The Risk of Revictimization for the Young Victims of Crimes

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Abstract

Serious crimes are committed today in various forms using diversified modi operandi. Per­petrators look for more efficient ways of enhancing the proceeds of their crimes. Trafficking in human beings, including children, to exploit them sexually or through forced labor is common. In this context, victims need special protection from law enforcement agencies, because, in some cases, they suffer revictimization. Legislators must therefore take into account their vulnerable status during criminal proceedings to prevent any form of re­victimization. This article presents the situation in both legal and judicial systems regarding victims of serious crimes associated with revictimization. This research also aims at finding appropriate legal measures and instruments for fighting serious crimes, including trafficking vulnerable children and women, and enhancing state policy for reducing revictimization. To achieve these aims, the article is based on a qualitative research methodology, paying particular attention to the serious risk factors that generate revictimization in practice.

Keywords: criminological approach, protection of victims, revictimization, victims of serious crimes, vulnerable victims, young victims’ rights

Serious crimes are a major problem that involves law enforcement agencies from sev­eral points of view. First of all, the serious character of these crimes means a high level of personal physical and mental risk that governmental authorities can minimize through adopting certain legal instruments, which may aim both at preventing and combating these phenomena. Secondly, serious crimes lead most of the time to ag­gravated suffering for the victims, which frequently poses the risk of revictimization or multiple victimization (Scarcella Prandstraller 2009). Thirdly, regarding crimes committed with violence, the trauma suffered by victims usually stays with them for a long time or even for their entire life, particularly in cases of minor victims who are trafficked or abused physically.

Indeed, these issues are in some cases covered by states’ policies through their competent authorities, which are obliged to assure an appropriate legal framework to protect crime victims’ rights in general, and especially those of serious crime victims, as will be highlighted in the next sections of this article. The issue must however be analyzed from two perspectives. The first refers to the judicial field of solving cases of
criminality whose object is committing serious crimes, in which the victims’ protection is very important due to the possible consequences of judicial activity in criminal matters regarding the rights of the young victims of serious crimes. The second field concerns the administrative area as an extrajudicial one, in which the public authorities should implement elaborated programs of recuperation, advice, and societal reintegration of the vulnerable victims of serious crimes (Farrell et al. 2019). This concerns young people, often victims with a high risk of revictimization.

From the aforesaid perspectives, this article focuses on the matter of solving criminal cases within a legal framework to protect fully the rights of serious crime victims in order to avoid revictimization as far as possible. The idea is taken into account, although the process of revictimization is predicted to occur after pronouncing the judicial decision, at the moment of exceeding criminal proceedings. In this matter, jurisprudence has stated that the criminal procedure could be organized with respect for the victims’ procedural rights, including the principle of solving their cases in reasonable time (Bălan 2021). However, after finalizing criminal proceedings, revictimization could occur, due to factors in the victims’ private life or in relations with the public authorities.

Nevertheless, the administrative authorities, as has been pointed out above, are responsible for assuring that serious crime victims’ rights are respected after criminal trials are finalized. At that moment, the judicial bodies no longer have duties in this field, excepting in cases in which other serious crimes are committed against the same victims. In these circumstances, the situation involves revictimization. Thus, from a practical point of view, the concept of revictimization can appear in different cases, as emphasized below.

• In relation to the negligence of the judicial bodies, which do not assure respect for the victims’ rights during the criminal proceedings.
• In relation to a lacking or deficient legal framework, or a lack in the legislative field, which does not cover all areas of social and judicial matters regarding the victims of serious crimes.
• In relation to lacking programs of societal reintegration; administrative authorities are responsible for diminishing the effects of revictimization after finalizing criminal proceedings.
• If another serious crime is committed against the same young victim who was already abused and subject to criminal proceedings previously.

Considering all these aspects, three phases of victim protection, as well as the risk of revictimization, are outlined. The first phase is the judicial one, organized within the criminal proceedings for the victims of serious crimes. The second phase is the post-judicial period, in which the administrative protection by the public authorities intervenes in order to reduce the risk of revictimization. The third phase is more dramatic, occurring when another serious crime is committed against the victim,
who is already a victim of the same crime, and whose danger of revictimization is unavoidable.

When and how the risk of revictimization of the victims of serious crimes can be avoided will be analyzed in the next sections. This will be carried out from the point of view of both doctrine and jurisprudence. The case-law presentation in which vulnerable persons, such as children, women, or even elderly people (Friedman et al. 2017), are victims of serious crimes (Greenbaum and Bodrick 2017; McIntyre 2019) will be taken into account. Moreover, the research aims at analyzing the conditions in which the risk of revictimization may be reduced or removed. These aspects are detailed within a conceptual study, carried out as part of a qualitative research project, whose procedural subjects—**young victims of serious crimes**—participate neither in the criminal proceedings nor after their finalization.

The article also presents examples of good practice from the legislation in criminal matters of countries that have regulated special provisions regarding the procedural rights of victims during criminal proceedings, particular attention being paid to the special procedure of investigation and judgment of crimes committed against young people. It concerns crimes of violence, crimes of abuse both physical and psychological (Marchetti 2009), and crimes of human trafficking, including with young people as victims (Koenen et al. 2007). All kinds of crimes present a high risk of revictimization, and this should be reduced through appropriate means of fighting criminality.

**Legislative Framework of the European Union**

At the European level, the situation of crime victims has long been a focus of the legislative authorities. It has been understood that combating any kind of serious transnational crime that involves victims who are citizens of the EU Member States, along with the protection of the victims of these crimes, is a high-level priority for European institutions. The legal policies and instruments of the European Union provided to the Member States confer an essential role to the protection of victims.

Therefore, an efficient legal tool for fighting serious crimes was adopted in order to facilitate a framework for reducing the risk of revictimization of young victims of serious crimes, in connection with the needs of these vulnerable persons (Tizzani 2009). The role of adopted legislation is to produce legal consequences not just at the supranational level, but also in the domestic legislation of the Member States, which, in the cases provided expressly by the constitutive treaties of the European Union, are compulsory. It is about the transposition of the directives adopted by the legislative authorities of Brussels, which are compulsory for the Member States. From this point of view, the last legislative document, which regulates the rights of serious crime victims, is the Conclusions of the Council on crime victims’ rights, adopted in 2019 by the Council of the European Union. Beyond the legislation adopted at the European
level, the home legislation of the Member States is to be adopted under the “umbrella” of the main principles of criminal proceedings, which are also compulsory in order to avoid the risk of revictimization.

The legislation defines the notion of *vulnerable victim* in accordance with the risk of revictimization, as well as proportionally with the degree of both judicial and extrajudicial authorities’ involvement in fighting the phenomenon. In this matter, it is obvious that the European Union is interested in strengthening a new strategic agenda in accordance with the protection of EU citizens. The issue of their freedoms is also a key priority of its actions planned for the next decade. At the same time, the priority of the EU institutions to consolidate the legal framework for protecting citizens generally, in particular young victims of crime, is obvious.

The European Union has developed a specific scheme to fight against serious crimes, as well as to support vulnerable victims (Sousa Santos 2014). The idea is based on the theory of “three Ps”: *Prevention—Punishment—Protection*, and involves coordinated work in the entire field, in such a manner for crime victims to be subject to fair compensation, proportional with damages suffered, in due course. Standardized measures are taken into account by every Member State, which must be implemented in their domestic legislation as well. It has been understood that it is very important for the European authorities to focus on the EU Member States’ legislative framework on the victims’ rights and assure that they implement the most recent legal instruments. This concerns firstly Directive (EU) 2017/541 of the European Parliament and of the Council of 15 March 2017 on combating terrorism, and secondly Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA. In this regard, the EU agenda has in focus the necessity to continue developing its victim policy according to the needs and rights of victims.

It is remarkable that, within a precise framework of regulation, crime victims’ rights are also taken into account from the point of view of frozen property to the victim under Regulation (EU) 2018/1805 of the European Parliament and of the Council on the mutual recognition of freezing orders and confiscation orders, which is an important means of acknowledging victim status. Basically, the main role of adopting the legal framework is to create awareness that crime victims must feel that their rights are fully respected in practice, and do not depend on the Member State in which the crime was committed. The access of the victims to their procedural rights must be assured through increasing efficiency of communication with victims by all appropriate means, and equally through legal and psychological advice. Moreover, the persons qualified to work with victims must be supported comprehensively, in such a manner that victims understand that they are protected and defended, and that the risk of revictimization is minimal, and instead associated with post-traumatic disorder (Scoglio et al. 2021).
Indeed, the continuous improvement of crime victims’ rights is not a new concept. Other legislative documents are involved and were previously adopted by European institutions. This aspect provides the Member States’ involvement in judicial cooperation in criminal matters, with particular attention to transnational cooperation, in cases in which serious crimes are committed, such as trafficking in human beings, including children, associated with sexual abuse (Mapp 2020; Sprang and Cole 2018), trafficking in arms and drugs, smuggling and counterfeiting goods, and digital crimes committed in cyberspace.8

In order to prevent and combat these kinds of serious crimes, the project “Justice” was adopted, contained within the program “Rights and Values” and the fund for internal security within the financial framework of the European Union for 2021–2027, which represents an important moment in achieving the proposed aims.9 These legal provisions implement a real supranational structure of control and coordination of duties in the field of crime victims’ protection, established at the European Union level, with competence over the public authorities of the Member States. According to these regulations, a question arises: Is the legal mechanism provided a sufficient instrument to fight against the risk of revictimization of the young victims of serious crimes? This issue can be examined alongside several backgrounds that the authorities in Brussels are looking for in order to finalize the project, knowing that it is not enough in the absence of appropriate working instruments from every Member State. Thus, in this context, the idea of developing corpus juris and establishing certain institutions related to each other hierarchically, with control in the highest forum of Brussels, may arise. This would mainly concern reducing the risk of revictimization of the victims of serious crimes, from nonviolent to violent recidivism (Van der Put et al. 2020).

In this acceptation, committing serious crimes in the digital context could lead to injurious online behavior, which is increasing. The protection of crime victims is necessary in cases in which their fundamental rights have been violated by means of criminal proceedings, including the judicial process of solving their cases through infringing the principle of reasonable time (Bălan 2021). The same is true in cases in which they have suffered economic damages, identity theft (Choi et al. 2021), and damages at the transnational level. Based on EU legislation, the Member States have to provide compensations for the damages caused to the crime victims, the program being part of the basic rights of victims.

As a consequence, the approach of the European Union, centered on placing victims at the heart of criminal proceedings, obliges implementing specific institutions as well as respecting certain procedures, taking into account that the protection of victims is directly connected to these contexts. The victim–perpetrator nexus analyzes the synergy between the responsibility for the process of applying law and the responsibility for punishing those who are guilty of having committed crimes against victims. The best results will be achieved at the earliest moment after the committing of crimes, as per the principle of solving criminal proceedings in reasonable time (Bălan 2021).
Particular attention should be paid to criminal cases with vulnerable persons, including young victims (Thunberg 2023).

The same direction is followed by the Council of Europe, whose Group of Experts on Action Against Trafficking in Human Beings (GRETA 2018) has established emerging trends in trafficking in human beings outside of the European Union. The “Europe of 46” has confirmed cases of forced marriage associated with trafficking in young women, labor exploitation, forced criminality, and exploitation of begging (ibid.). In fact, a more comprehensive approach features the Council of Europe’s fighting against serious crimes, including human trafficking, which primarily involves the developments in institutional framework (ibid.) completed by the national strategy and action plan to set out objectives at a national and supranational level. De lege lata, the Council’s activity is aimed at introducing specific conditions to support law enforcement agencies, according to the legislation in force, which are responsible for providing compensations to victims, on the one hand, and for reducing the risk of revictimization on the other. The needs of protection of young victims—as vulnerable persons—should be promoted and applied at the highest level, and their involvement should also be controlled efficiently to establish the way in which the states act.

Judicial Approach to the Victims of Serious Crimes

From a judicial point of view, the issue of the risk of revictimization has arisen in cases in which the victims of serious crimes are heard as witnesses during the criminal proceedings. Their status as vulnerable persons is indisputable in this context. For this consideration, the legal mechanisms provided during criminal proceedings to reduce the risk of revictimization, which have as their basic indicator the victims’ needs (Tizzani 2009), must be taken into account.

In this situation, the judicial bodies are coordinated under certain standardized indicators, established in close cooperation with psychologists, approved in criminal cases with the victims of serious crimes. They are divided into two parts. Some of them are positive indicators, which determine the presence of the risk factors of revictimization. They usually use high mechanisms to control the phenomenon of revictimization, mainly taking into consideration the following features.

- The existence of medical antecedents leading to possible revictimization.
- The existence of past psychological factors and current pathology.
- The existence of revictimization already produced by crime.
- The existence of a familial or social environment favorable to the risk of revictimization.

The second category of standard indicators refers to missing circumstances, facts, or rules that result in enhancing the conditions leading to revictimization, if they are not yet present. They are summarized as the following features.
• Laking judicial programs adequate to serious crime victims.
• Laking interest by extrajudicial authorities in applying the implemented programs.
• Lacking protocols signed with NGOs specialized for cases of vulnerable victims.
• Lacking efficient control exercised in serious cases involving young victims.

However, despite the situations that have already indicated the presence of revictimization, the new status of vulnerable person is a premise for a new state of multiple victimization as well (Batchelor 2009). The doctrine has pointed out that their vulnerability is a common feature activated at the psychological level (Vollhardt et al. 2023), which must be brought under control (Wright et al. 2022) by law enforcement agencies during the criminal proceedings by implementing appropriate measures, even against juveniles in particular cases of cooperation with adult individuals themselves (Milojevic 2017). In fact, the victims understand their vulnerability when they are subject to the actions of ill-intentioned people (Tizzani 2009). Moreover, they are unable to prevent any criminal action that is planned to be committed against them. This is thus a real vulnerability that they feel, faced with actions that they cannot control. This feeling is experienced at a high level, and is associated with their state of excitability (ibid.).

Most of the time, the status of juvenile victim is discussed from the point of view of the dual feature established during the criminal proceedings. Such cases are those in which

• Victims are minors;
• Defendants are minors;
• Both victims and defendants are minors.

The last situation concerns the broad specter of—atypical—criminality committed “by minors against minors.” In this respect, the doctrine has highlighted several times the implication of the high rate of criminality in cases with minors, also called juvenile criminality, as well as its impact on the judicial system in criminal cases (Milojevic 2017). It has been understood that the ratio legis of the legal provisions states that they differ from the measures for securing juveniles’ participation in criminal proceedings (Milojevic 2017).

Solving criminal cases with vulnerable persons involved, such as juvenile cases, is a situation that does not lead to a special criminal procedure in all jurisdictions. Investigating and judging criminal cases with juveniles under ordinary procedure is a significant drawback that the legislative authorities must remedy in the future. It refers to regulating criminal procedures in particular cases with young victims of serious crimes (Mazur and Aldrich 2003; Baum 2011; Labriola et al. 2010).

Another judicial issue involves the victims’ participation in criminal proceedings and its limits. The limitation is, however, stated by the legislation in criminal matters,
which regulates cases in which victims of violent crimes are entitled not to physically attend the courtroom in front of their perpetrators. Nevertheless, respecting the principle of free appreciation of evidence administered in criminal cases, as well as the principle of judging criminal cases directly and immediately, the victims have the right to testify through technical means of audiovisual distance transmission. These modern techniques are used during criminal proceedings so that the legislator and judicial bodies can protect the victims of serious crimes.

Sexual victimization is commonly discussed within juvenile facilities (Smith and Stroop 2019). In this case, the risk of revictimization lasts from when the crimes are first committed against the victim to the possible time of revictimization within the incarceration facilities. Any form of pressure or coercion, including physical force or threat on the one hand, could be considered a step toward revictimization. On the other hand, psychological trauma may also be qualified as a risk factor for revictimization (Thompson et al. 2020; Assad 2019), including favors, special protection, or even giving money (Smith and Stroop 2019).

Although the theory of victimology supposes that revictimization should be discussed from the perspective of prevention, jurisprudence analyzes the case-law solutions of cases in which the preventive function of the secondary victim did not work. In fact, it is about the cases in which the prevention in revictimization has failed. Then, the judicial bodies facilitate the legal instruments and procedures to set to rights and compensate subjects of revictimization as fairly as possible, in a reasonable time (Bălan 2021). Any material or repairing error in the judiciary has to be avoided due to the fact that it could produce revictimization as well.

**Particular Features of the Risk of Revictimization**

Legal doctrine has several times associated the risk of revictimization with the variability and serious degree of the crime suffered (Tizzani 2009). Indeed, the nature of the crime committed has an impact upon the situation in which the victim’s state will evolve, according to the elements that act and indicate the presence or absence of the risk factors (Edalati et al. 2016; Stroem et al. 2019). In fact, the risk of revictimization must be analyzed in accordance with the categories of high-risk factors that the different kinds of serious crimes could generate. In such situations, law enforcement agencies have to implement more efficient programs so as to manage them efficiently. Thus, regardless of the categories of crimes, which will be presented below, the difficult situation of victims demonstrates that they need to recognize the status of vulnerable person, implicitly the presumption of vulnerable status during the criminal proceedings, whose solutions should be pronounced according to the principle of solving them in a reasonable time (Bălan 2021), at the earliest moment after the committing of the crime.
Cases of Trafficking in Human Beings

The current situation regarding the trafficking in human beings, either minors or women, both considered vulnerable people, is dramatic (Johansson 2021) at the international level, taking into account several cases of serious crimes committed transnationally. As a rule, in Europe, crimes of trafficking are associated with eastern countries, such as those in Eastern Europe, which currently still face several cases of “exploitation of minors” abroad, usually in the UK, Belgium, France, or Germany, regarding minors who are exploited either sexually (Laszlo and Roth 2023) or through forced labor (Latham-Sprinkle et al. 2019; Cockbain 2019). The same is true in Asia, where the exploitation of minors is still a very dangerous phenomenon (Rafferty 2007; Skeldon 2000).

In these cases, the institutions of juvenile protection in the origin countries do not have competences in this matter, in the absence of a legal framework that would permit their involvement in solving cases of transnational trafficking. The only structure that has competence here is the police department, which gives an alert at the border or international notice for wanted persons in cases of kidnapping or trafficking of children, working in close cooperation with the national divisions of Interpol. However, there is no similar situation for the countries in Europe, where the principle of best practices recommendation is in force (Spratt et al. 2015). A difficult situation is created in cases in which children are neither kidnapped nor trafficked, but are victims of their own families, in most cases parents, who transport them abroad in order to exploit them in forced labor or petty street offences.

Another method, apparently legal, of transporting young girls abroad is called the “lover boy” method (Sousa Santos 2014; Magherescu 2021). It is widespread in Romania, due to the fact that its victims are usually young girls with a typical psychological and societal profile (Magherescu 2021). It is determined by the following factors:

- Growing up in a rural area;
- Having no experience of life;
- Growing up in a poor family;
- Having no financial income;
- Having no support from family;
- Having no future in one’s home country.

This method misleads girls into thinking that a young man loves them and is ready to get married to them. Moreover, a sure future and huge income are promised abroad, where they will work legally and get married with the loved person. The real situation is deliberately presented inaccurately. Once the girls arrive in the destination countries, they are deprived of any rights and turned into sexual slaves, whose “boyfriends” are looking to obtain profit from illegal activities. Among the young girls who are victims of the lover boy method, some succeed in escaping and alert law enforcement agencies, which proceed to arrest the perpetrators in due course in order to prosecute them.
Regarding crimes of human trafficking, the situation differs from case to case, and some particular cases are outlined.

1. **Trafficking in classical form**, in which children are exploited sexually or through forced labor in destination countries.
2. **Trafficking in atypical form**, consisting of children trafficked by their parents, who are looking to obtain profit from their exploitation.
3. **Trafficking in indirect form**, committed through the lover boy method, in which so-called boyfriends promise a marital relation to young girls as well as a carefree life abroad, where in fact they exploit the girls sexually.\(^{13}\)

Only one issue arises in the way in which revictimization could be produced. The circuit of transnational trafficking in human beings, both children and women, in different forms and concerning various aspects, is presented in Figure 1.

Figure 1 demonstrates that all three forms of transnational trafficking have a common feature, involving the same kinds of sexual exploitation, forced labor, and petty street offences. The degree of revictimization risk of victims differs according to the relation established between the perpetrator and victim, on the one hand, and between the criminal action carried out by the perpetrator and the result produced, on the other. The protection of victims of human trafficking is important as it entails a general obligation, understood within a comprehensive approach to preventing and combating the phenomenon.

A particular feature of fighting human trafficking regards data processing by law enforcement agencies, as well as their responsibilities concerning this activity. The practical activity of public institutions has shown from past experience that more attention needs to be paid to harmonization at the national and international levels regarding data processing by all the authorities—police, investigation prosecutors, and judges—involved in fighting human trafficking.

**Figure 1.** Graphical explanation of the risk of revictimization in cases of transnational trafficking in human beings. Created by the author.
Cases of Domestic Violence

Domestic violence is often compared to serious crime committed with violence, from the point of view both of their modi operandi and of revictimization. On this matter, the question of the risk of revictimization implies that the victim of domestic violence (Reckdenwald and Parker 2010) knows that their particular case could degenerate, leading to the victim’s murder. This is the most serious scenario concerning this kind of crime. In practice, it is observed that most frequently, criminal cases of domestic violence are regularly repeated and, for this reason, the risk of revictimization is obvious. However, in cases of separation of the victim from the perpetrator, the issue of cessation of familial relations arises. In case-law presentations, jurisprudence has highlighted that in cases of the partners’ separation, the risk of revictimization does not disappear totally (Magherescu 2023). Only one problem is temporarily solved. In some cases, the separation has been a premise for killing the victim. Jurisprudence has stated, regarding the murder of a wife who brought a divorce action to trial, that the subjective position of the defendant concerning the crime committed and its results from the preparing acts—buying a firearm from the gun store, placing bullets in the loaders, intimidating the victim through threats, preparing the gun in order to shoot the bullet, verifying the presence of the victim at their workplace, drinking alcohol, and the manner in which the criminal act was committed—using gun, short time period of shooting eleven shots, shooting distance, even-tempered state showed by perpetrator both during the shooting acts and after that.

Moreover, the court of law has emphasized that the crime was preceded by repeated treatment that persuaded the victim to submit complaints to the police department in order to obtain a protection order, which in fact did not happen. In this criminal case, homicide committed through cruelty was retained, due to the fact that the defendant prepared and executed the crime using methods that caused prolonged and high-intensity suffering, and that produced both the murder of the victim and her physical and psychological torture. Nevertheless, spouse separation is not the only specific risk factor; on the contrary, in several cases the victim living together with the perpetrator is an equally high risk factor. From the jurisprudence perspective, the risk increases when the victim is less focused on defending herself against the aggressive spouse, who should be a support for their family life, a family member who is ready at any time to give help.

Equally, doctrine has focused on the notion of “familial homicide” (Bows 2019), occurring not just in marital relationships, but in relations established within the extended family, for example between grandparents and children (ibid.), with these persons needing victim services (Crockett et al. 2018) or even judicial protection. In this matter, it has been pointed out that domestic homicide could involve juveniles as perpetrators, in cases conceptualized as “parricide.” Consequently, criminological research and theory is focused on several areas of inquiry, with different perspectives (Bows 2019).
Despite their distinct features, there are common characteristics shared by domestic violence and domestic homicide. In a variable nexus, they are recognized as a pervasive global problem (Bows 2019). In practice, the concept of domestic violence includes the issue of domestic homicide, among other crimes committed in this field. In this context, it could be stated that domestic violence is the general framework for those crimes committed, which also include domestic homicide as one of the most dangerous crimes against persons.

**Cases of Physical Harm**

The concept of violent victimization (Gålnander 2019) is one of the most common forms of physical harm. It frequently occurs both between spouses and outside familial relationships, and in most cases is compared to voluntary violence. These are usually committed in a criminal environment. Doctrine has spoken about the consequences of violent victimization, which last for a long time (ibid.). This situation can also be seen in cases where young women are victims. A given distance between the victim and her perpetrator is easy to maintain if a restriction order is issued by law enforcement, based on the evidence gathered. Otherwise, the situation seems complicated for the victim, who is entitled to make an effort to obtain such an order in the absence of appropriate evidence to prove the state of victimization.

The complication appears if the victim receives both physical and psychological harm. For this reason, it has been highlighted that childhood victimization can produce long-term consequences, in some cases for a person’s entire life, as well as behavioral disorders that require special support provided by social work services or even by the person’s family (Thunberg 2019). The consequences in cases of physical harm have repercussion for the victim’s private life, as well as for their social and professional life. From this point of view, the same question is asked: When and how does the danger of revictimization appear? Or, what are the factors that favor the risk of revictimization?

Firstly, the risk of revictimization is related to the influencing factors.

- Before committing crime;
- During the criminal activity;
- After committing crime.

As already highlighted, the third category of factors are the most dangerous ones, due to the fact that they produce serious consequences for a long period of time (Desir and Karatekin 2021), even for a person’s entire life. In the first case presented, the influencing factors before a crime is committed are related to the victim’s status of “victim as victim,” which inevitably leads to revictimization. This status is so quickly achieved because the perpetrators do not take into account the victim’s status. Moreover, they do not know this status either at the moment of their intention to act criminally (animus nocendi) in cases of attempted homicide against the victim, or at
the moment of committing the criminal act—*dolus ex re*—that determines the perpetrator’s position on the result (Magherescu 2017).

Secondly, the influencing factors during the criminal act feature multiple states, emotions, and psychological challenges that the victims are faced with, which may or may not be solved in the following years, although special support is provided in this matter. They have a higher level of emotional background than those of the other two categories of risk factors in determining revictimization, with consequences for the future. Thirdly, the risk factors that appear after a crime is committed have an objective feature, being at the same time characterized by the victim’s ability to “fight” herself as well as to fight the trauma suffered due to the crime committed, in such a manner as to avoid revictimization. On the other hand, the repercussions are suffered by the victim’s family, including grandparents, as well as other family members. In such cases, the victimization is extended, although there is no secondary victimization for the victim. However, a situation is created in which the victim’s family members could be subjects of revictimization.

*Cases of Terrorist Attacks*

The most serious cases of violent victimization involve crimes committed in violent terrorist attacks. One recent case was committed during a music festival in Manchester in 2017 (Craigie et al. 2020). Usually, the victims of these categories of crimes are represented by diverse communities of the population, with different social statuses. In these cases, there is no familial relationship between victims and perpetrators, due to the collective nature of the victims involved. Specifically in terrorist attacks, the perpetrators are looking to produce a huge number of victims. Thus, in this context, the process of revictimization is inevitable, involving victimization status for a person’s entire life (Moreno et al. 2019). From this point of view, three phases of revictimization are outlined.

- The first phase refers to the beginning of revictimization, at the moment of the criminal act of terrorism.
- The second phase continues during the period of both physical and psychological post-attack recuperation, characterized by the victims’ wish to understand the situation they are experiencing.
- The third phase is that in which the victims attend programs of psychological advice during the criminal proceedings, while they are heard as witnesses and participate in order to obtain compensation for the damages suffered as a consequence of the crime committed.

The phases presented above have particular features that differentiate them in terms of the severity of the consequences produced, as well as the *modus operandi* of the perpetrators in committing such serious crimes. Moreover, in this context, the victims’ personality is very important, as is their ability to face the consequences of the
crime committed or other traumatic events (Pozza et al. 2019). Certain characteristics, both general and specific, of the criminal acts associated with terrorist attacks, and indicators relating to the victims’ personality, are provided in Table 1.

**Table 1.** Presentation of the degree of revictimization in cases of terrorist attacks. Created by the author.

<table>
<thead>
<tr>
<th>Criminal activity</th>
<th>Basic information</th>
<th>Victims’ personality</th>
</tr>
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<tbody>
<tr>
<td>Explosion and detonation</td>
<td>• short-term victimization</td>
<td>• vulnerable persons</td>
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<tr>
<td></td>
<td>• low to medium level of revictimization</td>
<td>• victims with serious harm, both physical and psychological</td>
</tr>
<tr>
<td>Arson and fire</td>
<td>• short-term victimization</td>
<td>• vulnerable persons</td>
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<tr>
<td></td>
<td>• low to medium level of revictimization</td>
<td>• victims with serious harm, both physical and psychological</td>
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<tr>
<td>Chemical attack</td>
<td>• medium-term victimization</td>
<td>• vulnerable familial status</td>
</tr>
<tr>
<td></td>
<td>• medium level of revictimization</td>
<td>• victims in need of psychological advice</td>
</tr>
<tr>
<td>Biological attack</td>
<td>• medium-term victimization</td>
<td>• vulnerable familial status</td>
</tr>
<tr>
<td></td>
<td>• medium level of revictimization</td>
<td>• victims in need of psychological advice</td>
</tr>
<tr>
<td>Mass destruction attack</td>
<td>• long-term victimization</td>
<td>• community involvement required</td>
</tr>
<tr>
<td></td>
<td>• high level of revictimization</td>
<td>• victims in need of societal reintegration program</td>
</tr>
<tr>
<td>Nuclear attack</td>
<td>• long-term victimization</td>
<td>• community involvement required</td>
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<tr>
<td></td>
<td>• high level of revictimization</td>
<td>• victims in need of societal reintegration program</td>
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In the above table, it is pointed out that, in cases of explosion and detonation, arson and fire, short-term victimization can turn into medium-level, and the lower level of revictimization can become medium-level as well. It depends on the victims’ personality, which differs from one case to another, and has particular feature for the young victims. The degree of revictimization in these cases is proportional to the trauma suffered by the victims of terrorist attacks and does not suppose a repetition of the criminal act, but is produced by the same deliberate act or by another crime. This is because the trauma may be of different intensity, although the result is the same, leading to revictimization.

Considering all these aspects discussed in this section, it could be concluded that revictimization may generate three premises:
(a) The first terrorist attack was committed through explosion and detonation, arson and fire, a chemical attack, a biological attack, a mass destruction attack, or a nuclear attack and the second through the same *modus operandi*.

(b) The first terrorist attack was committed through explosion and detonation, arson and fire, a chemical attack, a biological attack, a mass destruction attack, or a nuclear attack and the second through a different *modus operandi*.

(c) The first terrorist attack was committed through explosion and detonation, arson and fire, a chemical attack, a biological attack, a mass destruction attack, or a nuclear attack and the second through another crime.

Last but not least, the security strategy against terrorist attacks in every country must converge to a model of the protection of terrorism victims, especially vulnerable ones, including young victims, with particular attention paid to the victims of serious forms of criminality, which the victims of terrorist attacks are. They need special attention, support, and societal reintegration in accordance with their judicial status. Consequently, it is understood that these forms of serious crimes are related both to the *modus operandi* used by the perpetrators and the consequences produced, including the damages suffered by the young victims of these crimes. From this point of view, these categories of crimes are considered very serious. The legislator should provide special regulation in this matter because if serious crimes are those with a high level of danger for the victims, very serious crimes are those with a high level of danger for the victims as well, taking into account the consequences produced by crimes both in the short and long term.

**Conclusions**

The research conducted on this topic has highlighted a series of conclusive remarks, as follows. Respecting the rights of crime victims during criminal proceedings, as well as minimizing the risk of revictimization, arise as determining factors in respecting the principle of a fair trial and prosecution standards in criminal matters. Both of these are linked with the victims’ need to be compensated proportionally with the trauma they have suffered because of the crime committed and with the risk of revictimization. This aspect is not quantified by judicial bodies at the moment of establishing the compensations that will be approved to the victims of crime.

Although the main obligation to compensate the victims effectively falls to the defendant as provided by the ordinary provisions in criminal matters, the solution is linked to the legal provisions adopted to increase the victims’ access to compensations provided by the state, as is stipulated by the general framework of the national systems of compensations of Directive 2004/80/CE of the Council of 29 April 2004 on victims’ compensations. This regulation has the main role of improving the situation
of the victims of violent crimes within the EU Member States which the judicial authorities are focused.

This article has revealed, in some cases, the ability of young persons to resist the results of crimes, which really means their capacity to avoid revictimization. Nevertheless, in other cases, the huge number of young persons identified as victims of revictimization are vulnerable for their entire lives. It is true that, from this point of view, a group of vulnerable persons is set up. Analyzing the risk of revictimization of vulnerable persons, the positions are children—women—elderly persons.

For these reasons, there is an urgent requirement to establish hybrid courts of law in countries in which they are missing for cases of violent crimes committed against vulnerable persons, such as the three abovementioned categories of persons. In this respect, establishing a special court of law for persons vulnerable to revictimization must involve a training program for the judicial bodies, based on best practices and exchanging of ideas about how to avoid revictimization by using solutions and domestic instruments, including a special criminal procedure, primarily based around the principles of fair trial and victims’ rights. Revictimization should also be organized around the programs implemented after finalizing the judicial stage of criminal proceedings. This involves an administrative program providing psychological and social advice for the young victims of crimes, which will be ordered during a long period of time. Consequently, the involvement of public administration is viewed as an imperative instrument for supporting crime victims, once the judicial methods have been finalized. In this regard, the points of view of victims of serious crime should be known and understood accurately in order to consolidate the legal support approved for them. Finally, appropriate collaborations with organizations and other actors involved in providing services to support crime victims should also actively be advanced.

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**Notes**

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10. De jure, there is an aggravated criminal procedure in cases of organized crime applied in the judicial system in criminal matters in Croatia, as well as in other countries. See the cases of Spain, Brazil, the UK, and the USA, more particularly in cases of violence against women and girls, which have successfully established specialized domestic courts for serious crimes committed against this kind of vulnerable person.


16. Ibid.

17. Ibid.

18. Ibid.

References


