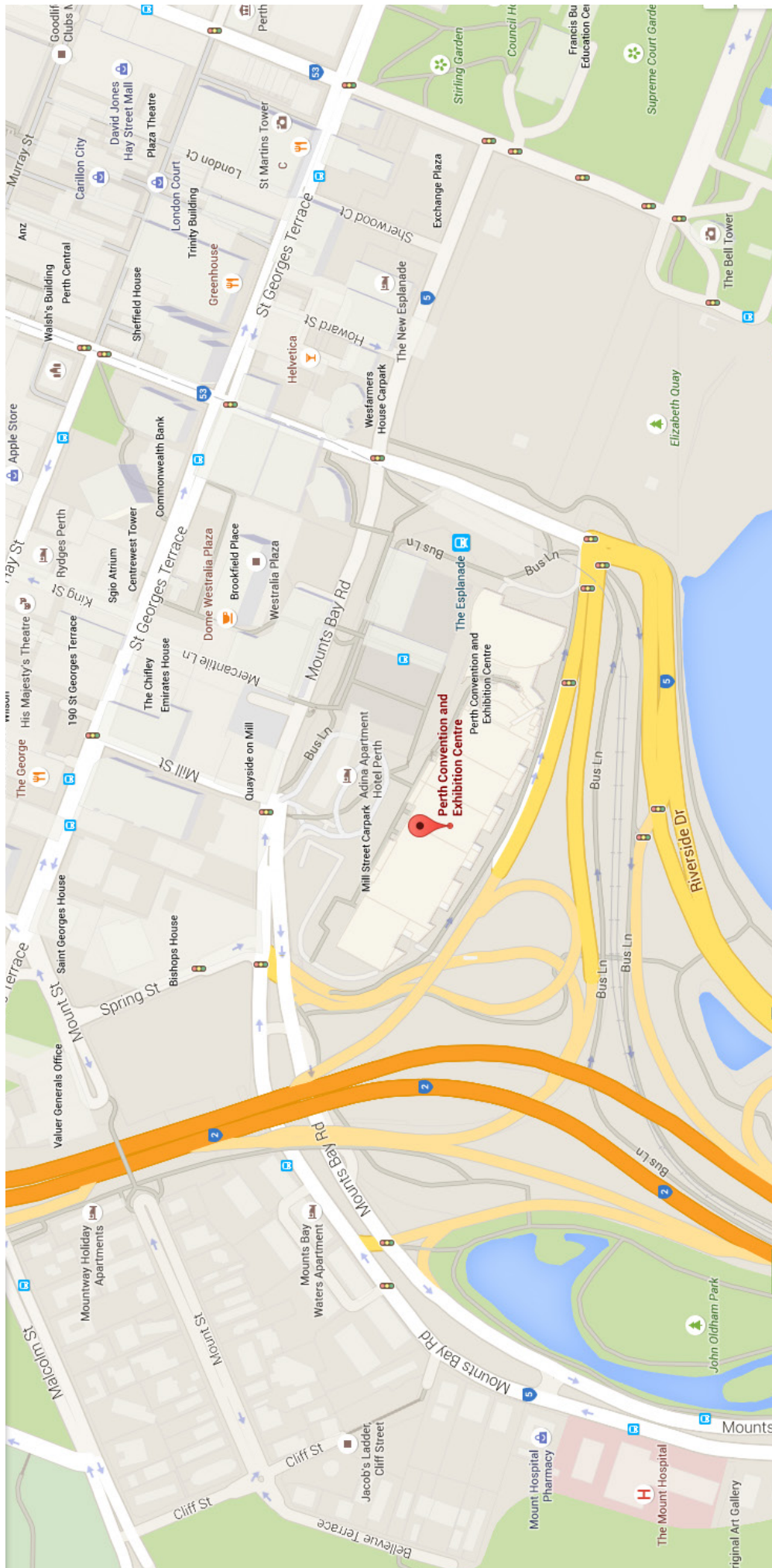
Fax: +61 8 9338 0309

Website: [www.pcec.com.au](http://www.pcec.com.au)

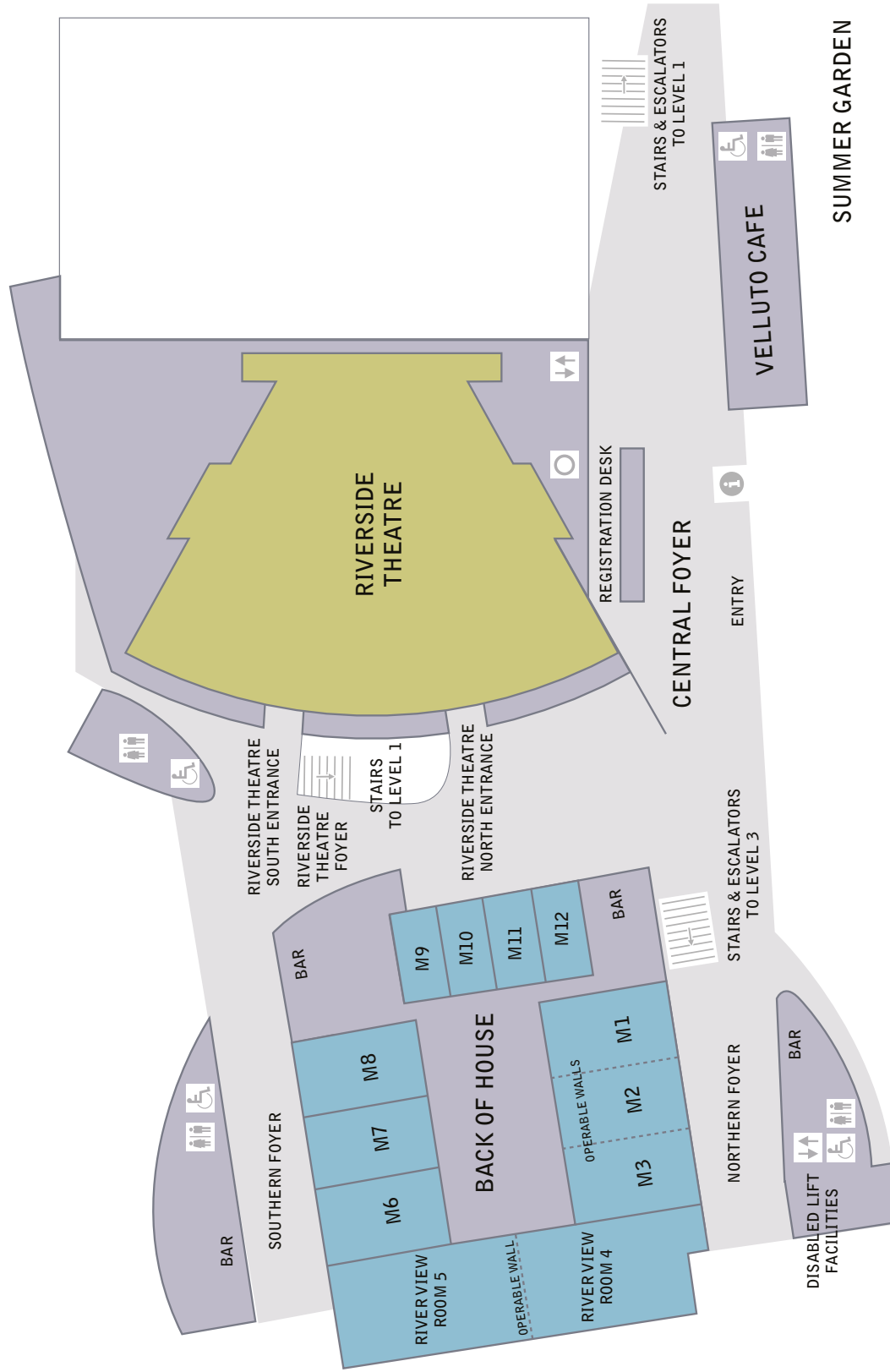
Email: [info@pcec.com.au](mailto:info@pcec.com.au)



## Area map



## Floor plan – Perth Convention and Exhibition Centre Level 2



## Business services

Business support services, such as photocopying and printing, are available through the PCEC Information Desk located on Level 2. This service is available Monday to Friday from 8:30am – 5:00pm. Charges apply, and a price list can be provided upon request.

## Cloakroom and luggage storage

Cloakroom facilities are located on Level 2. This service is available Monday to Friday from 8:00am – 5:00pm. Please do not take luggage into the session rooms. PCEC and the organisers accept no responsibility for the loss of, or damage to, personal items.

## Internet

Leading the way in technology, Perth Convention and Exhibition Centre is a Wi-Fi wireless internet location. The service provides delegates and visitors to the Centre with free wireless connection anywhere in and around the venue.

## No smoking policy

Delegates should be aware that smoking is not allowed in public buildings and many hotels and restaurants throughout Australia, including the conference venue.

## Parking

The Convention Centre car park is owned and operated by the City of Perth and located directly under the Centre. This 1,500 bay car park is accessible via Mill Street, Mounts Bay Road and the Riverside Drive off-ramp of the Mitchell Freeway.

### City of Perth Convention Centre Car Park

Open: 24 hours, 7 days a week

Access: via Mill St, Mounts Bay Rd, or the Riverside Dv off-ramp from the Mitchell Freeway

Payment: cash, credit card, or City of Perth Parking Card

Centre access: direct access to PCEC during opening hours via central foyer lift and staircases

Contact: 1300 889 613

For further information on City of Perth parking visit: [www.cityofperthparking.com.au](http://www.cityofperthparking.com.au)

There are approximately 5,000 car parking bays within a 10 minute walk of Perth Convention and Exhibition Centre; early bird parking or long stay parking is available at the following locations:



### Westralia Square

141 St Georges Terrace

Entrance via Mounts Bay Road

### His Majesty's Theatre

King St

Entrance opposite His Majesty's Theatre or from Murray Street

### Perth Concert Hall

Entrance from Terrace Road

A comprehensive map showing the location of parking stations is available on our website:  
[www.pcec.com.au](http://www.pcec.com.au).

Department of Justice and Attorney-General




**Victim Assist Queensland**

# Victim Assist Queensland








**Victim Assist is the Queensland government organisation that helps people who have been hurt in an act of violence. We provide financial assistance, support and referral for individuals and their families to assist in recovery from physical and psychological injuries.**

#### Victim Assist Queensland:

-  Protects the rights of victims by promoting the fundamental principles of justice for victims of crime
-  Connects victims to specialist support services to help them recover from an act of violence
-  Administers funding grants to the non-government sector for service delivery to victims of crime

#### Through financial assistance, we can reimburse money spent on:

-  Medication and treatment relating to injuries caused by the act of violence
-  Travel for medical appointments that are a long way from home
-  Counselling fees to help with emotional recovery
-  Funeral costs for a victim of an act of violence
-  Income lost due to inability to work as a result of the act of violence

Email: [victimslinkup@justice.qld.gov.au](mailto:victimslinkup@justice.qld.gov.au)  
or visit our website: [www.qld.gov.au/victims](http://www.qld.gov.au/victims)



**Queensland  
Government**



# General information

## Catering

Arrival tea and coffee, morning tea, lunch and afternoon tea will be served from Monday to Thursday to registered conference delegates only in the Riverside Theatre Foyer.

Canapés will be served to registered delegates during the Welcome Reception on Sunday.

## Conference counsellors

If you find the content of a presentation personally upsetting and disturbing, the conference has a list of counsellors who can assist.

Please approach the registration desk if you feel the need to talk to someone,

## Dietary requests

Vegetarian, gluten-free and dairy-free meals will be provided for delegates who requested them in their registration. The meals will be made available in the main areas. Please see the waiting staff if you have any queries about the food provided.

## Dress

Smart casual/business attire is suggested for conference sessions and social functions. As conference rooms may vary in temperature, it is advised you wear layers for comfort.

## Liability disclaimer

In the event of industrial disruption or other unforeseen circumstances, the conference organisers accept no responsibility for loss of monies incurred by delegates. The organising committee and conference organisers accept no liability for injuries, losses of whatever nature incurred by participants and/or accompanying

persons, nor for loss or damage to their luggage and/or personal belongings.

## Name badges

Please wear your name badges at all times. Your name badge will provide access to all conference sessions and conference catering.

## Nearest public facilities

### Banks

An ATM is located by the PCEC Café on Level 2, as well as in the Exhibition Pavilion 4 Foyer on Level 1.

The following branches are located closest to the venue.

#### ANZ

220 St George's Terrace  
Perth WA 6000  
Phone: 13 13 14

#### National Australia Bank

197 St George's Terrace  
Perth WA 6000  
Phone: 13 22 65

#### Bank West

108 St George's Terrace  
Perth WA 6000  
Phone: 13 17 18

#### St George

152 – 158 St George's Terrace  
Perth WA 6000  
Phone: +61 8 9265 7400

### **Commonwealth Bank**

150 St George's Terrace  
Perth WA 6000  
Phone: +61 8 9482 6325

### **Westpac**

218 St George's Terrace  
Perth WA 6000  
Phone: 13 18 62

All the above bank branches are within one city block of PCEC.

### **Medical Centres**

Mill Street Medical Practice  
5 Mill Street  
Perth WA 6000  
Phone: +61 8 9322 4788

### **Sir Charles Gairdner Hospital**

Hospital Avenue  
Nedlands WA 6009  
Phone: +61 8 9346 333

### **Royal Perth Hospital (24 hour Emergency Dept)**

Wellington Street (Main entry off Victoria Square)  
Perth WA 6000  
Phone: +61 8 9224 2244

### **Pharmacy**

#### **Paragon Soul Pattinson Chemist**

Shop G4 CBD Arcade  
160 St George's Terrace  
Perth WA 6000  
Phone: +61 8 9486 4833

### **Friendly's Chemist Brookfield Place**

Brookfield Place  
125 St Georges Terrace  
Perth WA 6000  
Phone: +61 8 6460 9509

### **Post office**

Cloisters Square  
863 Hay Street  
Perth WA 6000  
Phone: 13 13 18



Australian Government  
Australian Institute of Criminology



## **JV Barry Library**

The Australian Institute of Criminology's JV Barry Library and Information Service offers a knowledge base of nearly 100,000 items covering all aspects of crime, criminal justice and criminology. Our librarians scan the literature daily for relevant Australian and international criminological resources for the knowledge base and offer access to this information via a free monthly Crime and Criminal Justice Information Alert <http://www.aic.gov.au/library/alerts.html>.

The Library also produces the Australian Criminology Database (CINCH), a subscription bibliographic database of articles from published and unpublished material on all aspects of crime and criminal justice from 1968 onwards. CINCH is available online through Informit Online, an Australian web-based service of research and education databases operated by RMIT publishing.

To be regularly informed of new victimology literature sign up for the free *Victims of Crime* monthly alert.



*Honouring Justice Sir John Vincent Barry, the distinguished Australian criminologist and jurist*

## Photography

A photographer will be present throughout the conference taking photos of delegates and speakers. Please make yourself known to the photographer if you do not agree to have your photo used.

## Poster displays

Poster presentations will be on display for the duration of the conference. Please refer to the program for a list of posters. A poster session will be held during lunch on Tuesday to ask authors questions.

## Registration desk opening hours

The registration and information desk is located in the Central Foyer. Opening hours are as follows:

Sunday 5 July	3:00 pm – 6:00 pm
Monday 6 July	8:00 am – 5:00 pm
Tuesday 7 July	8:00 am – 5:00 pm
Wednesday 8 July	8:00 am – 6:00 pm
Thursday 9 July	8:00 am – 4:30 pm

## Session recording

All keynote speakers (who provide approval) will be professionally recorded. The sessions will be available on CriminologyTV ([www.youtube.com/criminologyTV](http://www.youtube.com/criminologyTV)) after the conference.

## Social media

The below twitter hash-tag and handle will be used during the 2015 WSV Symposium.  
#victimology2015 @WrldSocVictim

## Speakers' preparation

The speakers' preparation room is located in Meeting Room 11 and will be open during the following times:

Sunday 5 July	3:00 pm – 6:00 pm
Monday 6 July	8:00 am – 5:00 pm
Tuesday 7 July	8:00 am – 5:00 pm
Wednesday 8 July	8:00 am – 6:00 pm
Thursday 9 July	8:00 am – 4:30 pm

The speakers' preparation room will be available for all presenters to provide USBs with their presentations to the AV technicians. Please ensure you arrive at the speakers' preparation room no later than 45 minutes prior to your session.

## **Macbooks**

Apple presentations created on a Macbook are not compatible with PC laptops or Microsoft PowerPoint, however should you wish to provide an Apple presentation, you need to provide your own Macbook. Please ensure you let the conference organiser know in advance and supply your mac-VGA adaptor. You will also need to check in at speakers' preparation room as per the above instructions.

## **Video presentations**

Should you wish to play any videos during your presentation please ensure you check in at the speakers' preparation room with your video on USB, with plenty of time, so they can be tested. This includes any videos embedded in the PowerPoint presentation.

## **Web based presentations including Prezi**

Should you wish to use Prezi or any other web based presentation it is essential you let speakers' preparation technician know. If you are using Prezi please ensure you supply the downloaded app version of your presentation upon arrival to the speakers' preparation room. Should you be providing a link to download your presentation, please ensure this link remains active until the conclusion of the conference.

\*\*\*The AIC would like to place your presentation on our website after the conference. Please let the technician at speakers' preparation know if you DO NOT give permission, and it will be deleted from the system at the conclusion of the conference. \*\*\*

## **Transport**

Perth Convention and Exhibition Centre is located in the heart of Perth city, adjacent to the Swan River. The location provides quick and easy access to and from the Centre by car, train, bus, taxi and on foot.

### **Driving**

Access to the City of Perth Convention Centre Car Park is via Mill Street, Mounts Bay Road and the Riverside Drive off ramp of the Mitchell Freeway. Access to the Level 1 Plaza area is from Mill Street or Mounts Bay Road.

### **Taxi**

Perth Convention and Exhibition Centre is a designated Cab Spot location. A taxi phone is located at the Plaza Entry doors on Level 1. The Cab Spot number is 1088. Alternatively, to book a taxi, please contact:

Swan Taxis 13 13 30

Black and White Taxis 13 10 08

### **Buses**

Esplanade Busport is located adjacent to the Perth Convention and Exhibition Centre. Many bus services depart and arrive at the Esplanade Busport including the free CBD 'Blue CAT'

service. Perth's other major busport is the Wellington Street Bus Station, located along Wellington Street next to the Perth Central train station.

### Trains

Esplanade train station is located at the doorstep of the Centre and services the Mandurah and Joondalup Railway Line. Other train stations within close proximity of the centre include:

- Perth Underground station (Mandurah and Joondalup Railway Line) located on the corner of William Street and Murray Street Mall.
- Perth Central station (Armadale-Thornlie Railway Line, Fremantle Railway Line and Midland Railway Line) located along Wellington Street (across from Forrest Place).
- An underground walkway connects the Perth Central station to the Perth Underground station.

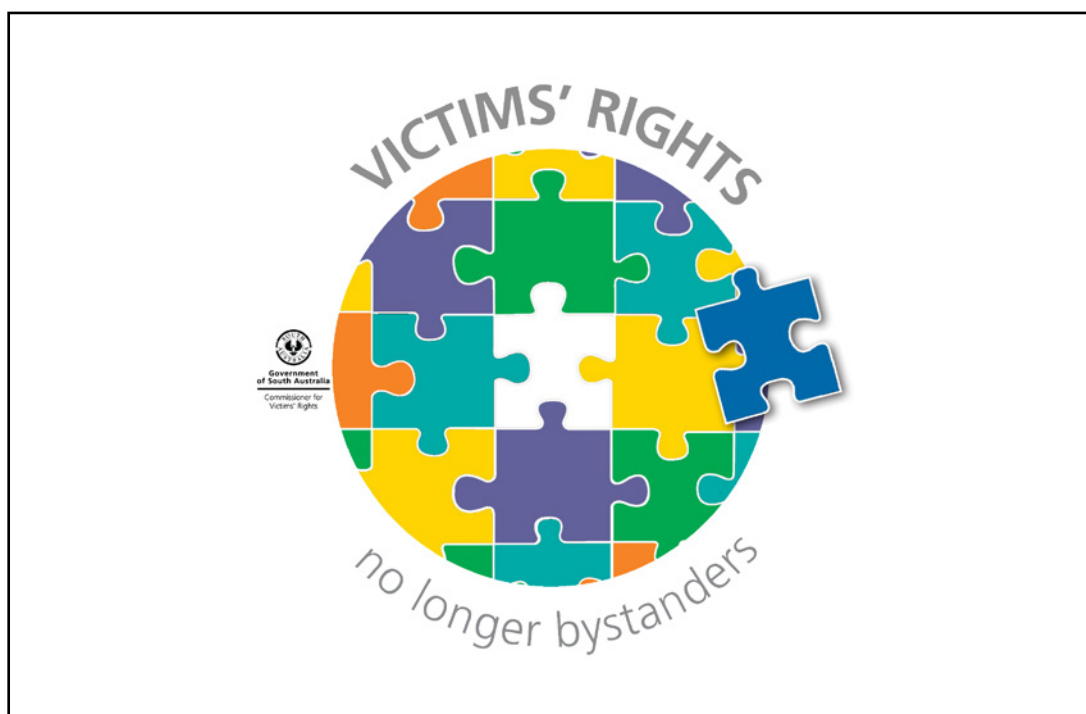
### Ferries

A ferry service operates across the Swan River between Barrack Street Jetty (Perth) and Mends Street Jetty (South Perth). Barrack Street Jetty is only a short walk to the Centre. Services operate daily from 7:50am to 7:20pm (extended times operate on weekdays and during the Summer months).

For all bus, train or ferry information, or to plan your journey, please contact Transperth on 13 62 13 or visit their website. For hearing impaired TTY please contact (08) 9428 1999.

### Walking

Walking access into the Centre on Level 1 is via Mill Street or Mounts Bay Road. Level 2 can be accessed via the Esplanade Busport overpass.





# Abstracts

by last name of first presenter



## **Reducing human trafficking by prostitution law reform**

**Peter Abetz, Member for Southern River, Parliament of Western Australia**

This oral presentation explores the consequences of legalising and/or decriminalising prostitution in Victoria, The Netherlands, Germany and New Zealand, the partial adoption of the Nordic approach in Finland and Korea, and compares this with the consequences of the implementation of the Nordic model in Sweden since 1999.

The data is presented in the form of a PowerPoint presentation where we meet some of the people involved, hear their views, and hear findings of official reports, including the underlying philosophical positions of the different approaches.

The conclusion reached is that legalisation/ decriminalisation results in increased demand due to the stigma of purchasing sexual services being lessened which in turn fuels human trafficking due to insufficient local women being available to service the demand. The Nordic legislation is the only approach that has resulted in a significant reduction in demand for sexual services and an associated reduction in the trafficking of women for the sex trade and is therefore worthy of careful consideration by lawmakers.

## **Developing alternative understandings of justice and security in intercultural settings: A victim's perspective**

**Ivo Aertsen, Professor, University of Leuven**

The purpose of this paper is to present a research project in the field of security studies, as funded by the European Union Seventh Framework Program (FP7). The project ALTERNATIVE (2012–2016) aims at developing new understandings of justice and security through participatory and restorative approaches in intercultural settings. Therefore, on the basis of theoretical analysis, action-research has been set up in a comparative way in four European countries (Austria, Hungary, Serbia and Northern Ireland, with input from Belgium and Norway). A methodology has been developed in order to make observation, reporting and comparative analysis possible. Some of the findings of the project will be discussed, with an emphasis on victims' experiences and understandings, demonstrating the potential and limits of active participation by conflict parties themselves in developing new understandings of justice and security.

## Historical institutional abuse: Exploring the long-term victimisation process

**Ivo Aertsen, Professor, University of Leuven**

On the basis of research and practice with two groups of victims of historical institutional abuse in Belgium (victims of sexual abuse in the Catholic Church and victims of violence in youth and educational institutions), findings will be discussed on this specific experience of victimisation in the past and the development of victim's identities during the life course. Referring to authors such as Dignan (2005) and Finkelhor (2008), victimisation is understood as a dynamic process requiring ongoing adaptations within a personal, institutional and societal context. With this study, it is hoped to generate further knowledge on the role of authority relationships and institutional environments in the emergence and persistence of violence in general.

## Muffled voices: Victims of witch-hunting in India

**Dr Deepshikha Agarwal, Associate Professor, Guru Gobind Singh Indraprastha University**

Descriptions of witchcraft and the consequent social response in the form of witch-hunting may be buried in historical descriptions across the world, but is still rampant in countries like India. The predicament in India is that incidences of witch-hunting are on the rise, yet India does not possess clear-cut laws at a national level. Some Indian states have certain legal provisions to tackle the problem of witch-

hunting, but even they are insufficient and ineffective.

Interwoven into acts of witch-hunting are superstitions, manipulation of traditional practices and attempts at usurping the land of the victims. In a patriarchal set-up, male offenders usually victimise the women to nurse their own bruised egos. They subject them to public humiliation, ostracise them from their homeland, or slaughter them in the name of protecting their villages—thus leading to gendercide.

It is difficult to get justice for these victims as the crime cannot be established against the accused. Usually witch-hunting is a mob response to unnatural events and it is usually not possible to identify perpetrators. Moreover, the victims and their families may fear further ordeals if they complain to higher authorities. The police may also give a very lukewarm response to the complainant and may be a party to the whole act. Thus, witch-hunting is an orthodoxy characterising rural societies and urgently requires a strategy to get protection for the victims and provide them with justice.

## State of individual victimisation in the matrimonial structure of Garo and Khasia tribes of Bangladesh

**Mohammad Ashraful Alam, Associate Professor, Department of Criminology and Police Science Mawlana Bhashani, Science and Technology University**

Bangladesh is a pluralistic society where people have come from different religions, races and castes, but most people belong to the Bengali culture. Around 30 to 40 ethnic minority/tribal groups live in different parts of

the country (Rabidas 2002, ECDO 2005). The Garo are one of the largest ethnic minority groups living in Bangladesh—living mostly in the Mymensingh, Netrokona, Taogail, Sylhet and Sunamganj districts of the country. Garos were found living at the feet of Garo hill in the northern area of Bangladesh during the 9th century, establishing the empire of Garo at Durgapur from the 9th to 13th century (Jengcham 1994), and the original home of the Garos was in Assam in India (Sattar 1971). Khasia is another ethnic group of Bangladesh. Earlier, Khasia people used to live along the north-east border of the Sunamganj district. At present they are spread over Bishwamvarpur, Tahirpur and Chhatak in Sunamganj, and most of the Khasias are living in the border region of Bangladesh. Bangladesh has about 90 Khasi villages with more than 30,000 people (Rahman 2004). The nature of the Garo and Khasia family is matriarchal and therefore, women are the head of the family and also own the property (Chakma 2000). According to the matriarchal tradition, after marriage husbands of both tribes move to their father-in-law's house (Shikdar 2013). The study has also observed that tribal peoples are victimised in various ways—socially, culturally, psychologically and structurally—through the legal structure of Bangladesh.

### **Protection for victims in the criminal justice system**

**Dr Arief Amrullah, Lecturer, Faculty of Law, University of Jember**

Protection for victims basically constitutes a matter which is not separate from human rights and the victim's rights, which cannot be separated from the concept of human rights.

For this reason, this paper addresses its discussion on two points: protection for victims in the Act concerning positive law of crime and protection in the Act concerning the protection for witnesses and victims. Based on these two points, it is important to have a further discussion on the policy of protection for victims which can be better regulated in the Act for the protection for witnesses and victims in the future, primarily regarding the offender's responsibility to the victims.

### **Canada's Victims Bill of Rights—setting a new direction for Canada**

**Pamela Arnott, Director and Senior Counsel, Policy Centre for Victim Issues, Justice Canada**

This presentation will inform participants about the creation and content of the Canadian Victims Bill of Rights. This milestone legislation creates statutory federal rights for victims of crime for the first time in Canadian history. The lead counsel for this project will discuss the intensive public consultations leading to the legislation, and provide an overview of key provisions in the implementation of the Bill. Participants will gain an understanding of the importance of this legislation and the extent to which this legislation will set a new direction in the respect for victim rights in Canada.

## **Victims' right to know in the transitional justice process: A situation analysis of Nepal**

**Tanka Raj Aryal, Executive Director and Saroj Bista, Researcher, Citizens' Campaign for Right to Information**

The crux of transitional justice requires the finding of past human rights abuses and crimes; it identifies perpetrators, researches related issues and establishes facts, brings abuses to public view, preserves evidence and recommends reparations and institutional reform in order to achieve accountability. In that course, the right to seek and receive information in relation to violations, perpetrated by the agents of the state or another party, is essential to the reconstruction of the truth of past atrocities and violations, and is a significant factor in tracking problems of state or perpetrator impunity: a collective right which allows a society to gain access to information essential to the development of democratic systems, and also an individual right for the relatives of the victims, allowing a form of reparation and justice.

Nepal has undergone 12 years of internal armed conflict (1994–2006), which has left behind enormous damages consisting of casualties, loss of property, disappearance, displacement etc. Thousands of victims of internal armed conflict are still waiting for justice. While the drafting of a new constitution is in process, it took almost seven years to setup institutions for addressing the grievances of victims as per agreed in Article 33 (s) of the Interim Constitution of Nepal 2007 and 4

(Relating to Clause (3) of Article 166) of the Comprehensive Peace Accord concluded between the Government of Nepal and the Communist Party of Nepal (Maoist) in 2006. A Truth and Reconciliation Commission and a Disappearance Commission were established in February 2015.

In this scenario, provisions must be ensured whereby the victims or any persons associated with the transitional justice mechanisms have unrestricted access to all the information relevant to attain relief and justice. Article 27 of the Interim Constitution of Nepal, the Commission on Investigation of Disappeared Persons, the Truth and Reconciliation Act 2014 and decision of the Supreme Court of Nepal in February 2015 should be taken into account to guarantee the victims' right to know about the entire process of transitional justice in Nepal. Any limitations on disclosure of the information must be strictly limited and, in particular, any claim by the state that information should not be disclosed must be subjected to independent judicial oversight.

Transparency in transitional justice affairs (involving the works of the commissions and other mechanisms) ultimately ensures justifiable treatment for victims and other persons associated with it. Available relief packages and the process of selecting between options of justice must be known to every victim and every member of the victim's family. It would be relevant to note the provisions enshrined in the Right to Information Act 2007 of Nepal in the process of information disclosure, information seeking and receiving.

## **Honour-based violence and intrafamilial hate crime: Heteronormativity as an explanatory framework**

**Dr Nicole Asquith, Associate Professor of Policing, University of Western Sydney**

Popular representations of honour-based violence (HBV) construct this violence as an artefact of an uncivilised code of morality. Here ird, sharaf or izzat and the shame of transgressing these honour codes are attached to particular normative values that are often aligned to those in the Koran. This clichéd version of HBV frames Muslim women's sexual autonomy as exceptionally regulated, most commonly by male family members, with the complicity of female relatives. Emerging research is beginning to highlight that HBV is not unique to Muslim

communities. Additionally, collective violence that aims to regulate and control sexual and gendered behaviours has also been documented in cases of intrafamilial hate crimes against gay men and lesbians (Asquith 2015). When considered through the conceptual lens of heteronormativity, the violent policing of transgressive gender and sexuality at the centre of HBV becomes intelligible across cultures and is less able to be used in a politics of exclusion. As a framework, heteronormativity makes clear the social, familial and individual imperatives shared across extreme, organised heterosexist and intrafamilial violence against people who identify as LGBTIQ, individualised and habituated intimate partner violence of Western nuclear families and the collective familial conspiracy at the heart of honour-based violence.



## Multiple victimisation: Sex workers in South Africa

**Prof Jaco Barkhuizen, Professor, University of Fort Hare**

This paper explores sex workers as victims of multiple and systematic victimisation. The focus of the paper looks at the current situation of sex work in South Africa, the forms of victimisation sex workers suffer and potential solutions to minimise these multiple forms of victimisation.

## Paramedics and children exposed to domestic violence

**Stephen Bartlett, Lecturer, Queensland University of Technology**

Children exposed to domestic violence is an accepted subtype of child abuse and neglect. The harm caused by domestic violence (DV) and exposure to domestic violence (EDV) is well documented. Australia's government has recently acknowledged the importance of highlighting the importance of combating DV by naming domestic violence campaigner Rosie Batty as Australian of the Year 2015. Police and child protection services, in the main, shoulder the burden of responsibility for victims of domestic violence. Ambulance services also come into contact with victims of domestic violence: in the event of a victim of domestic violence presenting with injuries warranting treatment and transport to an emergency department (ED), paramedics will attend, treat, and if indicated, transport through to a suitable ED for further treatment. There is no literature on paramedics and children exposed to domestic violence: what they do, whether they act on

behalf of all victims and what types of domestic violence paramedics encounter. By virtue of their role in the community, paramedics are particularly well placed to participate in preventative and supportive strategies in relation to DV and EDV.

The research seeks to address paramedic experiences of children exposed to domestic violence through the lens of recent legislative amendments and enactments. Paramedics are involved in attending to DV; this is accepted and unequivocal. To what extent paramedics assist children as the peripheral victims of domestic violence is unclear and the research will contribute new and significant knowledge in this area of EDV.

## Scope and challenges in studying secondary victimisation

**Solange Bertrand, Advisor, Fundación Amparo y Justicia**

Secondary victimisation has been recognised by the United Nations as one of the most harmful effects of victimisation. To address it, Chile has implemented a set of measures aimed at understanding this phenomenon and its magnitude, in order to design public policies that contribute to its mitigation. These actions have been focused on specific groups such as boys, girls and adolescents who are victims of sexual crimes.

As part of this effort Fundación Amparo y Justicia, a non-profit civil society organisation whose mission is to 'influence public policy on matters of sexual crimes against children to prevent the occurrence of this type of violence and reduce secondary victimisation of child and adolescent sexual abuse victims as their cases are processed by the judicial

system', has carried out actions to address secondary victimisation since 2007.

This study analyses the principal studies, measurements and plans implemented by academic institutions, civil society organisations, and the Chilean government. Among other research, it examines a study on 'Perception of the investigative and legal processes in cases of child sexual abuse'; as well as research currently being conducted by the Foundation and the Public Prosecutor's Office, which is in charge of criminal prosecution.

All of this is aimed at understanding the implications and limitations of these types of initiatives and establishing key considerations for measuring this phenomenon.

### **Post-trauma outcomes and victims' wellbeing—the effects of restorative justice**

**Holly Blackmore, PhD Candidate,  
University of New South Wales**

**Professor Janet Chan  
Dr Jane Bolitho**

This research explores how victims' wellbeing is affected following serious crime, whether their wellbeing changes over time and whether it is influenced by other factors—in particular, by participation in a restorative justice (RJ) conference. The research tracks the recovery and wellbeing of victims of serious crime by measuring their psychological wellbeing, as well as positive and negative post-trauma outcomes—post-traumatic growth and post-traumatic stress symptoms. The victim-offender conferencing program conducted by the Restorative Justice

Unit in Corrective Services NSW is the program being investigated by this project. This post-sentence program involves conferences between the victim, the offender, and their support. The program operates post-sentence and involves serious crime; it is therefore therapeutically orientated. It remains to be investigated to what extent this type of program improves victims' wellbeing and their recovery from trauma. This quasi-experimental research will attempt to respond to this by employing a mixed-method approach, utilising semi-structured interviews and self-reported psychological measures across three points in time. The sample consists of three groups of victims—victims who are motivated to participate in the RJ conference and are selected to participate; victims who are motivated but are not selected to participate; and victims who have not had any contact with the Restorative Justice Unit and instead participate in a traditional trauma intervention (counselling). This research will contribute to our understanding of post-trauma outcomes and the wellbeing of victims of serious crime, to the methodological literature, and to RJ theory and practice.

### **A postcolonial victimology? Understanding the role of colonisation in making Indigenous victims**

**Dr Harry Blagg, Professor of Criminology,  
University of Western Australia**

Indigenous peoples tend to be among the most victimised groups in the world, yet mainstream systems have historically tended to ignore their demands for support. This paper draws upon new critical research in the

sphere of postcolonial theories, or 'theories of the south', to present a narrative regarding Indigenous victimisation that situates the phenomenon within a framework of Indigenous dispossession and genocide. It provides illustrations from research on Indigenous women as victims and on Indigenous youth. Western Australia has one of the highest incarceration rates of an Indigenous group in the world. The paper assesses the egregious harms of colonisation through problems such as family violence and the emerging crisis of fetal alcohol spectrum disorder and discusses the role of 'decolonising' strategies.

### **Needing to forgive: A survivor's experience of restorative justice and victim offender mediation**

#### **Pip Brennan, Executive Director, Health Consumers' Council**

In 2002 the presenter, Pip Brennan, survived a home invasion and sexual assault by an unknown perpetrator. As his face was disguised, there was no possibility of providing an identifying image of the perpetrator, who was not apprehended until 2004 through DNA back capture. In her memoir *Not My Story*, the author has documented the complex reaction to the perpetrator, and her experiences with the Sycamore Tree Project before finally undertaking a face-to-face mediation meeting with the perpetrator in 2010, when he had been incarcerated six years. This talk humanises the issue of restorative justice through the victim/survivor's eyes. It poses complex questions of how community safety could be better supported through a different approach to justice. Pip Brennan is a not-for-profit professional as well as a survivor and

author. She is currently the Executive Director of the Health Consumers' Council in WA and has a passion for social reform and system change.

### **Victim perspectives in creating change**

#### **Pip Brennan, Executive Director, Health Consumers' Council**

Pip Brennan has a unique perspective as a survivor of home invasion and sexual assault, as well as being a not-for-profit professional. She founded Reclaiming Voices in 2006 in an ultimately unsuccessful attempt to establish an independent advocacy service for victims of sexual assault. She also sat on the Sexual Assault Services Advisory Group from its inception until victim representation was no longer part of the group's terms of reference. Her memoir *Not My Story* details not just her recovery from trauma but also her marathon attempts to bring change to the system. Pip is currently the Executive Director of the Health Consumers' Council, which provides advocacy for health consumers.

This talk highlights the largely untapped potential of motivated victims of crime who want to use their horrific experiences to support social change. It charts a potential way forward for the state in terms of including independent advocacy into the service mix. Engaging, enlightening and powerful, this talk is a unique blend of survivor and systemic advocate insights into the importance of advocacy.

## **New multi-agency domestic violence response model in NSW: Progress and challenges**

**Helen Brereton, Executive Officer, Women's Domestic Violence Court Advocacy Service NSW**

In 2014, the New South Wales Government launched its Domestic Violence Reform Framework, It Stops Here. This framework represented a renewed focus on domestic and family violence in the state. A key component of the reforms is the new service delivery model, Safer Pathway.

Under the new model, NSW Police complete a new standardised risk assessment tool with women who are victims of domestic and family violence. Victims are assessed as 'at threat' or 'at serious threat' and immediately referred to a local coordination point (LCP) hosted by the 28 Women's Domestic Violence Court Advocacy Services. The LCP addresses the immediate safety needs of all female victims referred and provides information, referrals and case coordination.

In cases where a woman is assessed as being at serious threat of further harm, her details are forwarded to a safety action meeting (SAM) chaired by a local senior police officer. SAM members include representatives from local non-government and government agencies. Government attendees are permanent members and attendance is compulsory. A safety action plan is developed at the SAM to provide for the safety of the woman and her children and for their continued support through local services.

Progress so far is promising. Agencies are already working together to ensure violence victims do not have to repeat their story every time they need help. Women who are at serious

threat are now being properly identified and prioritised for immediate support. However there are challenges in implementing this model and it serves to highlight the complex needs of women experiencing domestic violence and the lack of support available to them for their long term recovery.

## **Postcodes without police, victims without protection: The murky waters surrounding cruise ship holidays**

**Mark Brimble, Director/Founder, International Cruise Victims Australia**

The number of people internationally taking to the high seas is now equal to the population of Australia. Few passengers, if any, know what rights they are giving away when they step onboard foreign-flagged ships. Family members, never found, are presumed lost at sea. Sexual assault and rape, as well as numerous other dreadful crimes, have been left to under-trained security employees hired by cruise lines from Third World countries where the economy is bleak, attracting a willing workforce but one where background information is incomplete and unverifiable.

When such crimes are reported to the ship's flag state (flags of convenience), these countries have no interest in marine or criminal administration and lack any means to investigate. People are taking vacations in a seafaring town without a well-trained, responsive police force. The public assume that crew members are trained to evacuate ships in emergencies and that they would remain sober at all times while at sea.

Disappearances and unreported sexual assault on or by crew members and passengers



aboard ships are happening every year. Confusion abounds with cross-jurisdictional laws. Victims are not able to get immediate impartial support and assistance when it is needed, having to wait days before reaching land-based authorities.

The International Maritime Organisation has allowed cruise lines to sign away their passengers' rights to venal states who wash their hands of any problems. The cruise companies continue to do everything they can to avoid any legislation that will make them accountable.

## **Vicarious trauma: Managing the inevitable**

**Jackie Burke, Projects Manager, Rape & Domestic Violence Services Australia**  
**Ela Samoraj, Counselling Supervisor, Victim Support Service Inc, South Australia**  
**Romaine Moss, Manager, Work Health Safety, People & Culture, CatholicCare, Diocese of Broken Bay**

The term 'vicarious trauma' is often associated with the cost of caring for others. It refers to the detrimental impacts suffered by people who are indirectly exposed to traumatic material—in particular, workers in helping professions such as the police, emergency services, health, social work and counselling. Vicarious trauma presents a serious work health and safety risk for employers, and can produce significant human and financial costs in the following areas: employee physical and mental wellbeing, work performance, unplanned absences, attrition rates, compensation claims, and workplace culture. Although the risk of vicarious traumatisation for professionals who work in trauma contexts cannot be fully eliminated, the effects of

vicarious trauma can be ameliorated if they are addressed proactively. The symposia will explore the construct of vicarious trauma and experience of three organisations with designing and implementing successful vicarious trauma management programs. It is aimed at building capacity of professionals who work in a trauma context to respond effectively to vicarious trauma on an organisational level and offer ideas about how to prevent poor organisational outcomes due to problematic vicarious trauma.

### **Presentation 1: Rape & Domestic Violence Services Australia**

This presentation will introduce participants to the construct of vicarious trauma and provide a global overview of strategies that organisations can adopt to manage vicarious trauma effectively. Furthermore, it will explore the Rape & Domestic Violence Services Australia vicarious trauma management program which received the 2007 WorkCover New South Wales award for 'The best solution to an identified occupational health and safety issue.' Through implementation of this program the organisation was able to achieve a greater than 50 percent reduction in unplanned absence from work, the elimination of workers compensation claims arising from vicarious trauma, and annual savings of nearly \$100,000.

### **Presentation 2: CatholicCare, Out of Home Care Services (OOHC), Diocese of Broken Bay**

CatholicCare has embarked on a two-year study into the effects of vicarious trauma on its residential care workers. The analysis so far has indicated that the comprehensive Vicarious Trauma Management Program has already produced psychological and financial cost savings, such as a 23 percent reduction

in employee sick leave due to vicarious trauma. This presentation will discuss the keys to a sustainable management plan including accepting the real risk of vicarious trauma when working in residential care work, developing positive management/staff relationships and formulating a multi-pronged approach to managing the risk.

### **Presentation 3: Victims Support Service Inc, South Australia**

Two and half years ago Victim Support Service Inc (VSS) in South Australia started developing a framework for managing the impacts of vicarious trauma on its frontline workers. This presentation explores the development and step-by-step process of implementing a vicarious trauma management and wellbeing program within a small-medium organisation. Results of staff surveys will be presented and discussed. Commitment, resources, practices promoting self-care and fostering resilience, peer support, supervision and self-compassion—concepts relevant to the process of successful implementation of the program will be discussed, as well as the benefits and challenges of setting up and maintaining this type of program in a not-for-profit organisation.

## **The role of violent victimisation in youth offending**

### **Luke Butcher, Area Manager, Mission Australia**

Exposure to trauma such as being the victim of a violent crime can negatively impact the neurological and psychological development of an adolescent, impeding the development of self-regulation and executive function

(Ford et al. 2013). Within the juvenile justice system, there is a subset of detainees who are considered to be poly-victims; those who have experienced several traumas including physical, psychological and sexual abuse (Ford et al. 2013).

Young people who are poly-victims report more severe symptoms of post-traumatic stress, higher levels of emotional and behavioural difficulties, more instances of suicidal behaviours as well as higher drug and alcohol usage than other young people involved in the juvenile justice system (Ford et al. 2013). More than half of the juvenile justice population in New South Wales indicates a history of trauma (Indig et al. 2010).

Within research on Aboriginal youth offending, the normalisation of family violence and high prevalence of grief, loss and substance misuse are as much symptoms as causes of traumatic stress. Indigenous children frequently witness or experience violence, which is normalised and increases the risk that they themselves will use violence. Research indicates that victims of early childhood abuse became perpetrators of violence towards extended family members and others, in a process of violent victimisation.

Through one of our youth residential drug and alcohol rehabilitation services, Mission Australia deliver an evidence-based, offence-focused therapeutic program. All participants in the program reported being victims of domestic and interpersonal violence. This paper explores the therapeutic model's attempt to explore the interface between intergenerational trauma, victimisation and offending behaviour.



## **The past is our present: Victims of institutional abuse and the legacy of conflict**

**Shauna Carberry, Human Rights Lawyer, P Fahy & Co Solicitors**

This paper examines the approaches adopted to address the concerns of victims of historical crimes or the legacy of conflict. The growing number of victims of past crimes coming forward decades later places a distinct burden on the state. It considers the important role played by NGOs in providing holistic support. The paper also raises questions about the creation of multi-layered, complex and transgenerational trauma on victims arising from years of inability to identify oneself 'officially' as a victim, and lack of access to an effective remedy. This paper considers the developing situation in Northern Ireland and examines key similarities in the journey of victims of historical abuse and victims of the Northern Ireland conflict.

## **New South Wales (NSW) Police Force—Working to provide an improved equitable police response to victims of crime**

**Detective Superintendent Joseph Cassar, Southern Region Sponsor for Victims of Crime, NSW Police Force**  
**Donna Glover, Program Officer, NSW Police Force**

**Assistant Commissioner Gary Worboys**  
**Inspector Chris Craner**

This paper will explore the vital role the New South Wales Police Force (NSWPF) plays in

responding to and providing support for victims through a focus on policy development and service delivery, to assist operational police to improve the outcomes for victims of crime. This paper describes how the NSWPF is implementing practical strategies to meet the complex challenges in terms of providing a consistent response to victims in all geographical areas and in meeting the needs of victims from diverse and vulnerable communities. It examines how the NSWPF is actively committed to engaging with all relevant agencies and working collaboratively with the state's Commissioner of Victims Rights to provide victims of crime in New South Wales with a responsive and equitable standard of service. Being a victim of crime is usually a traumatic experience. As first responders, the safety and welfare of all victims is the first priority for police. While the physical and economic damage may be immediately obvious, it is the emotional and psychological trauma that follows that is the critical problem for tomorrow. It is therefore essential to show the utmost respect and empathy to victims while also providing a highly professional service. A professional service is more than taking a report of the crime on day one. It is the job of the officer to whom the crime is reported to keep victims informed of any developments. Our response to victims not only impacts on their recovery but can also influence investigation outcomes if we are unable to willingly engage victims to participate in the justice process.

## **Men as victims of online crimes: An examination**

**Dr R Rochin Chandra, Student,  
Manonmaniam Sundaranar University  
Dr K Jaishankar, Senior Assistant Professor,  
Department of Criminology and Criminal  
Justice, Manonmaniam Sundaranar  
University**

Galloping progress in technology has marked the establishment of a new social environment commonly known as cyberspace. It offers enormous opportunities to commit various distinct crimes. At the same time it exposes people to a multitude of threats, raising serious concerns over the safety of an individual who dwells in the unconfined or unlimited spaces of virtual world. A plethora of people fall victim to the pernicious online crimes that happen every single minute and the aggrandising figures of such incidents indicate the scale and magnitude of this malaise. In general, when we speak of cyber crimes, there is a common notion in one's psyche which predominantly perceives women as the victim of online crimes. However, the dark side of online crimes, where men fall victim to cyber crime, is largely overlooked. The underlying reason behind this typical, yet credibly-held belief, is the scores of incidents which magnify and project the appalling crimes associated with women such as online sexual exploitation, stalking et cetera. These cannot be ignored; but at the same time they blindfold the perception of men as the victim of online crimes. The literature concerned with victimisation of men in cyberspace is sorely lacking depth. The reliable statistical estimate of men victimised by online crimes is difficult to gauge due to scanty evidence and the

apathy of the media to feature such crimes. This paper makes an effort to illuminate the various forms and corresponding patterns of male victimisation in virtual space. The paper follows a theoretical approach and endeavors to examine the nature of crime (whether inflicted by women on men or men on men). It also analyses the legislative strides taken by various countries, and highlights relevant case studies. The paper concludes with recommendations relating to this form of crime.

## **Peer support as mediator between school victimisation and psychological distress among high school students in Taiwan**

**Ji-Kang Chen, Associate Professor, the  
Chinese University of Hong Kong  
Hsi-Sheng Wei, Professor, National Taipei  
University**

This paper examines how peer social support mediates the association between school victimisation and student psychological health among senior high school students in Taiwan, and further examines how gender and school types differ in the interrelationships of school violence, peer social support and psychological health.

Data were obtained from a large-scale random sample of senior high school students (grades 10 to 12) in one diverse county of Taiwan. Students were given an anonymous structured questionnaire, including items regarding basic demographics and school social experiences.

The results of structural equation modeling analysis provided a good fit for the sample as a whole. The final model accounted for 24



percent of the variance in student psychological health. Overall findings showed that student psychological health is not significantly directly associated with victimisation by students and student maltreatment by teachers. However, student psychological health is indirectly associated with victimisation by students, mediated through peer social support. Similar findings were found for both male and female and both academic and vocational high school students.

The findings imply that peer social support plays an important mediating role between exposure to school violence and student psychological health. The findings provide empirical evidence and information to help school practitioners and policymakers justify developing or incorporating social support into prevention and intervention strategies. The findings suggest that interventions or policies promoting social support incorporated at a national level could be effective across genders and school types in Taiwan.

### **Justice for rape victims: Post-Nirbhaya developments in India—a critical analysis**

**Dr Kumaravelu Chockalingam, former Professor of Criminology, University of Madras**

Among different kinds of violence perpetrated against women, the most gruesome victimisation is rape. The victim Nirbhaya who suffered at the hands of five rapists in a moving vehicle in Delhi on 16 December 2012 shocked the conscience of humanity around the world. The Government of India constituted a committee with Justice JS Verma, the former supreme court judge, and this committee

examined the prevailing situation of rape laws in India and presented a detailed report.

Justice for rape victims is a comprehensive concept which not only involves changes in the criminal laws to increase punishment, but also a multi-pronged attack on the variety of causal factors whereby women become victims, and more specifically, rape victimisation. Justice for rape victims primarily involved protecting the interests of victims and their dignity during the different stages of the criminal justice process, the awarding of compensation as a right of the victim, as well as all measures taken by the government and society to prevent victimisation. The present paper tries to examine the pre- and post- Nirbhaya situation on law on rape in India, how women are perceived by sections of society and how much justice for rape victims has been achieved in India.

### **Understanding peer victimisation among secondary school students in Thailand**

**Srisombat Chokprajakchat, Associate Professor, Mahidol University**  
**Attaphol Kuanliang, Associate Professor, Midwestern State University**

#### **Nittaya Sumretpho**

Studies on peer victimisation have received considerable attention in the Western world. However, this study examines a limited amount of data and specifically that relating to countries in Asia. Peer victimisation can have many effects on its victims including psycho-social, physical, and academic harm. The current study uses longitudinal data

gathered from all secondary school students in the Nakhon Pathom province of Thailand. Demographic factors are analysed and the trajectory of peer victimisation experiences is explained in two groups of students: first are lower-secondary school students (grades seven to nine) then upper-secondary school students (grades 10 to 12). The research team employed the Multidimensional Peer Victimization scale as devised by Mynard and Joseph in 2000 to measure levels of peer victimisation. Descriptive statistics and t-test statistics are presented in the findings of this study.

## Victims of farm attacks in South Africa

**Lorraine Claasen, Researcher, AfriForum**

The farm attack is a complex crime phenomenon unique to South Africa. Following 1994 and the end of the apartheid era, more than 1,750 farm murders have been committed in 3,460 farm attacks across South Africa. Researching the nature and extent of these crimes proves to be extremely complicated considering the current underlying tension in South Africa, fuelled by irresponsible statements made by political party leaders.

Apart from the impact these crimes have on food security, unemployment and producing goods for the export market, victims are left with little or no support from the South African Government in the aftermath of an attack. This vulnerable occupation group is faced with dealing with the traumatic event as well as making decisions regarding their farm which affect their employees and, in turn, their families.

The motives for these crimes are a widely-debated topic. Although in most cases robbery is identified as the motive, the extreme brutality, torture and unnecessary overkill indicates a level of hate which cannot be justified or ignored. Due to the farms' isolation and the distances between neighbours and towns, attackers have ample time to commit these crimes at their leisure. Farmers can often only communicate by means of two-way radios as the cell phone signal is often insufficient in rural areas. A farm attack can include various crimes committed against the victims. Robbery, attempted murder, assault, rape, torture and murder can be committed by a number of assailants on a farmer and his family residing on the property as well as on farm workers employed by the farmer.

The impact and consequences of a farm attack on the victims are intense and far-reaching and need to be addressed by stakeholders, police services and government.

## Can restorative practices offer anything for victims of crime?

**Michael Cockram, Lawyer**

Between 2005 and 2015 Michael has been involved in the delivery of 26 in-prison courses, involving 350 prisoners (all voluntary) and approximately 75 victims of violent crime (unrelated to the prisoners).

The courses provided an insight into the impact of crime and exposed all participants to the stories of others. Course goals included:

- telling (and listening to) the stories of both sides;

- supporting victims to find a sense of empowerment;
- allowing the process to be experienced by victims as healing, and letting go of anger, hatred and bitterness;
- encouraging prison residents to understand the full impact of their crimes on themselves, their victims, their families and their community; and
- encouraging and supporting each other as part of the healing process.

The presentation will identify how this form of restorative justice offers possibilities for all victims of crime, using a flexible pathway that does not need the cooperation of one's own offender to find freedom. Such a process holds the potential to challenge our current system of rehabilitation and healing for all stakeholders in the aftermath of crime.

The process follows in the footsteps of the Truth and Reconciliation Commission of South Africa and elsewhere as well as the many peace and healing movements now developing around the world. It is among the most effective journey available to people who have been harmed and people who have harmed others, as it can effectively encourage story-telling as healing, as well as reshaping one's own narrative for the future.

## **Putting children first? Law and policy for child victims of sexual offences**

**Helen Codd, Professor of Law and Social Justice, University of Central Lancashire**

This paper draws on the findings of the author's ongoing international collaborative research project exploring legislative and

policy responses to the sexual victimisation and exploitation of children. This paper will examine the implementation of children's rights in relation to criminal justice system responses to child victims of sexual offences in the United Kingdom, critically evaluating the extent to which legal and procedural protections of victims interlink with legal and procedural provisions to enforce children's rights.

There are ongoing concerns in the United Kingdom about the extent and nature of sexual offences against children, in the light of the publicity following the death of the popular television presenter Jimmy Savile and the prosecution of a number of high-profile public figures for historical child sexual abuse. Several published reports have highlighted systematic official and institutional failures to protect children, and inadequate responses when children disclose abuse. Child victims of sexual crimes are still in fear of coming forward and reporting abuse, and responses to sexual crimes against children tend to be conceived as issues of social work, child protection and legal procedure, rather than as children's rights issues. Although the focus of this paper is on the situation in the United Kingdom, the issues raised, and the rights issues discussed, will be relevant to policymakers and practitioners from around the world.

This paper concludes by outlining suggestions for future legal, policy and practice reforms which will strengthen existing provisions, suggest innovative initiatives, and create a robust response to the sexual victimisation and exploitation of children which focuses on the protection and enforcement of children's rights.

## Ubuntu philosophy in action: An African perspective on human empowerment

**Matthew Cronje, Student, University of KwaZulu Natal**

Ubuntu philosophy is one which has been practiced on the African continent as far back as circa 2400 BC during the time of Netchar Maat in ancient Egypt. However, with the dawn of the modern age, globalisation and numerous technological advances, much of the traditional values and perspectives of African humanism have become diluted and at times entirely disconnected. This paper/presentation aims to present the concept of Ubuntu, the role it played in South Africa's transition from apartheid to democracy, the influence of Archbishop Desmond Tutu in

reviving the philosophy as a tool for change, its relation to restorative justice and the modern day application of this ancient perspective. With the current popular culture of individualism and lack of tolerance and understanding for the 'other' in numerous societies across the world, it becomes important to demonstrate the applicability of such an open and accepting philosophy in empowering humans—not as victims or offenders or any other stereotyped label, but as human beings with intrinsic value and purpose in society. The presentation will therefore present feedback from 'Ubuntu Clubs', a youth focused initiative run by a South African NGO that promotes community involvement, solidarity and a safe space for youth to relate to their peers and community members.



# D

## **The NSW Domestic Violence Justice Strategy: A collaborative and responsive framework to address domestic and family violence**

**Kristen Daglish Rose, A/Manager, Domestic and Family Violence, New South Wales Department of Justice**

This presentation will provide an outline of the New South Wales Domestic Violence Justice Strategy 2013–2017. The strategy is an operational framework that outlines the approaches and standards justice agencies in New South Wales are adopting to improve the criminal justice system's response to domestic violence. Its objectives are to make victims safer, hold perpetrators accountable and prevent domestic violence from reoccurring.

The strategy showcases an effective cross-agency partnership involving justice and human service agencies and victims support services, all of which are committed to working together to provide an effective and integrated response to domestic violence. It sets out six justice outcomes that agencies are aspiring to achieve to ensure victims and perpetrators experience high standards of service across the New South Wales justice system.

The strategy also identifies areas where reform is needed to ensure effective implementation. These key areas are being addressed through research, and policy and legislative reform, throughout its term.

This presentation will provide a brief history of the adoption of the strategy; the primary elements of the strategy, including an outline of the standards of service adopted and the

primary reforms being implemented; and finally the achievements that have been recorded in its first two and half years of operation.

## **In the Loop: Mitigating trauma, ambiguous loss and isolation in the lives of young people**

**Liz Davies, Coordinator, Families and Friends of Missing Persons Unit, Attorney-General's Department of New South Wales**  
**Janelle White, Principal, Griffith Counselling Centre**

*In the Loop* is a resource written by young people who have a missing person in their lives. The Sydney-based practitioner from the Families and Friends of Missing Persons Unit, who drove the development of this resource, also provides long-distance supervision to a rural clinician from the Griffith Counselling Centre who provides trauma counselling for children. In contrast to young people who have experienced trauma through the loss of a missing loved one, these young people have experienced trauma through sexual assault and domestic violence. Both cohorts experience isolation and stigma as a result of their trauma. Rural isolation creates limited access to resources and mental health services. *In the Loop* has been a solution to providing outcomes for trauma-affected children.

In two different practice contexts, two mental health social workers have used *In the Loop* as a shared resource tool to develop an expanded framework for trauma counselling within the context of ambiguous loss and trauma. Just as young people connect with the words and drawings of others, themes of not knowing, uncertainty, sadness, anger and

unresolved grief and loss are explored as their own stories and books emerge in therapy. It is both the difference and the commonality of children's experiences that create opportunities for deeper conversations, and shared understanding and knowledge about loss for young people.

*In the loop* provides a practice model for therapy, offering young people the tools to express their experiences of trauma and loss. Through writing and drawing they find a voice to share their unique experiences and understandings resulting in positive therapeutic outcomes.

### **What will we tell the children? A conversation about recognising the psychosocial support needs of young people living in the presence of trauma.**

**Liz Davies, Coordinator, Families and Friends of Missing Persons Unit, Attorney-General's Department of New South Wales**

Young people are often the forgotten victims in the presence of trauma. The trauma may be present within their family, in a broader societal context, and may exist across generations. They may be the silent onlookers who are quickly whisked out of sight. Their questions may remain unanswered in an attempt to avoid distress, to protect their 'innocence', or out of impotence to find the right words or explanation; but at what cost to the ongoing emotional wellbeing of the young person?

Service providers have a responsibility to enquire about young people, and a responsibility to recognise that they too are impacted by traumatic events. The old adage

'children should be seen and not heard' often becomes 'children are neither seen nor heard'.

How we observe the signs of trauma in children and respond to their support needs is the focus of this workshop session. It is everyone's responsibility to acknowledge that young people are a part of families or groups impacted by trauma, deserving of support.

### **Pilot befriending program 'saves life'**

**Fransess Day, Counsellor, Broadening Horizons**

Case studies depict a range of impacts of the HOPE Befriending Program on victims of crime. This presentation gives an overview of the issues encountered in establishing the program and committed participant relationships. It also offers hypotheses for future research.

### **Working together—Victim Centric Service Delivery**

**Jan Demarte, Police Officer, Victoria Police**

Victoria Police is a large and complex organisation that must evolve continuously to meet the expectations and requirements of the broader community it serves. To accomplish this, the long-term strategic intent champions a greater focus on victimisation and harm—it advocates for more proactive policing to prevent and tackle crime before it happens. It needs to provide a more visible, accessible and responsive service to the public and build better partnerships to underpin the delegation of some activities to other organisations.

In line with this strategic intent the Victims Advisory Unit has developed a Victim Centric Service Delivery Strategy and the Victoria Police electronic Referral (VPeR) system, together with government partners and the use of technology. VPeR can access 17 referral types to 176 support services, addressing primary and secondary victimisation and helping those in need of assistance.

Frontline police are the gateway and will use VPeR to refer people who may benefit from a specialised government-funded agency to access in-depth care in a timely manner for all non-crisis, non-family violence consent based referrals to:

- gambling support;
- alcohol and drug misuse support;
- victim support;
- youth at-risk services;
- child welfare services;
- legal information and advice;
- grief support;
- mental health services;
- aged support;
- disability services;
- support after suicide;
- financial support;
- road trauma support;
- homelessness services; and
- dispute resolution/mediation.

## **Need for a victim-sensitive legislative reform in India**

**Astha Dhandac, Research Fellow, Jindal Institute of Behavioural Sciences, OP Jindal Global University**

**Dr Sanjeev Sahni, Principal Director, Jindal Institute of Behavioural Sciences, OP Jindal Global University**

In India, there is a need for victim-focused and victim-friendly laws. Assistance is provided by way of the benevolence of the state and not as a right of the victim. This paper highlights the status of victims of crime in India and the need for associated legislative reforms. Preliminary analyses of global victims' assistance legislation suggests the urgent need for a victim centric approach in legislative drafting in developing countries. These laws will be analysed critically in suggesting the drafting of victim-sensitive Indian legislation for crime victims.

The author examines jurisprudence developed by the Supreme Court of India on compensation provided to crime victims. The criminal justice system recognised victims post the 2009 amendment which introduced section 357A in the Criminal Procedure Code of 1973. State governments are mandated to enact schemes to compensate victims of crime and review these schemes, and the incongruence in their structure will be discussed.

The penultimate segment will aim to examine the mental health and rehabilitation aspect of victim support in India. The availability of psychological counselling, emotional support and medical treatment to victims in India and the significance of these will be assessed.

Finally, the outcomes of the study will be presented, reflecting the need for a central victim-focused legislation for victims' assistance in India. This presentation aims to draw out basic structure of the proposed legislation, taking a victim centric approach, keeping in mind the global and domestic jurisprudence.

### **Opening the can of worms: Victim counselling in prisons**

**Thomas Dornan, Manager Strategic Policy and Programs, Victims Services, NSW Department of Justice**

An abundance of research exists outlining the existence of trauma histories of inmates incarcerated in correctional centres. We know that this trauma contributes to offending behaviour, affects emotional regulation and is linked to an increased risk of criminal re-offending.

Despite the high levels of vulnerability among some prisoners and the severity of their trauma they receive little by way of treatment, even though such efforts could ultimately lead to reduced reoffending upon release and improvements to safety and wellbeing in custody. The overarching fear of prisoner's behavioural responses, should they 'open that can of worms', was a prevalent reason for not addressing the trauma.

Working in partnership, Victims Services and Corrective Services implemented a joint counselling in prisons trial which provides insight into: the victimisation and subsequent trauma experienced by participants; the experience of counselling in prison from both the participants' and stakeholders' point of view; and the impact of counselling.

The evaluation provided a range of key themes in which a therapeutic framework for delivering a service to prisoners could be established. The evaluation indicates that it would be possible to address trauma in prisons, and makes a case for a gendered-counselling model for inmates. However, of most importance is that the evaluation highlights that providing therapy to address prior trauma improves behaviour rather than making it worse.

### **Victims of advance fee fraud: Understanding the process of victimisation**

**Dr Jacqueline Drew, Lecturer, Griffith University**

#### **Dr Julianne Webster**

Advance fee fraud (AFF), more commonly referred to as Nigerian scams, is a growing concern. Victims of AFF lose millions of dollars annually to this type of frauds. This study analyses the victimisation process of AFF. Based on a sample of victims, an analysis of the demographic profile of victims, including the actual cost of financial losses, is undertaken and the process of victimisation is examined. Interviews with a sample of victims of AFF, who were contacted by one Australian police agency as part of a proactive police intervention, are used to identify the key factors associated with ongoing victimisation, even following police contact. The study seeks to identify potential areas of intervention, specifically for police who are working to reduce the seriousness and/or duration of AFF victimisation.



## Victimisation on environmental protection

**Rayhan Dudayev, Assistant, Indonesian Center for Environmental Law**

Establishing a national park provokes conflict, causing victimisation of indigenous people. In Bukit Barisan Selatan national park, located in Bengkulu province, a few houses of the Semende Banding Agung tribe were burned by police officers. The people are described as criminals breaking the law, although they have been living there since the nineteenth century. Their loss cannot be compensated by the Witness and Victim Protection Agency (LPSK) because the bill of victim and witness protection no. 31 (2014) limits the definition of victim to 'victim of penal action'.

Apparently, national park policy ignores the rights of a community. It is contradicted by the sustainable development principle in the bill of environmental protection and management no. 32 (2009) showing that the policy itself is disorderly. This presentation will describe how policy can victimise a vulnerable group, how protection and management of the environment should work based on a sustainable principle related to national park policy, and how the state could protect victims.

## Elder abuse in Asia and the United States

**John Dussich, Emeritus Professor, California State University**

**Xin Ren, Professor, California State University**

**Yoshiko Takahashi, Professor, California State University**

**Tod Tollefson, Professor, Tokiwa University**

The objective of this presentation is to address the issues of elder abuse and the response to elder mistreatment in Asia and the United States, presenting specific research findings from China, Fresno, California and Phoenix, Arizona.

### 1. The response to elder mistreatment in the United States

In the United States, post-war baby boomers number 76.4 million. By 2050 there will be 19 million people aged 85 years or older. The numerical impact makes their presence stand out. Accompanying the natural conditions of aging comes elder mistreatment—in the same proportion as in the past but now in much greater numbers. In terms of the proportion of mistreatment, estimates are that one in 10 elders is being abused today. One of the most egregious issues confronting elder mistreatment response today is the near absence of empirical research on the quality of interventions for those victimised. It is imperative that these interventions be assessed and the findings used to improve them.

### 2. Elder abuse in China

China entered this century with a growing ageing population due to the one-child per family policy of the past 40 years. By 2050, one-quarter of China's population will be over

65 years; for every 100 people between the ages of 24 and 64, 45 people will be over 65 years; while today there are only 15 elders for every 100 people. Taking care of these elders is an enormous burden for the younger population. Elder abuse is a foreseeable problem because of financial hardships, mental health problems, unaffordable facilities and health. In 50 years, elder abuse may supersede child abuse. This paper examines the current situation of elder abuse; legal and enforcement mechanisms that protect elders; causation analysis of elder abuse; and, policy assessment in protection and prevention.

### 3. Elder lifestyle and vulnerability

The proportion of elders throughout the world will increase in the next 30 years; the number of seniors will double. With this coming population wave will come more elder victimisation. Preparing for the inevitable, it is important to understand what can be done to prevent such victimisation. The challenge is to find the connections between the lifestyles of seniors and their vulnerability to becoming victims. This paper discusses how different demographic groups have distinct tendencies that could expose them to different types of victimisation using data obtained from Fresno, California. To enhance the prevention of elder victimisation, culturally competent service providers need to better understand the values, lifestyles, and family dynamics of elder people in their respective cultures.

### 4.

Asking elders about their life problems and how they manage these provides insight into their strategies for responding to their problems. Living longer broadens the range both of problems confronted and potential responses. Dividing elders by age into decade-

long cohorts yields insights into how their approaches to managing their problems evolve. A survey of elders in Phoenix, in the United States, on 18 variables helps to differentiate between successful and unsuccessful coping strategies. Sufficient resources help elders to manage stress. Resource appraisal diminishes among the oldest elders. The emotional value of social interaction shapes an elder's positive outlook on life. Controlling one's emotions helps elders respond to victimisation. Findings may be used to assess individual elders, to tailor effective programs and to focus advocacy efforts.

## Whistleblowers as victims: The experiences of whistleblowers after reporting wrongdoing

**Dr Inez Dussuyer, Senior Research Fellow,  
Victoria University**

**Anona Armstrong  
Dr Russell Smith**

A relatively under-researched group of victims are those who report wrongdoing in the workplace and suffer harm as a result of their actions. Reporting crime and misconduct is increasingly being encouraged in workplaces, but many of those who speak up and raise concerns suffer reprisals and negative consequences as a result, despite the existence of legislation and policies that seek to protect them. This paper presents the preliminary results of a study that sought to understand the experiences of whistleblowers through qualitative research carried out in Victoria in 2015. Interviews were conducted with a self-selected sample of whistleblowers who contacted an independent hotline service which provides support and advice for

those who make reports about wrongdoing. Interviewees were approached by the organisation and asked to contact the researchers if they were willing to participate in a confidential interview. Preliminary findings indicate that whistleblowers experienced a range of harms, including loss of employment, bullying and harassment and emotional distress. A survey of 'protected

disclosure coordinators', who receive and handle whistleblower reports, is also being conducted. The results will be used to develop a more open reporting culture in workplaces so that whistleblowers can speak out and report wrongdoing without fear of reprisals or victimisation. Strategies to prevent such victimisation and to support whistleblowers are also identified.

## **The plight of repatriated Sri Lankan Tamil refugees: A victimological perspective**

**Era Elamparithi, PhD Research Scholar,  
University of Madras  
Dr Murugesan Srinivasan, Professor,  
Department of Criminology, University of  
Madras**

Since the 1980s thousands of Sri Lankan Tamils have been coming to Tamil Nadu (a southern state of India) as refugees as a result of the ethnic conflict in Sri Lanka. After the civil war came to an end in Sri Lanka in 2009, a considerable section of such refugees were repatriated with a hope that they can start a fresh life in their homeland. Between 2009 and 2014, over 9,000 persons were repatriated to Sri Lanka. However, the available information and literature shows that their sufferings did not come to an end. In some cases, it is reported that conditions have become worse than their life prior to leaving their country for Tamil Nadu. The author of the paper has attempted to find out the various problems and challenges faced by those who have been repatriated from the state of Tamil Nadu. The analysis has revealed that the presence of Sri Lankan military among the civilian population intimidates the repatriated section. There are also instances of human rights violations by the armed forces such as illegal arrest and detention. They also encounter challenges with respect to education, employment, housing and so on.

## **Victim representation in the courtroom: International approaches and the potential for change in Australia**

**Steven Eley, Lecturer, University of Tasmania**

While Australian jurisdictions have given an increased statutory role to victims of crime in sentencing proceedings in recent decades, this has not manifested itself in a seat for them at the bar table. The move toward greater recognition of victim impact has not (yet, at least) led to actual representation. The decision whether, and what, information is presented to a sentencing judge from a victim's perspective still rests in another party's hands, usually the prosecution. The introduction of a victim advocate to this closed system, with accompanying rights to adduce evidence, make submissions and challenge the evidence of other parties, is considered by some commentators to be an upheaval of the fundamentals of our court procedures. Is such a change so dramatic? Many jurisdictions around the world allow victim representation in hearings which we might recognise as fair and just, though markedly different from our own. This presentation traces a brief overview of some of these systems, with discussion of the challenges and obstacles to their implementation here.



## **Victim satisfaction with the police: A study among the victims of violent crimes**

**Dr Arokiasamy Enoch, Assistant Professor,  
Madras School of Social Work  
Dr Murugesan Srinivasan, Professor,  
Department of Criminology, University of  
Madras**

The nature of the response of the police at the time of reporting, and during the process of investigation of the case determines the level of satisfaction of the victim with the police. A study was conducted among 187 victims of violent crime such as murder, dacoity and robbery, in the state of Tamil Nadu (India). A five-point Likert scale was used to measure

levels of satisfaction. The findings of the study revealed that, by and large, the victims of violent crimes were satisfied with the performance of the police with respect to the response of the police at the time of lodging the complaint, in initiating the proceedings of their case and so on. The results of the study have also disproved the hypothesis that socio-demographic and economic characteristics of the victims influence their level of satisfaction with the police. No significant relationship was found between the variables: treatment of victims at the time of reporting; treatment during investigation; protection of the rights of the victims during investigation, effort and sincerity of the police during investigation; and the level of satisfaction of the victims with the police.

## Thursday Island Court Support Project

**Peter Ferguson, Regional Coordinator,  
Victim Assist Queensland**

The Thursday Island Court Support Project is an initiative of local Thursday Island agencies, the Queensland Government and Protect All Children Today Inc. (PACT) in response to the need for vulnerable children and young people in the Torres Strait to have access to culturally appropriate court support on Thursday Island to give evidence in criminal court proceedings. The cultural differences affecting children from the Torres Strait and surrounding areas have to be considered in the design and success of this unique project.

## The one dollar rape trial: Testimony by a rape survivor on her 13 years seeking justice and how the justice system failed her

**Catherine Jane Fisher, Author/Rape  
Survivor Advocate, Warriors Japan**

Have you ever wondered what goes on in the mind of a rape victim during and in the aftermath of rape? There is no university degree that can answer this question, unless one has personally survived rape and has the courage to break the silence and speak out.

Catherine Jane Fisher is one of those rare women. She was raped by a United States military serviceman in Japan in 2002. After reporting the crime to the police, she suffered severe secondary victimisation. Her rapist fled the courts of Japan during trial and neither the United States military or the Japanese

government assisted her in tracking him down. So, for 10 years, she did.

In 2013, Ms Fisher won a landmark case in the United States vindicating her battle for justice and, in hopes of setting a precedent for future rape victims, accepted only \$1 for the ruling in exchange for the rapist admitting to the crime.

What drove her to seek such justice for over 12 years and to break the silence of rape, this woman who has become a symbol for thousands who have been caught up in similar situations by those in power? How can we as victimologists assist rape victims so that no other should ever be so miserably failed by those in power, and no other victims ever have to fight this hard for justice?

## Cold case homicides: Respectfully keeping victims' families informed

**Sarah Fletcher, Program and Policy Officer,  
Commissioner for Victims' Rights**

When a family member or friend is killed by another person, the emotional and physical devastation is immeasurable. Those living through the trauma of homicide want a timely outcome; they want to see the person responsible for the death of their loved one held accountable, which does not always happen.

When a homicide remains unsolved for a year or longer survivors face additional psychological stress and challenges. Furthermore, many survivors have trouble believing in the justice system and trusting that the investigation is ongoing.

In South Australia there are more than 100

cold cases or unsolved homicides dating back to the 1960s. The South Australia Police recently launched a campaign to ensure that these cases are reviewed in light of new technology and investigative techniques.

The renewed focus can have both positive and negative impacts on victims' families. The Commissioner for Victims' Rights and South Australia Police developed a communication strategy including a pamphlet for those bereaved by cold case homicides. This presentation will report on the literature review and consultations with victims' families that informed the content of the pamphlet, which has been identified as an important resource that fills a gap in assistance for those families who often feel forgotten or overlooked due to the passage of time.

This presentation will complement others in a concurrent session dedicated to the plight of those bereaved by homicide, convened by the network of homicide victim support groups in Australia.

### **Victims on 'victim': Understanding conceptions of victimhood**

**Dr Stephanie Fohring, Research Fellow,  
University of Edinburgh**

Previous research has found that the label a victim attaches to an incident of crime acts a major predictor of whether or not that crime will be reported to the police. Reporting is the most likely avenue for victims to receive support, care and justice in the wake of crime, though globally, this route is taken by less than 40 percent of all victims. This research builds on earlier work by exploring, through analysis of interview data, the

significance attached to the labelling of an incident as a crime, but also oneself as a victim. Early findings indicate a distinct disconnect between how an incident is labelled and how a victim labels themselves, indicating an acknowledgement of the incident as wrong and illegal, but denying victimhood. The author argues this denial is motivated by not only an acute awareness of the social stigma attached to victimisation but a cognitive process aimed at protecting the self from any negative consequences of victimisation. The implications for reporting, the criminal justice system and victim support services are discussed.

### **Exploring and understanding violent victimisation: The Database of Victimisation Experiences**

**Georgina Fuller, Research Analyst,  
Australian Institute of Criminology**

The experience of crime can have far-reaching and, at times, devastating impacts on a victim. It is therefore important that researchers and policymakers attempt to understand and address the nature and impact of victimisation to ensure that the needs and experiences of victims of violent crime are not overlooked.

Accessing victims for research purposes can be difficult and raise a number of ethical concerns. Victimisation is often common among members of particularly vulnerable populations, for example, children, the elderly, Indigenous people and those with mental health issues. Further, participation in research carries with it a very real and serious risk of re-traumatisation. Thus, information on the experiences of victims primarily comes from large-scale victimisation

surveys or research projects that target very particular sub-populations of victims of certain types of violence.

In mid-2013, the Australian Institute of Criminology entered into an agreement with Victim Services NSW to develop a qualitative database on victimisation experiences, using de-identified information collected as part of 730 compensation claims lodged with Victim

Services. This paper outlines the process through which this database was set up and why it was developed, including the ethical considerations and limitations of using compensation data. It will also discuss the pros and cons of using this type of information and how it can be used to better understand the nature and impact of victimisation in Australia.



## Childrens' violence to their parents

**Eddie Gallagher, Psychologist**

Police, court and advice line data suggest an increase in violence towards parents by their children in the past decade or two. Anecdotal reports from welfare and youth work services also suggest this is an increasing, and serious, issue. This is a greatly under-researched area with little or no integration into related fields. Professionals often automatically blame parents who become defensive and confused. Many of the children have been exposed to IPV or have some form of diagnostic condition. There is thus conflict around treating them as victims and/or perpetrators. Ironically, in this form of inter-family abuse the violent individual may be more at risk than the victims of violence. This new field can give us insights, and create dilemmas for, the understanding of better known forms of family violence. The author has collected data on more than 400 families over the past 22 years where children are abusing parents and has studied the sparse literature. Some conclusions about who is abused, and why abuse is increasing, challenge common assumptions. He has created a parent education program, Who's in Charge?, which has been running for a number of years in several Australian states and in the United Kingdom, and which has been successful in reducing violent behaviour in the home. The workshop will explore a number of issues and give some initial guidance on working with these families.

## Reflections on victims rights as human rights

**Sam Garkawe, Associate Professor,  
Southern Cross University**

Few people would disagree with the central premise of the human rights movement that all people on this earth are entitled to basic human dignity. Of course there are differences on what exactly the practical content of this entitlement to human dignity is. This presentation will attempt to reflect on how we would answer this question on behalf of crime victims. Naturally, if all human beings are entitled to basic human dignity, then this would include crime victims. Not surprisingly, crime victim advocates are now using some provisions of general human rights international instruments that do not contain specific reference to crime victims.

Beyond the issue of these general provisions, the major premise of this presentation is that crime victims are and should be entitled to further specific human rights norms beyond general human rights provisions due to their status as crime victims. However, there continues to be opposition or indifference by many to the proposition that crime victims are entitled to distinctive human rights norms and even to the very notion that victims' rights are in fact human rights. Some of the common arguments of opponents of these propositions that this presentation will attempt to rebut are:

- victims do not form a readily identifiable collection of people entitled to benefit from special human rights norms;
- victims' rights are too vague and indeterminate to be given substantive form in international human rights instruments; and

- victims' rights clash with defendants' rights and are therefore invalid.

## **Restorative justice and homicide: What do victims' families gain?**

**Leigh Garrett, Chief Executive, Offenders Aid and Rehabilitation Services and Centre for Restorative Justice**

**Tony Waters, Business Development Coordinator, Offenders Aid and Rehabilitation Services and Centre for Restorative Justice**

The presentation will explore cases where families and friends of the victim have undertaken a restorative process with the offender, to determine what benefits may exist for the families beyond the traditional criminal justice system.

## **From humanitarian assistance to social inclusion for victims**

**Paula Gaviria, Director, Colombian National Agency for Victims' Assistance and Reparation**

According to international research carried out by the Harvard Kennedy School's Carr Center for Human Rights Policy, the Colombian Victims' and Land Restitution Law created the most comprehensive reparations system when compared with 45 other reparations policies undertaken in 31 other transitional countries in the world. This system includes measures that address the five components identified in United Nations Resolution 60/147, which are: (i) compensation; (ii) restitution; (iii) satisfaction measures; (iv) rehabilitation for both physical and psychological damages, as

well as rebuilding communities and their social fabric, and (v) guarantees of nonrepetition.

The Victims' Law acknowledges a very wide range of different victimisations: forced displacement, murder, forced disappearance, crimes against sexual freedom and integrity, recruitment of children and adolescents, terrorist events, landmines, unexploded ammunitions, improvised explosive devices, kidnapping, threats, torture, dispossession or forced abandonment of lands. It also acknowledges collective damages to groups such as journalists or trade unionists, women and political organisations, peasant communities, and ethnic groups.

Today, there are 7,392,679 registered victims of events that have occurred in the internal armed conflict since 1985. This is equivalent to more than 14 percent of the total population of Colombia. Ninety-one percent of the corresponding victimisations happened before 2012. Presently 5,859,429 of these victims are receiving or will receive attention.

A total of 6,211,973 of victims have suffered forced displacement, that is, 84 percent of the victims formally registered. The remaining 16 percent are victims of other types of events.

These two groups of victims require different attention strategies. For those victims of events not including forced displacement, significant progress has been made with providing for their compensation. Efforts are now focused on achieving their rehabilitation.

The forcibly displaced population group is undergoing a more comprehensive process beginning with humanitarian assistance if the family's vulnerability justifies the provision of emergency services. The Unit for the Attention and Reparation of Victims drafts with each family a plan to cover attention,

assistance and comprehensive reparation and also provides support and guidance for the family members to gain access to government programs.

Article 67 of the Victims' Law recognises that the displaced family's vulnerability will cease once they, by their own means or with the support of government programs, have a lifestyle which does not deprive them of minimum living conditions.

Given Decree No. 2569, passed in December, 2014, the Unit for the Attention and Reparation of Victims will evaluate the present vulnerability of each family that has been registered as a victim of forcible displacement and determine if they still warrant humanitarian assistance. Will victims cling to their vulnerability and contest the unit's decisions to terminate humanitarian assistance?

Families who can move on to other stages of the reparation process will receive compensation and be offered options for their resettlement or return to their original place of residence. The unit sees these durable solutions as the road to the recovery of their life project and an end to their victim status. Can families be encouraged to assume these responsibilities after years of uncertain subsistence?

### **A victim centred approach?**

**David Gee MBE, former Sex Offences Advisor to the United Kingdom Government**

The notion of 'putting the victim first' is well rehearsed among the agencies who support victims through their experience. Can we

really achieve this and truly adopt the principles of a victim centred approach? The varying performance measures associated with establishing 'success' actually mitigate against the views of the victim and in some cases compete against each other, often to the detriment of at the victim's view of the support process. Do we need a new approach?

### **Technology as a vehicle for domestic and sexual violence against women**

**Dr Terry Goldsworthy, Assistant Professor, Bond University**

#### **Matthew Raj, Bond University**

In recent years, there has been an exponential growth in the use of technology, which has now become an everyday part of our lives. Technology created with good intentions is now being used to facilitate criminal behaviour. Traditional offences such as domestic and sexual violence are now moving from the terrestrial to the cyber world. This transference to a new medium allows perpetrators to commit offences remotely, rather than face-to-face, and can provide offenders with a perceived cloak of anonymity. Recognition of this is provided for as part of the expansion of domestic violence and victim injury definitions to include injuries other than the merely physical. In Australia and overseas, we are seeing the introduction of legislation aimed specifically at the use of technology to commit traditional crimes. The focus of this paper examines the emerging trend of cyber offences, particularly as they relate to domestic and sexual violence, and

analyses criminal justice responses both in Australia and internationally. It also explores the emergence of new offences and socially deviant behaviours such as revenge pornography.

### **Crime victims' self-medication: An empirical evaluation**

**Dr Andrew Groves, Research Associate,  
Flinders University**  
**David Kerr, Program Support Manager,  
Victim Support Service**  
**Victoria Laughton, Research and Advocacy  
Officer, Victim Support Service**

**Marinella Marmo**  
**Willem de Lint**

While much literature has explored the complex nature of victimisation, few empirical studies have examined the experiences of victims in relation to problem substance use. Little is known about the role of alcohol and other drugs (AODs) in victims' experiences, particularly victims' self-medication using

AODs and the impact of such behaviour on future victimisation, criminal activity and health and welfare needs. The Victim Support Service (VSS) and Flinders University in South Australia established a research partnership to address the dearth of empirical research through evaluating the nature and extent of victims' self-medication, particularly with regard to how and why AODs are used by certain victims as a coping mechanism.

The process of collecting data from victims of crime is examined. Preliminary findings of the research are also discussed, drawing on data obtained from a quantitative survey questionnaire and qualitative interviews with victims from Adelaide, South Australia. The research explores the relationships between type of victimisation, type of peer support network and type of consumption and how these factors interact to influence individuals' experiences of victimisation and AOD use. Although taking a valuable first step, this paper highlights that further empirical work is needed to explicate victims' AOD use and expedite the development of evidence-based policy and support frameworks.





## Responding to institutional abuse through restorative engagement

**Peta Langeveld, Acting Executive Director,  
Defence Abuse Response Taskforce**

**Matt Hall  
Dymphna Lowrey**

The Defence Abuse Response Taskforce designed and implemented the unique Restorative Engagement Program as a means of addressing the institutional abuse and harm suffered by hundreds of people who have been victims of abuse in the Australian Defence Force.

The program is the first of its kind. It addresses institutional harm on two levels:

- by providing an opportunity for each individual complainant to meet with a senior leader from Defence to have their personal story of abuse heard, acknowledged and responded to in a meaningful and safe way; and
- by allowing Defence to gain firsthand insight, through the participation of its senior leaders in the program, into the effects of abuse on individuals and the need for ongoing cultural reform.

The presentation will:

- describe the features of the program that have made it so successful, and the way in which it differs from traditional restorative justice approaches—these include that the abuse and harm is accepted by Defence as plausible, the institutional setting, the non-participation by the perpetrator, and that participation includes those who have

experienced a range of abuse including violent and sexual assaults; and

- provide examples of how participation in the program has:
  - resulted in an overwhelmingly profound, meaningful and positive impact for complainants; and
  - how the insight gained by Defence representatives into the impact of abuse on individuals has strengthened their resolve as current and future leaders of Defence to continue to effect cultural change at an individual and organisational level.

## Improving therapeutic, judicial and wellbeing outcomes for children and young people who have experienced abuse

**Natalie Hall, Director Research Quality and Development, Parkerville Children and Youth Care**

Victims/survivors of sexual violence—be they children, young people or adults (and their families)—seek flexible and practical forms of support, advocacy and information in the immediate aftermath of sexual violence. Advocacy services—tailored to their individual needs—promote their safety and recovery, prioritise support and improve collaborative interagency work regardless of whether the ‘case’ has a legal pathway.

Advocacy roles have enhanced the work of multidisciplinary or interagency teams, enabled other service providers such as police to focus on their core duties, improved the participation of victims in decision-making and processes, decreased the attrition rates in

justice systems and have even led to increased reporting to police.

The Child and Family Advocate role in Western Australia is independent and available to all children and their families from the time of referral for forensic interview or medical examination, which may occur months before the outcome of the police investigation is known. The advocate works with the child and family to address family issues, assist parents to support their children well, and help children, young people and parents participate in the decision-making process and navigate the service systems.

An overview of recent literature reviews, development of advocacy standards and an advocacy training package and web resources will be provided.

## **System responses to abuse: A young Western Australian's perspective**

**Natalie Hall, Director Research, Quality and Development, Parkerville Children and Youth Care**

### **Hannah Baker\***

Hannah\* is a resilient young woman who experienced chronic sexual and physical abuse by her father while growing up in Western Australia. The education and child protection systems did not provide the protection she needed. Her trauma was compounded by a six-year journey through the criminal justice system, after reporting the abuse to police as a teenager. Hannah's father received parole after serving just four and a half years. He showed no remorse for his crimes.

Now in her 20s, Hannah has published three books (due for hard copy release in April 2015) aimed at practitioners, parents, carers, teenagers and children, to provide rare insights into the experience of child abuse and what can be done to better protect children.

In her conference presentation, Hannah will offer her opinions on what makes it hard for kids and teens to disclose abuse and how to support young people who have been abused. She will also give advice about what changes are needed to ensure that Australian children are better protected in future. On a local level, she will offer difficult and grounding insights into the system shortfalls she experienced in Western Australia.

Hannah has a website that went live on 9 March 2015, at [dealingwithsexualabuse.com.au](http://dealingwithsexualabuse.com.au).

Please note: Due to the emotional burden and exposure of telling her story repeatedly, Hannah might request that a trusted professional deliver the content for her, or she may request to audio record the presentation in advance.

\*Name changed to protect confidentiality. Hannah has given trusted professional Natalie Hall's contact number to protect her confidentiality. Hannah is known to Jennifer Hoffman (Victims of Crime Commissioner, WA).

## **Campaigning for change**

**Angela Hartwig, Chief Executive Officer, Women's Council for Domestic and Family Violence Services (Western Australia)**

In Australia, on average one woman is tragically killed every week by her male partner or ex-partner. With the overwhelming prevalence of domestic and family violence

and the often negative social responses received by victims from authorities, advocates have called for change. Given that, domestic and family violence is the leading cause of homelessness for women and their children. Initiatives such as Safe at Home and Domestic Violence Rights and Entitlements now provide greater levels of support to victims and also send a clear message to perpetrators that there are consequences for their continued use of violence.

### **Adolescent violence towards parents in New South Wales: The challenges and perspectives of secondary education professionals**

**Ashleigh Haw, PhD Candidate, University of Western Australia**

Adolescent violence towards parents (AVTP) has received limited attention in research and practice. Despite some empirical and anecdotal evidence suggesting that the school environment is rich in potential to support affected families, no prior studies have examined the perspectives of professionals employed in the education sector. Completed at the University of Sydney in 2013, this research explored the perspectives of six education professionals in New South Wales (NSW) with emphasis on challenges and recommendations associated with supporting affected families. Utilising a phenomenological theoretical framework guided by a social constructionist epistemology, semi-structured interviews were conducted with one counsellor, two teachers, one psychologist and two support workers employed across two independent secondary schools for youth with behavioural problems in NSW. Interviews were analysed using

interpretative phenomenological analysis, allowing key themes to emerge from the data. All participants had encountered AVTP and the majority believed that education professionals have an important responsibility to support affected families. Participants' recommendations included: improving access to resources and professional development in schools; implementing holistic approaches to providing support; and establishing relationships between education professionals and trained service providers who can offer specialised assistance to families. The results highlighted a need for further empirical exploration of the issue in mainstream and independent schools. Awareness-raising initiatives/training specifically focused on AVTP in schools is also recommended. The value of employing a social constructionist framework to examine education professionals' perspectives is also highlighted by these findings.

### **Victims of fraud—support, recover and educate**

**Detective Superintendent Brian Hay, Queensland Police Service**  
**Kathryn Collins, Plain Clothes Senior Constable, Queensland Police Service**

In late 2005 the Queensland Fraud and Corporate Crime Group uncovered a plethora of global criminality targeting Australian victims and operating under a cloak of silence. It was the Queensland Police Force's introduction into the world of 'Nigerian fraud' or advance fee fraud. They spoke with 139 people who lost a staggering \$18m, yet not a single person had made a complaint to police. Even more startling was that 76 percent of these people continued to send money after police had advised them they were victims of fraud.

These victims, many in denial, were often estranged from their family and friends, suffering depression and contemplating suicide and many had been left financially destitute and completely desperate. Not only were they left to fend for themselves psychologically but they were also suffering in silence with nowhere to turn, no-one to hear their voice, and no-one who would not judge them in the process. They had no way to heal.

The Fraud Support and Recovery Group (FSRG) was born. This group was the first of its kind within Australia. It aims to build the capacity of individuals to recover from the plight in which they find themselves. The main vehicle for sharing this information and knowledge is through the hosting of monthly meetings where members can interact with each other and be given information on fraud prevention and self-protection strategies.

‘When people come to their first meeting they are shattered...and embarrassed. But one meeting just turns them around. We make people feel whole again.’—FSRG member

## Are human rights owed to victims of crime?

**Dr Robyn Holder, Research Fellow, Griffith University**

What human rights are owed to victims and witnesses in criminal justice? In considering this question, this paper re-conceptualises the status of the lay person as a citizen first. It then considers the role that public prosecution plays in common-law jurisdictions in delivering human rights to citizens, and if and how it does so for victims. It considers how public prosecutors have managed the tensions

inherent in their role and explores what developments in international criminal justice may have to contribute to domestic debate. The paper concludes by asking if the public prosecutor, as a state representative and with its multifaceted obligations, can realistically be rights protecting.

## New approaches to restorative justice: The interchanging roles of victims and perpetrators in Zimbabwe

**Sekai Masikana Holland, Parliamentarian, Parliament of Zimbabwe**

### Trust Mamombe

#### 1. Introduction: Cycle of Violence in Zimbabwe

Cyclic political violence has created a society of victims and perpetrators during each episode of political violence. In Zimbabwe the experience is that, in one person's life, they are born in the role of victim and may in their lifetime become a perpetrator. An appreciation of this cyclic nature of political violence in Zimbabwe poses a challenge to the orthodoxies of victimisation, justice and healing and restorative justice.

#### 2. Scene 1. The San People and the Beginning of Victimisation

Local oral history informs us that the San welcomed those who came to settle in their territory. In spite of these peaceful moves the new arrivals used their military might to occupy the new territory and alienated the San people from their civilisation.

#### 3. Scene 2. Building of Ndebele State: Healing of the Zulu Inflicted Wounds

King Mzilikazi led his impis of the superior military force from Tshaka's Zulu's range into

Zimbabwe to be welcomed by Queen Mthwa of the San people in 1840, who met the new king on her terrain to negotiate concessions from her society for an amicable neighbourly existence for both societies.

#### 4. Scene 3: The Ndebele Kingdom Expansion and Injustice to the Shona

The well-organised Ndebele army in no time set to expand the Ndebele Kingdom and thus raided the Shona to the north of Zimbabwe, devastatingly confiscating all the good Shona cattle and all the beautiful women.

#### 5. Scene 4. Enter the British South Africa Company 1890, a New Perpetrator

In 1890, a well-organised pioneer column, on finding no gold, looked to occupy the land and proceeded to set up mechanisms to take over the whole land using violence against both the Shona and the Ndebeles.

#### Scene 5. Uprisings Against BSAP (1st and 2nd Chimurenga), the Pursuit of Justice

The Shonas and Ndebele united as one force to mount a series of effective offensives through a variety of military tactics to drive out the new arrivals. These struggles are recorded as the Chimurenga wars—Chimurenga 1 and Chimurenga 2.

#### 6. Scene 6. Post Independence—Entumbane, Gukurahundi and the 2000 Land Invasions: a Shift in Victims

Post-independent Zimbabwe was to witness yet another round of cyclic political violence. The period between 1983 and 1987 was characterised by what has come to be known as the Gukurahundi.

#### 7. Scene 7: Political Violence Using a Well Developed Colonial Violence Infrastructure: Yet Another Set of Victims

The 2008 presidential elections were secured through the use of the post-independence consolidated and improved Infrastructure of violence on the population, with serious casualties and injuries to innocent citizens across the country.

#### 8. Conclusion: The Full Circle of Violence; Orthodoxies Challenged

The cyclic nature of the violence in Zimbabwe thus calls for new approaches to restorative justice and reconciliation approaches.

### **Aborigines, Aboriginal police, and illegal logging—A case study in Taiwan**

**Lanying Huang, Assistant Professor,  
National Taipei University**

#### **Shiang-Fan Chen**

In Taiwan, more than 58 percent of the land is covered by forests, and many are reserved areas with precious woods such as Taiwan cypress and antrodia. Most of these native forests and plantations are owned by the state. To protect the forest and enforce the Forestry Act, a taskforce division was formed inside the national police in July 2004. In the past decade, thousands of cases have been investigated for violating the Forestry Act. However, it did not stop the problem from getting worse. The strict legislation did very little to deter illegal logging, but on the contrary nurtured the organised business of illegal logging which is controlled by a few powerful local people. No statistics are available on the background of inmates who have been imprisoned under the Forestry Act, but it is believed that aborigines are over-represented. This paper, explores the relationship between aborigines, aboriginal



police, and illegal logging in the current environmental protection situation. By interviewing the police, the regulators, and the inmates, it intends to disentangle the role of culture and power when the aboriginal people encounter criminal justice.

### **Are they victims or not? The changing faces of female foreign workers in the eyes of criminal justice practitioners in Taiwan**

**Lanying Huang, Assistant Professor,  
National Taipei University**

As Taiwan develops into a democracy and continues to become more global in its commerce and communications, equal protection of socially disadvantaged groups emerges as a vital issue for the nation's law

enforcement. One of the greatest challenges is policing non-citizens, mostly foreign labourers from south-eastern countries. Although migrant workers have been the subject of numerous sociological research projects, the relationship between criminal justice and foreign labour has attracted little scholar attention. This paper reviews the history of criminal justice responses to foreign workers from a historical perspective, focusing on female workers in low-wage labour work. By analysing the data from face-to-face interviews and focus groups, the paper discusses the relationship between foreign workers' legal status and their perceived victimisation. The effect of poor networking in a growing pluralised and fragmented migration policing is also addressed.

## Understanding reasons, attributions and motivations behind internet infidelity in India

**Garima Jain, Research Associate, OP Jindal Global University**

**Dr Sanjeev Sahni, Principal Director, Jindal Institute of Behavioural Sciences, OP Jindal Global University**

It has been alleged that social pathologies are beginning to surface in cyberspace. The present study examines whether the attribution-making process serves as a mechanism for a partner's extradyadic involvement with someone else via the internet. The reasons behind people's involvement in internet infidelity are investigated through a self-administered survey questionnaire with 14,987 respondents from 15 states and union territories in India.

Study 1 attempted to address the question by comparing the attributions, perception and attitude towards online acts of infidelity of the two set of participants: perpetrators and non-perpetrators of online infidelity. Predictor variables were entered into logistic regression of age, sexual orientation, gender, education, relationship status, family type and occupation as the dependent variables. A factor analysis was carried out that yielded two components: dispositional factors which included three sub-factors: (a) strong moral values, (b) principles, and (c) not wanting to cheat on one's partner; and situational factors which also included three sub-factors: (a) fear of being caught, (b) lack of knowledge, and (c) internet inaccessibility.

Study 2 investigates the reasons of perpetrators (married, and in a committed relationship) behind involvement in internet Infidelity.

Findings demonstrated significantly different reasons behind involvement in extradyadic online relationships between respondents who are married (emotional support, frustration, boredom) and in a relationship (peer pressure, desire to explore). The potential implication of cyberspace addiction and infidelity on intimate partner violence (physical and psychological abuse), divorce, marital discord, mental health related issues and neglect of best parenting practices, is also presented.

## The effects of carjacking victimisation

**Chadley James, PhD Scholar, Tokiwa University**

More than 9,000 carjacking incidents are reported annually to South African police. Each of these reported incidents has at least one victim. However, despite the large annual number of victims, few studies focus on the situation of these victims. The literature on carjacking is largely criminological in nature (ie interviews with incarcerated offenders and police dossiers). The present study uses a 'victim's victimology' approach—it collects information directly from 280 victims, using a snowball sampling method. Results indicate that carjacking victims react emotionally and experience particularly high levels of stress after this victimisation. These victims reveal that psychological damage is the worst effect of carjacking. Despite taking a number of precautions after the incident that impose restrictions on their lives; these victims did not feel that they were less likely to be re-victimised. Lastly, this study demonstrates the utility of conducting research directly with victims despite various impediments.

## **Sexual Assault Disclosure Scheme: Supporting victims in disclosing historic child sexual offences to police**

**Hetty Johnston, Founder and Chief Executive officer, Bravehearts**  
**Carol Ronken, Research Manager, Bravehearts**

Research has consistently demonstrated that prevalence rates of child sexual assault across the country are alarmingly high. There are many barriers to disclosing child sexual assault on individual, family, and external levels, with these barriers impacting on the reporting of these crimes to the authorities. The Sexual Assault Disclosure Scheme was created by Bravehearts with two broad aims: the intent that this scheme could assist as a vehicle by which adult survivors of child sexual assault could notify the police in an anonymous, non-threatening manner, and the provision of information to police which would assist in identifying ongoing and repeat offending behaviour.

Operating since 2001, the Sexual Assault Disclosure Scheme has facilitated disclosures by adult survivors, resulting in convictions of many offenders. A 2008 evaluation of the scheme found that there was a positive impact of participation on individuals' ability to talk about their childhood experiences with significant others in their life and, importantly, it contributed to a reduction of negative perceptions of the police by participants.

In 2015 Bravehearts initiated a more extensive evaluation looking at not just the impact of participation on survivors, but also evaluating the outcomes of the scheme for both survivors and police. This paper presents the initial findings of the study.

## **Responding to LGBT victimisation: The commodification of difference in contemporary policing (a United Kingdom perspective)**

**Dr Matthew Jones, Senior Lecturer in Criminology, Northumbria University**

As gatekeepers to the criminal justice system, the police play a central role in shaping victimhood, its reporting and formal responses to it. However, historically, the relationship between the British police and the lesbian, gay, bisexual and transgender (LGBT) community has been fraught—due mainly to the memory of policing homosexuality as illegal prior to 1967 and the subsequent over/discriminatory policing of gay spaces. As a consequence, many LGBT individuals continue to express a reluctance to report episodes of victimisation to the police due to a fear of secondary victimisation. In recent years, however, increased acceptance, recognition and protection of LGBT individuals in society has forged a new criminal justice direction—one that has actively pursued LGBT individuals as criminal justice professionals in an attempt to offer a tailored and nuanced criminal justice service to the LGBT community. This paper draws on a recent mixed-method research project conducted in the United Kingdom that examined the career experiences of newly-embraced LGBT police officers. It will outline the different ways in which LGBT officers have been used in contemporary policing settings and will explore the perceived contributions made by these officers to the policing of LGBT communities and the investigation of specific LGBT-related crimes. The paper acknowledges and champions the

commodification of 'difference' in contemporary criminal justice organisations specific to sexuality—highlighting best practice and the obstacles/resistances experienced in the United Kingdom context that can be used and developed within wider international frameworks.

### **Child victims of sex tourism: An international perspective**

**Dr Janice Joseph, Distinguished Professor of Criminal Justice, Richard Stockton University**

Child sex tourism has become an increasing problem across the globe. The United Nations specifies child sex tourism as 'tourism organised with the primary purpose of facilitating the effecting of a commercial sexual relationship with a child'. It involves travel undertaken primarily or exclusively by men from developed countries, usually to Third World countries, for the purpose of engaging in illegal sexual activity with children. It is a form of child prostitution, and the commercial sexual exploitation of more than two million children around the world. The crime is fueled by weak law enforcement, the internet, ease of travel and poverty, and is part of the multi-billion-dollar global sex tourism industry. In response to the growing phenomenon of this form of tourism, intergovernmental organisations, the tourism industry and governments have begun to address the issue. Some countries, for example, have created extraterritorial laws that allow their citizens to be prosecuted specifically for child sexual abuse crimes committed while abroad, strengthened their laws addressing the prostitution of children in an effort to stop the influx of sex tourists, and

increased the penalties for child sex tourism. This presentation will examine the nature and extent of the victimisation of children by sex tourists and the responses by various countries to control and prevent the problem.

### **Victims of transgender violence**

**Dr Janice Joseph, Distinguished Professor of Criminal Justice, Richard Stockton University**

All across the globe, transgender people face violence in their homes, schools, workplaces, and communities. In Europe, for example, 226 trans persons were murdered in 2014. Between 1 January and September 2014, there were a total of 1,612 reported killings of trans persons in 62 countries worldwide. A report from the National Coalition of Anti-Violence Programs indicated that hate murders of members of the LGBTQH community had increased by 11 percent between 2010 and 2011. In 1999, the Transgender Day of Remembrance (20 November), which is observed in 20 countries, was created to memorialise those who have been killed as a result of transphobia (the hatred or fear of transgender and gender non-conforming people) and to bring attention to the continuing violence endured by the transgender community. Several organisations around the world are working to document and address violence against transgender persons. This presentation will examine the nature and extent of murder against transgender persons and efforts being implemented to prevent homicide against this group of individuals.

## **The capacities and the role of NGOs to support victims of crime in the Republic of Macedonia**

**Natasha Jovanova, Assistant Professor,  
Faculty of Security-Skopje**

This paper elaborates the role, position and development of NGOs in the Republic of Macedonia which provide immediate or indirect support and assistance to victims of crime. In order to scan the capacities and the role of the NGO sector in supporting victims of crime, a survey was conducted which included certain NGOs which are registered as civil society organisations in the Republic of Macedonia whose field of interest is human rights, including victims of crime as a primary or secondary target group. The survey sample encompasses 15 NGOs acting in the territory of the Republic of Macedonia and the data were gathered using a structured questionnaire comprising open and closed questions. The findings show that in the

Republic of Macedonia, most of the NGOs in the sample have a special field of interest in delivering services to children and women as vulnerable victims of family violence, sexual abuse and trafficking in human beings.

This paper is divided into several thematic units. The first part provides a brief summary of the development of the movement to improve the status of victims of crime, not only within the criminal law system but also outside it. Then, the paper looks at the role and importance of civil society involvement in the support and protection of victims, which includes one aspect of overall activities linked to crime victims. The third part presents and analyses the results of the survey, along with concluding observations.

The main goal is to emphasise the impact of the civil society sector in human rights protection, particularly of victims of crime, and to acknowledge and recognise its complementary role with the existing public services and institutions that provide victim support services.





## Conceptualisation of and responses to sexual victimisation in India

**Amrutha Karayil, PhD Research Scholar,  
University of Madras**

Any crime is nested within social contexts; that is, the way a crime is defined reflects the way it is perceived by the general public (Goudriaan, Lynch & Nieuwbeerta, 2004). The legal definition of a crime thus reflects the social consciousness, seriousness and/or normalcy of a crime, providing a gateway to an understanding of the victimisation. This paper illustrates the conceptualisation of sexual victimisation in India following the events that unfolded on 16 December 2012, which sparked widespread outrage and demonstrations demanding a review of India's laws to prevent and combat sexual victimisation of women. A brief description of the changes that were brought about in the criminal law and procedural code with regard to sexual victimisation and the treatment of women victims in India, as a result of this nationwide victim support movement, is also discussed in this paper. A critical understanding of the informal and formal responses to sexual victimisation is emphasised, as they are vital in addressing the issues of secondary victimisation, victim blaming and underreporting of sexual victimisation. An understanding of the social status of women and the cultural perception of victimisation is mandatory in having a better insight into the issue of sexual violence in India. This, in turn, will facilitate practical solutions to deal with the problem of sexual victimisation and to provide valuable assistance to victims who are in need.

## Current thinking and approaches toward the prevention and response to violent victimisation in South Asia: Victim of sexual assault

**Sushila Karki, Advocate/Researcher,  
Nyayayukti Research and Resource Center**

In recent days we have been witnessing news of sexual crime in the media. For example the issues of rape, sexual assault, molestation and acid attacks is increasingly seen in the media of South Asia. The media is full of updates on the acid attack on three teenage girls in the capital city of Nepal, Kathmandu. The offender is still roaming around creating insecurity in the country. Human rights activists, NGOs and INGOs are conducting various rallies and programs condemning acid attacks against girls. A short time ago, a four-year old minor died due to a rape committed by 28-year old men from the Bara district in the Central Development Region of Nepal. At the time of writing this abstract, BBC News also reported the on the gang-rape of a 74 year-old nun in Ranaghat, India. Incidences of rape still continue after the end of civil war in Sri Lanka.

In the case in Nepal, the attacker of the four-year old minor was granted life imprisonment with forfeiture of property by the district court of Bara on 17 March 2015 and relatives of the deceased victim were given compensation. Not only this, in a number of cases the Nepalese judiciary have shown activism in terms of protecting the rights of the victim, especially involving sexual offences. From a legal point of view, the country has a separate law to protect the rights of victims. This shows that gone are the days when victims, mainly of sexual

offences, spent their lives without sharing the crimes committed against them. Both the legal measures, as well as activism from human rights organisations in recent times, have brought drastic change by raising the voice of victims. Stigmatisation is gradually taking the shape of 'raising voices' for those against whom wrong has been committed.

## Honour, violence and victims of honour killings

**Dr Nazia Khan, Assistant Professor, Jamia Millia Islamia**

Honour crimes encompass a wide manifestation of violence against women including killings, confinements, imprisonment or interference in making choices in marriage. Honour crimes often occur pertaining to the range of female behavior which is considered to violate 'honour' and constructed social conduct. Many scholars explain how these paradigms of honour interfere with the right of making choices in marriages across South Asia: such as forced marriage, being forced to remain in unwanted relationships or being punished for leaving or exercising choices in marriage. The concept of honour emphasises the notion of virginity for women.

Among many feminists there is a deep discomfort over the apparent meaning of the term 'honour'. In constructing the 'crime of honour', it seems that women embody the honour of males. Feminists also argue against the continued use of the term 'crime of honour', which masks the violence of the killings and abuses, and makes the violence a unique character of Asian cultures, with irrational communities refusing to modernise. The paper will explore the community

discourse that constructs violence against women in the mask of 'honour', the United Nations' work on violence against women, and the victims' perspectives.

## Policing your brother as the other: Towards a victimology of paramilitary policing

**Keron King, Student, University of the West Indies**

Research on policing in the Caribbean, although scarce, has argued that the legacies of colonialism have influenced the paramilitary policing style adopted by a few Caribbean police departments (Jefferies 1952, Danns 1982, Harriott 2000, Mars 2002, Mastrofski & Lum 2008). This style is characterised by excessive force, differential treatment and other unfair practices. International research on policing, however, continues to urge law enforcement agencies to adopt a more human rights based, accountability-based democratic approach to policing. This paramilitary policing style adopted by local law enforcement only serves to increase the wedge between the public and the police. It also negatively affects those who experience this type of policing. However, little is known about how this style of policing is experienced by its victims and its impact on them. This study seeks to explore the experiences of victims of paramilitary policing. It uses the purposive sampling method and relies on in-depth interviews to ascertain the experiences of victims.

Looking at the results, the themes that have emerged thus far are fairness or justice, prejudice, racism, selectivity, degrading treatment, unjustifiable police violence,

curiosity, and trauma. These findings extend the work of Harriott (2000); they can also lead to the development of a victimology of paramilitary policing, and they have possible applications for police training.

### **Victims, enforceable rights and the criminal trial: International comparative approaches**

**Dr Tyrone Kirchengast, Senior Lecturer, University of New South Wales**

The criminal trial has been increasingly modified to cater for the needs of victims of crime. Both common and civil law jurisdictions have demonstrated a tendency toward innovation, to afford victims greater participation in all phases of the trial—from bail hearings and mentions, to trial by jury, sentencing and parole. Such modification is controversial given the longstanding rights of the accused to a fair trial without interference from victims, whether by individual victims, by rights groups or by political process. This paper sets out the significant reforms to the criminal trial in the first part of the twenty-first century. By focusing on the stages of the trial, the prosecutorial decision-making process and trends in international law and justice, this paper sets out the main innovations that integrate the victim into the criminal trial process. Cross-jurisdictional references between adversarial and inquisitorial systems and the international law context will demonstrate how traditional boundaries that separate victims from the trial process are being eroded and dismantled to grant victims of crime access to substantive, decision-making processes, increasingly grounding victim participation in a framework of enforceable rights and privileges.

### **Against a culture of amnesia: The ideologies behind leprosy control, criminal law and social movements—a not only historical perspective**

**Gerd Ferdinand Kirchhoff, Professor of Victimology, Tokiwa Graduate School of Victimology, Tokiwa University**

The international mobilisation against Hansen's Disease at the beginning of the 20th century serves as a framework to describe a new wave of upcoming ideologies. The sociology of social movements (Mauss 1975) guides the analysis of these new waves. The rise of social medicine and the political influence of medical scientists in supporting the contemporary imperialistic politics deeply alarmed the leading criminal law scientists at that time. A new arising science, criminology, brought the medical model of criminal law. It fed socio-political 'scientific' discussions during the first half of the 20th century. With the distance of time, today it can be clearly seen how this ideology diverted the attention from the victims to 'society'. Eugenics was an ideology of racial superstitions. As a scientific fad, it served to justify oppression of minorities. This ideology leads from the sociopolitical sense-makers into the lecture halls, for example in Germany directly into the Nazi concentration camps. Examples of manifestations of these ideologies, albeit less radical, can be found in many countries.

Contributions of the sociology of social movements are used to theoretically interpret mobilisation of a new ideology of human rights, not only in counter movements such as in Japan, but in the definition of victimology as well. S Ben David's call for a 'victim's victimology' has

remained timely. The performance of everyday work in victimology reflects an organised culture of amnesia and overlooking. This author raises awareness of some of the negative consequences of this culture.

### **Overcoming refugee and asylum seekers barriers to mental health services**

**Heidi Kleinschmidt, Outreach Officer, ASeTTS**

Due to the increased scale of human displacement, refugee and asylum seeker mental health has become a key global issue. This has resulted in the need to build responsive and culturally competent care services in host countries. In Australia, government health policies and settlement planning have marginalised many refugees and asylum seekers. Their complex mental health needs are not being met in the public mental health systems as some of these organisations do not honour the nine core international human rights treaties that

protect a refugee's right to health care. It is crucial that the inherent dignity and equal worth of everyone is safeguarded, to prevent multiple layers of discrimination when they receive mental health care and specific health related information. In order to deliver refugee inclusive services in a co-ordinated sustainable way, it is imperative the barriers that refugees experience in accessing mental health services are identified and addressed. ASeTTS, a not-for-profit organisation in Perth that specialises in torture and trauma rehabilitation, has established an outreach service that aims to locate and understand why refugee clients have unmet mental health needs, identify accessibility issues, provide a holistic mental health approach that has recommendations for improved internal therapeutic practice, and advocate to other mental health agencies. This minimises the long-term impact of unmet mental health needs for refugee families in Perth communities. This presentation will explore how to increase accessibility for refugee clients and find effective ways to promote improved long-term refugee and asylum seeker health outcomes.



## **The why of reparative victim-offender mediation (VOM) in Western Australia's adult criminal justice system**

**Roy Langrish, Senior Mediation Officer, Victim-Offender Mediation Unit, Department of Corrective Services**  
**Jazmyn Tobin, Manager, Victim-Offender Mediation Unit, Department of Corrective Services**

Victims engage in reparative VOM for many reasons: to hear apologies and explanations; to question; to tell their story; to seek closure; to be assured an offender knows the harm they have done; and/or to seek compensation. Victim trauma is usually associated with violent crime, but financial crime can also be traumatic for individuals and small businesses. Is offender remorse important? Some victims of crime expect to witness genuine offender remorse, while others care little about it—some cases where ‘money [compensation] just talks’. Parallel Justice (PJ), like restorative justice—RJ, is a broad church, while reparative VOM has limited goals. VOM works within legal constraints and the facts of a criminal case. Parties to VOM may have no conscious commitment to PJ/RJ principles. The WA legal system enables but also constrains reparative VOM. Courts and the parties before them may have different priorities. The latter often do not see or seize VOM opportunities. The adversarial legal process constrains the scope of VOM, unless all parties agree to go beyond court matters. VOM can be a win-win situation, but what happens if that does not occur? Offenders can dig big judicial holes by making grandiose promises they do not keep,

or score a sentencing ‘free kick’ should a victim decline to participate. Should a court be satisfied with certain VOM outcomes if the victim sees no benefit?

## **Smart phones, social media, and new forms of victimisation**

**Victoria Laughton, Research and Advocacy Officer, Victim Support Service Incorporated**

While there is a growing body of research on the interface between smartphones, social media and victimisation, many victim agencies are faced with the challenge of keeping up with rapid technological advancement and its impact on the evolution of crime. This challenge is compounded by the finite resources of victim agencies, many of which are community-based, not-for-profit organisations.

This paper explores the roles of smartphones and social media in the perpetration of three crime types, focusing on sexual assault, stalking and fraud. It draws on the research literature of victims’ experiences, as well as recent media coverage of online victimisation. The paper comments on the impact of technological advancement on the delivery of support services to victims, and provides a series of recommendations for further research to build the capacity of victim agencies to respond effectively to online victimisation now and in the future.



## Poly-victimisation: Prevalence and associations with common mental disorders and suicidal behaviours among adolescents in Vietnam

**Thi Hong Minh Le, PhD Candidate, Monash University**

Poly-victimisation among adolescents has not been investigated in Vietnam. To date, there is no research about exposure to poly-victimisation and risks of common mental disorders (CMD) and suicidal behaviours among adolescents in this setting.

The aim of this paper is to establish the prevalence of poly-victimisation among Vietnamese adolescents and to examine its associations with CMD and suicidal behaviours.

The method of research used was a cross-sectional, anonymous, self-completed survey among high school students in Hanoi, Vietnam. It was conducted between October 2013 and January 2014. Poly-victimisation was assessed using the Juvenile Victimization Questionnaire Revised 2 (JVQ R2); depression, anxiety and stress by the Depression, Anxiety and Stress Scale 21 (DASS 21); suicidal behaviours by two questions adapted from the 2013 Youth Risk Behaviours Survey.

The results show a total of 1,606/1,745 (92%) returned completed questionnaires. Lifetime exposure to at least one form of victimisation was reported by 94.3 percent (95% CI: 92.5–95.4%) of the participants and to 10 or more forms by 31.1 percent (95%CI: 27.8–33.5%). Experiencing more adverse life events, having a chronic disease or disability, living with a step-parent, perceiving family

life as unhappy, being disciplined at school, and living in a rural area were associated with increased poly-victimisation. There were significant associations between poly-victimisation, more symptoms of CMD and increased likelihood of suicidal behaviours.

This paper concludes that poly-victimisation is prevalent among adolescents in Vietnam and is associated with increased risks of CMD and suicidal behaviours among them. Prevention of exposure to multiple forms of victimisation should thus be integrated into mental health care and suicide prevention programs among adolescents in Vietnam with special attention to the more vulnerable subgroups.

## Analysing help-accepting behaviour as a proxy for victim's needs

**Dr Sonja Leferink, Researcher/Policy Advisor, Slachtofferhulp Nederland**

**Floryt van Wesel**

Assessing individual needs of victims of crime poses different problems. What an individual person who fell victim to a specific crime wants and needs is a result of and influenced by a wide variety of factors. What complicates the matter further is that, asked directly for his or her needs and wishes, a victim of crime often does not have a clear answer. To translate the impact of the incident into clearly expressed needs takes (a long) time, and many victims lack an adequate framework of reference.

Analysing help-accepting behaviour might be an alternative way to establish the relation between individual characteristics of the

victim and the crime (s)he suffered, and his or her needs. Slachtofferhulp Nederland (Victim Support the Netherlands) records information about victims and the type of support they receive in a registration system. The first step was to combine this data (at an individual level) with data provided by the National Bureau of Statistics (such as income, education and household composition). The second step included analysing which variables predict the acceptance of support and the use of different types of support services. In this presentation the methodological approach and some results will be discussed, as well as the manner in which Slachtofferhulp Nederland uses these results to improve her capacity for offering tailor-made support to victims.

## Peer support groups for victims of crime

**Dr Sonja Leferink, Researcher/Policy Advisor, Slachtofferhulp Nederland**

Peer support can be a very effective contribution to the recovery process of victims for several reasons:

- the validation of emotions and experiences (recognition, acknowledgement);
- the sharing of stories, emotions, frustrations, setbacks, successes, advice;
- breaking through feelings of isolation;
- unlocking the strength of the group and empowering the individual;
- alternative for and/or complementary to individual support and treatment; and
- as a non-hierarchical and non-medical approach, with horizontal, symmetrical relations.

There is a risk however: members of peer support groups can strengthen each other in

their healing process, but also in a spiral of negativity. Therefore some degree of structure, program and guidance or supervision is necessary.

These elements are addressed by the model that Slachtofferhulp Nederland (Victim Support the Netherlands) has developed over the years, facilitating peer support groups for different categories of victims: victims of physical violence, adult victims of recent sexual abuse, parents of children who have been sexually abused, victims of child abuse in the past, the families of murder victims and victims of deadly traffic accidents.

The model is described extensively in a handbook that also addresses the practicalities of organising peer support groups. The workshop will focus on the topic of group dynamics and the role of the support group moderators.

## Responses of victims' social network: A qualitative evidence synthesis

**Dr Sonja Leferink, Researcher/Policy Advisor, Slachtofferhulp Nederland**

**Marieke Saan  
Hennie Boeije**

Victim Support the Netherlands (VSN) wished to have a broad evidence base to further legitimise their current services and to guide future policy decisions. A qualitative evidence synthesis was performed on the needs of victims of crime, accidents and natural disasters with regard to supportive and unsupportive responses of their social network.

A systematic search of seven electronic databases was conducted. Empirical research,

qualitative in nature or mixed methods, written in English and published in a peer-reviewed journal between January 1980 and November 2014 was included, which resulted in 58 studies. An adapted version of meta-ethnography was used to synthesise the studies. The quality of the studies was appraised using the RATS guidelines.

On starting to analyse victims of sexual offences, preliminary results showed that disclosure is a crucial stage. Why do victims decide to stay silent or open up and look for support? The results also showed a broad range of supportive and unsupportive responses and differences in victims'

interpretations of these responses.

Sometimes the support attempt may have been well-intentioned, but nevertheless perceived as unsupportive. Responses can have tremendous impact on victims, either positive and negative. For example, when victims feel they are being doubted, they may question the effectiveness of disclosure and decide to stop disclosing.

This presentation further explores the similarities and differences between the different groups of victims as well as investigates what lessons can be learned in providing support for victims.



## Restorative justice—applications to historic institutional child sexual abuse

**Rob Mackay, Principal, Edan Resolutions**

This paper will draw upon submissions to the Victorian Parliamentary Inquiry into the Handling of Child Abuse by Religious and Other Organisations and the Royal Commission into Institutional Responses to Child Sexual Abuse, as well as on theoretical work on law as peacemaking, moral and spiritual injury as denial of recognition, and ethical justifications for restorative justice.

The paper will address the following:

1. Commentary on the Royal Commission's consultation process on redress. In particular, there will be focus on the potential for restorative arbitration and facilitated/mediated meetings involving survivors and institutional representatives. The paper will draw attention to the dangers of direct meetings which do not have the possibility of facilitation or mediation. These dangers will be explored.
2. Discussion of issues surrounding perceptions of restorative justice among survivors, especially in the light of the usage of 'restorative justice' by institutions in their response to abuse. The issue is that these lead to a resistance to the potential for restorative practices.
3. An argument that restorative approaches founded on the concepts of 'law as peacemaking' and 'moral and spiritual injury as denial of recognition' provide excellent resources for dealing with the consequences of institutional child sexual abuse both for survivors and collateral victims: families and loved ones,

communities, including communities of faith, as well as primary perpetrators and institutions as secondary perpetrators.

## Preventing child victimisation: An analysis of the strategies adopted to reduce child marriage in Tamil Nadu

**Rajkumar Madhuvanthi, Student, Tamil Nadu National Law School**  
**Nirmala Rani Umanath, Advocate, Madras High Court**

The practice of child marriage is prevalent across the globe and existing data shows that 40 percent of the world's child marriages occur in India. The custom of child marriage is followed in several states of India including the state of Tamil Nadu. By and large state agencies do not take effective measures to prevent child marriage and to reduce the victimisation of children through child marriage. However, some heads of district administration take proactive steps to prevent child marriage and reduce the incidence of victimisation. The present paper includes an analysis of the cases of child marriage that were successfully prevented by district administration in the central part of Tamil Nadu (India). The analysis includes the socioeconomic status of the children, reasons for child marriage, challenges, difficulties and forms of victimisation faced by children as a result of child marriage et cetera. The paper has also analysed the methods and strategies adopted by the district administration to prevent the occurrence of child marriage. The impact that has been created as a result of these measures taken by the district administration is also included in the paper.

## **Women—the bottom-most rung of the subaltern ladder and the top-most rung of the secondary victimisation ladder**

**Rajkumar Madhuvanthi, Student, Tamil Nadu National Law School**

Secondary victimisation refers to the persecution of the victims subsequent to the primary victimisation. In other words, it refers to the upsetting and humiliating treatment of victims within the criminal justice system which, in most cases, is tormenting and agonising for the victims in that it depreciates the significance of the primary crime. Most often the people at the receiving end of secondary victimisation are the subalterns—that is, an interface of people who belong to the oppressed caste, women and the economically backward. Women form the lowest rung among the subalterns and are the most susceptible to secondary victimisation. The abysmal conviction rate for crimes against women is an indicator of the ill-treatment (secondary victimisation) as there is a direct relation between the treatment of victims and the rate of conviction. In this context, an attempt has been made to examine the nature and extent of secondary victimisation of women victims. Furthermore, this study delves deeper to unravel instances of further discrimination and victimisation within the said section of society by exploring the association between the nature of crime, the geographical background, the socio-economic status of the victim and the nature and extent of secondary victimisation they experience at the hands of the law-enforcing agency. A sample of women victims of sexual

offences have been interviewed using an interview schedule. The data obtained has been analysed and included in the paper.

## **Mental health recovery, is it possible? Lived experience speaks**

**Lyn Mahboub, Recovery Advisor, Richmond Wellbeing**

The notion of recovery is often thought to mean a return to a prior state of being or salvaging something lost, and therefore the possibility of recovery in relation to mental health issues can seem impossible; however, contemporary thinking argues otherwise. Current policies and frameworks within the mental health field alert the mental health workforce and allied professionals to the fact that reform is afoot and that practice must use a recovery-focused approach that works to privilege lived experience. But what does all this mean? This paper will discuss what is meant by recovery within mental health and demonstrate how this approach differs from traditional frameworks of understanding. It will also share some stories of hope as well as signal some cautions relating to this concept. The paper will discuss the notion of lived experience and how drawing on expertise by experience can value add to the therapeutic relationship.



## **Globalisation and the labour market in export processing zones—orthodoxies and regressive customary practices victimising adolescent girls in Tamil Nadu, South India**

**Natesan Manimekalai, Professor,  
Bharathidasan University  
Dr Sayeenathan Suba, Assistant Professor,  
Bharathidasan University  
Dr R Gayathri, Development Research  
Consultant**

The textile sector of Tamil Nadu, South India is able to capture the competitive global market with efficiency and cost effectiveness. Cheap labour is supplied by women and girls through the orthodox based sumangali (marriage) scheme. Huge numbers of adolescent girls ranging from 11 to 18 years are employed under such schemes. A sum of Rs35,000 (roughly USD600) will be paid after three years of continuing in the scheme as a residential worker. The orthodox stereotypical expectation that girls must be married is reinforced: they should pay a dowry (forced payment to the groom during wedding). The girls have no privacy to communicate with their parents. The grown-up girls reported facing sexual harassment and sexual abuse, verbal, non-verbal and physical abuses from male co-workers through to the supervisor, manager, owner et cetera. Several suicides occurred where the associated regressive social prejudices meant that the family did not disclose the real reasons behind the suicides. The psychological issues do not get reported for fear of losing jobs and the sums that were promised. Wedding invitations also need to be produced to get the sum

promised. Sumangali scheme girls are not preferred for marriage, as there are suspicions regarding their virginity. Victimisation and exploitation continue where orthodoxy-based victimisation, governed by social and capitalist systems, makes the girls suffer in silence.

## **Understanding online fraud victimisation in Australia**

**Monique Mann, Research Officer,  
Australian Institute of Criminology**

**Anthony Morgan  
Marcus Smith  
Courtney Brown**

Cybercrime victimisation rates are significantly higher than traditional crime victimisation rates. As many as 17 per cent of the online population have reported being a victim of online credit card fraud, identity theft, phishing attempts or unauthorised access to email accounts. Given that these estimates are based on reported online fraud victimisation, the actual figures could be significantly higher. By comparison, in 2012-13 less than three percent of the Australian population were a victim of physical assault and less than three percent of households were a victim of home break-ins. Further, recent research has demonstrated that the impact of online fraud on victims can be significant and is not limited to the immediate financial loss.

The Australian Institute of Criminology surveyed approximately 1,800 adults in the Australian general population to understand their awareness of cybercrime, rates of

cybercrime victimisation, reporting behaviours, satisfaction with the process of reporting cybercrime and overall perceptions of the government's response to cybercrime.

This paper will present the findings from the survey and explore the relationship between victim satisfaction with the reporting process and outcome, and a number of victim and offender characteristics. These will include whether they believed the offender to be located within Australia or overseas, their perception of the risk of victimisation, and their views of government responses to cybercrime. Predictors of cybercrime victimisation will also be discussed. The implications of the findings for addressing cybercrime will also be considered.

### **'Strangely good afterwards'**

**Michael Martin, Social Worker, knowmore Legal Service**

These words, used by a survivor of institutional child sexual abuse to describe his emotional state, came after attending a private session of the Royal Commission into Institutional Responses to Child Sexual Abuse. A childhood trauma, long buried from view but lurking in the memory, only emerging in private moments, had finally been exposed. While the stories and personal experiences of survivors vary enormously, the need for good support for their involvement with the Royal Commission is abundantly clear. This includes dealing with legal issues that arise. knowmore legal service is an independent service giving free legal assistance to people who are engaging, or considering engaging, with the Royal Commission. knowmore is a program of the National Association of Community Legal

Centres, funded by the Attorney-General's Department. knowmore is unique on a number of levels. It is the first time the Australian Government has funded and established an independent, national legal service to operate alongside a specific Royal Commission. It is the first national legal assistance service to operate with multiple capital city offices, offering telephone and face-to-face consultations as well as outreach services. Since July 2013 knowmore has assisted over 2,600 clients. knowmore has a new and innovative model for providing legal advice and support to clients, the majority of whom are survivors of child sexual abuse, bringing together lawyers, social workers and counsellors and Aboriginal and Torres Strait Islander engagement advisors. Our presentation will outline our model of service delivery, in line with the foundational principles of trauma informed practice.

### **Sexting and victimisation**

**Nieves Martinez, Sexting and Victimisation, University Complutense of Madrid**

Sexting is the starting point of many victimisations. The person who makes and sends a sexual picture of him/herself to somebody is taking the first step towards future undesirable experiences.

Sexting could start a chain of different crimes, like grooming, cyberbullying and cyber harassment. Once one image is downloaded it marks the point of no return since he/she can never recover this image. Things can spread exponentially over the internet.

It must be conveyed to young people that sharing sexual images of themselves online makes them vulnerable and their privacy

easily attacked. Only prevention measures can curb this practice which may cause incalculable damage.

It is necessary to explain to people the possible results of sharing data in cyberspace; they have to understand that the easy and massive dissemination of data makes them vulnerable when data is misused for purposes other than those originally intended. Once a person is a victim of a cyber-attack he/she can never be sure when this might arise in the network and cause them to suffer latent revictimisation.

### **Young adult perceptions of vulnerability to violence: An exploration of gender differences**

**Lucy Maxwell, PhD Candidate, Swinburne University of Technology**

**Jason Skues  
Lisa Wise  
Stephen Theiler  
Jeffrey Pfeifer**

The purpose of this study was to explore the factors that young adults associate with vulnerability to violent victimisation when out in public. Twenty-five young adults aged between 19 and 29 years each participated in one-off, semi-structured focus groups in which there was one exclusively male group (n=6), one exclusively female group (n=6), and two mixed groups of n=5 and n=8 respectively. A thematic analysis was performed on the data and multiple themes were identified and categorised into situational and individual variables that related to visibility, location, and the level of support from others, as well as the

unpredictability, perceived confidence, and stereotypes of others. Gender differences in the perception of vulnerability were identified among participants, including the type of violence that one feels vulnerable to, as well as the perceived severity of the consequences from being victimised. Female participants indicated a persistent level of anxiety surrounding fear of victimisation, affecting their routine behaviours and preparedness in public, compared to male participants who did not feel concern around violent victimisation. Furthermore, there was a perception from young adults in this study that they were less likely to be individually targeted compared to others. The findings from this study have implications for the design of personal safety programs as well as public interventions to reduce vulnerability and the prevalence of violence.

### **Criminal justice responses to childhood sexual abuse: Is trauma-informed practice possible in a system that re-traumatises?**

**Rebecca Moran, Trainer, Richmond Wellbeing**

A core principle in all models of trauma informed practice is the restructuring of policy and practice to ensure that systems avoid re-traumatisation and, ideally, facilitate healing and recovery for people who have experienced trauma. It is now widely recognised that childhood sexual abuse is a particularly complex traumatic experience, often with serious long-term impacts on survivors' physical, mental, and social health, from which recovery can be a long and

delicate process. Utilising a combination of academic research, professional experience, and lived experience as complainant in a historical childhood sexual abuse case in Western Australia, this paper identifies features of our current criminal justice System response to violence and abuse that are deeply traumatic for survivors. This compounding and re-traumatisation can have potentially devastating consequences, including suicide, increased mental distress, substance use and self-injury. However, the individual staff within this system can—and often do—have a profoundly healing impact on a survivor's life and recovery. Childhood sexual abuse is filled with shame, secrecy, degradation, and a lack of control; recovery requires experiences of having choice and control, being treated with respect, and being heard.

Delegates are invited to reflect on and discuss the purpose of the criminal justice system in this context, the potential scope for change to current policy and practice, and to learn the simple things any individual in any system can do to facilitate healing and re-connection.

### **Speaking the unspeakable: The link between trauma and hearing voices**

**Rebecca Moran, Trainer, Richmond Wellbeing**  
**Corina McSwan, Peer Support Worker, Richmond Wellbeing**

Corina McSwan is a trauma survivor, peer support worker, and facilitator. She also hears voices that no-one else can hear, and sometimes has disturbing visions. Rebecca Moran is a trauma survivor and trainer who

does not hear voices, but has battled strikingly similar internal dialogues. Both suffer fibromyalgia and chronic pain. Through sharing their experience and the insights gained through many years of striving to heal, these two women hope to highlight and explain the link between trauma—in particular complex childhood trauma—and voice-hearing, and to begin to unravel the purposes that voices may serve in surviving and processing complex trauma. Delegates are invited to explore the remarkable ways in which the human brain and body adapt and communicate in order to bear the unbearable and speak the unspeakable. Overwhelming narratives of shame, guilt, self-blame, disgust, fear and anger will find a way to be held and to be heard. Pain refuses to be denied, feelings demand to be felt, buried suffering will surface, and through this we discover the maps to our own recovery. Research shows that the majority of people who hear voices have experienced trauma. Understanding and acknowledging the prevalence and power of this link has life-changing implications for both those who suffer distressing voices and those who seek to support them.

### **Nor lazy crazy or stupid—a program for children of domestic violence and like trauma**

**Prashant Munro, Service Manager, Victim Support ACT**

**Sonja Osfield**

'Nor lazy crazy or stupid' Mulberry Street is a program for children victims of DV and other childhood trauma.

Research has shown that for children, violence at home has a profound impact on a range of areas of functioning. Behavioural and developmental difficulties often present and programs that are trauma focused and address the child's problems are rare. Counselling is not always helpful or effective. Victim Support ACT has designed a program to specifically address the children's needs. Called Mulberry Street, the program aims to assess the therapeutic, educational and situational needs of the child.

Because of cognitive and behavioural problems, children with trauma experience difficulties learning and participating in the educational system. Bessel Van Der Kolk said that competency is the single most powerful protector against trauma (Van Der Kolk 2010). Victim Support ACT is committed to facilitating change in areas where the child is struggling.

A bio-psychosocial assessment is conducted to determine familial history, social interactions, educational deficits, most pressing concerns, strengths, passions, et cetera. The main focus of the program is:

- relationship repair;
- educational skills/partnering with school; and
- social and emotional skill development.

The service is tailored to build agency and increase capacity. At the core of the program the organisation provides an educational assessment, tutoring and neuro-feedback, but it can also include artistic, other scholastic or sporting endeavours, activities that enhance social interaction, or other things that the family might consider would assist their specific needs. Our program is unique and often it provides a beginning for improvement in the child's life.

## Working with victims of crime— vicarious trauma management

### Prashant Munro, Service Manager, Victim Support ACT

Vicarious trauma: Bearing witness to another's trauma

Call it vicarious trauma, secondary traumatic stress, empathic strain, secondary victimisation, or compassion fatigue, the wear and tear of working with victims of crime means that workers are the secondary witnesses of trauma almost every day—and it results in the workers being affected by the trauma in some way.

Although most agencies recognise the warning signs, there are rarely systems in place to care for and cope with what happens to the worker in the field.

Victim Support ACT (VSACT) has a plan—the vicarious trauma strategy—which involves screening, monitoring and assisting workers to self-manage. Procedures are in place that are user-friendly and enhance help-seeking behaviours at a system level. VSACT knows that vicarious trauma builds over time, and therefore provides training and fosters a culture of resilience and self-management where there is room for managing emotions, making good decisions, setting boundaries, keeping watch of somatic signs, staying connected and maintaining hope.



# N

## End impunity: Safeguard the rights of child victims in the criminal justice system

**Muthukunda Niriella, Head/Department of Public and International Law, University of Colombia**

The objective of this paper is to critically examine the rights of the child victims and to suggest legal reforms to strengthen their rights in the criminal justice system which is essential to end secondary victimisation. To achieve this objective the paper looks at the important principles adopted in the international human rights law relating to this topic, in order to determine the rights of child victims in a criminal case and marginalisation of child victims in the traditional, adversarial model of justice process to demonstrate the importance of the protection of the rights of child victims in criminal justice system. It is important to note the study focuses only on child victims who are subjected to sexual offences. The paper considers Sri Lanka as a sample to discuss this issue. In this paper the rights of the child victim in the investigation, trial and post-trial stages would be evaluated. The qualitative research method is followed to complete this research, which contains an extensive examination of relevant international standards and local statutory provisions. Case law, books, journal articles, and government publications such as commissions' reports on this topic are reviewed as secondary resources. In the paper, it will be argued that child victims are considerably neglected and their rights are not adequately protected in the adversarial model of the criminal justice process.

## Women from diverse backgrounds and domestic and family violence: Is access to justice just an illusion? Stories and lessons from the front line

**Zita Ngor, Director, Women's Legal Service (South Australia) Inc**

Women from diverse backgrounds face additional challenges in having their stories of domestic and/or family violence heard and responded to appropriately by the legal system. One of the barriers is a result of the common misconception or stereotype that categorises women from diverse backgrounds as 'submissive and oppressed' victims or as 'bad girls/women'. These underlying assumptions shape the responses of service providers and legal systems to women from diverse backgrounds. The impact of such assumptions often results in women from diverse backgrounds becoming disenfranchised and demoralised by the legal system. Also, these stories often serve as a warning for other diverse women who may wish to use the legal system, so that while equality before the law is often preached about, the reality for so many women from diverse backgrounds is often very different. There is no room for diversity within the law.

Case studies from diverse women will be used to draw out recurring themes and barriers for women from differing backgrounds in accessing justice. But at the same time these themes and barriers will provide opportunities for identifying emerging issues for further research and possible solutions for both the legal system and service providers.



## Obligated to listen—obligated to act: Procedural justice for victims of crime

**Michael O’Connell, Commissioner for Victims’ Rights, Government of South Australia**

Voice—such as having a genuine influence over decisions that affect them—is an important determinant of the experience of victims in the criminal justice system. Such voice is integral to procedural justice; yet, contrary to victims’ rights proclamations, victims continue to struggle to express their concerns, gain fairness and equity in decision-making, or attain just hearing in criminal proceedings. Further, evaluations on the effectiveness of victims’ rights often canvass victim satisfaction, which is an inadequate measure. Alternatively, effectiveness should be tested in the context of the obligated (such as police, prosecutors, court staff and correctional officers) and the obligatee (the victim). It is argued that public officials do not perceive themselves as obligated, so tend to treat victims’ rights as service standards; and victims are not aware of such obligations, so their degrees of satisfaction are appraisals of their interactions with officials. It is proposed that exploring the effectiveness of victims’ rights from this perspective might afford better clarity on the procedural justice victims seek.

## Victims of stalking and their legal protections in Japan

**Tatsuya Ota, Professor, Keio University**

Stalking has been spreading more widely across the country in Japan. More and more stalking cases are reported to the police each year, some of which resulted in the killing of

victims. Japan’s legislature passed the Anti-Stalking Act in 2000, which empowers the police (not the court) to issue an official warning, as well as a restraining order, to a person who repeatedly follows, stalks or harasses due to a feeling of love, or resentment aroused by dissatisfied love. The Act also criminalised the violation of a restraining order and certain types of stalking acts. Police data revealed that further stalkings were prevented in 85 percent of official warning cases and in 64 percent of restraining order cases. But it was also found that those administrative orders are useless against some types of stalkers, like self destructive or convinced stalkers. Criminal sanctions, like petty fines or suspended imprisonment, are often imposed against those who commit criminal stalking acts or violate restraining orders, but some convicts repeated stalking just after being released. These facts show that mere administrative orders or criminal sanctions are not altogether effective in preventing further stalking. It is important to establish a stalker treatment program in addition to, or in lieu of, administrative orders or criminal sanctions. This presentation aims to discuss a possible and effective way to protect victims of stalking by preventing re-offending, after showing the characters of victims and stalkers in Japan.

Tatsuya Ota is a professor of Keio University, Japan, majoring in criminology, victimology and the Asian legal system. He has published extensively on issues relating to penology, offender treatment and victim support. His recent research has especially focused on the prevention of re-offending through the coordination of correction and community supervision. He is a chairperson of the Committee on Measures against Stalkers in the National Police Agency.

## Preventing victimisation in married couple relationships in India: Understanding the role of intimacy

**Dr Manjushree Palit, Assistant Director, OP Jindal Global University**

Unhealthy marital behaviours negatively impact the emotional and physical wellbeing of the couple and their children. This may lead to victimisation and experiences such as marital dissatisfaction, domestic violence and marital rape, emotional and mental abuse, and increased divorces or separations. Unhealthy marital behaviors leading to victimisation in relationships can be intergenerationally transferred from the parent's relationship to the offspring's marital relationship. Few researchers have explored the role of healthy behaviours such as intimacy and the negotiation of relational conflicts in the prevention of unhealthy marital behaviours and victimisation in couple relationships.

This study investigated how married couples in India navigated healthy and unhealthy experiences in six dimensions of intimacy: emotional closeness and self-disclosure, shared ideas and support, sexual intimacy, relationship skills, commitment, and social intimacy. The Zaltman Metaphor Elicitation Technique (ZMET), an innovative data collection method, was used to collect pictures as metaphors followed by in-depth phone interviews with 11 couples (N=22). This phenomenological study revealed five themes (description, positive and negative experiences, barriers and strategies used, changes over time and perceived societal norms) that provided information on the six dimensions of intimacy. Perception of the

presence or lack of intimacy was viewed negatively or positively and impacted upon the marital relationship. Couples' perception of barriers to intimacy, and the strategies used, influenced the maintenance of healthy relationships over time. The findings have implications for marriage education programs and clinicians working with couples where relationship distress can endanger the intimate relationship, leading to victimisation. Understanding healthy relational behaviors is imperative in the prevention of victimisation.

## Police as victims of crime: Building resilience in contemporary policing

**Andrew Paterson, Lecturer/Field Education Coordinator, Flinders University of South Australia**

In terms of post-traumatic growth theory, the presenter will address issues around policing, trauma and resilience. Police officers worldwide live professional lives that comprise constant exposure to death, violence, risk and societal mayhem which can result in post-traumatic stress disorder (PTSD) diagnoses and disrupted or destroyed careers. PTSD has almost become an expected outcome for many in the service. This paper, based on an ongoing research PhD, examines health-related options for police officers and organisations.

## **Baited or trapped? An African victimological approach towards the protection of traditional knowledge in Africa**

**Robert Peacock, Professor, Chairman,  
Department of Criminology, University of  
Free State**

**Andrew Mutsiwa, Doctoral Candidate,  
University of KwaZulu Natal**

The protection of traditional knowledge within post-colonial Africa has become a contested discourse, which is inundated by a history of oppression, subjugation, colonialism, cultural violence and ideological prejudice. The contestations that run through the discourse have been bedeviled by institutional and structural power relations, contributing to the sustained victimisation of traditional knowledge holders. Traditional knowledge holders are at the receiving end of the concerted contestations perpetrated by the intellectual property regime. The findings of this study show that the legal framework that purports to protect traditional knowledge in Africa actually reproduces inequality and victimisation of particular vulnerable communities. Within an emancipatory African victimological framework, remedial measures are proposed to dismantle the structures of knowledge imperialism, thereby seeking to empower traditional knowledge holders in the furtherance of justice and sustained equilibrium. As such it is proposed that an 'African victimology' is not a mere abstract approach, but refers to a lived experience that allows for transformation through supplanting deleterious tenets of the intellectual property regime with the humanising values of Maat and Ubuntu.

## **Prevention of sexual abuse in children of Mayan communities in Mexico**

**Reyna Faride Peña Castillo, Professor,  
Universidad Autónoma de Yucatán**

**Teresita Castillo León**

The Autonomous University of Yucatan has developed an educational model that allows significant expansion of knowledge, linking real scenarios to provide services of social impact. That is why it created the University Unit for Clinical Support and Victimological Research (UNIVICT, Faculty of Psychology). The UNIVICT provides services for victims and prevention programs.

The aim of this project was the design, implementation and evaluation of a program to prevent sexual abuse. It focused on children of school age with the participation of parents, teachers and community policing in Mayan communities of Yucatán. The psychoeducational strategies of the project included stories, narratives, drawings, prints of the human body, activities about the recognition of good and bad secrets and information about the risk of strange people.

The sample consisted of 897 children between six and eight years from five Mayan communities in Yucatán, Mexico. The parents and teachers were involved through workshops and activities with the children. It was verified that the children were attracted to the psychoeducational strategies and related to their stage of development. In conclusion, the active participation of children and parents or caregivers is very important, and allowed for the positive effects for the community to be generalised. The project is supported by the WK Kellogg Foundation, and researchers are currently designing interactive software focused on preventing sexual abuse.



## **Betrayal trauma: The abuse of children by religious institutions**

**Carolyn Quadrio, Associate Professor,  
School of Psychiatry, University of New  
South Wales**

The assessments of several hundred cases of sexual abuse within religious institutions are discussed, beginning with the Christian Brothers cases in Western Australia in the 1980s up to the present time, and including

almost the entire range of religious and quasi-religious organisations. The sense of betrayal that these abuses inflict is profound and affects the child, the family and the religious organisation and, as at present with the Royal Commission, it reverberates throughout our social system. How that betrayal trauma eventually manifests as alteration of personality is a phenomenon that is not addressed adequately in the conventional diagnostic systems of psychiatry and psychology.



## New challenges for Macau in tackling domestic violence

**Teresa Robalo, Lecturer, University of Macau**

After years of debates about domestic violence, last January the Legislative Assembly of Macau approved a law on this issue, which has not yet come into force. The main question was to clarify if the legislator should allow the criminal proceeding even without a victim's complaint, this being relevant due to the difficulty for the victim to take proper action in such cases. The aim of this paper was also to outline the newly previewed restorative meeting and its benefits to the victims, as well as to their rights. Furthermore, it intended to perceive if the legislator found a balance between the need to tackle domestic violence and Chinese traditions of non-interference in family life. Macau Special Administrative Region is part of People's Republic of China but it exercises a high degree of autonomy and enjoys executive, legislative and independent judicial power, with the Portuguese legal system at its root. Thus, this paper follows qualitative methods when analysing both Macanese and Portuguese legal solutions about domestic violence. It showed that the mentioned law has several aspects to point out, namely in what concerns the victims and their family members' rights, such as the right to be placed in a shelter, to get financial and legal support and to be granted police protection, among others that aim to prevent secondary victimisation. Nevertheless, Macanese law is not clear and does not achieve its purpose when it only allows prosecution without previous complaint if the consequences of the crime are not slight.

## Disability Justice Plan—South Australia

**Julian Roffe, Chief Executive, Victim Support Service South Australia**  
**David Egege, Executive Director, Disability Advocacy and Complaints Service of South Australia (DACSSA)**  
**Helen Gitsham, Youth Worker**  
**Brian Gitsham, Social Worker**  
**Amelia Cairney, Senior Legal Officer, Legislative Services**  
**Fiona Snodgrass, Senior Project Officer, Policy and Research, Attorney-General's Department South Australia**

When victims speak about their experience of the criminal justice system, all too frequently they talk about feeling marginalised in a process that is essentially about them and the crime committed against them. They talk about feeling powerless in the same way that they felt when the crime was committed. This typical 'victim experience' is often magnified when vulnerable victims participate in an adversarial justice system.

The enduring question is how can the criminal justice system be re-designed so that it becomes more inclusive and responsive to the needs of vulnerable victims?

In this session, you will hear from a range of speakers whose first-hand experiences, research and practice are influencing how the justice system in South Australia is responding to disabled victims and witnesses.

1. Common barriers to justice faced by disabled victims and witnesses

In 2008, Australia ratified the UN Convention on the Rights of Persons with Disabilities. The Disability Convention sets out what countries have to do to ensure that people with disability

have the same rights as everyone else—including legal rights.

Despite its ratification, disabled victims continue to face significant barriers to justice in Australia. David Egege, Executive Director of DACSSA, will set out the case for change.

## 2. A real life experience

By the age of two Helen and Brian's son David was diagnosed with a profound intellectual disability. In 1975, at the age of seven, David started to attend the newly opened St Anne's Special School at Marion, an inner suburb of Adelaide in South Australia. Nearly three decades later it was revealed that David had been one of several students sexually abused by a bus driver at the school. In January 2013, the then Gillard government established the Royal Commission into Institutional Responses to Child Sexual Abuse. The terms of reference of the Commission included reporting on providing justice for victims through the provision of redress by institutions, referral for investigation and prosecution, and support services.

In March 2014, Helen and Brian gave evidence to the Royal Commission into the abuse suffered by David at the first public forum to be held in Adelaide.

In this presentation Helen and Brian tell of the difficulties they faced as parents of an intellectually disabled victim, and their hopes for the Royal Commission.

## 3. Responding to the needs of vulnerable victims and witnesses—South Australia's Disability Justice Plan

The purpose of South Australia's Disability Justice Plan is to safeguard the rights of all people with disability (and its benefits will apply to children) in their interactions with the criminal justice system. The plan extends to vulnerable victims, witnesses and defendants. The plan includes reforms to the *Evidence Act 1929* (SA) and linked non-legislative measures to improve the way the criminal justice system responds to vulnerable victims and witnesses.

Launched in June 2014, key initiatives in the plan include:

- specialist training for investigative interviewers;
- independent communication assistants;
- community education and awareness campaigns; and
- training for medical professionals, judiciary and other staff working with vulnerable witnesses.

The plan recognises that legislation alone is not a 'silver bullet' for the complex problems in this area, and the importance of a comprehensive approach that identifies and considers both legislative and non-legislative issues and solutions.

## Compensation to child trafficking victims in Indonesia

**Dr Elfina Sahetapy, University of Surabaya**

Human trafficking creates victims: men, women and, most vulnerable of all, children. Children constitute a large number of human trafficking victims and have a strategic position in nations, society and also the family. Based on previous research results, trafficked women and children are particularly at risk from physical, mental and spiritual impacts, and are vulnerable to violence, pregnancy and infection from sexual diseases such as HIV/AIDS.

Legal protection of children can be achieved in various ways through law, justice and child welfare. Attention to the rights of children and the risks of victimisation through trafficking across international contexts has become a key concern and has led to the establishment of a number of international legal instruments. However, legal recourse for children in Indonesia is not always effective even if the perpetrator is jailed and suffers sanctions.

This paper considers issues such as compensation, restitution, rehabilitation, repatriation and reintegration and how they apply to those victims of human trafficking, in particular children.

## Public and police perspectives on conflict management and resolution strategies: Working together for a systemic reform?

**Dr Sanjeev Sahni, Principal Director, Jindal Institute of Behavioural Sciences, OP Jindal Global University**

The police force's role in conflict management and resolution is pivotal in crime prevention and maintaining law and order in India, and no substantial study is available so far. This study investigates the following objectives: to understand and analyse causes of conflict between the public and the police; to recognise ways in which conflict situations are handled at the police station; to determine gaps between existing methods versus an ideal way of police resolution of conflict situations, and; to develop recommendations for working together as a system.

The total respondents—3,231 police personnel and 1,630 civilians—were recruited from both rural and urban areas of four states (Chandigarh, Delhi NCR, Haryana and Punjab) through convenience sampling and simple random sampling respectively. Separate survey questionnaires were administered to both groups. ANOVA, t-test and comparative analysis revealed the following findings: both police and the civilians perceived that efficiency was an issue with the police personnel; discrepancy existed in the perception of police and civilians on issues such as police handling and resolution of the conflict situation; and deterrents to the conflict resolution process were identified as lack of awareness among civilians about civil and criminal procedures, civilian over-expectations of the police, lack of respect of police personnel towards the public, and

corruption. The findings have policy and program implications and provide an important resource for creating social-educational, awareness and sensitisation programs for both public and police personnel.

### **Victimisation of civilians in armed conflict: Response of international law**

**Dr Rashmi Salpekar, Associate Professor, Vivekananda Institute of Professional Studies**

As per the traditional and conventional law of war, the civilian has to be protected during war. International conventions have traditionally looked at states to protect civilians, but today this expectation is threatened in several ways. The Fourth Geneva Convention of 1949 and first Additional Protocol of 1977 protect civilians during international and internal war. The Fourth Geneva convention can be applied only in the situation of declared war. However, contemporary armed conflicts are a 'neither war nor peace' kind of warfare—in which case, states deny their involvement in conflict and thereby avoid their responsibility to protect civilians.

In this situation the International Criminal Court can protect civilians, but it protects only directly affected victims. The International Criminal Court protects victims of international crime, but does not include those against whom no direct crime has been perpetrated, but who have suffered indirectly. This paper depicts the vulnerability of civilians in various types of armed conflict. It critically analyses the Fourth Geneva Convention of 1949, and the first Additional

Protocol of 1977, as well as provisions of the International Criminal Court in which civilians have been protected. By discussing various cases, suggestions will be made on how to better protect civilians of armed conflict.

### **A difficult journey? Child victims and criminal justice in India**

**Dr Beulah Shekhar, Associate Professor, Manonmaniam Sundaranar University  
Helen Codd, Professor of Law and Social Justice, University of Central Lancashire**

This paper draws on the findings of the authors' ongoing collaborative research project exploring the rights of child victims of sexual offences in India and the United Kingdom. It focuses specifically on the Indian context. In India, a number of recent incidents have highlighted sexual abuse and exploitation of children and young people throughout the country, and the negative consequences often experienced by children and young people when they voice their experiences of victimisation. The United Nations declaration that has been duly ratified by India promulgates access to justice, fair treatment, restitution, compensation and assistance to victims of crime. However, in one study, Malimath categorically stated that the Indian statutes favour the accused. The recent Justice Verma Committee Report (2013), and also other reports, have recommended that the justice system in India be made more victim-friendly. In spite of several national consultations and resulting recommendations, no legislation to protect victims has been proposed in India and, in the absence of such legislation, victims of crime can feel that they are being left in the lurch, their quest for justice proving futile. This paper will discuss the

current situation and experiences of child victims in India, considering the need for national legislation for victims, and also the parallel obligation on the government to respect the rights of the victim and to embed these rights within enforceable legal instruments, practices and policies, identifying and suggesting specific future reforms of legislation, policy and practice.

## Justice, rights and child victims? International perspectives

**Dr Beulah Shekhar, Associate Professor, Manonmaniam Sundaranar University**  
**Helen Codd, Professor of Law and Social Justice, University of Central Lancashire**  
**Dr Vijaya Somasundaram, Lecturer, Manonmaniam Sundaranar University**  
**Kumaravelu Chockalingam, Chair Professor in Criminal Law, National Law University**

This workshop will bring together World Society of Victimology participants from around the world to identify, discuss and explore good practice in criminal justice system responses to child victims of sexual offences, with particular reference to children's rights and the enforcement of these rights. The members of the team facilitating the workshop have experience of research, policy and practice in a number of countries including the United Kingdom, India, Uganda, Mauritius, Bangladesh, Japan, Hungary and the United States, and when combined with the expertise of the diverse range of international participants this workshop will provide the opportunity for scholars and practitioners to work together in an international and multidisciplinary way to discuss questions of effective legislation, policy and practice.

This workshop has the potential to encourage joint future collaborations, and will provide an environment in which academics, policymakers and practitioners are encouraged to think progressively, outside their own disciplinary or jurisdictional boundaries, in order to identify future avenues for good practice in legislative and policy development. There is no limit on the number of participants, subject to the availability of space so that groups can work in groups of no more than six to eight people.

This plan is based on a session time of 90 minutes but could be adjusted dependent on the time allocated. The room will be set up in advance for groups of 6-8.

1. Introduction and Welcome: (5 minutes).  
Facilitating team to introduce themselves. Structure of workshop to be outlined for participants. Agreement of shared ground rules for co-operative discussion.
2. Participants to introduce themselves to their tables, including their background, interest and experience (5 minutes).
3. Powerpoint presentation by Prof. Helen Codd and Prof. Beulah Shekhar on 'The sources of rights for child victims of sexual offences', with reference to the UN Convention on the Rights of the Child. (15 minutes).
4. Discussion in groups (15 minutes discussion): 'How can an understanding of children's rights influence criminal justice lawpolicy and practice for child victims of sexual crimes?'
5. Feedback from groups: Discussant - Dr. Vijaya Somasundaram (10 minutes).
6. Powerpoint Presentation by Prof. K. Chockalingam and Dr. Vijaya Somasundaram on 'The challenges of promoting and enforcing children's rights

for child victims of sexual crimes' (15 minutes)

7. Discussion in groups: 'Good practice in promoting and enforcing children's rights?' (15 minutes)

8. Feedback: Discussant: Dr. Beulah Shekhar (10 minutes)

9. Close.

In discussing the rights of child victims of sexual crimes, participants will be encouraged to consider ongoing concerns about organised sexual exploitation; questions of restitution and compensation for victims, and the ongoing challenges of institutional child sexual abuse. Participants will be encouraged to discuss existing good practice along with ideas for future initiatives, drawing on their own knowledge, expertise and experience. This shared expertise underpins the rationale for the workshop.

## Victimisation survey among adolescents of three districts in South India

**Dr Beulah Shekhar, Associate Professor, Manonmaniam Sundaranar University**  
**Dr Vijaya Somasundaram, Assistant Professor, Rajalakshmi Engineering College**

This study is a broad survey of five different forms of victimisation experienced by adolescents in the three southern districts of Tamil Nadu state in India—Tirunelveli, Tuticorin and Kanyakumari. The survey is an attempt to reduce the dark figure of crime against adolescents. Using multistage sampling with a stratified random sampling technique, 4,983 students were administered five self-reporting questionnaires on victimisation:

1. crime victimisation;
2. caretaker abuse victimisation;
3. peer and sibling abuse victimisation;
4. sexual abuse victimisation; and
5. indirect victimisation.

Findings revealed that eight out of every 10 adolescents reported having suffered at least one form of victimisation. Among the five types of victimisation for every 10 adolescents surveyed in the chosen population, eight were victims of crime, four were victims of caretaker abuse, five were victims of peer and sibling abuse, three were victims of sexual abuse, six were victims of indirect victimisation, and five were victims of repeat victimisation. On an average only two in 10 adolescents reported the victimisation. Gender and caste were significant predictors of adolescents' victimisation. Differences in the victimisation levels were observed between the districts and between the geographic blocks in each district. Victimization levels were highest in Tirunelveli followed by Tuticorin and lowest in Kanyakumari. Victimization maps were drawn for each district for each type of victimisation showing these differences.

## Victims' and offenders' postures towards restorative justice practices

**Chuen-Jim Sheu, Professor, National Taipei University**

**Hsiao-Feng Huang**

This paper aims to explore victims' and offenders' opinions about restorative justice practices they have experienced and their attitudes toward restorative justice in general (whether positive or negative about the use of restorative justice in dealing with crime).



The data for analysis were collected through interviews and questionnaires with 30 victims and offenders who participated in restorative justice programs in Taiwan.

One of the main findings in this study is that the victims and offenders had manifold justice expectations which included restorative and punitive beliefs. They welcomed restorative practices but also punitive remedies. The other main finding refers to whether victims' and offenders' attitudes toward restorative justice practices were related to their participation in restorative justice (such as interaction with the other party or facilitators and outcomes of restorative justice meetings), their social capital, and their beliefs on punishment, restorative values, populism and Confucian values.

### **Reflections from the 'coalface' as a mediation officer with the Victim-Offender Mediation Unit, Department of Corrective Services, within the Children's Court Jurisdiction in Western Australia**

**Tim Simmons, Mediation Officer, Victim-Offender Mediation Unit, Department of Corrective Services**

**Jazmyn Tobin, Manager, Victim-Offender Mediation Unit, Department of Corrective Services**

The role of mediation officer encompasses facilitating meetings between young offenders and their victims to explore understanding of the consequences of offending on the victim, to accept and demonstrate responsibility and remorse, and to make amends, usually in the form of an apology.

Outcomes for victims are very subjective, but within mediation carried out between young people and victims a dual potential benefit has emerged for both offenders and their victims—that of prevention and diversion from offending as an expressed outcome of itself for victims, while benefiting the young people without detriment to the victims.

Case studies demonstrate that many victims of young offenders are as concerned for the future welfare of the young people as they are with the impact of offending on themselves.

A positive attitude by a young offender to the commission of the offence and its impact on the victim as demonstrated through face-to-face mediation may be of significant importance to a victim and provide a positive outcome for that victim.

#### **Case Studies**

- 73 year old woman—victim of a robbery by three teenage girls and her concern for their future;
- Teacher assaulted by school pupil wishes to facilitate the return of the child to school;
- Restaurant owner with admitted previous criminal convictions passes on 'life lessons';
- Community mediation for \$15m damage to school (with 5 minute DVD made by pupils to express impact of offending);
- 'The Hand'—a pictorial communication of apology and its impact on the victim;
- Apology letter read to a victim from young person: 'I cannot change what I did but I can change what I do in the future.'

## **Advocating improved seafarer maritime crime victim-witness support**

**Sarah A Simons, SIRC-Nippon Foundation  
PhD Research Fellow, Seafarers  
International Research Centre, Cardiff  
University**

Maritime piracy acts in the Gulf of Aden have seen both kidnappings and hostage-taking for ransom, in which crew working aboard ships ('seafarers') are the primary target of pirate attacks. As isolated pirate attacks evolved into a global shipping crisis, piracy emerged as an international enterprise crime, in which the suffering of captured crew is commodified by pirates and glamorised by filmmakers. Meanwhile, counter-piracy initiatives initially did not reflect any consideration of the needs of seafarers as the primary targets of piracy in East Africa.

This paper is informed by findings and recommendations of the author's PhD thesis entitled: *Analysis of maritime piracy in eastern Africa between 2000 and 2010 and its impact on seafarers' welfare*. This empirical endeavour established that seafarers, their families and seafarer-sending communities suffer direct, indirect and secondary victimisations from pirates and institutions charged with seafarer occupational health and safety. Also, no systematic, coordinated victim and witness support system exists to cater for seafarer post-release psychosocial support needs, leaving seafarers adrift and helpless.

Recognising the potentially harmful effects of maritime crimes on the emotional and mental health of seafarers, this paper will focus on

the research recommendation which advocates for the establishment of an international collaborative mechanism that could provide seafarers with scalable practical and emotional support, when situations arise requiring their participation in legal proceedings abroad, both as maritime crime victims and/or witnesses. It will also elaborate on the practicalities of such an international multi-agency collaborative arrangement to cater for seafarers' support needs in financially lean times.

## **A Right to Safety—the South Australian collaborative approach**

**Jodie Sloan, Program Manager and Deputy  
Chief Executive, Victim Support Service Inc  
Fiona Mort, Acting Director, Office for  
Women**

**Heidi Ehrat, Senior Research Officer  
Domestic Violence, State Coroner's Office  
and Office for Women**

### **Maria Hagias**

The National Plan to Reduce Violence Against Women and their Children 2010–2022 is supported by all Australian governments and is designed to achieve sustainable long-term change. The success of the national plan is reliant on the achievement of national action plans and jurisdictional/state government implementation plans. In South Australia the A Right to Safety 2011–2022 strategy and the recently released Taking A Stand. Responding to Domestic Violence policy reaffirms the state government's commitment to a range of significant reforms and outlines an

interagency framework for action to ensure that all women can live safely and free from violence.

This presentation will showcase current key South Australian strategies such as the Family Safety Framework; police domestic violence strategy; Staying Home Staying Safe program; Early Warning System; DV Serial Offender Database; Domestic Violence Death Review mechanisms and the establishment of a Women's Domestic Violence Court Assistance Service.

The success of South Australian initiatives are reliant on a government-led collaborative interagency approach and strong partnerships between government and non-government organisations. This presentation will highlight some of the challenges and the importance of implementing a broad range of strategic, collaborative and sustainable strategies to work towards the reduction and prevention of violence and enhance cultural change in attitudes and beliefs about violence against women.

## **Justice to victims of crime in India: Current scenario**

**Dr Murugesan Srinivasan, Professor,  
Department of Criminology, University of  
Madras**

Though there are no separate laws for the victims of crime, there are a few provisions in the Code of Criminal Procedure 1973 to provide restitution to victims of crime. Recently, amendments have been made both in the Code of Criminal Procedure and in the Indian Penal Code to improve the position of

victims of crime. Section 265 B (application for plea bargaining) and Section 357 A (victim compensation scheme) have been inserted in the Code of Criminal Procedure. Sections 326 A (definition of acid attack and the punishment) 354 A, B, C and D (definition of sexual assault and the punishment) have been inserted in the Indian Penal Code. These amendments are expected to improve the position of victims of crime. However, the existing statistics relating to the rate of crime and the rate of conviction show that realising justice for victims of crime seems to be extremely challenging and difficult. For example, rape has increased by 1,255.3 percent (from 2,487 in 1971 to 33,707 in 2013) but the rate of conviction for the year 2013 was only 27.1 percent. This is just an indicator to demonstrate a large percentage of victims are not even recognised as victims since, as per the judicial principles in India, a person will be called a victim only if the perpetrator is convicted. The present paper attempts to review both the existing legal provisions and also would examine, with the help of statistics, the extent to which justice to victims is provided.

## **Treatment of victims by the criminal justice system: A study among women victims of crime in the state of Tamil Nadu (India)**

**Dr Murugesan Srinivasan, Professor,  
Department of Criminology, University of  
Madras**

Studies on the treatment of victims by police and courts have shown that the victims are not treated with dignity and respect. The

findings of the study among victims of violent crimes in Eastern Uttar Pradesh, India have shown that the victims feel neglected by the police during the filing of the first information report, and are shown unconcerned attitudes by the police at the crime scene (Saxena, 2005). Other studies relating to the treatment of victims by the police demonstrate that police officers seem more concerned with fulfilling police organisational needs than with addressing the needs of victims (Burns-Howell 1982; Howely 1982 cited in Shapland 1985). Against this background a study was conducted among a sample of victims of dowry death, molestation, sexual harassment and cruelty by husband and relatives in the state of Tamil Nadu, India. A questionnaire was used to elicit information from the victims. The key variables that were examined in the study included the treatment of victims by the police at the time of reporting and during investigation; victim services by the police; protection of the rights of the victims during investigation and trial et cetera. The findings have shown that though victims reported they received adequate treatment, they had to face certain difficulties and challenges at the time of reporting, during investigation and trial.

## **Investigating perceptions of family and friends concerning the risk factors for domestic and family homicide.**

**Paula Starmer, Senior Family Support Coordinator, Queensland Homicide Victims' Support Group**  
**Soraya Seklaoui, Family Support Coordinator, Queensland Homicide Victims' Support Group**

**Elaine Henderson**  
**Benedikte Palings**

Over the last eight months, statistics from the Queensland Homicide Victims' Support Group, indicate that the rate of domestic and family homicides (DFH) has increased by 38 percent (year-to-date 2014-15). Further to this, current Queensland statistics show an increase in domestic and family violence (DFV) protection order breaches. Research into assessment of the risk of DFH demonstrates that perceptions of family and friends, considered co-victims, are undervalued as a resource for early intervention in DFV. Notably, co-victims of homicides have indicated an awareness of lethality risk factors; however they have reported a limited understanding of the significance of these factors and a lack of knowledge of response options.

A pilot study will be conducted with 20 to 30 co-victims who have reached a judicial outcome and are three years post-homicide. Participants will be surveyed to identify perceptions of the nature of the DFV relationship prior to the death of the victim and the influence these perceptions had on the further actions of the participants.

The hypothesis is that this research will indicate that early intervention into DFV would benefit from a broader focus to include co-victims whose perceptions may be a valuable predictor of the risk of DFH. Should this occur, this will support the belief that mandating a dialogue with co-victims in the early intervention process will educate families of risk factor significance and appropriate response options. It is intended to present the research findings in July.

### **Victimisation of the families of terrorist suspects in Indonesia in the aftermath of the Bali bombing 2002**

**Dr Heru Susetyo, Senior Lecturer/  
Researcher, Faculty of Law, Universitas  
Indonesia**

Indonesia is the third largest democracy in the world after India and the United States, the world's largest archipelago and also the most populous Muslim country, with a population of around 205 million Muslim population in 2013. However, the archipelago has also been a home to numerous terrorist attacks. Among the notable terrorist attacks are the Bali bombings in 2002 and 2005, the bombing of the Australian Embassy in Jakarta in 2004, and the JW Marriot Hotel bombing in Jakarta in 2005 and 2009.

Terrorism offences victimise not just the direct victims and the community at large, but also the families of terrorist suspects. These people did not participate and have no legal responsibility for the attack, but they must bear the cost of the terrorism which was allegedly committed by their family members. They are the people who

actually live with or near the terrorist suspects, as family members of the terrorist: husbands, wives, children, brothers, sisters or parents of the terrorist. They are also among the potential victims.

These types of victims are frequently forgotten by experts, by law enforcement officers and by society. Even more, they are frequently isolated by society because of their status as the family member of a terrorist suspect.

Challenged by the fact that many of the families of Indonesian terrorism suspects have been victimised by media, the public, as well as by law enforcement officers and the criminal justice system, the researcher conducted a study on victimisation of the families of terrorism suspects in Indonesia. The goals of this research are to explore the pattern of victimisation of the families of terrorism suspects in Indonesia in the aftermath of the 2002 Bali bombing, and also to scrutinise how far the victimisation of the families of terrorism suspects has been addressed and repaired by the state and by the people. This research employs the labelling theory (guilt by association) and social construction of reality.

### **How does restorative justice conferencing work? The relationship between readiness and interactional dynamics**

**Masahiro Suzuki, PhD Student, Griffith  
University**

This paper addresses how restorative justice (RJ) conferencing works. Many evaluation studies on RJ conferencing have been conducted, with largely favourable outcomes

for victims and offenders when compared with contemporary criminal justice approaches. However, when looking at the outcomes within RJ conferencing, some scholars have found limits in its effects. Surprisingly, fewer studies have examined its internal processes despite the fact that emotional dynamics, which vary in each case, are played out during the RJ conferencing process. Most evaluation studies on RJ conferencing have focused exclusively on outcomes. Given the emphasis in RJ literature on conference outcomes, far less is known about why some RJ conferences work for victims and offenders, while others do not. To address this gap, this paper focuses on two concepts related to the conference outcomes, readiness and interactional dynamics. The concept of readiness suggests that RJ

conference outcomes may be determined in part a priori, based on participants' attitudes and dispositions. The concept of interactional dynamics suggests that the influence of interactions in the RJ conferencing process may function, in part, to determine outcomes. This paper considers the potential impact that these two contradictory ideas have in the process and outcome of RJ conferencing. Since there is a lack of studies examining how participants' attitudes and dispositions before a face-to-face dialogue process affects interactions in the RJ conferencing process, investigating this will contribute to understanding how RJ conferencing works. The paper concludes by proposing how these concepts are addressed in research on RJ conferencing.



## Cross-cultural trauma counselling in working with victims of refugee torture and trauma

**Nada Tekic, Clinical Counsellor/Clinical Coordinator, ASeTTS**

Cross-cultural trauma counselling in working with victims of refugee torture and trauma faces significant clinical, cultural and administrative challenges.

From the clinical perspective, refugee torture and trauma is distinctively characterised as extremely severe and complex in nature and degree. Victims, who experience the most brutal, repetitive, and prolonged torture and trauma of human nature, escalating beyond comprehension, suffer profound psycho-social and medical damage.

Cultural complexity involves significant variations between sets of cultural norms and values that inevitably affect conceptual understanding of health, emotional wellbeing and optimal functioning. Cultural variables determine trauma-related adaptive systems and an effective realisation of healing and recovery.

Finally, while migration brings about long-desired safety and security for victims of refugee trauma, adjustment to unfamiliar sociocultural context and linguistic barriers may result in an over perceived sense of danger triggering already existing psycho-physiological hypersensitivity and impeded mechanisms of adaptation.

It appears imperative for clinical frameworks and practices developed in Western sociocultural context to demonstrate the capacity to identify clinical, cultural, conceptual and organisational complexities,

and develop advanced and effective forms of treatment, which require systemic, specialised and well-coordinated psychological, medical and social modalities.

In summary, this paper will highlight some clinical, cultural, conceptual and organisational challenges in the treatment of refugee torture and trauma with a focus on the best responses, clinical practices and preventions.

## Improving services to victims in the Western Australian criminal justice system, the role of the Victim-Offender Mediation Unit, Department of Corrective Services

**Jazmyn Tobin, Manager, Victim-Offender Mediation Unit, Department of Corrective Services**

**Tracey Marshall, Senior Mediation Officer, Victim-Offender Mediation Unit, Department of Corrective Services**

Aligning with the Department of Corrective Services' (DCS) mission to ensure a safer community and the guidelines stated in the *Victims of Crime Act 1994*, DCS has an important role in services to victims. This is to ensure that offenders under its management or supervision are rehabilitated to prevent further victims; that they are assisted to make amends to victims for the harm they have done; and most importantly, their victims are protected from the risk of further harm. The prevention of further victims is a key focus for all areas of DCS operations, but the core of its service provision to victims is provided by the Victim-offender Mediation Unit (VMU)—a specialty business unit within the Adult Community Corrections directorate. This unit provides a statewide service to both adults

and young offenders across Western Australia and their respective victims of crime. There are three types of confidential mediation services available: reparative mediation, protective conditions process, and victim-offender dialogue. The VMU also has a distinct team that maintains a Victim Notification Register. This register provides eligible victims with certain prescribed information regarding an offender's management through the criminal justice system. It tracks the movements of offenders that are under the jurisdiction of DCS, either in custody or the community, and notifies the victims of relevant information in accordance with the enabling legislation. This information may include sentencing outcomes, movements between prisons, reviews by releasing authorities, release dates, results of appeals and escapes from custody.

## **Coping with the suicide of a loved one**

**Dr Tod Tollefson, Associate Professor,  
Tokiwa International Victimology Institute,  
Tokiwa University**

Those striving to make sense of the suicide of a loved one confront unique challenges. To paraphrase Tolstoy, each person touched by

the suicide of a loved one comes to terms with it in his/her own way. The nature of the life of the person who died, any previous attempts, the manner of death chosen, events preceding the suicide, the type of relationship with the deceased and cultural views regarding suicide are just a few of the factors which, considered separately and together, defy a simple calculus that might lead to closure and moving on. The compelling question, 'Why?' may never be definitively answered.

A review of research from a number of countries regarding the particular challenges confronted by those bereaved by suicide, and programs and services for them, will precede a discussion of the social norms, laws and policies which impact those striving to gain closure following a suicide. The ageing of many societies, the increase in chronic medical conditions which impact quality of life and the legalisation (or not) of euthanasia will impact our collective views of suicide and how those of us in its aftermath come to understand it.



## **Justice for victims of abuse of power: A case study of victimisation of people in a tribal village in Tamil Nadu, India**

**Nirmala Rani Umanath, Advocate, Madras High Court**

**Rajkumar Madhuvanthi, Student, Tamil Nadu National Law School**

In the guise of protecting forest resources, and under the pretext of recovering smuggled sandalwood, very often people living in tribal areas are harassed or victimised by the forest, police and revenue officials. The present paper attempts to analyse one such victimisation which drew the attention of all sections of society in the state of Tamil Nadu, India. The incident in which nearly 600 persons were victimised took place in 1992. The analysis is based on data collected through interviews from 150 victims and a few organisations which fought for them. The findings have demonstrated that 90 women and 28 children became the victims of wrongful confinement, torture and 18 of them were victims of rape. The perpetrators of such acts were none other than the forest, police and revenue officials. Initially, the government agencies denied the entire incident and tried to protect the perpetrators. The activists and democratic organisations took action and a writ petition was filed in the High Court of Madras, seeking the court's intervention. The court directed the Central Bureau of Investigation to register the case and thereafter the justice process was set in motion. Unfortunately, the victims had to wait 22 years to get justice. All the 256 perpetrators were convicted and compensation was awarded to the victims. The present paper throws light on the

hardships and challenges faced by the victims during and after victimisation and throughout the entire criminal justice process.

## **Sexual abuse of girl children in schools: Role of non-state players and judicial interventions in breaking the orthodoxies**

**Nirmala Rani Umanath, Advocate, Madras High Court**

**Rajkumar Madhuvanthi, Student, Tamil Nadu National Law School**

Various forms of child abuse, including sexual abuse, are widely prevalent in different parts of India. Of late, child sexual abuse in schools is also extensively reported. One such case, which drew the attention of media, activists and organisations, led the author of the present paper to undertake a study on the sexual abuse of school-going girl children. The study included unstructured interviews with 93 girl children. Data relating to the variables such as socioeconomic background of the victims, the type of family, the characteristics of the perpetrators and the reporting behaviour of victims, the pattern of abuses, the impact on the victims et cetera was collected. The findings reveal that, by and large, the perpetrators target the socially oppressed, economically poor, orphaned or children from single-parent families. The findings also revealed that effective and timely intervention, both legal and social, helped to bring the accused to book and rehabilitate the victims. Further, the study brought into light the type of orthodoxy behind the culture of silence—not reporting the victimisation and not accepting compensation. Besides, fear of re-victimisation or secondary victimisation is one

of the reasons for non-reporting. One of the unique features of this study is that the findings became instrumental to effective legal intervention and in the rehabilitation of victims of sexual abuse.

### **Victims of honour killing in Tamil Nadu, India: A critical analysis**

**Nirmala Rani Umanath, Advocate, Madras High Court**

**Rajkumar Madhuvanthi, Student, Tamil Nadu National Law School**

The practice of killing young boys and girls to preserve the 'honour' of a community or a society has been prevalent all over the world. The causes, modus operandi and the response of the criminal justice system vary in different countries. In India, honour killing takes place to preserve the honour of a particular caste or a family. There is also a variation with respect to the perpetrators. In North India, honour killings are instigated by

Khap Panchayat, a kangaroo court of dominant caste leaders. In South India the family itself, based on the deep-rooted twin orthodoxies of patriarchy and caste, commits such crimes. This paper includes the outcome of analysis of cases of honour killing in Tamil Nadu. As there are no concrete statistics available on the incidence of honour killing, the author (being an activist) could successfully obtain the data on honour killing reported to police. Based on the data, the caste equation, the socioeconomic background of the victims and the offenders, the politics behind the crime, the role of the state, police, judiciary, the non-state players and the trend have been analysed. The analysis revealed that the perpetrators belong to dominant castes, the victims are mostly women and the method of killing is brutal. The agencies of the criminal justice system do not recognise honour killings, but simply register the cases as murder or suicide. The findings reveal that the prosecution of offenders is difficult since the perpetrators are the members of the family.



## **Making sense of victims' interests in communication with their offender**

**Tinneke Van Camp, Lecturer, University of Sheffield**

Restorative justice (RJ) invites the victim and the offender of a crime to enter into a dialogue and address the hurt caused by the offense. Victim-offender mediation and restorative conferencing are being used globally in response to property crime and crime against a person committed by either juvenile or adult offenders. In retrospect, many victim-participants report that they are satisfied with their participation in RJ. It is less clear what they seek to achieve when they engage in it. Given that participation in restorative interventions is voluntary and that it is quite demanding to enter into communication with their harm-doer, it is pertinent to wonder about victims' motives for participation in this process. This paper seeks to advance insight into how victim participation is associated with self-relevant and other-oriented purposes. It draws on qualitative interviews with 30 victims of property crime or crime against a person who agreed to be involved in victim-offender mediation or conferencing in Belgium and England. Participants were interviewed at the start of the restorative intervention and again after its conclusion. Respondents' discourses indicate that victim-participants hoped that their dialogue with the offender would not only provide insight and improve closure for

them, but might also dissuade reoffending and contribute to a safer society. Ultimately, as they sought to satisfy self-relevant and/or prosocial motives, RJ contributed to meaning-making. Consequently, the findings of this study advance insight into why restorative justice matters to victims of crime, and encourage increasing victim access to RJ.

## **Ten years of victimological research on victims of terrorism in the Basque Country**

**Gema Varona, Senior Researcher, Basque Institute of Criminology, University of the Basque Country**

Within a critical victimological perspective, findings of ten years of research on victims of terrorism in the Basque Country are presented. This period covers terrorist victimisation before and after the Basque organisation ETA's ceasefire declaration. The concept of sorrowful relief expresses the paradoxical feelings, interests and expectations shown by around 200 surveyed victims, mainly indirect victims of murder. Long-term secondary victimisation of indirect victims in the criminal justice system and in society is assessed. Results strongly suggest the interdependence of objective and subjective dimensions of primary and secondary victimisation. Despite increasing public policies in this area, hidden victimisation persists at different levels together with informal forms of resilience.



## **Restorative justice and intimate partner violence: A positive victimological perspective**

**Dr Nadia Wager, Reader in Psychology,  
University of Bedfordshire**

This paper considers the application of restorative justice, specifically family-group conferencing, to cases of intimate partner violence (IPV). Typically, a favourable outcome in the context of IPV is conceptualised as the safe and permanent separation of the victim from the offender and the successful prosecution, punishment and treatment of the offender. However, as many police officers and refuge workers will testify, a significant proportion of victims of IPV who seek help to end the immediate violence are often reluctant to pursue or support the prosecution of their partner. Whilst this is often considered to be a mechanism of self-protection, since to engage in the official sanctioning of the abuse can in some cases lead to an escalation in violence, for some this may also be out of a genuine wish to save and maintain their relationship. However, traditional victimological perspectives tend to pathologise victims who choose to stay in, or return to, the relationship and thus renders these choices as irrational, if not delusional. To reinstate the credibility of victims, a positive victimological perspective is adopted. This sees commitment to maintaining the relationship as a strength, rather than a psychological impediment. In reconceptualising the victim in this way it is possible to think of alternative interventions which focus on transforming, rather than ending the relationship between the victim and the offender.

## **Understanding children's non-disclosure of child sexual assault**

**Dr Nadia Wager, Reader in Psychology,  
University of Bedfordshire**

This paper examines adult survivors' of childhood sexual abuse (CSA) retrospective reflections on their motives for not disclosing their abuse. The aim was to identify factors that might facilitate early disclosure in order to both enhance the future safety of young people who have experienced sexual victimisation and to offer a means of reducing the numbers of future victims.

This was a retrospective web-based, mixed-methods survey, which was completed by 183 adult survivors of CSA. The data presented here are in relation to answers offered in response to an open-ended question which were thematically analysed.

Seventy-five percent of the survivors of CSA indicated that they had not told anyone of the abuse while a child. Analysis of the responses revealed five barriers to disclosure, which included: a lack of opportunity, the normality or ambiguity of the situation, embarrassment, concern for others and a sense of hopelessness. Additionally, some respondents highlighted implicit attempts to disclose and others reported later regret over non-disclosure.

A timely disclosure of CSA which is appropriately responded to has the potential to reduce the risk for subsequent sexual exploitation or revictimisation, and to foreshorten the predations of offenders. To achieve this, responsible and trusted adults in the lives of children need to learn how to invite a genuine disclosure of CSA. This paper offers practical suggestions for parents and teachers on what signs indicate that an



invitation might be warranted and for creating the right context for their invitation to be accepted.

### **Young men's understanding of consent for sexual intimacy: The risk of unwanted sex for women with a history of child sexual abuse**

**Dr Nadia Wager, Reader in Psychology, University of Bedfordshire**  
**Angel Wager, Research Assistant, University of Bedfordshire**  
**Sena Agbo-Quaye, Senior Lecturer in Psychology, Buckinghamshire New University**

Sexual revictimisation is common among females who have experienced CSA, which is partly attributed to the use of dissociation. The effects of dissociation mean the individual is unable to explicitly express their refusal of unwanted sexual advances. Therefore it is possible that some sexual assaults occur at the hands of well-intentioned but naïve suitors due to their inadequate sexual-negotiation skills. If this is correct, prevention efforts, which appear to be less successful for women with a history of prior sexual victimisation, might focus upon these well-intentioned suitors rather than the victims themselves. This study explored how young heterosexual men understand the process of negotiating consent for sexual intimacy with a partner who might involuntarily dissociate during an unexpected sexually-charged encounter. The study consisted of five semi-structured focus groups including 27 heterosexual men aged 18–26 years. The findings identified that many of the men often misread signs of care or friendship as indicators of sexual desire. This is

problematic for women with a history of CSA who tend to overly engage in the nurturance of others. Additional themes which offer guidance for the content of prevention efforts include: Consent is presumed until revoked and assumed by situational context; rejection is explicit; and consenting to one act means consent is assumed for others. It is proposed that the research tools and findings might be used to develop psycho-educational programs for young men, which contextualises their behaviour as well-intentioned and respectful but informs them of the risk of assuming consent from a lack of active resistance or rejection.

### **Interdisciplinary intervention for post-traumatic stress disorder and pain in war victims: A pilot randomised controlled trial in Kosovo**

**Shr-Jie Sharlenna Wang, Senior Researcher/Epidemiologist, Danish Institute Against Torture (DIGNITY)**

Interdisciplinary rehabilitation has proven effective for treating the war-related trauma in the military population in Western countries, but it remains unclear if this approach is applicable to civilians in resource-poor, war-affected countries.

The method used was a single-centre, randomised, parallel-arm, single-masked controlled trial which was implemented in Northern Kosovo in 2012–13. Thirty-four participants meeting the recruiting criteria were randomised to receive a once-daily multivitamin plus integrated treatments or multivitamin alone. The integrated treatments consist of 10 weekly sessions of individual 60-minute cognitive behaviour

therapy (based on the adapted prolonged exposure therapy manual), 20-minute breathing and relaxation exercise with emWave biofeedback device and 90-minute group physiotherapy. Follow-up assessments were conducted at three and six months after baseline. Primary outcome measures are Harvard Trauma Questionnaire, Hopkins Symptoms Checklist-25, Short-Form McGill Pain Questionnaire, Visual Analogue Scale, and anger frequency. The secondary outcome measures include: body mass index, hand-grip strength, standing balance, employment rate and WHO-Disability Assessment Schedule II.

The results show there is little difference in primary outcomes (the overall scores of post-traumatic stress disorder, depression, anxiety disorders and chronic pain) between the two groups, while the impact of intervention on secondary outcomes (the physical conditions, quality of life and community participation scores, employment) was slightly more noticeable, although most of the changes did not reach statistical significance.

The study demonstrated the potential of interdisciplinary intervention in improving physical and social condition of victims in the post-conflict setting. A larger-scale randomised controlled trial in a similar setting is needed with close monitoring of treatment integrity and data reliability.

## **Telehealth without borders: Building capacity and monitoring practice in mental health care in the conflict- affected countries**

**Shr-Jie Sharlenna Wang, Senior  
Researcher/Epidemiologist, Danish  
Institute Against Torture (DIGNITY)**

Lack of local expertise to address the consequences of trauma has been a major impediment for reconciliation in the post-conflict setting. The present work is part of a randomised controlled trial of the effectiveness of interdisciplinary intervention in war victims in Kosovo, using the telehealth concept for clinical education and supervision and therapy adjustment.

Three Kosovar clinical psychologists were trained by an accredited cognitive behavior therapy (CBT) supervisor from Denmark, in a 35-hour workshop in Pristina, to provide CBT to war victims. After the workshop they were involved in a six-month randomised controlled trial under long-distance coaching and supervision from Denmark. Each psychologist provided 60–100 treatment sessions (from 90 to 150 hours) during the trial and received 1–2 hours weekly supervision via videoconferencing (60 hours in total), and 40 hours of in-person performance monitoring by reviewing the audiotapes of selected treatment sessions with CBT supervisors. The psychologists also assisted at baseline and follow-up assessments (30 hours) and received feedback from an independent local assessor. The trial fulfilled the European Association for Cognitive and Behavior Therapies (EACBT) Standards for Training and Accreditation for CBT therapists.

The model substantially reduces the cost and length of stay of an expat specialist staying in the field. Use of the telehealth technique enhances the ability of specialists to provide coaching and feedback to local health workers, which improves the treatment integrity and data reliability. The local workers were highly motivated by an on-the-job development and certification program. This approach addresses the gap between workshop-learned theories and skills and actual practice in developing countries. Lack of local expertise to address the consequences of trauma has been a major impediment to reconciliation in the post-conflict setting. The present work is part of a randomised controlled trial of the effectiveness of interdisciplinary intervention in war victims in Kosovo, using telehealth concept for clinical education and supervision and therapy adjustment.

## Victims' rights as human rights

**Anna Charlotta Wergens, Lawyer, Crime Victim Compensation and Support Authority**

The growing impact of human rights in international and national policymaking raises a number of questions with respect to how human rights may bolster the protection of victims and whether they can impact on how victims are treated by the criminal justice system. This presentation is devoted to the repercussions of the tendency to discuss victims in terms of human rights.

The starting-point is a perception of victims' rights and human rights as two separate areas. It brings about a twofold approach to protecting victims but the thesis of the presentation is that the two fields have become increasingly integrated. The due

diligence principle, which is critical with respect to the duties of states towards victims, exemplifies this tendency. It does not only require a duty to investigate, prosecute and punish crime but has also evolved to cover support and protection of victims. In this vein, some reflections are made about what the victimological perspective has added to human rights law.

It is argued that human rights law has the ability to strengthen the protection of victims and that there is a potential that this impact will increase in the future. These effects are based on the construction of the rights concept, the dynamic nature of human rights law and the growing interaction between victimology and international law. Based on this conclusion, it is held that the future development of victim support is decisive in, and should be facilitated by the means of, a rights-based approach.

## Child Witness Service—20 years on

**Christine White, Coordinator, Child Witness Service, Department of the Attorney General**

**Kia Faux, Child Witness Worker, Child Witness Service, Department of the Attorney General**

The Child Witness Service was started in 1995 to provide court preparation and support services to children who were victims in sexual assault matters, to minimise any trauma associated with giving evidence.

The last 20 years have seen the service develop to provide court preparation and support services to all children under the age of 18 years, both complainants and witnesses, in all jurisdictions.

This presentation will show the way in which services are provided in a trauma informed way, the assessments that are undertaken with children, and the preparation sessions and resources that have been developed to take into consideration the individual characteristics and needs of each child. Using case studies, it will look at the issues inherent in working with young children, children and young people who self-harm, and children with disabilities.

It will also discuss the holistic approach of this service and its work with parents or caregivers and with children and families who are reluctant to give evidence.

A large part of the role of the service is advocacy. This presentation will outline how it advocates for children in an adversarial court system with police, prosecutors and judiciary, so that children have the full benefit of the legislation and their experience of the court system is as child-focused as possible. The presentation will discuss the child giving evidence by closed circuit television and pre-recording as the least traumatic ways for them to give their evidence in an adversarial system.

## **Pre-recording of the evidence of children in criminal matters**

**Christine White, Coordinator, Child Witness Service, Department of the Attorney General**

**Kia Faux, Child Witness Worker, Child Witness Service, Department of the Attorney General**

In an adversarial court system it is acknowledged that there is an impact on children when they are required to give evidence in criminal matters, particularly if

they are the complainant in a physical or sexual assault matter. Legislation has been developed to enable children to give their evidence with the least trauma to them while still maintaining the integrity of the adversarial process.

One of the most effective ways for children to give their evidence is by giving it at a special hearing prior to the trial. In Western Australia this is called a pre-recording. A child's evidence consists of their evidence in chief, which in Western Australia is the child's visually recorded interview with the police at the Child Interview Unit. The child's cross-examination and re-examination can be taken at the special hearing and recorded; then the interview and the recorded cross-examination and re-examination is played at the trial.

This presentation will look at the benefits of pre-recording for children, discuss some of the myths and criticisms of pre-recording, and present case studies from the Child Witness Service highlighting the different processes experienced by a child giving evidence at trial compared with a child giving evidence at a pre-recording, and how this impacts on their wellbeing.

## **Children perpetrators of sexual violence : The perpetrator or victim? (A review of court decisions about sexual violence committed by children in Indonesia)**

**Dr Eva Achjani Zulfa, Faculty of Law,  
University of Indonesia**

Because of an increasing number of cases, sexual violence in Indonesia is becoming a dilemma. It is gaining attention, and the response given has been exceptional. A start has been made on changes to provisions in the legislation, including changes and developments in weighting the types of

sanctions. This development is a positive thing when applied to adult offenders, but what if the perpetrator is a child? The position of the child in many criminal acts becomes a dilemma: is he, in fact, the perpetrator or the victim?

This paper describes the backgrounds to various sexual offences committed by children, to prove the failure of parents and the state to acknowledge the child perpetrator is basically a victim who must be protected. This paper is a review of court decisions about sexual violence committed by children. This study will illustrate a few examples of judges' decisions in Indonesian cases which offer a form of protection for child criminals.

# Notes



















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