

Summary

Goal and outline of the inventory

The goal of this study is to develop an inventory of (legal) measures and services that prevent secondary victimization and repeat victimization. We defined secondary victimization as the aggravation of harm or suffering of the victim due to or, in combination with the criminal procedure, whereby the following three elements play a role: 1) aggravation of the original trauma caused by the offence; 2) negative effects on the victims trust; 3) impediments to recovery. Repeat victimisation is defined as the circumstance in which a person is again victimized (or threatened to be) by any offence, committed by any perpetrator.

The inventory of measures is a product of the available documentation and literature. Hereafter the inventory was submitted to field professionals who were asked whether the overview was all encompassing and if they experienced any gaps or bottlenecks in the field.

Results of the inventory

The Netherlands is familiar with a variety of measures that prevent secondary victimization and repeat victimization. In the past decade, the position of the victim throughout the criminal process has strengthened and gained ground on a legal basis. Victims have the right to receive specialized victim care, and the possibilities for victims to receive compensation during criminal proceedings have been broadened. Safety nets for compensation have also been developed. Furthermore, more measures have been implemented that protect victims against renewed violations of his or her physical or sexual integrity or personal freedoms by imposing restraining orders, so-called protection orders.

Within criminal law, there are many ways to impose a protection order and there are also a variety of measures possible within the administrative and civil justice systems. There are regulations that offer victims protection against threats and violence that are correlated to the position of the victim during the criminal procedures, including witness and declarant protective orders. Furthermore, there are specific arrangements for vulnerable persons, such as victims of human trafficking, domestic and sexual violence, and for youths.

Experts hardly come across any gaps in the system of measures. However, they have noticed that the claims and rights of victims are often formulated in general terms, which allow them to easily be dismissed. Experts also pointed out bottlenecks. For example, the rights of victims to receive customized care are not always realized and access to protective measures are not always self evident for more vulnerable or less outspoken victims. Furthermore, there are few protective measures that specifically cater to young victims.

Three aspects will be of importance in the future: 1) access to protective measures for more vulnerable victims; 2) the influence of the victim on protective measures throughout the criminal procedure; 3) more room for mediation and restorative justice.