

SUMMARY

Background and format of survey

Since the 1970s, there has been a gradual trend in which more attention has been paid to victims in the criminal process. This included the setting up of the *Bureaus Slachtofferhulp* (Victim Support). Policy on victims continued to develop in the 1980s when victim support became an area of focus for the police and the Public Prosecutions Department. The introduction nationally of the Terwee legislation in April 1995 represented another enhancement of the rights of victims.

New developments	In recent years, too, there has been a succession of developments that have benefited victims. Examples of this trend include the possibility of making victim statements and the right to speak in court.
Victim-perpetrator meetings	The more central position afforded to victims, and their more assertive stance, is also manifested outside the courtroom. The assumption that a discussion between victim and perpetrator leads to a quicker and better healing process played a leading role in the setting up of the <i>Slachtoffer-dadergesprekken</i> project (Victim-perpetrator discussions) in October 2004. The project was initiated by <i>Slachtofferhulp Nederland</i> (Victim Support Netherlands, SHN) and is financed by the Ministry of Justice.
Objective	The objective of the project was to accompany and support 250 victims of crime during meetings with the perpetrators in the fifteen-month pilot period, spread over five regions in the Netherlands.
Survey	<p>The Ministry of Justice wants to gain insight in the set-up and working method of the project and the experiences of the participating victims. Regioplan Beleidsonderzoek, a commercial research company, has examined these areas. The investigation provides answers to the question about how the project has been set up and organised. Moreover, the actual progress of the project and the various experiences have also been identified. The following research methods were used for this purpose:</p> <ul style="list-style-type: none">• documentation study;• interviews with experts;• interviews with project employees;• analysis of the project registration;• interviews with victims (33, response 42%);• inventory of reasons for non-participation;• workshop with project employees.

Results of the survey

Developments in and outside the Netherlands	<p>The survey began with an inventory of (comparable) initiatives in and outside the Netherlands. A distinction can be made here between the Anglo-Saxon and European, or continental, approach. In Anglo-Saxon programmes the meeting between the victim and perpetrator is generally a compulsory part of juvenile criminal law, while in Europe these meetings are supplementary to criminal law and, as a rule, take place on a voluntary basis. The Dutch situation most closely resembles this supplementary approach. As a result, the inventory has focused mainly on the continental method.</p>
Format and execution	<p>In carrying out the <i>Slachtoffer-dadergesprekken</i> project, SHN fulfils a pivotal function. Alongside the preparatory, supportive and organisational role it plays, SHN staff also oversee the actual conversation between the victim and the perpetrator. SHN works closely together with network partners, such as the police, the Public Prosecutions Department, rehabilitation services and the Child Protection Council. The <i>Slachtoffer in Beeld</i> Foundation (Focus on Victims, SiB) performs an administrative and supportive function within the project. If the perpetrator is not represented by a network partner, this role is assumed by the SiB.</p>
Plan structure	<p>The structure of the plan, set up by SHN, is the result of practical experience. The project coordinators carry out the project in the five pilot regions largely as laid down in the instruction manual. The plan structure is constantly adapted and improved on the basis of what happens in practice.</p> <p>SHN volunteers have the task of informing victims during their first meeting with SHN of the option of having a face-to-face conversation with the perpetrator. It is then up to the victim to decide, in his/her own time, whether or not to take up this option.</p> <p>If a victim is interested in this option, the SHN project coordinator becomes involved in the project. He/she draws up a file, locates the relevant perpetrator, prepares the victim for the meeting and oversees the conversation between the two. Project coordinators take a course in mediating for this purpose.</p>
Policy versus practice	<p>In practice, it seems the project coordinators take on more tasks than envisaged in the plan structure. For example, it sometimes happens that the application for a meeting goes through them, without the involvement of the volunteer. They also carry out the preparatory conversation with the victim and even, if the situation requires it, with the perpetrator.</p> <p>A list of criteria has been drawn up to determine whether victims and perpetrators are suitable for participation in meetings. In practice the list is not always strictly adhered to – instead it is used as a checklist.</p>
Sticking points	<p>The volunteers in all five pilot regions state that they experience barriers in raising the subject of the meeting between victim and perpetrator, and therefore of the perpetrator. In addition, the project coordinators have the impression that the project does not (yet) have the support of the network organisations at management level. This means the success of the project is</p>

strongly dependent on the efforts of the individual carrying it out within organisations representing the perpetrator.

Fewer participants than expected	The numbers of participants in meetings between victims and perpetrators are much lower than originally anticipated. Because SHN, its volunteers, and the network partners are not familiar with or used to what is a relatively new project, the option of a meeting between victim and perpetrator is very often not mentioned. Moreover, the estimate that fifty per cent of the offers of a meeting would actually lead to one appeared to be too high. In practice, some forty per cent of victims who took the initiative in arranging mediation, succeeded in meeting the perpetrator.
Experiences of victims	The penultimate phase of the survey involved discussions with victims who had had a meeting with the perpetrator, as well as with victims whose meeting had not gone ahead. The interviews dealt with their experiences as a whole (from the preparation stage to follow-up) and the end result. They were also asked for ideas concerning the continuation of the project.
Background of participants	The victims with whom the interviews were conducted had been affected by relatively serious crimes like murder, violence, robbery with violence, and sexual offences. Almost two-thirds of the victims were women. The interviews with the victims revealed that in a number of cases, the perpetrator was known to the victim.
Motives and expectations	<p>One frequently mentioned reason for wanting to confront the perpetrator was the fear of facing him/her again. Other common motives for participating were being able to get answers to questions, to receive a (sincere) apology, and the chance to be able to express frustrations.</p> <p>As well as the reasons for participating, the expectations of victims were also included in the inventory. They were in many cases similar to the motives for participating. It was not easy for the respondents to name in retrospect the expectations they had had at the beginning.</p>
Procedure and working method	<p>Most victims were satisfied at the way they were looked after and prepared. They were also generally positive about the way the meetings with the perpetrators went. A few victims were less satisfied, mostly because of the working methods of the mediator. The neutral stance of the mediator was the cause of negative feelings in some victims.</p>
Help in coping with effects of crime	<p>For many victims, the meeting was very helpful in the process of dealing with what had happened to them. The fact that they were able to ask questions and confront the perpetrator with the suffering he/she had caused was experienced as positive by virtually all victims. At the same time, the meetings served to reduce the feeling of hatred and fear in some of the victims.</p> <p>Nevertheless, there were some victims with less positive experiences. Those who did not go through with a meeting appeared to be the most negative.</p>

Although a quarter described the attempt itself as a positive thing, the majority mentioned primarily negative effects.

Suggestions for future The victims were asked for suggestions with regard to the execution of the project as a means of making it more effective. A number of suggestions related to the preparation of the participants for the meeting and being alerted to the potential risks, such as the possibility that the perpetrator may refuse to take part in the meeting. If victims are better informed, high expectations may be kept in check and disappointment levels reduced.

Conclusions

Structure and organisation good The structure and organisation of the project are good. The project is described clearly in a project plan, in which all the phases in the whole process are detailed. Linked to this, the tasks to be performed by each category of volunteers are described, as well as how.

Quantitative result can improve As far as the execution of the project is concerned, the preparatory phase could be improved. The option of a meeting between victim and perpetrator is in many cases not given. The reasons for this are the fact that the volunteers are not accustomed to the project or are not sufficiently aware of the importance of the meetings and the opportunities they offer. The result is that fewer meetings have taken place than was envisaged. In terms of quantity, the project has fallen short of its target.

Qualitative result good If a meeting does take place, the results are generally positive. Victims are almost always positive about both the procedure (preparation, guidance) and the final outcome (helpful in coping with the offence). Regarding quality, the result can be said to be positive.

Recommendations

More information and better preparation A number of recommendations have been made on the basis of the findings. These relate primarily to the execution of the project. In particular, the process of informing the victim of the existence of the project and helping them prepare themselves for the meetings could be improved.

Integration into organisations A number of recommendations have also been made in relation to the organisation itself. Of primary importance is the need to better integrate the project into the organisations concerned.

More coordination at policy level Finally, there are recommendations covering policy development, such as greater coordination between projects developed by different organisations, as a means of not having to keep reinventing the wheel. The position of meetings between victims and perpetrators in the legal process should also be re-examined. A large number of the meetings take place before the cases reach court. Victims may be disappointed if participation in the meetings leads to a more lenient punishment.