

## BOOK REVIEW

# VICTIM: A JURIDICAL APPROACH

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Victimology is often regarded as a central component to the study of crime, and thus it is described as a subset of criminology. Contrary to this view, however, is the notion that victimology is a social science focused on the victim and, amongst other things, the causes and effects of victimisation and ways to prevent victimisation. Criminal (or penal) victimology is therefore only one aspect of victimology. Despite this blurring of definition, it can be acknowledged that the scope of victimology has evolved alongside the development of victim assistance.

*Victim: A Juridical Approach*, edited by A. Sabitha, is a recent collection of articles grounded on the narrower criminal victimology. The overview begins with a broad, yet brief commentary on the origin and meaning of 'victim'. However, it then confines its exploration of 'victimology' to relationships between victims and offenders, specifically focusing on victims and criminal justice, the culture of victimhood in the context of crime, and so on. Hence, it is no surprise that the collection of articles – most of which have been published in previous journals – are predominantly about victims of crime. And although a couple of articles further include and explore the concept of 'survivor', which could arguably therefore shift the focus to survivorhood rather than victimhood, the impact of this is negligible.

Although Sabitha intends for this book "to present the contemporary research perspective on contributions of victimology towards providing better protection for victims", the purpose of

bringing together the scholars whose articles make-up this book is not immediately clear. Indeed, only one of the articles is a scientific report. Furthermore, the endeavour to develop a central theme is not always evident as each article appears to stand alone; a situation more common in a journal rather than a text book. Even the overview consists of block-like, static summaries and does not develop or enhance any sense of continuity.

The first article by Wayne Logan explores victim impact evidence and the death penalty in the United States, which revisits the leading cases of the late 1980s and early 1990s. This section is followed by Vilas Kulkani's article that describes how manpower (not human power) reduction affects victims and survivors. Next Robert Rabin and Stephen Sugarman assert that victims of terrorism are as deserved for state-funded victim compensation as other victims. And although readers return to an analysis of victim impact statements, which one could assume, is an attempt to provide evidence of a central theme, this time Tyrone Kirchengast critiques their use in an Australian context therefore preventing practical comparison with Logan's earlier analysis, or any of the other articles. Subsequently, Martilde Ventrella compares and contrasts the British and Italian approaches in regards to human trafficking, which similar to terrorism, is another non-conventional crime. Finally, and in further departure from an already diverse array of information, Infran Nooruddin canvasses race, gender and violence; John Golberg and others tease through the legal complexities of reliance in fraud; and, Deborah Tuerkheimer argues briefly that no separate rule of domestic violence forfeiture is needed in the USA. A common vein of discussion is therefore inherently difficult to find.

Despite this, there is no doubt that this book provides readers with numerous opportunities to reflect on contemporary academic, legal-policy, and political debates on the nature and impact of criminal victimisation, and to contemplate the efficacy and effectiveness of some of the responses to it. This book, however, is marred by poor editing (including errors in the opening overview), a distinct lack of underlying theme, and that it only minimally

contributes new information. In particular, seven of the eight articles were previously published and, despite being retyped to suit the text of this book, the original referencing techniques have been maintained, so there is no consistency. Given this appears to be Amicus Books' - an Indian publisher - first victimological publication a greater emphasis on content presentation should have been paramount. The lack of Indian contributors is also disappointing. India has a widely-acknowledged victimological society. It has home-grown victimologists. In addition, there are local charters on victims' rights and courts have been progressive in recognising some of these rights. There is richness in that area of our world that is not mirrored in this book.

The one new article included in the book has been written by Vilas Kulkani, an Indian employed in the school of management at Gujarat University. After generalising the corporate preoccupation with downsizing, Kulkani discusses its negative effects and proposes ways survivors can deal with those effects. The chapter does not draw on known victimological theories, possibly because most have grown from research on criminal victimisation, and Kulkani does not suggest that downsizing is a crime. If the author had dedicated more effort to the victim-survivor syndrome and other matter logically victimological, then it would have been a welcome contribution to the broader scope of victimology. Instead, the victimological elements appear to be coincidental.

Although this book does not break new ground, it does contribute to some key areas of interest to victimologists around our world. Logan, for instance, shows that prosecutors have made an important shift in attitudes towards victims' opinions on charge decisions. Rabin and Sugarman argue for compensation for victims of terrorism but also remind readers about military personnel as victims of terrorism and the short-comings of the compensation scheme available to co-victims of those killed in Iraq and other places. Kirchengast introduces the different laws on impact statements in Australia, yet confines the bulk of his article to a leading case in one Australian state where judges have a history of

stifling victim input on sentencing. While insightful and educative on how judicial culture can stifle victims' rights, it is not indicative of judges' views in other states. Also educative is Ventrella's examination of the 'Rimini Method' of dealing with trafficked humans. This approach seems more concerned with protecting victims than the British approach that looks on victims as evidence to prosecute traffickers. The latter approach is common to the USA and Australia, highlighting that a more in-depth exploration of these concepts would have provided useful insight and information in regards to the area of victimology.

Over all, this book is not fundamental reading for students or academics studying victims and victimology. It could not be considered an essential reference tool for those working in victim assistance, and is therefore an excellent opportunity missed. There are, for example, several leading Indian writers in victimology who could have given the book a unique Asian-Indian perspective. It could have complemented texts published in Japan, Korea and south-east Asian countries that have introduced readers to the changing role of the victim in various criminal justice systems and examined different modes of service delivery to crime victims. The book would then offer something to challenge the western dominance of victimological discourse, which in this instance it has not.

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