

Victim Awareness in Dutch Probation Work

“Training probation workers to increase victim awareness
among offenders”

workshop seminar CJP in Brussel
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by
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(invited bij CEP)

Why?

- It connects to the core purpose of probation work: Realizing that harm or damage is done, can strengthen the motivation to change own behavior
in other words:
The more empathy the perpetrator has with the victim, the smaller the chances of recidivism
- It connects to the idea of resolving conflicts between the parties involved.
- It is in line with the changed position of victims in criminal law.



Goal victimpolicy within Dutch Probation Work:

"Restoring the situation and preventing recidivism by paying particular attention to the position and rights of the victim during the different stages of execution within the criminal justice. Therefore the probation worker motivates and addresses the offender to take responsibility for his own behavior. The worker supports the offender to compensate for the (non)-material harm he/she has caused to the victim in order to normalize the situation for both parties."

THESIS

If you want to be a good probation officer, you always have to bear the victim(s) – old and potential new – in mind.

and

Every crime has a victim.

Empathy and talking about own mistakes:

- Talking about guilt
- But if there's no guilt...?
- Empathy with own loved ones
- Looking at myself
- To apologize

Realizing that harm is done to another person doesn't always come naturally

Why?

- They deny committing the crime or part of it
- Other motives were more important
- Empathy is missing (antisocial personality disorder/autism)
- They didn't know or realized the impact
- There is a trauma standing in the way (rejection by loved ones or the bigger society)
- Playing down feelings of guilt is easier than looking in the mirror.

Guilt is a heavy burden

- Playing down guilt can be necessary and useful
- Displacement of guilt indicates a conscience
- Feeling(s) of guilt can be a start to a change

It's not about pressing the offender down because of what he did.

It's about helping him take his responsibility and deciding: "I won't commit this crime again."



The interest of parties involved

- **Victim:** peace!
 - consideration of their interests
 - importance of information disclosure (flyer)
 - feeling safe (restraining order, street- or location ban)
- **Perpetrator:** taking responsibility
 - empathy with the victim leads to a small(er) chance of repeating crime
 - putting his identity as a perpetrator to an end
- **Victim ánd perpetrator:**
 - Restorative justice: helping each other in processing what had happened, 'making up', restoring the situation
 - becoming detached from each other and moving on with their own life



First task of a probation officer: diagnosis and reporting to the court

- Investigating victim awareness
- Doing research on needs and interests of the victim (contact with Dutch Victim Support on case level)
- Explicitly state in advisory to the court whether there should be consideration with (needs) victim when perpetrator is released from prison
- Include enlarging victim awareness as a focal point in coaching the perpetrator



Second task of a probation officer: monitoring and controlling (after client is sentenced to mandatory contact)

- Purpose: enlarging victim awareness
- Awareness can change/develop, so check again after some time
- Included in a plan of action
- Attention for indirect victims!
- Monitoring whether financial compensation is being paid



Contact between perpetrator and victim:

- Investigate the possibility of restorative justice
- If so, never to be done by the probation officer himself....
- ...but enabled by:
 - In Perspective: dialogue
 - Power Conference (EKC): Involving network on both sides
 - Independent mediators: drafting contract



Summary 2014 – 2017:

Goals within the Dutch Probation Service:

- enlarging victim awareness among probation officers
- offering tools how to address victim awareness during client interviews in order to.....
- develop and enlarge victim awareness among perpetrators and offenders
- implementing tools to enlarge victim awareness during different workprocesses

Achieved to date (1)

Tools to enlarge Victim Awareness are:

- Methodological guide available (designed after research done on 'good practices')
- E-learning module 'Victim awareness' available for every probation officer
- Basic education new probation workers
- 15 ambassadors throughout the country, responsible for local implementation
- Casuistry meetings and theme discussions among probation workers to keep the subject alive
- It is part of the workproces in all the various probation tasks
- Incidental audits to check whether probation workers apply victim awareness in their approach



Achieved to date (2)

Collaboration between national services:

- Nationwide consultation with various organizations involved in working with victims: Prosecution, dutch victim support, prisons
- Working together with Dutch Victim Support at case level (agreements have been reached on 'how')
- Consultation with Victim Support on policy level (addressing the privacy issue!)
- Flyers about probation approach available for victims and thier supervisors

Our AIM for the future:

- That 'the victim' is an obvious topic of conversation between the probation officer and his client, at every stage of the criminal law
- That the perpetrator takes responsibility for own criminal behaviour
- That he learns how to deal with feelings of guilt and shame
- Enlarging his empathy with the victim and meeting the victim's needs
- To prevent (new) crimes, our main goal!

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