

File study in the Netherlands

Prof.dr. Conny Rijken

INTERVICT

Tilburg University

Content of the presentation

1. Methodology & Demographics
2. Taking into account psychological well-being
3. Impact of law enforcement interventions on psychological well-being
4. Other observations

1. Methodology and Demographics

- Selection of cases through professionals
- Permission by Office of the Prosecutor General & ERB-TiU
- Questionnaire based on literature review, outcomes with stakeholders and victims

Limitations:

- Limited information in files
- No possibility to contact victims
- Adult victims of sexual exploitation, closed cases

Demographics

- 10 files with 17 victims

	Origin
Victim 1	The Netherlands
Victim 2	The Netherlands
Victim 3	Belgium
Victim 4	China
Victim 5	Bulgaria
Victim 6	Bulgaria
Victim 7	The Netherlands
Victim 8	Romania
Victim 9	Romania
Victim 10	Romania
Victim 11	Hungary
Victim 12	Hungary
Victim 13	The Netherlands (adopted from Brazil)
Victim 14	Hungary
Victim 15	Hungary
Victim 16	Hungary
Victim17	The Netherlands (Turkish background)

Demographics

- Age:

47%	18-25 years
29%	26-35 years
12%	> 35 years
2 victims minor at the moment of exploitation	

Duration of the case

	Court of First Instance	Court of Appeal	Supreme Court
Victim 1	1 year and 1 month	8 months	1 year and 3 months
Victim 2	1 year and 4 months	n/a	n/a
Victim 3	Unknown	n/a	n/a
Victim 4	3 years and 11 months	1 year and 8 months	n/a
Victim 5	11 months	11 months	1 year and 3 months
Victim 6	Unknown	Unknown	Unknown
Victim 7	3 months	Unknown	n/a
Victim 8	5 years and 10 months	1 year and 8 months	n/a
Victim 9	5 years and 4 months	1 year and 8 months	n/a
Victim 10	4 years and 10 months	1 year and 8 months	n/a
Victim 11	1 year and 7 months	3 years and 6 months	n/a
Victim 12	4 years and 1 month	3 years and 6 months	n/a
Victim 13	1 year and 7 months	10 months	n/a
Victim 14	Unknown	n/a	n/a
Victim 15	1 year and 5 months	n/a	n/a
Victim 16	1 year and 8 months	n/a	n/a
Victim17	Unknown	Unknown	n/a

2. Taking into account psychological well-being

- In files multiple psychological problems and diagnoses
- A number diagnosed with psychological disorder before the exploitation
- As well as after the exploitation: complex PTSD, suicidal, depression, alcohol abuse, disturbed personality development, impulse and emotion regulation problems

2. Taking into account psychological well-being

Positive examples

- Police offers or organizes safe place to stay
- In general try to make the victim feel comfortable
- Always at least one female police officer present during hearings (except in 1 case), limited number of different officers
- Separate waiting room in court for victims
- Take into account the time lapse

2. Taking into account psychological well-being

Negative examples

- Difficulty if victim's do not provide information or inconsistent information (frustration)
- Not being believed
- Regardless negative advice of the therapist, an under aged girl had to appear for a hearing with the defense lawyer.
- Continue hearing even if it is problematic for the victim
- Court not sensitive to feelings of fear of the victim
- Request for special conditions by victim lawyer was not taken into account

3. Effect of interventions on psychological well-being

Positive examples

- Police try to make victims feel comfortable
- In case of low intellectual development special procedure is followed for hearings
- Police is helpful when victim is concerned about children
- Judges in appeal do not allow hearings by defense lawyers

3. Effect of interventions on psychological well-being

Negative examples

- Pushing to file a complaint
- Multiple hearings (average 4, up to 9 hearings)
- Hearings by defense lawyers can be detrimental,
- Detailed questions
- Repetition of questions (e.g. on voluntariness) makes victim feel not being believed
- Four victims were heard as a witness in court (in 2 cases requested but denied)

4. Other observations

- Multiple ways how victims are identified (different approach)
- In 2 cases the victim had approached the police themselves but this was not acted upon.
- Limited victim needs assessment
- Information letters by prosecutor often in Dutch
- Cultural differences are not taken into account
- Often more victims in a case but not identified by police

4. Other observations

- Provisions of information, including on options for residency is crucial
- Positive experiences with victim lawyers
- Investigative judge is not specifically trained
- Victim Impact State was made by 7 victims
- 11 victims claimed compensations and varies between € 15 000 and € 208 350 for material damage and between € 1500 and € 15 000 for immaterial damage

Conclusions

- Difficult to make general conclusions
- Each situation is specific and needs specific interventions (no generalizations)
- Police seems to be more sensitive to situation of victims (also due to dual role)
- Repetition of hearings should be reduced
- Hearing by defense lawyer should be further regulated and/or limited
- Protection from appearing in court

Thank you for your attention