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## VICTIM POLICY TRANSFER: LEARNING FROM EACH OTHER

**ABSTRACT.** This paper looks at the recent introduction of victim impact statements in several European countries. It asks whether victim impact statements are a positive addition to victim policy and practice in Europe and examines the challenges of adapting to the civil legal tradition a tool that was developed in a common law country.

**KEY WORDS:** crime victims, criminal justice, victim impact statements, victim participation

European criminologists and policy-makers regularly look to the United States for new and inspiring ideas on how to deal with crime and victimization. The field of victimology and victim policy in general, provide numerous examples of how ideas, philosophies, methodologies and programs travel across the Atlantic into Europe. For example, the victims' movement, which began in the USA in the 1970s, quickly spread to Europe where it inspired the development of victim support services such as women's shelters (Maguire 1991). Yet, while US policy and research was closely followed in Europe, Europe managed to develop and maintain its own unique approach (Maguire and Shapland 1990).

Throughout the nineties, victim impact statements were a good example of the different approaches followed in Europe and the USA. The victim impact statement is an American invention, which by the mid-nineties had been introduced in several common-law countries including Canada and Australia (Baril et al. 1990; Erez 1991). However, they were not embraced in Europe. For example, in 1996, the European Forum, a pan-European coalition of victim service providers, excluded victim impact statements from its *Statement of Victims' Rights*. Even the UK, which, like the USA, is a common law country, rejected the victim impact statement. Victim Support in the UK was strongly against victim impact statements, which it viewed as providing victims with too little opportunity for participation and too late in the criminal justice process (Victim Support 1995; Reeves and Mulley 2000).

However, in the last few years there has been a major shift in opinion and European victim policy with respect to victim impact statements increasingly resembles that of the USA. In 2001, victim personal statements, which are a variant of the US victim impact statement, were introduced in England and Wales (Home Office 2000). Likewise, in 2004 the Netherlands,