

RIGHT TO COMPENSATION OF VICTIM IN INDIAN CRIMINAL JUSTICE SYSTEM

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Abstract

The Criminal justice system in India has always downcast the acts or omissions of such acts which violate right in rem and the people who still violate it have been punished severely. The primary focus of the criminologists was only on punishments and sanctions but this focus stated turning towards the victim as they realised that the victim is getting no compensation either monetary or non monetary through the whole justice system except the 'satisfaction' of seeing the person who committed the offence getting punished. This paper aims to analyse the position of the compensation to the victim in the criminal justice system in India taking in reference the legal provisions which are being followed.

INTRODUCTION

The primary aim of the Criminal Justice system of any country is to safeguard the rights of the State and the individual against intended infringement of the basic rules of the society by corrupt people. This aim is achieved by making sure that the accused is punished according to the law, ensuring that the rights of the accused are safeguarded. However it is saddening to know that the same concerns are not being held for the 'victims' of the crime who become victims as the "bye products of crime"¹. It is a general presumption that after the conviction of the offender and after she is punished, the victim becomes satisfied. However that is clearly

¹ KD Gaur, Justice to victims of crime: A human rights approach, in Criminal justice: A Human rights perspective of the criminal justice process in India 350, (, KI Vibhute ed , 2004)

not the reality. In all criminal cases, the victim just acts as an informant who is considered an important source for providing the facts and evidence of the case to the police. She acts as a catalyst who sets the legal process in motion and has no major role to play in the further proceedings until the police² requires any more assistance. As the proceedings continue, the victim is usually harassed further in the disguise of collecting sufficient information.³ Due to various factors like many numerous adjournment, indifference of judges, incessant questioning done by the prosecutor as well as the defence lawyer, etc, the victim's position becomes more vulnerable when she is to be a prosecution witness in the later stages of the trial. Moreover, as the victim being the person who has greatest amount of information, she has to identify the suspects, which puts her under the risk of getting intimidated by the accused again. Her life and mental status is put at risk. The victim thus other than feeling disconsolate again becomes a victim of "secondary victimisation" due to the procedures followed under criminal justice system.⁴ Therefore, modern victimologists say that the general presumption of the victim being satisfied after the accused is convicted is unjust, baseless and against equality.⁵ They say that the primary responsibility of the state is to protect the subjects and the victim of the crime because of the state's failure to protect the life, limb and property of the subjects.⁶ Hence the state has a responsibility to maintain equality and justice offered to the crime victim as well as the offender.⁷ However, it is comforting to know that the recent trends in the criminal policies of various countries show a victim centric approach in the criminal justice system.⁸ As a matter of fact, there has been an exponential increase in norms related to the victim in the international

² Police has exclusive domain regarding investigation of his complaint

³ 6 It is lamentable that in most cases, he is treated like an accused

⁴ For detailed discussion, see KI Vibhute, Justice to victims of crime: A human rights approach, in Criminal justice: A Human rights perspective of the criminal justice process in India 370-395, (, KI Vibhute ed , 2004)

⁵ Ibid

⁶ The argument can be summarised as follows: 1. If the state lays down the rules of behaviour, it should not only punish the violations thereof but also look after the persons who suffer by the evolution of such rules 2. If the state prohibits all private vengeance, it should go to the rescue of the victim of crime, the perpetration of which it failed to prevent, 3. If the state introduces new reformatory measures for rehabilitating offenders, it should also shoulder the responsibility of compensating the victims of crime.4.if the state reduces the offenders means by fixing him or sending him to prison where his earnings are minimum, it should make good the resultant decreases in the victim's compensation in offences which are not punishable by restitution- see for details. For detailed discussion see Supra note 4

⁷ Supra note 4.

⁸ In most world countries two movements are dominating the criminal justice policy- towards greater penal severity and towards integrating a victim's perspective. In some countries like USA these 2 movements go hand in hand. Where as in countries like England and wales, the two movements operate simultaneously, in separate spheres and in apparent contradiction.- For detailed discussion see Andrew Ashworth, victims rights, defendants rights and criminal procedure in Integrating a victim perspective within criminal justice: International debates 185-202 (Crawford and Goody ed.,2000)

human rights scenario which exhibits the prominent position they have assumed in the present scenario. There are still some debates regarding the participatory rights of the victim in trials and sentencing processes, there seems to be a general consensus as to the victim's protective rights and reparative rights. Maximum prominence is given to the compensatory rights of the victim in the modern criminal justice system and almost all countries have a specified legislation for this area. In this paper, an attempt has been made to analyze how far the right to compensation to victims is being exercised in India referring to precedents and legislative provisions.

THE VICTIM

The legal definition of victim includes a person who has suffered direct or threatened physical, emotional or pecuniary harm as a result of the commission of crime; or in the case of victim being an institutional entity, any of the harms by an individual or authorised representative of another entity.⁹ Thus victim of crime refers to any person, group or entity who has suffered injury, or loss due to illegal activity and the harm may be physical mental or economic.¹⁰

The UN Declaration of Basic principles of justice for victims, 1985, defines the term 'victim' as, "persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that are in violation of criminal laws operative within the member states, including those laws proscribing criminal abuse of power."¹¹ Therefore any person who has suffered any kind of harm due to the violation of criminal law is considered as a victim. Harm can be of any nature: emotional, physical, mental or economic. This definition of a victim includes both artificial and natural persons, individuals or groups of people and the dependants of the victim as well. The Basic standards likewise stipulate that a man will be considered as a victim regardless of the possibility that the offender is not recognized, caught or prosecuted.¹² Term victim likewise incorporates people who have endured harm thus helping

⁹ cf Dr Krishna Pal Malik, Penology, victimology and correctional administration in India, 213(2012), see also Rabindra K Mohanty & Satyajit Mohanty, Text Book of criminology, penology and victimology, 441(2012).

¹⁰ cf Dr Krishna Pal Malik, Penology, victimology and correctional administration in India, 213 (2012)

¹¹ Principle A.1.

¹² Principle A2

victims in trouble or to avoid victimisation.¹³ The meaning of victim in other global Human rights conventions are also based on similar lines.¹⁴

As per Code of criminal procedure, victim means a person who has suffered any loss or injury caused by reason of the act or omission for which the accused person has been charged and the expression includes guardians and legal heir of the victim.¹⁵ This definition was inserted in the act in 2008 showing that it's a step in the positive direction. However, the words "accused has been charged" exhibits that the definition is somewhat restrictive in nature. Much broader definitions of victim have been provided in various International instruments.

Also, in every criminal act there are two victims after the commission of the act. One being the individual herself who has actually suffered harm to property or to person and the other being the society as a crime is always committed against the society as it creates apprehension in the society.¹⁶

NEED FOR COMPENSATION OF VICTIM

Before the separation of criminal and civil law, the methods of social control were retaliation of victim and personal compensation.¹⁷ The victim or the victim's family were to be reimbursed by the offender for the harm caused because of the crime.¹⁸ Subsequently, a divide was created between civil and criminal law as the society became more complex and the right of compensation to victim was included under the umbrella of civil law.¹⁹ But since some time ago, trends in policy changes show that the legislators of criminal justice all over the world are pressing for making schemes for providing justice to the victim and providing adequate compensation to the victim.²⁰ Victimologists also argue that every crime committed is a failure of the state to protect its subjects thereby proving that it needs to compensate the victim for the

¹³ Principle A2

¹⁴ See United Nations Convention against Torture, Principle 8 of Basic Principles and guidelines on the right to remedy and reparation, 2006,etc

¹⁵ Sec 2(wa) inserted by The code of criminal procedure (Amendment) Act, 2008

¹⁶ As far as the society or the public is concerned the crime is regarded essentially as the disturbance to the "equilibrium of the social order" and hence takes up the responsibility of restoring the peace and harmony by punishing the criminal. The second victim, the 'principle affected' in terms of loss of life, limb, property etc is relegated to the secondary status in the criminal justice process.

¹⁷ Mohammad farajiha Ghazvini, police protection to victims of crime, 1,(2002)

¹⁸ The offender offers blood money to the victim. If it is accepted the life of the offender is saved.

¹⁹ Suresh v. State of Haryana 2015 Cri l j 665

²⁰ Rabindra Mohanty & satyajit Mohanty, Text book of criminology, penology and victimology, 454 (2012)

harm that he has suffered. Also, once the crime is committed, the victim has the right to claim compensation as a remedy for the harm he has suffered because of the criminal act. This right compensation is separate from the right to retribution and responsibility of the state which is governed by law.²¹ Even if the state fails to fulfil this responsibility, there should be a system which ensures that the victim's right to compensation is being fulfilled.²² The importance of victim's right to compensation has been stressed out in the case of *Maru Ram v Union of India*²³ as;

“ ... A victim of crime cannot be a ‘forgotten man’ in the criminal justice system. It is he who has suffered the most. His family is ruined particularly in the case of death and other bodily injury. This is apart from factors like loss of reputation, humiliation, etc. An honour which is lost or life which is snuffed out cannot be recompensed but then monetary compensation will at least provide some solace.”

Thus it can be stated that object of granting compensation to the victim is to alleviate the sufferings of the victim, to make the loss easier to bear for the victim and his family, re humanise victims and restore their dignity.²⁴

UN INITIATIVES

International Covenant on Civil and Political Rights²⁵ and UDHR²⁶ recognizes right to compensation to the victims. The UN Declaration on the Basic principles of justice for victims of crime and abuse of power was passed by the UN General Assembly in 1985²⁷ considering

²¹ *Suresh v. State of Haryana* 2015 Cri. L. J. 661-675 at 670

²² *Suresh v. State of Haryana* 2015 Cri. L. J. 661-675 at 670

²³ AIR 1980 SC 2147

²⁴ Jonathan Doak, victims rights, Human rights and criminal justice: Reconceiving the right of third parties, 207 (2008)

²⁵ Art 2 clause 3. Each State Party to the present Covenant undertakes: (a) To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity; (b) To ensure that any person claiming such a remedy

shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial

remedy; (c) To ensure that the competent authorities shall enforce such remedies when granted. Art 9 5. Anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation.

²⁶ Art 8, which provides that everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

²⁷ UN Basic principles was premised on the recommendations of the VI UN Congress on the prevention of crime

and treatment of offenders The principles urged the member states to treat victims with compassion and respect

victim as the key player in the criminal justice system. The Declaration lays down basic standards for the fair treatment of victims, consideration of their views in the criminal justice process, restitution and compensation.²⁸ Victimhood was redefined to include people victimized both by private individuals and the state. It guarantees victim's right to information, access to justice, assistance, fair treatment and access to informal dispute resolution methods. The Cherif Bassiouni report²⁹ and The Theo Van Boven's 1993 report³⁰ draw the link between the right to reparation and prevention of human rights violations and emphasised the importance of seeking redress from the perpetrator and the need for measures by the state to prevent future violations. Specific instruments like UN Convention against Transnational organized Crime, the Basic principles for the treatment of prisoners³¹, the Vienna declaration on crime and justice and The standard minimum rules for non custodial measures³² are victim specific instruments which require to take into account the interests of victims in different ways. Victim's rights including the victim's right to compensation are well placed in the recent efforts of UN.

INDIAN POSITION

and also urged to resort to appropriate measures at international, regional and national levels to improve their access to justice and fair treatment, restitution, compensation and assistance. Regarding compensation, it is provided that if compensation could not fully available from the offender or other sources, it should be provided by the state. Cf see KI Vibhute, *Justice to victims of crime: A human rights approach*, in Criminal justice: A Human rights perspective of the criminal justice process in India 373 (KI Vibhute ed , 2004)

²⁸ The international standards expected of the countries in the treatment of victims by the CJS agencies at different

stages of the criminal process have been elaborately detailed in the UN Handbook on Justice for Victims.121 Thus

a 'victim oriented restorative justice paradigm' was designed to assist the UN members to redesign their respective

criminal justice system for rendering justice to victims.

²⁹ *Ibid.* The report was published in 2000 . In that report it was noted that the state has the obligation to take appropriate legislative and administrative measures to prevent violations, to investigate violations, and to take action against perpetrator , to provide victims with equal and effective access to justice , to afford appropriate remedies to them and also to provide or facilitate reparations.

³⁰ *Ibid.* It was on the ' right to restitution, compensation and rehabilitation of victims for gross violations of human rights and fundamental freedoms

³¹ Principle 10 : With the participation and the help of the community and social institutions, and with due regard to the interests of the victims , favourable conditions shall be created for the reintegration of the prisoner into society.

³² Rule 8(1) The judicial authority having at its disposal a range of non custodial measures should take into consideration in making its decision the rehabilitative needs of the offender , the protection of society and the interests of the victim who should be consulted whenever appropriate.

The public interest in prosecution and the conviction of the offender submerges the victims' rights in the adversarial system followed in India, where the state and the accused compete. Victims do not get their due attention due to the predominance given to the fair trial rights of the accused in the Criminal Justice system of the country. *Rattan Singh v State of Punjab*³³ laid down that:

“It is a weakness of our jurisprudence that victims of crime and the distress of the dependents of the victim do not attract the attention of law. In fact the victim reparation is still the vanishing point of our criminal law. This is the deficiency in the system, which must be rectified by the legislature.”

The victim only plays the role of an informant in the criminal justice process in India. As investigation is the sole prerogative of the police, victim's role is decided by the police and even if police decide to process victim is harassed in the process of extracting information. The Code of Criminal Procedure does not require the victim to be heard if the magistrate is inclined not to take action against the accused after receipt of the final investigation report from the police.³⁴ The victim does not have much say during the time of proceeding also. Even in matters like bail decisions, withdrawal of prosecutions³⁵ which effect the rights and interests of the victims; she is not heard. Apart from various recommendations of law commissions³⁶ and National commission to review the working of the constitution,³⁷ an important epoch with respect to victim's right to compensation is recommendations of Malimath committee on reforms of criminal justice system in 2003. The committee recommended for a holistic “justice” to victims of crime by allowing them, as a matter of right, in criminal proceedings as well to seek compensation for the loss or injury.

LEGAL FRAMEWORK

³³ (1979) 4 SCC 719

³⁴ In *Bhagawant singh v. Commr of police* (1985) 2 SCC 537, the apex court reiterated that such an opportunity of being heard is a must, see also *PSC v. S.papaiah* (1997) 7SCC 614

³⁵ *Ibid.* As per sec 321Crpc. The case may be withdrawn at any time before the judgement is pronounced.

³⁶ Forty first, one fifty fourth and one fifty fifth Law Commission

³⁷ 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.

Our Constitution provides for some statutory provisions which are used for providing compensation to victims of crime and providing justice to the victims. The primary statute which provides for compensation the victims is Code of Criminal Procedure. Compensation to the victims of crime has been provided in Article 357. To judicially use time and money which would we used in two different courts³⁸ had this provision not been there, this provision combines the procedures of both civil as well as criminal law to be just and fair. The Law Commission of India in its forty First report³⁹, had stated that our courts are not exercising the statutory powers as to awarding compensation and recommended that compensation must be provided as punishment in the penal code.⁴⁰ Thereby, based on this recommendation by the Law Commission Report, Section 357 was brought into being replacing the provision in the Old Code. This provisions says that when a Court imposes a sentence of fine or a sentence(including a sentence of death) of which fine forms a part, the Court may , when passing judgement, order the whole or any part of the fine recovered to be used to pay compensation.⁴¹ To the people who are to receive compensation under the Fatal Accidents Act, 1855, the compensation is recovered through the people who are sentence for causing the death.⁴² Therefore under Section 357(1), Compensation is awarded for any loss whether physical or pecuniary only when the accused has been sentenced with a fine as the whole punishment or fine being a part of the whole punishment. Thus, the compensation provided cannot exceed the amount of the fine.⁴³

Under Section 357(3), compensation can be provided to the victim even if fine is not a part of the punishment showing a more liberal nature.⁴⁴ In this section the Magistrate has the power to award unlimited compensation.⁴⁵

³⁸ Dr KN Chandrasekharan pillai, R.V. Kelkers Criminal procedure,614, (5th ed, 2008, 2012 reprint)

³⁹ 1969

⁴⁰ Law commission intended to that substantive power must be given to the trial court in this regard, and compensation must be provided as punishment in the penal code. See Bharat B das , Restorative justice and Victims : right to compensation in crime victims and justice: an introduction to restorative justice,44-55 (P Madhav soma Sundaram, K Jaishankar, S Ramdass,ed.,2008)

⁴¹ Sec 357(1)

⁴² Sec 357 (1) (c)

⁴³ Supra note 24

⁴⁴ Ibid

⁴⁵ Ibid. For instance a second class judicial magistrate is empowered to impose fine only up to an amount not exceeding one thousand rupees but if he awards compensation under Section 357(3) instead of fine, he can do so without any apparent limit.

Section 357A⁴⁶, was specifically inserted to recognise victim's right to compensation by the Criminal Procedure Code Amendment Act, 2008. This provision deals with victim compensation scheme. This provision states that every state government in coordination with the Central Government shall prepare a scheme for providing funds for the purpose of compensation to the victim or his dependents who have suffered loss or injury as a result of the crime and require rehabilitation.⁴⁷ When the recommendation is made by the Court for Compensation, the District Legal Service Authority, as the case may be, shall decide the quantum of compensation to be awarded under the scheme.⁴⁸ The victim or his dependants may make an application to the State or the District Legal Service Authority for award of compensation even if the offender is not traced or identified.⁴⁹ The District Legal services Authority according to the case may order medical benefits to be made available for free if it receives the certificate of the police officer or the Magistrate to alleviate the sufferings of the victim.⁵⁰ Therefore this provision provides for rehabilitative rights as per the International Human rights instruments. The amount of fine may be recovered by the attachment and sale of moveable property of the offender and also from both movable and immovable property as arrears of land revenue.⁵¹

A lot of law commissions have also recommended various schemes for victim compensation.⁵² A victim oriented approach in criminal justice system, was recommended by the National Commission for reviewing the working of the constitution⁵³. Malimath Committee made various recommendations. Apart from salutary recommendations⁵⁴, the committee

⁴⁶ This provision was inserted on the basis of 152nd and 156th report of the recommendations of Law commission in 1994 and 1996 respectively.

⁴⁷ Sec 357 A (1)

⁴⁸ sec 357 A (2)

⁴⁹ Sec 357 A (4)

⁵⁰ Sec 357 A (6)

⁵¹ Section 421 Crpc

⁵² 41 st, 154th and 156th.LCR

⁵³ 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 .

⁵⁴ 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; • 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

recommended for a separate legislation for victim compensation providing for victim compensation fund.

The code of Criminal procedure Amendment act, 2008⁵⁵ has provided for many protection schemes for victim protection especially in rape cases.⁵⁶

Victims of acid attacks are given compensation which is used for their rehabilitation under Criminal Law Amendment act, 2013. Other acts like Probation of offenders act, 1958, The Motor Vehicles Act, 1988 and Fatal Accidents Act, 1855 also provide for compensation for victims. Some new legislations like The Protection of Women from Domestic Violence Act, 2005⁵⁷ The Maintenance and Welfare of Parents and Senior Citizens Act, 2007⁵⁸ The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989⁵⁹ have provisions for providing mandatory compensation.

The Domestic Violence Act of 2005, provides for the respondent to pay compensation to the women for all injuries suffered- mental or physical and emotional distress caused due the acts of violence done by the offender. The magistrate may direct the respondent for paying monetary relief with regard to meeting the expenses of the victim and any child as a result of domestic violence and such relief include

- Loss of earnings
- Medical expenses
- Loss caused due to destruction or removal or damage of any property

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)

⁵⁵ In fact some of the recommendations of Malimath Committee found expression in this amendment. For instance right to counsel of the victim, right to appeal etc

⁵⁶ Ibid .Sec 26A which provides that in rape cases as far as practicable women should be the presiding officer, proviso to subsection (1) of Sec 157 was incorporated which provides for recording of the statement of rape victim at her place of residence. Subsection (1) & (2) of section 309 was incorporated which provided for speedy trial in rape cases, Proviso to Subsection (2) of sec327 was incorporated which provides for in camera trial in rape cases, Proviso to subsection (3) of section 327 has been inserted which provides for victim identity protection in rape cases, Proviso to subsection (3) of Sec 161 and proviso to se 275 was inserted which provided for electronic recording of statement of victims.

⁵⁷ Sec20 provides for monetary relief

⁵⁸ Sec 9-13

⁵⁹ Section 21(2)iii

- Pass order as to maintenance for the aggrieved person as well as her children if any

However, there need to be a comprehensive legislation for this, as these fragmented frameworks seem inadequate in the present scenario.

CONCLUSION

Every woman has a fundamental right to be safe and be protected from injustice. It should be remembered that the socio economic empowerment must be ensured by the nation to minimize the exploitation which can help to improve the status of women. The recent gang rape has created a fear among women, which is a very unfortunate and serious thing. The court should consider this fact and a speedy trial resulting into the harshest punishment possible for those animals who are committed the heinous crime, will if not remove that fear, will at least ensure that a person will think before committing such a crime. The fear should be in the mind of the offenders not the innocent people and the judiciary should understand the gravity of the situation and ensure that justice is delivered without taking much time. In this context it should be mentioned that women being vulnerable by this sort of negligence are compelled to divert themselves to choose dark route of survival in the form of abused or sexually exploited product of consumption. In most cases, they cannot get justice despite their voices for survival to get rid of violence. We need communities and individuals to be a part of this change in mindsets, attitudes and beliefs.

As is discussed above, an unfortunate person who suffers from some adverse circumstances is known as 'Victim' and hence there must be some financial help for the victims especially for the victims of rape, assault, child sexual abuse, drunk driving, and domestic violence, as well as the families of homicide victims. Delay in payment of compensation to the victim should be avoided. Workshops for Public prosecutors, lawyers and judicial officers should be conducted to make section 357A of Cr.P.C more operative and meaningful. Interim compensation ought to be paid at the earliest so that immediate need of victim can be met. Special Legal Literacy Camps should be done every month to create awareness of Victim compensation. Even if the offender is not traced or identified, but the victim is identified, and where no trial takes place, the victim or his dependents may make an application to the State or the District Legal Services

Authority for award of compensation. Disclosure of name of rape victim amounts an offence under section 228A of the Indian Penal Code,1860. It is our obligation to offer free, confidential, practical, emotional and financial support to victims of crime. If Our Government starts a separate ‘VICTIM SUPPORTLINE’ which is a telephone helpline for victims, witnesses and family and friends of victims and witnesses, it helps a lot to the victims of crime. Charities for victim support should be established because there was little or no help on offer for victims of crime. Specialist services for the victims of crime should to establish at local and national level to help the victims of domestic or sexual violence, exploitation, anti-social behaviour, or hate crime.

