Victimology deals with the study of problems of victims of crimes and their right to claim compensation which includes rehabilitation and restitution, from the offender or the authorities of the State. B. Mendelsohn developed this branch of criminology, as after Second World War, there was growing concern for the plights of the victims of all crimes. Before that the criminologist focussed their attention towards the rights of the criminals, and the conditions of the prisoners, and preached the doctrine of fair play and justice even to those who had earlier perpetrated injustice on other members of the society. The victim was forgotten in the criminal justice system till the close of Second World War, when some criminologists took on them the task of understanding the importance of studying the criminal-victim relationship in order to obtain better understanding of crime, its origin and implication. Thus, the need of victimology as a branch of criminology was felt in United Kingdom, West Germany, Canada, Australia, New Zealand and United States of America.

The first international conference on victimology under the auspices of United Nations was held at Jerusalem in the year 1973. After a decade, realizing the gravity of the problem the United Nations General Assembly in 1985, adopted a Declaration of the Basic principles of Justice for the victim of crime and abuse of power. The declaration envisages the basic norms to be adhered to for the recognition of victims' right to information, treatment, restitution, compensation and assistance. The council of Europe has similarly addressed the problems of victims' rights and has produced one convention, the European convention on the compensation of victims of violent crime and guidelines in 1983. The convention deals with compensation for the victims and the guidelines deal with the treatment of victims by State agents such as the police and courts, and the assistance which victims need.
The purpose of criminal justice system is to protect the rights of individuals and the State against the intentional invasion of criminals who violate the basic norms of the society.\(^1\) Today the object of the criminal justice system seems to be confined to ascertaining the guilt and innocence of an accused. The role of victim of a crime is restricted to that of a witness for the prosecution even though he has suffered harm—physical, mental, emotional, economical and impairment of fundamental rights.\(^2\) In fact, it is a short coming of our criminal jurisprudence that victims of crime do not attract due attention Krishna Iyer, J, in Rattan Singh Vs. State of Punjab, aptly highlighting the apathy of law to a victim of crime, observed:

"It is 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".

Now time has come when a victim should play a major role in the criminal justice system. The State and Society must change their attitude towards victim of crime. The object of my research is to highlight the problems of victims while passing through the different stages of the criminal justice system and to find out the possible solution by innovative method within the existing system and to focus on the areas of law reforms. An attempt is also made to examine and evaluate the victim compensation schemes in other countries.

The work has been divided into eight chapters—**Chapter one** is concerned with evolution of concept of victimology. The scientific study of victims of crime is phenomenon of approximately four decades. In, 1948, a German criminologist, Von Hentig made the first over all exploration of role of victim in crime. After a

\(^{1}\) AIR 1980 SC 84
\(^{2}\) Ibid n. 2
decade in 1958, Henry Ellenberger advanced the idea of victim genesis. The first major international meeting focusing specifically on victims was the first International Symposium on victimology, held in Israel in 1973, which led to the establishment in 1979 of the world society of victimology.

Chapter two deals with victimization i.e. kinds, effects of crime on the victim and their physical, financial, social and psychological relation to crime.

Chapter three reveals the Historical Background, ways in which the Victim Compensation Fund can be generated by Central and State Governments.

Chapter Four, enshrines statutory provisions for compensation and restitution which give discretionary power to courts to award compensation to the victims of crime. The Chapter gives answers to various questions like what are the provisions for compensation and restitution in Criminal Procedure Code or other statutes? Whether these provisions are sufficient to justify the victim’s needs? Is conviction of offender a must for awarding compensation? Is there is any provision for immediate relief to the victim?

Chapter Five deals with the concept of the Restorative Justice to the victim of crime in detail, which consist of the compensation by the State and restitution by the offender for rehabilitation of the victim. The Chapter provides the emerging legislative trends and policies for rehabilitation of the victim. It gives a glance on the Malimath Committee Report, which emphasized the participation of the victim in the criminal proceedings by providing him the right to oppose the bail, right to appeal and right to information regarding criminal proceedings.

Chapter Six is concerned with emerging judicial trends i.e. Human right approach to the needs of victims, access to justice and fair treatment are considered the basic human rights of the victims. Victims should be treated
with compassion and respect. It also deals with remedy for compensation provided under Article 32 of the Constitution of India. Judicial Activism regarding the compensation to the victims also finds place in this chapter.

Chapter Seven tells us about comprehensive schemes adopted by various countries for the assistance of victims of crime. It deals with specific statutes for victims of crime in U.K. /USA Victim Impact Statement (VIS) which have been introduced in America, a formal way of providing for victim's views to be taken into account which allows victims to make known their views on what sentence should be imposed on their offender and might even allow the victim a say in parole decisions regarding offenders.

Chapter Eight deals with victimization of women and their rehabilitation policies. It concerns with problems of women and dispensation of justice to them. Awareness and literary programs can provide strength to the mother community to fight for the rights in this male, dominating society.

Chapter Nine deals with the concept of Plea Bargaining and victims of Crime.

Chapter Ten concludes the concept by providing suggestions to assist the victim of crime. In order to make victim compensation laws more realistic and meaningful in doing justice to victims a comprehensive scheme for payment of compensation by offender, as well as by State, based on sound and certain legal premise should be evolved. The existing provisions in Criminal Procedure Code concerning the compensation to victims and conferring discretionary power on the court should be converted to mandatory provisions, requiring to pay compensation in all suitable cases. By a separate legislation provision should be made for payment of compensation to the victims or his legal representatives in all serious crimes. Separate Administrative Tribunals or Boards to be designated as “Criminal Compensation Board, with District Judge as Chairman and Social
Workers as members should be set up with jurisdiction exclusively to take up the cases of victim compensation. The compensation to the victims of crime should be a state responsibility and for implementing this welfare measure an appropriate body should be set up. It is, therefore, high time that rights of victims of crime are recognized in this country. It is necessary that due notice is paid to the victim of crime to assure him that the society cases and feels for him, it may in longer run help in checking the rise in the crime rate and also bring credibility to criminal justice system.

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Nidhi Singh
Department of Law.
Maharshi Dayanand University,
Rohtak. (Haryana)