

Chapitre 3

Rights for victims of crime: *the second decade*

L'auteur
Irvin Waller

Irvin Waller est le Directeur général du Centre international pour la prévention de la criminalité (CIPC), créé en 1994 à Montréal pour agir comme catalyseur du savoir-faire à l'échelle mondiale en matière de prévention de la criminalité. Présentement en congé de son poste de professeur de criminologie à l'Université d'Ottawa, monsieur Waller est président de la Société mondiale de victimologie.

Il a été conseiller auprès des Nations Unies, du Conseil de l'Europe, du Forum latino-américain des maires et de l'Organisation pour la coopération et le développement économique (OCDE). Au cours des années 1970, il a occupé la fonction de directeur général au sein du ministère responsable au Canada de la police et de la politique de justice pénale. Il a été un des auteurs de la Déclaration des principes fondamentaux de justice pour les victimes de la criminalité et des abus de pouvoir adoptée par l'Assemblée générale des Nations Unies.

Résumé
Summary

En 1985, les Nations Unies ont adopté la *Déclaration des principes fondamentaux de justice pour les victimes de la criminalité et des abus de pouvoir*. Dans la même perspective internationale, ce chapitre vise à décrire l'impact, sur la victime, du crime et de son traitement judiciaire. Il fait appel aux législateurs et aux responsables des corps de police afin d'améliorer la réponse des policiers aux besoins des victimes, et propose des modes de soutien aux victimes, aux maires, aux autres leaders communautaires et aux travailleurs bénévoles. Ce chapitre propose également, à partir de diverses expériences internationales, des stratégies de réduction de la victimisation, et il identifie divers modes d'action politique possibles pour le Québec, pour le Canada et à l'échelle internationale.

Crime victims are the forgotten orphans of a criminal justice system that ignores its most important clients. Micheline Baril (1984) started a movement in Quebec that began to provide justice - even for the victims - by respecting their needs, caring for them with services and promoting a more rational and effective approach to their needs through research.

Micheline Baril was part of a world movement that chose to bring together the skills of the academics - otherwise wasted in the ivory towers of universities - and the advocacy of the practitioners to change the lives of victims. A major milestone in the success of this movement was the adoption in November 1985 by the world's governments - the United Nations General Assembly (1985) - of the declaration of victim rights, the *Declaration on the Basic Principles of Justice for Victims of Crime and Abuse of Power*. This is the corner stone for a quiet revolution in policies that respond to crime, because the suffering of victims and their families can no longer be overlooked.

Through the declaration (Bassiouni, 1988), the national governments of the world call for more prevention of victimisation, services and justice for victims of crime. Police, social and health services, and municipalities will provide practical and emotional support for victims to enable them to recover. Police, prosecutors, judges, correctional workers will provide more information about the criminal justice process, allow the victim appropriate input into the criminal justice process, and give the victim "standing" to defend their interests at critical stages in the process. It recommends more use of restitution, mediation and where necessary state compensation. The declaration also refers to similar recommendations for victims of abuse of power, so that they would be protected internationally, for instance before the International Criminal Court.

This United Nations declaration has inspired progress in many jurisdictions, so that improvements have been made to modernise the criminal justice and social service systems to better respect the victims of crime. The principles of the declaration are included in the guide book for all United Nations peacekeepers. It is the subject of legislation in India where one in seven of the world's population lives. It is cited as the reason for national and international legislation across the world.

In North America, as in many other industrialised regions of the world, lawmakers and police leaders could still do much more within present budgets to make meaningful improvements. This is particularly true in a jurisdiction such as Quebec - generally considered at the forefront of improvements in health and social policy and indeed its state compensation program - where many simple improvements are long overdue in the response of police to victims. For instance, legislation and

guidelines could clarify the role of the police to be "first in aid" to victims (Waller, 1990).

But other areas must be tackled as well. Lawmakers could specify that financial reparation for victims of crime must be ordered wherever the offender is able to make it. Mayors, community leaders, and voluntary organisations could create victim support centres. The medical and social service professions could improve mental health assistance.

Internationally, Canada and the United States of America could do much to inspire their partners to respect the basic rights of victims. The world community must come together to provide for social support and financial reparation in cases of abuse of power. Recalcitrant countries must be encouraged to take greater responsibility to provide reparation to the victims of abuse of power.

Consequences to victims of crime

The impact of crime on victims includes loss and, more rarely, injury, post-traumatic stress and concomitant indirect problems for the family. These arise from the offence itself.

Victims expect that the system will look after them and protect them but the system, like the offender, simply uses the victim for its own purposes. Those purposes are concerned with apprehending and punishing offenders; this is in a sense in the interests of victims, but there is nothing in the system which recognises the victim as someone with rights and interests which should be respected in the course of dealing with offenders.

Victims also often experience problems with other sources of help: the social and health services, for example, because they do not fit into any neat category or pattern of sickness or job loss. Rape victims may require psychiatric help but they do not suffer from psychoses or neuroses or the other diagnostic categories with which the system is accustomed to deal. The advent of post-traumatic stress disorder in the *Diagnostic Standards Manual of the American Psychiatric Association* is beginning to change this thinking, but there is much progress to be made.

The overall, cumulative consequences of crime are important. The *U.N. Human Development Report* drew attention to the statistics recently published on the costs of crime in one country -the USA. It quotes costs of \$425 billion each year: that is about \$4,000 per U.S. household or 7% of the U.S. G.D.P. (United Nations, 1994). This is made up of \$90 billion

paid for police, courts and prisons or 7% of its government expenditures; \$65 billion spent on private security; \$45 billion for property loss; \$50 billion for urban decay and loss of investment and \$175 billion for the costs of ruined lives (Business Week, 1993).

The policy of being concerned with what is done to offenders is costly. The assumption that increased expenditure on prisons is what the victim wants is wrong. In the United States, the prison population has trebled since 1975. Despite the costs, high levels of incarceration do not promote safety or give satisfaction to victims. In terms of international crime trends in the affluent world, the USA makes the most use of prisons, relative to population, but still has the highest violent crime rates and widespread dissatisfaction for victims.

Victims are first among equals as clients of criminal justice and policing

The work of the criminal justice system depends largely on what victims do. Most persons who become the victims of crime do not call for help: typically they go home to lick their wounds, and talk to family or friends. Later they may telephone the police, mostly because they think it is their duty. But about half of them will not report the incident to the police: they may feel that what has happened to them is not serious enough to warrant reporting or, very often, they lack basic confidence in the police or the courts to protect their interests or solve their problems.

These decisions by victims are influential because over half of all crime known to the police comes from reports by victims, in contrast to the third reported by witnesses and the small proportion - mostly victimless crime - coming from police action (Waller, 1990; Lurigio et al., 1990).

When victims do invoke the criminal justice system, they see a system coming to help them but then they are disillusioned when the system is unable to do anything or spends all its resources on protecting only one set of rights, those of the accused or the offender. Victims' groups are increasingly saying that the present system is unfair; some of these groups are women's groups concerned about the treatment of sexual assault or battered women; some are families of the victims of murder; others are less vocal groups who have suffered other sorts of crime.

The present system is one in which there is a relationship between the state and the accused or offender in the criminal courts but only rarely one between the victim and the accused/offender. The state does little for victims except for some tentative steps towards compensation and

reparation. It is increasingly realised in the industrialised countries that it should be a three-way process, as is the case in many traditional societies such as the native Indians in Canada or the Maoris in New Zealand. The advent of some limited experimentation with family circle sentencing is one example of a process that involves offender, victim and community (Morris et al., 1993).

An illustration of the need to improve the treatment of victims was the case of a native woman who had been raped and battered in a northern Canadian community. She was able to identify the perpetrator, who had previous convictions for similar offenses and admitted this one. As a result of her trauma she moved 5,000 miles away to Vancouver to start a new life. Much later, a subpoena was delivered to her husband (rather than being hand delivered and explained to her) since the defendant in the rape case was now pleading not guilty after talking to a defence lawyer paid by the state. The police contacted her and spoke to her husband but she did nothing. A month later, she was arrested at her home and moved over the course of a week from prison to prison back across the country. Finally she was taken from the police cells to the court in the same vehicle as her assailant: since there was a court warrant for her, she too was now a criminal. There was no violation of any criminal or procedural code in this case (Canadian Broadcasting Corporation [n.d.]).

This case also shows how easy it is to come up with more humane and respectful procedures. The humiliation and pain for the victim could have been limited by, for example, using satellite or video technology or giving her a social worker as an escort rather than police officers.

Police - First in aid for the victim

Lawmakers and police leaders must take the responsibility to modernise the way police officers respond to crime victims. The changes require leaders to state clearly the priority to be given to victims, as well as organize operational guidelines and training. They do not require significant additional resources.

The police are the agency most often and first contacted by victims after a crime. They are available twenty-four hours a day, seven days a week. They call ambulances and fire departments. They can separate the parties in a dispute. They recover property, protect the victim from an aggressor, and arrest the suspect.

For the police, most crimes involve a victim. It is the victim who initiates most often the information that the crime occurred as well as

describing the details of the crime and the suspect. It is the victim's cooperation that facilitates an arrest and a conviction. Further, satisfied victims can be an important source of public support for the police at budget time (Waller, 1990).

Given the importance of the victim to the police, one would expect police leaders to have ensured that victims are treated as "privileged clients" by implementing the policy of the International Association of Chiefs of Police (1983) who urge police forces to "establish procedures and train personnel" to implement the "incontrovertible rights of all crime victims", which they define:

- to be free from intimidation;
- to be told of financial assistance and social services available and how to apply for them;
- to be provided a secure area during interviews and court proceedings, and to be notified if presence in court is not needed;
- to a quick return of stolen or other personal property when no longer needed as evidence;
- to a speedy disposition of the case, and to be periodically informed of case status and final disposition; and, wherever personnel and resource capabilities allow, to be notified in felony cases whenever the perpetrator is released from custody;
- to be interviewed by a female official in the case of rape and other sexual offenses, wherever personnel and resource capabilities allow.

Even though these incontrovertible rights are consistent with those adopted by the United Nations, they are largely ignored by police leaders and researchers. Research and common sense show that police leaders who implement the *I.A.C.P.'s Crime Victims' Bill of Rights* will achieve the police mission in ways no other reforms can. Implementing those rights will help victims in ways nobody but the police can (Waller, 1990).

What the police are doing in some jurisdictions can be useful. An example is the *Ontario Police Services Act* in Canada, which calls on the police in all activities to take into account six principles including the importance of respect for victims of crime and understanding of their needs (Ministry of the Solicitor General of Ontario, 1991).

These principles stress that the role of the police is to look after the safety of persons and property. This is actually what people want more than anything. The Act also alludes to human rights, work with communities, and recognizing that they work in a pluralistic society, which means they would be more in touch with the people who become victims. This is important because of the amount of crime against women, much of which takes place in the private context of the home, and the amount of racially-motivated crime.

Justice – even for the victim

Although the Ontario legislation only applies to the police, the principles could be used to inform the courts as well. That is respect victims of crime while pursuing safety and security of persons and property, human rights, cooperation with community agencies, and respect for the pluralistic nature of society today.

Victims want reparation from the offender. Legal aid to victims is increasingly being given in countries like Germany. In France the victim has a right to legal representation to ask for restitution in the criminal court, through the *partie civile* system, where legal aid is available to the victim's lawyers so that criminal and civil aspects of a case can be heard in one process. Decisions about dropping charges and about bail and sentence are still made judicially but the victim's viewpoint is at least heard and this gives the victim a great deal more power to influence key decisions. The formal rationale for this system is that the court can deal with claims for damages at the same time but in practice people may ask for purely nominal damages of, for example, one franc, in order to have a chance to influence the criminal justice process.

Victims also want privacy: when people become victims of crime, they and information about their lives suddenly become the property of the state. Victims have an interest in a proper assessment of the harm done to them: this should not be left for the prosecutor to determine. Victims want closure on stress and pain: at present the system drags out the stress because cases take so long to come to court. The victim does not have the chance to ask questions, such as why the offender chose him or her, or to ask for an apology.

Other measures taken in Canada to help victims include increasing provision of waiting rooms specially for victims and witnesses. In some courts waiting times have been reduced by diverting cases which would not require imprisonment away from the court into mediation schemes.

In addition to other advantages, this reduces pressures and costs in the court system.

Ontario has special literature and materials for children and a great deal of research has been done on procedures for dealing with child witnesses in sexual abuse cases: for example, one way mirrors. But steps taken before the court stage may be of more importance: for example, using videotape to replace repeated questioning of a child by police officers and others. One tape can be used for multiple purposes, even if not necessarily in the courts. In Israel, children's evidence can be given through professional testimony-takers and it has used this procedure for some 40 years and, despite initial misgivings from defence lawyers, it seems to work.

In the United States there has been a radical transformation in relation to victims, with over a thousand Acts adopted and revised by the various states. Fourteen states have made constitutional amendments giving victims rights including the right to be informed, to be present and to be heard at all critical stages of federal and state criminal justice. With variations they are similar to the terms of the Presidential Commission on Victims' Rights in 1983 to the extent that these rights do not interfere with the existing rights of offenders. This includes how they are received in court buildings and what role they might play at the bail, trial, sentencing and later stages of the criminal justice system. The critical stages are charging, bail, sentencing and parole. The key question is about how to ensure that victims are heard and how far the state is willing to go in terms of hearing them.

In Canada, courts can now have a written victim impact statement, sometimes prepared by the police and sometimes by a victim support worker. Information about the trauma, the expected level of restitution and so on is given on a form. Since 1989 this has been incorporated into the criminal code and it is slowly catching on in practice, although it is still not extensively used because the government has been rather slow to provide training and encouragement. *L'Association québécoise Plaidoyer-Victimes* has pioneered one of the most systematic approaches to the provision of victim impact statements in Montreal, which could serve as a model for other jurisdictions.

The *Canadian Young Offenders Act* requires the official preparing a presentence report to contact the victim. Judges can use common law powers to allow oral or written statements. Some judges use these powers regularly, especially in cases of drunken driving. The victim will be invited to speak to the court, the theory being that judges are able to cut through the emotional content of what is said. Research on how hearing

the victim has influenced sentencing has been inconclusive. It does not appear to lead to increased levels of sentence but does increase victim satisfaction in some, though not all, cases.

Safety not vengeance priority for majority of victims

There is a need for much clearer thinking on victim impact statements. The information which victims are asked to give should focus on their views about their safety, their expectations about restitution and their assessment of the harm done. These matters should be touched upon by the judge in sentencing and should help to inform the sentencing decision. However, the argument is not that the victim should contribute directly to the sentencing decision or that the judge should necessarily do what the victim wants. It is that the judge should listen, take account of what the victim says and explain decisions.

There is research in the United States, in Canada and in Britain on what victims want (Waller and Okihiro, 1978). The research shows that a number of things are important to victims. First, they are concerned about their personal safety, most obviously at the bail stage but also, for example, when a prisoner is about to be released. At present the offenders' interests are paramount: it is rather like dealing with a divorce from the point of view of only one partner. In the civil courts, different interests are recognised and represented but this is not so in the criminal courts. But it is possible to give a battered wife, for example, some standing perhaps under a procedure like the French *partie civile*, where the victim gets a recognised status in the court room equivalent to the defence or prosecution.

Victim assistance

Mayors, community leaders and the voluntary sector must take responsibility to ensure that there is an agency to whom victims can turn for support and assistance in getting the services they need (Waller in Miyazawa and Ohya, 1986).

Assistance to victims takes many different forms from support from one's family through to specialised projects set up by police departments. Little has been done to consolidate these services to ensure that they are available universally and do in fact meet the needs of victims. Resources are needed urgently to encourage those governments interested in improving the situation to do so, but this remains a major challenge.

The solutions at least in the more affluent countries are neither complicated nor expensive, though they do require some leadership and development of specialists.

The National Association of Victim Support Schemes is a non-governmental organisation established in England and Wales in 1979. It grew out of the initial victim assistance projects started in cities such as Bristol in early 1970s. Today, every community in England and Wales has a victim support scheme, typically with a professional coordinator and administrative assistant and a list of trained volunteers. Scotland and Ireland have similar programs. The results of a major evaluation have led to a broadening of the service to include support to the victim during the court process.

This effort was reinforced by the classic research undertaken by Maguire and Corbett (1987) to evaluate *The Effects of Crime and the Work of Victims Support Schemes*. When the research was completed, the recommendations were studied by both the government and Victim Support. As a result, new funds were provided, professionals were recruited for most of the projects, and assistance has begun to be provided for the full range of victims from the time of the victimisation through to the end of the court case.

Most of the countries of western Europe have adopted some type of programs that provide a similar service to those in England and Wales. Some are tied in closely to the police. Some are professionalised. Some have special services for particular types of victims, such as sexual assault victims or battered wives.

In North America and Australasia, services for the victims of sexual assault, child abuse and wife battering developed in the 1970's. These have been complemented particularly in Canada by a wide range of services based in police departments.

Every community could identify or organize a crime victim support centre. This centre would have two roles. The first would be to work with individual crime victims to ensure they get appropriate assistance from available services. Secondly, it would engage in training, sensitizing and working for improvements of existing agencies.

Prevention of victimisation

Governments should make a major commitment to preventing victimisation. For many centuries, governments have been prepared to wait until a victim suffers the loss, injury, and emotional trauma of the crime. It is time to make the priority avoiding such victimisation.

The advocates of the approach that waits until people are victims, before the state intervenes argue that there is a general deterrent effect, whereby the severe punishment meted out to those who get caught deters others from committing the act. This belief is very difficult to substantiate empirically. The U.S.A. has traditionally been one of the most extensive users of prison in the industrialised world, primarily against young poor black males. Yet the U.S.A. has the most violent crime of the industrialised world, primarily committed by young poor black males. This policy has reached such extremes that it is draining funds from child-care, education and housing, where it might have made a significant difference to crime levels.

Other sectors of society, such as health and the environment, are questioning an approach exclusively based on reacting. They argue that tackling the root causes of society's problems can save lives and resources.

In 1994 in Montreal, the International Centre for the Prevention of Crime (ICPC) was established to harness the world's crime prevention know-how to reduce interpersonal crime, increase community safety, and enhance civic vitality (ICPC, 1995). It plans to support the work of UN agencies on crime prevention, particularly in the context of the preparation and follow-up to events such as the UN Crime Congress in 1995 and the World City Summit (Habitat II) in 1996.

It is governed by a board of directors elected from leading associations of cities, national and local crime prevention agencies, and international, governmental and private organisations specialized in crime problems. Its work program is reviewed by a governmental policy and advisory committee, composed of governments contributing to its core expenses, which was initiated by Canada, France and Quebec.

Its priorities include:

- preventive solutions for city crime problems (before and after trouble starts);
- preventing the cycle of violence, particularly against women, children, and vulnerable groups;
- police and justice services that support crime prevention and safety for persons;
- dissemination and application of effective crime prevention strategies.

Calls for more effective prevention to reduce crime came from major international meetings in Montreal in 1989 and in Paris in 1991. Mayors, police executives, judges, community leaders, governmental experts and representatives from more than 65 countries were the delegates who developed a common vision. Their declarations were welcomed by the UN meetings seeking ways for the UN crime program to be more effective:

- crime causes suffering to victims, threatens our quality of life, engenders significant costs, and slows economic progress and human development;
- the reduction of crime cannot be limited to law enforcement and criminal justice, but must be matched by active prevention policies, which are affordable and give both short and long term results;
- cities and communities are strategically placed to tackle the conditions that generate crime, with the financial and technical support of other levels of government and international agencies.

The ICPC is dedicated to prevention, which focusses on partnerships between agencies and citizens, that influence the causes of crime or modify the situations that provide opportunities for victimisation. This includes police and justice services supporting prevention and citizen safety, mediation and conflict resolution, and educational and community sanctions.

Crime prevention is one of the three priorities of the crime program adopted by the Economic and Social Council of the United Nations, particularly with countries that are developing and in transition.

Many important sources of information

The United Nations General Assembly has spread a quiet revolution to country after country to ensure that victims are treated with dignity and compassion. Europe celebrates European Victims' Day with many new initiatives being announced. Every three years, the World Society of Victimology holds a major international symposium that results in a publication of major scientific and policy material (Schneider, 1982; Miyazawa and Ohya, 1986). International experts have met with Nigerian lawmakers to recommend remedies for victims of crime (Federal Ministry of Justice of Nigeria, 1989). The World Society of Victimology has an extensive bibliography of publications from across the world

(Kirchhoff, 1995). Perhaps it is time for Quebec to be host to one of these symposia.

There are now several major sources of information about victims. The pioneering work to measure victimisation through surveys in both developed, developing and in transition countries has reached maturity (Van Dijk et al., 1990). Surveys of violence against women now have a milestone by which to measure their surveys in the work of Statistics Canada (Johnson, 1994).

The *International Review of Victimology* gives the views of leading international experts on what is known and what should be done for victims. Lurigio et al. (1990) have published another edition of their special book to look at crime victims in the perspective of policies, programs and research. Bassiouni's anthology on the UN Declaration for Victim Rights (1988) gives not only an analysis of victim rights but descriptions of leading jurisdictions. The United Nations itself has published a manual (Shapland and Duff, 1985) that provides a good overview of the situation of the victim.

There have been three major reports of the European Ministers on victims of crime (Council of Europe, 1985, 1986, 1988). One convention sets minimum standards on compensation by the state; this could encourage reciprocal arrangements between different jurisdictions including Quebec. The report on the position of the victim in criminal law and procedure encourages jurisdictions to move towards procedures that are common place in France, where the victim is represented at critical stages of the court process. The third one focusses on assistance to victims and the prevention of victimisation.

A victim agenda for Quebec and Canada: some recommendations

- Some examples of where improvements could be made to treat victims as the main clients of the system are as follows:

All Acts governing policing in Quebec should be amended to clarify that police officers, police services and police boards have a duty to act to ensure that their training, procedures and actions result in respect for victims and understanding of their needs.

If any one change could improve the treatment of victims in Quebec it would be the way in which they are treated by the police. The police are well placed to help victims. It is easy for

them to do it. They have the machinery and it is in their interests to treat victims decently. Yes, police leaders have made improvements in how they deal with the victims of family violence and sexual assault. Yes, they have begun training even on a force wide basis in the case of the Montreal police services. But legislation and procedures could require them to orient the victims towards appropriate community services and inform them how to use compensation services.

The new *Police Services Act* in Ontario provides a clear example of how this could be done legislatively. This states a set of principles at the beginning of the Act and then in the relevant sections restates the responsibility of the police. It also provides a remedy where the principles are not respected, so that the victim or other person can complain to a board that will investigate the complaint and take measures to correct the situation.

In Quebec, the legislation must be accompanied by professional training and development to assist the police in its implementation.

- The Criminal Code of Canada should be amended to include the *Federal-Provincial-Territorial Statement of Principles for Victims of Crime* (Government of Canada, 1988).

In 1988, all the Federal, Provincial, Territorial Ministers responsible for justice agreed on a set of principles that would guide them in promoting access to justice, fair treatment, and provision of assistance to victims of crime. With the exception of Alberta and Ontario, these principles have been placed in provincial legislation.

The legislation must be accompanied by mandatory professional training and development to assist judges, lawyers, police and other criminal justice workers to understand their intent.

There is a need for adequate funding of support networks, including, for example, victim support groups, transition houses for battered women, hospital treatment, psychiatric care in some cases. The CAVAC's (*Centres d'aide aux victimes d'actes criminels*) are a start, but substantially better funding is needed to make them meaningful.

There is a need to provide information to victims about the criminal justice process; most people do not know what a charge is,

what happens in court and so on. Until they find themselves in the courtroom their only knowledge may be the inaccurate picture presented in television programs.

Compensation from the state or from the offender is important. This compensation must be provided in a way that is sensitive to the changes that occur in the victim's psychological well being over time.

Greater use should be made of mediation. In mediation, the victim has an active role and more control rather than being only the victim of a wrongdoer and a victim of the criminal justice system itself. In mediation, offenders typically pay more reparation and victims are more pleased than they are with court processes: the court experience is not a good one for victims.

- The Canadian Constitution should be amended to clarify that basic human rights should include:
 - the right for victims of crime to have their views and concerns presented and considered where their personal interests are affected at critical stages in the law enforcement and criminal justice process,
 - the right for the court to award a civil remedy for injuries suffered, when an offender is convicted and sentenced, and
 - the right for society to take reasonable measures to pursue the safety and security of persons and property, through the application of promising crime prevention practices from across the world.

This type of amendment would help keep the homes and bodies of victims safe in future. This requires the implementation of the recommendations of the Quebec Round-table on the Prevention of Crime (1993). What victims most want, as well as respect, is their own safety. Thus governments could cease to squander scarce resources in reacting retributively to past behaviour and invest in effective crime prevention.

An agenda for the world

Experts on victims and criminal justice gathered in Oñati in 1993 and concluded a major review of what could be done for victims (ISPAC, 1994). This report on victim issues sets an agenda for the next decade on

prevention, victim support and victim rights. The following proposals are taken from the key ideas in those materials:

1. The United Nations crime prevention and criminal justice program must develop and promote an international network of cooperation and technical assistance that focuses on strengthening the rights of victims of crime and abuse of power in national and international laws through:

- ensuring that the International Criminal Court and official United Nations Tribunals that deal with violence establish uniform procedures for addressing and ensuring that the dignity and the rights of victims are respected;
- providing training to UN personnel and peacekeepers to facilitate the effective use of the United Nations Criminal Justice norms and standards for Peace-Keeping Police, which identifies essential principles for victims of crime and of armed conflicts, riots and other disturbances, including information on what is available in the cases of conflict, combat, or crime;
- promoting international cooperation to provide assistance, fair treatment and compensation for victims of national and transnational economic, environmental and organized crime, especially in cases of conflicts or lack of jurisdiction and including through the United Nations fund for the victims of torture;
- establishing an inter-agency working group to promote the rights of victims of crime and of abuse of power.

2. Member States must improve the management of police and other law-enforcement agencies, prosecution, courts, corrections, and the role of lawyers, so that victims have access to justice and fair treatment, protection, restitution, compensation and social assistance, by:

- establishing education, training, and standards for service that expressly address the nature and scope of legal rights for victims as well as guidelines for providing justice to victims in balance with justice to offenders;
- strengthening the procedures to ensure that the views of victims are presented and considered where their personal interests are affected through models such as the *partie civile* and “adhesion proceedings”;

- ensuring that issues such as trauma of victimisation, conflict management, appropriate criminal justice responses, and restorative community justice are included in standard educational curricula from pre-school through university courses;
- developing measures to encourage bystander involvement in the prevention and intervention of violent acts, eyewitness reports to the criminal justice system, and violence prevention programs as a part of victim assistance programs.

3. An inter-agency task force of the United Nations must be established with the necessary resources to:

- organize an international mechanism through which crisis teams could be dispatched to respond to the emotional crisis needs of victims of crime and abuse of power in any region of conflict, or in the aftermath of disasters that may spawn such crime or abuse of power;
- serve as the technological coordinating agency that establishes a presence on the worldwide information network so that all victim service organizations, private and public, are registered on a referral base;
- develop a mechanism so that the proceeds from international crime can be used for the purpose of assisting victims and preventing victimisation.

Conclusion

Through the work of Micheline Baril in Quebec and Canada and her contribution internationally, there is hope for meaningful programs by the police, courts and the community and social service agencies to respect and meet the needs of victims of crime.

Quebec and Canada are spending significant resources to educate their youth for their role in society. It is crucial that they understand what they can do individually and collectively for victims of crime and to prevent victimisation. This volume will provide a basis for that work.

Quebec and Canada are spending significant resources on a criminal justice system that does not and cannot be expected to protect victims from crime, but it can and must provide respect, orientation towards those who can help victims and protection of the rights of victims where

they are affected. While there has been significant progress in the last decade, there is much work to be done in the next decade. This chapter and this volume provide a road map for that work.

We must continue to argue for and sensitise those who develop and implement policy in relation to crime, so that our children will inherit a safer and more just world for victims of crime. This chapter identifies some strategic steps towards that goal.

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