



A CROSS-CULTURAL ANALYSIS OF SUPPORT SYSTEMS FOR VICTIMS OF CRIME

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ABSTRACT: In this comprehensive exploration, our research delves into the intricate nuances of coping mechanisms employed by victims of crime, with a specific focus on comparing these strategies in the context of India and international settings. The overarching goal of this study is to scrutinize the effectiveness of coping mechanisms and their outcomes on the mental health of individuals who have faced criminal incidents or have been part of traumatic crime scenes. The global landscape presents a diverse array of coping mechanisms designed to address the psychological aftermath of crime. This paper aims to shed light on the strategies utilized in India, drawing parallels and distinctions with international approaches. By considering the cultural, social, and legal dimensions, we seek to unravel the intricate tapestry of coping mechanisms, ultimately contributing to a nuanced understanding of their impact on the mental well-being of crime victims. In navigating the coping mechanisms landscape, we will not only explore the strategies already in use but also delve into the outcomes experienced by individuals in different countries. Our analysis extends beyond borders to encompass a holistic view, capturing the varied responses that exist on the global stage. It is imperative to recognize that the mental health challenges faced by victims of crime demand tailored and culturally sensitive coping mechanisms. This paper aims to underscore the importance of such strategies in fostering psychological resilience and facilitating recovery. For nations currently devoid of robust coping mechanisms, our discussion will emphasize the urgency of establishing effective frameworks to address the mental crises and emotional trauma experienced by victims. As we traverse the existing landscape of coping mechanisms, we will critically examine their efficacy and identify potential areas for improvement. Through this exploration, we endeavor not only to highlight the struggles faced by victims but also to propose tangible changes that could enhance the support systems available to them.

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Introduction

In contemporary society, the ripple effects of criminal acts transcend the boundaries of legal ramifications, casting a profound shadow on the lives of individuals who find themselves ensnared in the aftermath of such traumatic events. The emotional toll exacted upon crime victims extends beyond the immediate incident, often manifesting as enduring psychological distress. Recognizing the multifaceted nature of this challenge, our research seeks to delve into the intricate dynamics of coping mechanisms employed by individuals who have experienced crime. With a deliberate focus on both the national context of India and the broader international landscape, our aim is to unravel the complexities surrounding these coping strategies.

Crime, as a disruptive force, disrupts the fabric of individuals' lives, leaving in its wake not only tangible consequences but also intangible scars on the psyche. Coping mechanisms, therefore, become pivotal in navigating the labyrinth of emotional distress and psychological trauma that follows criminal victimization. The diversity in coping mechanisms observed globally prompts a crucial inquiry into their efficacy and outcomes. It is within this context that our research takes shape, intending to conduct a comparative analysis that juxtaposes the coping strategies utilized in India with those employed in varied international settings.

The inherent significance of this research lies in its potential to contribute to the refinement and enhancement of coping mechanisms, each uniquely tailored to the cultural, social, and legal contexts of different regions. By scrutinizing the strengths and weaknesses of existing strategies, we aspire to pave the way for a more resilient and responsive support system for victims of crime.

In the forthcoming pages, our exploration will unfurl the layers of coping mechanisms currently in practice, examining their impact on the mental health of individuals who have grappled with the traumatic aftermath of crime. Furthermore, our investigative lens will extend to countries where such coping mechanisms may be nascent or absent, underscoring the urgent need for establishing robust frameworks to address the profound mental crises that crime victims endure in these contexts. This research, therefore, not only identifies gaps in the current discourse but also endeavors to present actionable recommendations, fostering a more compassionate and effective approach to supporting those profoundly affected by crime. Through this holistic inquiry, we aspire to contribute meaningfully to the ongoing dialogue surrounding victimology and mental health, ensuring that the coping mechanisms in place are not only culturally sensitive but also adaptive to the evolving needs of those who have experienced crime.

Issues faced by the victims of crime

Victims of crime and terrorism often face a range of severe mental health challenges due to the traumatic nature of their experiences. The psychological impact can be profound and may lead to various mental health problems. Here are some common mental health issues faced by victims of crime and terrorism:

1. Post-Traumatic Stress Disorder (PTSD):

- Symptoms: Victims may experience recurring and distressing memories, nightmares, flashbacks, and heightened anxiety related to the traumatic event.
- Impact: PTSD can significantly impair daily functioning, disrupt relationships, and lead to an ongoing sense of fear and hypervigilance.

2. Depression:

- Symptoms: Persistent feelings of sadness, hopelessness, and a loss of interest or pleasure in activities that were once enjoyable.
- Impact: Depression can affect one's ability to engage in daily life, impacting work, relationships, and overall well-being.

3. Anxiety Disorders:

- Symptoms: Excessive worry, restlessness, irritability, difficulty concentrating, and physical symptoms such as muscle tension and insomnia.
- Impact: Anxiety can interfere with daily activities and may manifest as generalized anxiety disorder, panic disorder, or specific phobias.

4. Survivor's Guilt:

- Symptoms: Feelings of guilt, shame, or self-blame for surviving when others did not during a traumatic event.
- Impact: Survivor's guilt can lead to persistent emotional distress, feelings of worthlessness, and difficulties in forming connections with others.

5. Substance Abuse and Addiction:

- Symptoms: Individuals may turn to substances such as alcohol or drugs as a way to cope with the emotional pain and distress.
- Impact: Substance abuse can exacerbate existing mental health issues and create additional challenges for recovery.

6. Adjustment Disorders:

- Symptoms: Emotional and behavioral disturbances, including difficulty coping with daily life, changes in relationships, and impaired social or occupational functioning.
- Impact: Adjustment disorders can emerge as a response to the stressors associated with the aftermath of a crime or terrorist incident.

7. Sleep Disorders:

- Symptoms: Insomnia, nightmares, or disrupted sleep patterns.
- Impact: Sleep disturbances can further contribute to fatigue, irritability, and difficulties in concentration, exacerbating other mental health challenges.

8. Social Isolation:

- Symptoms: Withdrawal from social activities, avoidance of reminders of the traumatic event, and difficulties in forming or maintaining relationships.

- Impact: Social isolation can intensify feelings of loneliness, exacerbating mental health issues and impeding the healing process.
9. Flashbacks and Intrusive Thoughts:
- Symptoms: Distressing and involuntary re-experiencing of elements of the traumatic event, both in thoughts and vivid recollections.
 - Impact: Flashbacks can be distressing, disruptive, and lead to heightened emotional reactivity.
10. Cognitive Impairments:
- Symptoms: Difficulty concentrating, memory problems, and impaired decision-making.
 - Impact: Cognitive impairments can affect daily functioning and contribute to challenges in work or academic settings.

It's important to recognize that the impact of crime and terrorism on mental health is complex and varies among individuals. Additionally, the severity and duration of these mental health issues may differ. Professional mental health support and intervention are crucial for victims to cope with and overcome these challenges. Early identification and appropriate treatment can significantly improve the mental well-being and quality of life for individuals affected by crime and terrorism.

Recommendations by the committees and commissions for victims

During the last decade, there has been remarkable changes in the thinking of the judiciary regarding the human rights of victims. The concern of the courts and the judicial commissions and committees about the need to have a law on victim compensation or a comprehensive law on victim justice has been reflected in their judgments and reports.

1. The Law Commission of India, 1996

The Law Commission, in its report in 1996, stated that, “The State should accept the principle of providing assistance to victims out of its own funds, (i) in cases of acquittals; or (ii) where the offender is not traceable, but the victim is identified; and (iii) also in cases when the offence is proved” (Law Commission of India Report, 1996).³

2. The Justice Malimath Committee on Reforms of Criminal Justice System (Government of India, 2003)⁴. The Justice V. S. Malimath Committee has made many recommendations of far-reaching significance to improve the position of victims of crime in the CJS, including the victim’s right to participate in cases and to adequate compensation. Some of the significant recommendations include:

- The victim, and if he is dead, his or her legal representative, shall have the right to be impleaded as a party in every criminal proceeding where the offence is punishable with seven years ’imprisonment or more;

³ Report 154, Fourteenth Law Commission, Law Commission Of India (Jan. 30, 2024, 10:00 PM), https://lawcommissionofindia.nic.in/report_fourteenth/

⁴ Committee on Reforms of Criminal Justice System, Volume 1, Part-V Recommendations (2003)

- In select cases, with the permission of the court, an approved voluntary organization shall also have the right to implead in court proceedings;
- The victim has a right to be represented by an advocate and the same shall be provided at the cost of the State if the victim cannot afford a lawyer;
- The victim's right to participate in criminal trial shall include the right to produce evidence; to ask questions of the witnesses; to be informed of the status of investigation and to move the court to issue directions for further investigation; to be heard on issues relating to bail and withdrawal of prosecution; and to advance arguments after the submission of the prosecutor's arguments;
- The right to prefer an appeal against any adverse order of acquittal of the accused, convicting for a lesser offence, imposing inadequate sentence, or granting inadequate compensation;
- Legal services to victims may be extended to include psychiatric and medical help, interim compensation, and protection against secondary victimization;
- Victim compensation is a State obligation in all serious crimes. This is to be organized in separate legislation by Parliament. The draft bill on the subject submitted to Government in 1995 by the Indian Society of Victimology provides a tentative framework for consideration;
- The Victim Compensation Law will provide for the creation of a Victim Compensation Fund to be administered possibly by the Legal Services Authority. (Government of India, 2003).

3. The National Commission to Review the Working of the Constitution⁵

The Commission to review the working of the Constitution (Government of India, 2002) has advocated a victim-orientation to criminal justice administration, with greater respect and consideration towards victims and their rights in the investigative and prosecution processes, provision for greater choices to victims in trial and disposition of the accused, and a scheme of reparation/compensation particularly for victims of violent crimes.

Actions by the judiciary to protect these victims

1. Restitution to Victims

Despite the absence of any special legislation to render justice to victims in India, the Supreme Court has taken a proactive role and resorted to affirmative action to protect the rights of victims of crime and abuse of power. The court has adopted the concept of restorative justice and awarded compensation or restitution or enhanced the amount of compensation to victims, beginning from the 1980s.

2. Justice for Rape Victims - Guidelines for Victim Assistance

In *Bodhisattwa Gautam vs. Subhra Chakraborty*⁶, the Supreme Court held that if the court trying an offence of rape has jurisdiction to award compensation at the final stage, the Court also has the right to award interim compensation. The court, having satisfied the prima facie culpability of the accused, ordered him to pay a sum of

⁵ National Commission To Review The Working Of The Constitution (NCRWC) Report (Jan. 30, 2024, 10:30 PM), <https://legalaffairs.gov.in/national-commission-review-working-constitution-ncrwc-report>

⁶ *Bodhisattwa Gautam v Subhra Chakraborty*, .A.I.R. (1996) SC 922 (India)

Rs.1000 every month to the victim as interim compensation along with arrears of compensation from the date of the complaint. It is a landmark case in which the Supreme Court issued a set of guidelines to help indigenous rape victims who cannot afford legal, medical and psychological services, in accordance with the Principles of UN Declaration of Justice for Victims of Crime and Abuse of Power, 1985:

- (i) The complainants of sexual assault cases should be provided with a victim's Advocate who is well-acquainted with the CJS to explain to the victim the proceedings, and to assist her in the police station and in Court and to guide her as to how to avail of psychological counselling or medical assistance from other agencies;
- (ii) Legal assistance at the police station while she is being questioned;
- (iii) The police should be under a duty to inform the victim of her right to representation before any questions are asked of her and the police report should state that the victim was so informed;
- (iv) A list of Advocates willing to act in these cases should be kept at the police station for victims who need a lawyer;
- (v) The Advocate shall be appointed by the Court, in order to ensure that victims are questioned without undue delay;
- (vi) In all rape trials, anonymity of the victims must be maintained;
- (vii) It is necessary, having regard to the Directive Principles contained under Art. 38 (1) of the Constitution of India, to set up a Criminal Injuries Compensation Board. Rape victims frequently incur substantial financial loss. Some, for example, are too traumatized to continue in employment;
- (viii) Compensation for victims shall be awarded by the Court on conviction of the offender and by the Criminal Injuries Compensation Board whether or not a conviction has taken place. The Board will take into account pain, suffering and shock as well as loss of earnings due to pregnancy and the expenses of childbirth if this occurred as a result of the rape.

3. State Compensation for Victims of Abuse of Power

As early as 1983, the Supreme Court recognized the need for state compensation in cases of abuse of power by the State machinery. In the landmark case of Rudul Sah vs. State of Bihar⁷, the Supreme Court ordered the Government of Bihar to pay to Rudul Sah a further sum of Rs.30,000 as compensation, which according to the court was of a "palliative nature", in addition to a sum of Rs.5,000, in a case of illegal incarceration of the victim for long years. Similarly in Saheli, a Women's Resources Centre through Mrs. Nalini Bhanot vs. Commissioner of Police, Delhi Police⁸. THE 144th INTERNATIONAL SENIOR SEMINAR VISITING EXPERTS 'PAPERS awarded a sum of Rs.75, 000 as state compensation to the victim's mother, holding that the victim died due to beating by the police. In another landmark case of D. K. Basu vs . State of West Bengal⁹, the Supreme Court held that state compensation is mandatory in cases of abuse of power and said that "To repair the wrong done and give judicial redress for legal injury is a compulsion of judicial conscience".

⁷ Rudul Sah v State of Bihar, .A.I.R. (1983) SC 1086 (India)

⁸ Mrs. Nalini Bhanot v Commissioner of Police, Delhi Police, .A.I.R. (1990) SC 513 (India)

⁹ D. K. Basu v State of West Bengal, .A.I.R. (1997) SC 610 (India)

Different strategies to cope with the post trauma of crime

IN INDIA

Coping strategies for victims of crime in India are often provided through a combination of government bodies, non-governmental organizations (NGOs), and mental health professionals. It's important to note that mental health initiatives and policies may evolve, and it's advisable to check the most recent sources for updates. Here are some mental coping strategies that government bodies in India may offer or support:

1. Counseling Services:

- **Government Mental Health Facilities:** Public mental health institutions and hospitals may offer counseling services for crime victims.
- **Community Health Centers:** Government-run community health centers may have mental health professionals who provide counseling support.

2. Helplines:

Government Helplines: Some states or regions may have helplines managed by government bodies or supported by them, providing immediate assistance and counseling for victims of crime.

3. Victim Assistance Programs:

- **State Legal Services Authorities (SLSA):** SLSAs in various states may provide legal aid, counseling, and support services for victims of crime.
- **District Legal Services Authorities (DLSA):** DLSAs at the district level may offer legal aid and support for victims.

4. Psychiatric Treatment:

Government Hospitals: Psychiatric departments in government hospitals often provide evaluation and treatment for trauma-related mental health issues.

5. Awareness Campaigns:

Ministry of Health and Family Welfare: The central government, through the Ministry of Health and Family Welfare, may run awareness campaigns on mental health, including resources for victims of crime.

6. NGO Collaborations:

Collaboration with NGOs: Government bodies may collaborate with NGOs specializing in mental health support to expand the reach of services for crime victims.

IN UNITED KINGDOM

In the United Kingdom, several government bodies and organizations are actively involved in providing mental coping strategies for victims of crime. These strategies aim to address the psychological impact of criminal incidents and support individuals in their recovery. Here are some key mental coping strategies offered by government bodies in the UK:

1. Victim Support:

- **Counseling Services:** Victim Support provides free, confidential counseling services to help victims cope with the emotional aftermath of crime. Trained professionals offer support tailored to individual needs.
- **Emotional Support:** Through helplines and face-to-face support, Victim Support offers emotional support to victims, providing a safe space for them to express their feelings and concerns.

2. National Health Service (NHS):

- **Mental Health Services:** The NHS offers mental health services, including access to psychologists, psychiatrists, and counseling services. Victims of crime can receive support through the NHS, with professionals trained to address trauma-related issues.
- **Community Mental Health Teams:** These teams provide comprehensive mental health support, including counseling, therapy, and assistance with coping strategies for individuals affected by crime.

3. Criminal Injuries Compensation Authority (CICA):

- **Financial Compensation:** While primarily focused on financial compensation, CICA acknowledges the mental health impact of crime. Compensation can help victims access necessary mental health services and support.
- **Referral to Support Services:** CICA may refer victims to appropriate support services, including counseling and therapy, recognizing the importance of mental well-being in the recovery process.

4. Police Services:

- **Victim Support Units:** Many police forces in the UK have dedicated victim support units that work closely with victims of crime. These units may provide information about available mental health services and offer immediate emotional support.
- **Referral to Specialist Agencies:** Police officers may refer victims to specialist agencies and mental health professionals who can provide ongoing support.

5. Crown Prosecution Service (CPS):

- **Victim Liaison Units:** CPS may have victim liaison units that maintain communication with victims throughout the legal process. These units can provide information on available mental health support services and offer reassurance.
- **Ensuring Witness Support:** For victims who may be witnesses in legal proceedings, CPS works to ensure that appropriate support is in place to reduce the potential for additional trauma.

6. Government Initiatives:

- **Crime Victims' Rights:** The UK government recognizes the rights of crime victims, including the right to be informed about the progress of the case and the availability of support services.
- **Public Awareness Campaigns:** The government may launch public awareness campaigns to inform victims about available mental health support services, encouraging individuals to seek help.

IN UNITED STATES

In the United States, various government bodies and agencies offer mental coping strategies and support services for victims of crime. These initiatives aim to address the psychological and emotional impact of crime on individuals. Here are some available mental coping strategies provided by government entities:

1. Victim Assistance Programs:

Many states have victim assistance programs funded by the federal government through the Victims of Crime Act (VOCA). These programs offer a range of services, including counseling, support groups, and crisis intervention.

2. National Center for Victims of Crime (NCVC):

The NCVC provides resources and support for victims of all types of crimes. Their website offers information on coping strategies, mental health resources, and links to local victim service providers.

3. Office for Victims of Crime (OVC):

OVC, part of the U.S. Department of Justice, administers the Crime Victims Fund and supports various programs that offer mental health services, counseling, and support to victims of crime.

4. State and Local Victim Services Agencies:

Many states and local jurisdictions have victim services agencies that offer mental health support, counseling, and assistance in navigating the criminal justice system.

5. National Crime Victims' Rights Week (NCVRW):

Held annually, NCVRW is an initiative that promotes awareness of victims' rights and the available support services. It often includes events and activities that focus on healing and coping strategies.

Coping strategies that can be adopted by India

Coping mechanisms for victims of crime and terrorism in India should be designed to address the unique challenges these young individuals face. Here are strategies that the Indian government could adopt:

1. Specialized Mental Health Services:

- Establish child-focused mental health services across the country, ensuring that children have access to trained psychologists and counselors.
- Develop a network of child-friendly mental health facilities that create a supportive and comforting atmosphere.

2. School-Based Support Programs:

- Implement trauma-informed practices in schools, including training teachers and staff to recognize signs of trauma and provide appropriate support.
- Introduce counseling services within schools to address the emotional needs of affected children.

3. Legal Protections and Advocacy:

- Strengthen legal protections for child victims during legal proceedings, ensuring child-friendly courtrooms and legal processes.

- Provide legal advocacy services to support children and their families throughout the legal journey.
4. Child-Friendly Justice Systems:
 - Enhance and adapt the justice system to be child-friendly, ensuring that legal proceedings are conducted with sensitivity and understanding of the unique needs of children.
 - Provide specialized training for legal professionals involved in cases of child victims.
 5. Rehabilitation and Reintegration Programs:
 - Establish rehabilitation programs focused on the holistic well-being of child victims, addressing both physical and mental health aspects.
 - Develop reintegration initiatives to help children seamlessly reintegrate into their communities after experiencing trauma.
 6. Education and Awareness Campaigns:
 - Launch nationwide awareness campaigns to educate communities about the impact of crime and terrorism on children.
 - Promote awareness of available support services and encourage community involvement in creating a protective environment for children.
 7. Community-Based Initiatives:
 - Facilitate the creation of community support groups that bring together families and children affected by crime and terrorism.
 - Encourage the development of local initiatives that provide practical assistance and emotional support to affected children.
 8. Trauma-Informed Training for Professionals:
 - Provide trauma-informed training for professionals working with child victims, including healthcare providers, law enforcement, and social workers.
 - Foster a collaborative approach among various professionals to ensure comprehensive support for children.
 9. Specialized Task Forces:
 - Establish specialized task forces or units within law enforcement agencies to handle cases involving child victims with sensitivity and expertise.
 - Ensure that investigators and officers are trained to interact appropriately with children throughout the investigative process.
 10. Financial Assistance and Compensation:
 - Offer financial assistance and compensation to families of child victims to alleviate economic burdens.
 - Establish dedicated funds to support the educational and healthcare needs of affected children.
 11. International Collaboration:
 - Collaborate with international organizations and agencies to share best practices and access resources for supporting child victims of crime and terrorism.

- Participate in global initiatives focused on the protection and well-being of children in conflict and post-conflict situations.

12. Education and Skill Development Opportunities:

- Create educational and skill development opportunities for child victims to help them rebuild their lives.
- Ensure that affected children have access to quality education and vocational training to empower them for the future.

Conclusion

In recent years, significant strides have been made in the domain of victim compensation, reflecting a positive shift in societal attitudes towards those who have endured the aftermath of crime. However, the evolution in approach must extend beyond financial restitution, recognizing that the journey to recovery involves comprehensive support services. While there has been commendable progress, a crucial nexus exists between victim compensation and the provision of sustained support, necessitating equal priority and concerted efforts.

Drawing inspiration from models implemented in countries like the USA and UK, there is a pressing need to leverage the expertise and resources of voluntary organizations to bolster victim support services. These organizations can play a pivotal role in extending a compassionate hand to victims, offering an array of services that go beyond mere financial restitution. Central to this paradigm shift is the establishment of robust facilities encompassing free medical assistance, psychiatric treatment, and counseling services tailored to the unique needs of crime victims. Elevating awareness about the availability and importance of such support services is paramount, with efforts directed towards creating an informed and empowered victim community.

Governments play a pivotal role in orchestrating this transformation. Initiatives should be undertaken to develop effective measures that not only protect but also assist victims throughout their recovery journey. Essential to this framework is the empowerment of victims through knowledge of their rights, a concept that can be actualized through the creation of dedicated helplines. These helplines would serve as beacons of advocacy, information dissemination, and guidance, ensuring that victims are cognizant of the resources and rights available to them.

Raising public awareness about victim support services is equally vital. This can be achieved through multifaceted campaigns, including posters, advertisements in print media, television, and strategic utilization of social media platforms. By permeating various channels, the message regarding the existence and significance of victim support services can reach diverse segments of society.

For a truly effective support system, it is imperative to equip the various agencies within the criminal justice system with the necessary training to adeptly address and assist victims in diverse situations and with varying needs. This training is essential for fostering a responsive and empathetic approach within these agencies, ensuring that victims receive the support they require at every juncture of the legal process. Furthermore, sensitizing society at large is a critical component of this transformative agenda. By cultivating a culture of empathy and understanding, we can dismantle stigmas surrounding victims of crime, fostering an environment where individuals are more likely to reach out for and receive the support they need.

In essence, the journey towards comprehensive victim support services requires a synergistic effort from governments, voluntary organizations, the criminal justice system, and society. Only through such collaborative endeavors can we build a support framework that is not only robust but also responsive to the diverse needs of victims of crime.

