

## **Crime Victims' Demographics Inconsistently Relate to Self-Reported Vulnerability**

### **Abstract**

Previous research has found a discrepancy between the number of individuals who self-report as vulnerable and official prevalence estimations. Both this discrepancy and victims' views about their vulnerability need addressing as they may identify further training needs for Criminal Justice System agencies and to ensure victims receive appropriate support. Using data from the Metropolitan Police User Satisfaction Survey ( $n = 47,560$ ) the present study explored 1) crime victims' self-reported vulnerability and its association with demographics; 2) police identification of vulnerability and; 3) whether the needs of vulnerable victims were catered for. Results indicated that 38% of the sample self-identified as vulnerable, a considerably higher percentage than estimated in previous literature. Although associations existed between vulnerability and demographics these were negligible or had weak effect sizes. The findings are discussed in relation to the current definition of a vulnerable victim and highlighting the role of personal circumstances in self-identification.

### **Keywords:**

vulnerability; victims of crime; police; criminal justice; courts

## **Crime victims' demographics relate to self-reported vulnerability only inconsistently.**

### **Introduction**

Both victims of, and witnesses to, crimes can be considered vulnerable. Although definitions of the term vary (see below), it can broadly be defined as an increased risk of a person becoming harmed either physically or psychologically as a result of their involvement in a situation. (Vulnerable, n.d.). The UK Criminal Justice System recognises that there are both victims and witnesses of crime who are vulnerable. However, a discrepancy was found between the figures for self-reported vulnerability and official estimates (Burton, Evans and Sanders, 2006). For instance, a previous Home Office report ('Speaking Up for Justice', Home Office, 1998) estimated that 3 - 5% of prosecution witnesses might be vulnerable due to their mental or physical disability and a further 2% because they are a victim in a certain type of crime, such as racial, sexual or domestic violence. Estimated prevalence of vulnerability amongst witnesses was 5 - 7%. When intimidated witnesses were also included, the estimate rose to 7 - 10%. However, Burton et al.'s findings indicated that 45% of their sample self-identified as potentially vulnerable/intimidated witnesses (VIW). In contrast, criminal justice agencies in Burton, et al. identified 9% as VIWs. This lower percentage was within the Home Offices' (1998) estimation range of 7 - 10%. Burton, et al. made a conservative estimation that 24% of the sample was potential VIWs.

As Burton, et al. highlighted a discrepancy between self-identification and the agencies' estimation, the current study aimed to explore, via victims'<sup>1</sup> self-reports, whether self-identified vulnerability was still relatively high, if any particular demographic group self-identified as more vulnerable than others, and whether the police were perceived to be able to identify vulnerability and cater for the needs of such individuals. The study also explored changes in self-reported vulnerability over a three year time period (2009-2012).

Research is required on victims' self-reports and police identification of vulnerability because it may reveal further training needs for Criminal Justice organisations. Identifying vulnerability is also critical in ensuring that victims can give their best evidence in court. Giving evidence can be a daunting experience as matters are discussed and questioned in public and victims are usually expected to give evidence with the defendant present. The situation could interfere with giving best evidence, particularly if the victim is psychologically vulnerable. Identifying vulnerability should lead to appropriate support or enhanced services being offered to both victims and witnesses. This, in turn, may have a beneficial effect on victims' psychological well-being whilst they proceed through the Criminal Justice System and beyond.

### ***Definition of vulnerability in Criminal Justice context***

One possible source of the observed discrepancy in estimation rates is the difficulty in defining and operationalising 'vulnerability'. For example, a physically disabled individual may be at risk of abuse due to the reduced physical defences that limit escape options (Nosek, Foley, Hughes & Howland, 2001). Individuals who are

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<sup>1</sup> From here on in the term victim will be used to encompass victims and witnesses, except where research refers specifically to witnesses.

psychologically vulnerable may be at risk of harm due to learning difficulties or because of mental health issues. Two meta-analyses indicated that children and adults with mental disability or illness were at greater risk of violence than non-disabled peers (Hughes, et al. 2012; Jones, et al. 2012). Mental disorders have also been linked to higher risk of homicidal death (Crump, Sundquist, Winkelby, & Sundquist, 2013).

The Code of Practice for Victims of Crime (Ministry of Justice, 2015) defines a vulnerable victim as someone under the age of 18 at the time of the offence, or if the quality of their evidence is likely to be diminished because of a mental disorder; having a significant impairment of intelligence and social functioning; having a physical disability or suffering from a physical disorder. Police services and courts use the Victim's Code definition. If a victim is deemed vulnerable they become eligible for 'Special Measures' in court. Special measures include giving evidence from behind a screen or via video-link, removal of wigs and gowns of the court personnel or having an intermediary assisting with communication.

The Code of Practice definition is limited in that it makes no reference to emotional states or a victim's views about their vulnerability. Gudjonsson (2010) has suggested that psychological vulnerabilities need to be considered more broadly than simply as a mental illness or learning disability and that the focus should perhaps move to mental health and personality issues in general. Perloff (1983) suggested that negative life-events, including crime, produce a feeling of vulnerability with symptoms of emotional stress. This was supported in Coston (1995) who found that the majority of previously victimised homeless women felt vulnerable to future victimisation. Thus defining vulnerability accurately can be problematic.

***Importance of accurate identification and identification bias***

The Crown Prosecution Service (CPS) calls for early identification of vulnerable witnesses for practical and supportive reasons. Special Measures applications are subject to a strict timescale and if victims' needs are not identified early then there may not be sufficient support. Insufficient support could result in lack of confidence in the system and may even lead to unsuccessful prosecution (Crown Prosecution Service, 2009; Smith & Tilney, 2007). In general, there may be inconsistencies in recording vulnerability. The police may identify a person as vulnerable whilst the CPS does not. Alternatively the CPS may identify vulnerability in a case, but are not given sufficient information by the police to justify Special Measures for the victim (Charles, 2012).

The identification of vulnerability may be affected by stereotyping of the victim by the evaluator. A person possessing a stereotype about a certain group may attribute the stereotypical characteristics to an individual belonging to that group and then make a judgement about the person (Brown, 2010). For instance, Christie (1986) described the stereotype of the 'ideal victim' for whom society most readily affords both sympathy and the label 'victim': an elderly lady who is robbed by a drug addict. In contrast, a young man who is assaulted in a pub by someone he knows is less likely to be labelled a victim nor, perhaps, considered as vulnerable.

Stereotypes could cause a problem for identification if some individuals fail to be identified as vulnerable because they do not fit the stereotypical image of a 'vulnerable person'. Indeed, in other contexts (e.g. the health arena), categorisation and systematic bias have been found to contribute to differences in quality of service. For example, ethnicity biases in healthcare decision making may result in discrimination during stressful, time-pressured or high-emotion situations (Major,

Mendes and Dovidio, 2013). Similar processes may operate in the Criminal Justice context with differences or biases in identification leading to variation in police services.

An alternative approach to identifying vulnerability is to consider how victims themselves perceive their status. From this perspective, it may be beneficial to explore possible psychological mechanisms which may underlie self-identification of vulnerability. Appraisal theory (Lazarus, 1991) argues that emotions are extracted from appraisals or evaluations about events. A primary appraisal is the evaluation of an event's importance for well-being. If the event is evaluated as self-relevant, a secondary appraisal is made to assess how well one is able to cope with the consequences. The mediating role of appraisals in emotions has been found in daily life (Nezlek, Vansteelandt, Van Mechelen & Kuppens, 2008) as well as in the relationship between military combat exposure and psychological distress (McCuaig & Ivey, 2012). Appraisal theory accounts for individual differences in reactions to the same event and these may be more important than between group differences. Self-reporting as vulnerable may be linked with appraisals suggesting one is unable to meet the challenges the event presents and, as a result, feelings of vulnerability ensue.

### ***Factors predicting vulnerability.***

Both external and self-driven identification of vulnerability may be linked to demographic and individual difference factors. Alongside markers such as mental health and disability described in the current Code of Practice for Victims of Crime definition, research indicates that other factors may also influence perceptions of vulnerability. People may feel vulnerable to crime due to social and demographic

factors such as being a woman, an older person, unemployed, having negative expectations of themselves or perceiving themselves as socially marginalised (Vieno, Roccato & Russo, 2013). In terms of individual difference factors, low sexual and body-esteem, self-blame and low self-control have been found to link with individual's risk of victimisation (Fox, Gover & Kaukinen, 2009; Hassouneh-Phillips & McNeff 2005; Miller, Markham & Handley, 2007; Turanovic & Pratt, 2014).

Vulnerability is often mentioned in research into the fear of crime (Cossman & Rader, 2011; Killias & Clerici, 2000; Schafer, Huebner & Bynum, 2006). This area of research has found a gender effect in fear of crime, with women more fearful of crime than men (Smith & Torstensson, 1997; Reid & Konrad, 2004; Schafer, Huebner & Bynum, 2006). It has been suggested that for women the fear of sexual assault influences the fear of other types of crime, even property crime, although not to the same extent as for personal crime (Ferraro, 1996). Smith and Torstensson (1997) concluded that women might perceive more risk in their environment and respond by expressing higher fear of crime than men. In contrast, men may think they are invulnerable and therefore discount risks.

Other personal demographics may also be a source of perceived vulnerability. In Perry and Alvi (2012) participants from ethnic, religious, lesbian, gay, bisexual and transgender (LGBT) communities were asked how hate crime incidents affected their community. All those surveyed agreed incidents of hate crimes made them feel vulnerable, due to the nature of the crime being interpreted as a 'message' to others in that community. Chakraborti and Garland (2012) argued that in terms of hate crimes, vulnerability and 'difference' should be central to the investigation. They used the Sophie Lancaster case as an example. The victim was attacked and killed in 2007 in a targeted assault due to her distinctive appearance as a member of the

'Goth' subculture. At the time subcultures such as Goths were not included in police hate crime categories. It could be argued that even without the official recognition as a hate crime the case was highly distressing for the Goth community and potentially increased their feelings of vulnerability to such an extreme offence.

### ***Aims and hypotheses***

Burton, Evans and Sanders (2006) highlighted the discrepancy between self-identification and the agencies' estimation. They also found that the police had difficulties in identifying VIWs. Police appeared to hold a cognitive hierarchy in identification such that children and victims in sexual assault cases were more likely to be identified as VIWs due to the visibility of their apparent vulnerability.

Since the Burton, et al. report there has been no further published research examining the discrepancy between official estimation of vulnerable victims and self-identified vulnerability. Further, the report did not capture whether people in particular demographics are more or less likely to self-identify as vulnerable. This is important because levels of service provision may need reviewing if such discrepancies exist.

To address this, the primary purpose of the current study was to determine from victim self-reports whether previous Home Office estimations for the number of vulnerable victims was reflected in a large sample of victims and whether any demographic group perceived themselves to be more or less vulnerable than others. Based on the Criminal Justice definition and the research literature it was expected that the youngest and/or oldest age groups may be more likely to feel vulnerable than other age groups, women may feel more vulnerable than men, and victims of hate crime may report greater vulnerability than those of other crime types. The

study also explored victims' perceptions about police ability to identify their vulnerability and to cater for their needs. The data also allowed investigation into year-on-year changes in vulnerability, identification, and catering for needs.

## **Method**

### ***Participants***

Data from the first edition of the Metropolitan Police Service User Satisfaction Survey (MPS USS) 2005/6 – 2012/13 were analysed. The data set included data from 36 different Borough Operational Command Unit areas across Greater London with a total of 123,174 respondents. Data had been collected quarterly between 2005 and 2012, however, the vulnerability question and responses had been included and recorded only from 2009 onwards. Data was sourced from the UK Data Service. The sample included victims of burglary, violent crime, vehicle crime, racially-motivated crime, and road traffic collision. The survey had not recorded participants' specific age but the age group instead. The youngest age group was 16-24 years and the oldest 75 years and over. The data excluded victims of domestic violence, serious assaults and sexual offences. In total 47,560 participants had responded to the MPS USS vulnerability question (see below). Of these, 62.5% were male and 37.5% female. The mode for age was 25 - 34 years.

### ***Procedure***

The data had been gathered through telephone interviews conducted by an external market research company on behalf of the MPS. The interviews had taken place 6-12 weeks after victims had reported a crime. The data were analysed using chi-square tests. Given that multiple comparisons were undertaken, an increased

risk of a Type 1 error was present. To account for pooled error rates, each test was subject to Bonferroni  $\alpha$  adjustment with the critical  $p$  value set at  $<.001$  level to achieve  $\alpha = 0.05$ . In addition, where significant associations were observed, they were evaluated primarily in terms of their effect size.

## **Measures**

### *Vulnerability*

Self-reported vulnerability was measured with one item: *'Did you consider yourself to be vulnerable in this instance? This could have been because of your age, a disability, or personal circumstances.'* Responses were recorded as 'Yes', 'No', 'Not answered', 'Don't know', and 'Refused'. As the meaning of the latter three answers are open to interpretation, data were recoded into a dummy variable including 'Yes' and 'No' responses only and all other responses recoded as missing.

### *Identification and catering for vulnerability*

Perceived identification of, and catering for, vulnerability were derived from responses to the question *'Was this [vulnerability] identified by the police when you first contacted them?'* and the follow-up question *'Were these needs catered for?'*. As with vulnerability measure the 'Yes', 'No', 'Not answered', 'Don't know', and 'Refused' were recoded as a dummy variable to include 'Yes' and 'No' responses only with all other responses recoded as missing.

## **Results**

Out of the total sample, 47,560 (38.6%) victims had responded to the vulnerability question with 37.6% self-reported as vulnerable. Table 1 displays the

descriptive statistics for each demographic group. Among males 31.5% reported vulnerable and among females the figure was 47.7%. The relationship between gender and vulnerability was significant, although weak in strength (Rea & Parker, 1992);  $\chi^2(1, N= 47,557) = 1254.16, p < .001, \Phi = .16$ .

Over half (59.3%,  $n = 4067$ ) of the respondents who had a physical or mental disability reported to have considered themselves vulnerable. Interestingly 35.6% ( $n = 42,221$ ) of respondents without any disability reported to have seen themselves as vulnerable, indicating that their vulnerability may have stemmed from age, personal circumstances or both.

### **Sources of disability**

Figure 1 displays the ten most cited sources of disability. Notably the largest percentage was for mobility issues (46.1%). It should be noted that the disability total does not add to full 100 percent because the respondents had in some instances indicated more than one source of disability. Only one of the most cited sources, mental health, produced a weak association with vulnerability,  $\chi^2(1, N = 47,560) = 427.98, p < .001, \Phi = .10$ , people who self-reported mental health issues were more likely to report as vulnerable.

The remainder of the sources also indicated statistically significant associations, except for issues with speaking which had no association at all after Bonferroni  $\alpha$  adjustment. However, the effect sizes were all under .10 indicating negligible effects. This suggests that no meaningful assumption can be made about vulnerability based on sources other than mental health issues.

### ***Vulnerability in age groups***

Analysis revealed a significant relationship between age and vulnerability, however, this association was negligible:  $\chi^2(6, N= 47,218) = 162.52, p < .001$ , Cramer's  $V = .06$ . Table 1 displays self-reported vulnerability in percentages by each demographic group. The 16 - 24 year olds had the highest percentage of respondents who considered themselves vulnerable and 55 - 64 year olds the lowest. The negligible effect size suggest that no meaningful assumption can be made about vulnerability based on the victims' age. It appears that respondents in the youngest age bracket, including under-18 year olds, were no more vulnerable than those in other age brackets.

### ***Vulnerability and ethnicity***

The ethnicity variable was created from the original 16 ethnic groups in the data set and reduced to five ethnic groups: White, Black, Asian, Mixed, and Other. For example, White British, White Irish and White Other were compressed into a single category, *White*. Among ethnicity groups those categorising as 'Other' ethnicity had the highest percentage of respondents (50%) who reported to have been vulnerable, followed by Mixed (49.8%), Black (47%), Asian (45.8%) and White (32.4%). The comparison of proportions in vulnerability did not significantly differ between Black and Asian, and Black, Mixed and Other. The proportion of White significantly differed from all other ethnicity groups at  $\alpha = 0.05$  level. A significant association was found between ethnicity and vulnerability, with a weak effect size  $\chi^2(4, N= 46,161) = 978.97, p < .001$ , Cramer's  $V = .15$ . Therefore, although there was a difference in vulnerability between white and all other ethnicity groups indicating

that white victims self-reported as less vulnerable than other ethnicity groups, the association was weak.

### ***Vulnerability between crime types***

A moderate relationship was found between crime type and self-reported vulnerability:  $\chi^2(4, N= 47,560) = 4377.77, p < .001$ , Cramer's  $V = .30$ . Table 1 presents the percentages of those who reported to consider themselves vulnerable by each crime type. Victims in racially motivated crime had the highest percentage of vulnerability (59.6%) and victims of vehicle crime the lowest (18.6%). Comparison of proportions indicated significant differences between all crime type  $\alpha = 0.05$  level.

### ***Identifying vulnerability.***

Demographics were used to determine whether there were any differences between the groups in relation to police identifying vulnerability. The independent variables were gender, age, ethnicity and crime type. Although each analysis for demographics association with vulnerability identification produced a statistically significant result ( $p < .001$ ), all but one had an effect size less than .10. Cramer's  $V$  for age, gender, and ethnicity was .05 indicating that there was a negligible association between these variables and police identifying vulnerability.

The association between crime type and vulnerability identification was weak,  $\chi^2(2, N= 16,156) = 416.57, p < .001$ , Cramer's  $V = .16$ . The comparison of proportions revealed a difference in vulnerability identification between vehicle crime victims and all other crime types. Vulnerability was identified in 56.1% ( $n = 2506$ ) of vehicle crime cases whereas in all other offences the identification of a victim as vulnerable varied between 74% and 78%.

**Catering for needs.**

Similar to the identification of vulnerability results, the associations between catering for vulnerability needs and demographics were statistically significant with negligible effect sizes. Cramer's V for age, ethnicity and crime type all fell short of the .10 threshold for a weak effect and gender had no association with catering for vulnerability needs ( $p = .83$ ). Therefore it can be concluded that these variables had little if any relationship with the extent to which the police were catering for vulnerability needs.

**Vulnerability over time**

Self-reported vulnerability had increased over time from 32.1% in 2009/10 to 36.1% in 2010/11 and further to 46% in 2011/12. However, police identifying vulnerability had not increased with similar rates. In 2009/10 70% of the respondents reported that their vulnerability was identified and by 2011/12 the figure had increased to 73.8%. Eighty-three per cent of respondents whose vulnerability had been identified ( $N=11,269$ ) reported that their needs were also catered for. The figures fluctuated over time from 82.7% in 2009/10, rising to 84.8% in 2010/11 and then falling to 81.8% in 2011/12.

**Discussion**

The current study investigated self-reported vulnerability and its association with demographic variables, victims' perceptions regarding police identifying their vulnerability and catering for their needs. Previous research found an inconsistency between the official estimation of vulnerable victims and victims' self-reported

vulnerability. Self-reported vulnerability was much higher than the official figure. In the current study, just over a third of victims self-reported as vulnerable, in contrast to the 5-7% prevalence estimate in *Speaking Up for Justice Report* (Home Office, 1998). The current figure is, however, comparable to the Burton, Evans and Saunders (2006) estimation of 24%. This corroboration supports the suggestion that there may be a significant discrepancy between subjective vulnerability and the official estimation. It should also be noted that the current data excluded victims in domestic violence, sexual offences, and serious assault cases. Had these crime categories been included self-reported vulnerability may have been higher.

The current study focused on differences in self-reported vulnerability amongst different demographic groups. In terms of age, the youngest group (16-24 year olds) had the highest percentage self-identifying as vulnerable, however, the results indicated that age and vulnerability association was statistically significant but negligible in strength. Therefore the current official cut-off age of 18 years for automatic identification as being vulnerable may not be the best criteria (although it clearly differentiates children from adults). To investigate this further, future research could examine more directly self-perceived vulnerability around this boundary.

In the same fashion one should not automatically consider the oldest age groups as vulnerable. As Pain (1995) noted, grouping the elderly as one category is problematic because individual differences in vulnerability are not considered. Although for many elderly people such an automatic identification may be beneficial, the negative outcome of using a certain age as a criterion is the lack of consideration of all other age groups. There might be a common perception that a young adult without a physical or mental disorder would not be vulnerable. Recall the notion of the ideal victim (Christie, 1986) where an elderly lady is more likely to be afforded a

victim status (and probably a vulnerable status as well) than a young man. Yet, the elderly victim may not feel vulnerable at all, whereas the young man may. In such a case it is possible that an elderly victim is erroneously offered more support or access to services than the younger male victim. The present results would challenge this by suggesting that vulnerability exists in all age groups and caution against stereotyping.

Both ethnicity and gender of the victim had a significant but weak relationship with self-reported vulnerability. Women and ethnic minorities felt more vulnerable compared to males and White individuals. In terms of gender, to some extent this may reflect women's general fear of crime as has been suggested by previous literature (e.g. Smith & Torstensson, 1997; Reid & Konrad, 2004). However, the weak relationship between gender and vulnerability indicates that large differences in vulnerability between males and females may not exist. In terms of ethnicity, the relationship was again weak but it is possible that there is a general sense of vulnerability to particular crimes due to ethnic group membership (e.g. Schafer, Huebner & Bynum, 2006). Indeed, between crime types, the highest percentage that reported feeling vulnerable were those subjected to racially motivated crimes.

A moderate sized association was found between vulnerability and crime type; therefore crime type may be an important indicator of vulnerability. In racially motivated crime, violent crime, and burglary more victims self-identified as being vulnerable than those in road traffic collisions and vehicle crime. For racially motivated offences, it may be that prior knowledge of such crimes induces vulnerability (Perry and Alvi, 2012); minority males have been more likely to indicate fear of personal victimisation (Schafer, Huebner & Bynum, 2006).

There is no reason to expect that a burglary victim should psychologically differ from a victim of vehicle crime in their reactions to crime. That is, individuals have their own unique reactions to an event as proposed by appraisal theory research (Lazarus, 1991; McCuaig & Ivey, 2012; Nezelek, Vansteelandt, Van Mechen & Kuppens, 2008). Therefore one possible explanation for the differences between victims of different crime types in self-identification may be that burglary, assault and hate crimes are more personal in nature (violating the feeling of personal safety), than vehicle crimes. This in turn may increase or induce the feeling of vulnerability post-victimisation (Perloff, 1983). It is possible that the respondents have reported their post-victimisation vulnerability. That is, instead of reporting what their perceived vulnerability status was at the time of the offence, the victims of personal crime have considered their current and future vulnerability that may have arisen from experiencing these offences.

Levels of police identification of vulnerability (as perceived by victims) did not appear to differ between demographics. None of the demographic groups stood out in terms of levels of identification, which in itself is an important and meaningful result. Encouragingly, it indicates that the police are not focusing on one particular group over others in attempts to identify vulnerability. A weak association was found between crime type and identification. Although vehicle crime had the lowest percentage in self-reported vulnerability it also had the highest percentage of non-identification for those that did self-identify as vulnerable. It is possible that the victim's vulnerability is not considered due to the offence being perhaps regarded as low impact. Another explanation for non-identification in vehicle crime cases may be that this type of offence may be reported and resolved over the telephone without an actual visit from the police. If there is no face-to-face encounter and the topic of

vulnerability does not arise, it could explain the lower vulnerability identification in victims of this crime type compared to the other groups where police attendance is more likely.

When a victim was identified as vulnerable the results indicated that there was very little association between demographics and catering for the needs of the self-identified vulnerable victims. This is also an encouraging result as it suggests that when catering for the needs of the vulnerable, there is no discrimination based on age, gender, ethnicity or the type of crime.

Self-reported vulnerability had increased over time from 32% to 46% between 2009-2012. A smaller increase from 70% to 73% was found in police identification of vulnerability. Overall this indicates a steady identification rate. Although self-reported vulnerability had increased it appears the police have not fallen behind on identifications.

Taking all these findings into consideration, there appears to be a difference as to what the Criminal Justice System regards as vulnerable and how victims themselves perceive vulnerability. The official definition is very specific, allowing only certain aspects of human condition to be considered. However, this may not be in line with how the victims view themselves. Results also support Gudjonsson's (2010) idea that psychological vulnerabilities need to be considered more broadly than simply as a mental illness or learning disability. Environmental factors as well as previous experience of crime may shape an individual's sense of vulnerability (Goodey, 2004).

Cossmann and Rader (2011) argued that those who self-report poor health may also perceive themselves to be more vulnerable to crime. If this is the case, it could partly explain the frequency of self-reported vulnerability in those who did not

report disabilities. The respondents may have considered their health when evaluating their vulnerability. Personal circumstances could include any variable that was pertinent to the person at the time, including poor health or being unemployed, or perceiving to be socially marginalised (Vieno, Roccato & Russo, 2013). Further investigation into personal circumstances was not possible because the respondents were not asked to elaborate what the circumstances were. Had this been the case, further significant sources of vulnerability may have been revealed.

It is also possible that if the victim felt scared and considered this as a source for vulnerability. Currently, alongside the criteria for vulnerable victim, there is a separate category for intimidated victim/witness. This includes individuals whose evidence may be diminished due to fear or distress and also victims in specific crime categories such as sexual offences and domestic violence. In addition a person's age, and social and cultural background must be accounted for when assessing victim intimidation. Intimidated witnesses are also entitled to Special Measures. However, in the minds of the public, the concepts of intimidated and vulnerable may well be, to a degree, interchangeable.

The current study has a number of practical implications. Currently, Special Measures are not granted based on victims' self-identification. Rather, Special Measures are subject to an application and being granted by a judge. It is understandable that the official guideline is limited in its definition of vulnerability. Broader criteria for vulnerability could result in an increase of applications for Special Measures, requiring considerable resourcing and delaying case progression. However, the overall impact of catering for vulnerable individuals may not be as great as the impact of not considering the victims' self-evaluation. It could be

detrimental to their coping if they are excluded from appropriate support or services. It may also diminish trust in the Criminal Justice System as a whole.

With an increase in numbers of vulnerable victims/witnesses there is a risk of criminal justice agencies viewing such individuals as having diminished credibility. Although the CPS has guidelines for credibility assessment, in such cases a judgment based on stereotypes is a pitfall. Not considering a person as vulnerable may also result in behaviour that prevents victim from discussing their vulnerability. It is likely more could be done to raise awareness of vulnerabilities that go beyond mental health, physical disability and learning disability.

The findings presented here come with caveats and methodological limitations. The vulnerability measure was left somewhat open to participants' personal interpretation. It was difficult to ascertain what victims considered to be the source of vulnerability if they have been thinking about 'their personal circumstances'. Also with yes/no answers, detail and deeper meaning are lost. Future research could address this by including qualitative methods such as open responses or interviews. Until this research is completed it is difficult to build a complete picture regarding the nature of vulnerable victims/witnesses within Criminal Justice System.

In terms of the results, most of the results were either negligible or weak in their effect. However, this can be interpreted to highlight the importance of both widening the scope of vulnerability criteria and increasing the specificity of individual measures. We can extrapolate from this that it is difficult to identify specific groups which are likely to consistently view themselves as vulnerable or not. Although the practical recommendations that can be drawn from this exploratory research are (by

the nature of the data) limited, it is suggested that interventions should not assume that particular groups are likely to feel vulnerable.

**Conclusions.** The present study investigated victims' self-reported vulnerability, the perceptions of whether their vulnerability was identified by the police and whether their needs were catered for. It is concluded that mental health issues and the type of crime experienced may be a good criteria for vulnerability. In contrast, focusing on certain age groups may not be. A potentially significant source of vulnerability - personal circumstances - may not have been accounted for in the current data set and calls for more research. In summary, the results indicated that anyone may feel vulnerable and the current guidelines for the police and the court may be too rigid. It might be appropriate to consider combining the terms 'vulnerable' and 'intimidated' under the definition for vulnerable as this may more accurately reflect what people consider vulnerable to mean. Finally, focusing more on victims self-reports allow referrals to the appropriate support services for victims of crime and subsequently may better serve the Criminal Justice System. Finally, it is worth highlighting that the findings should not be perceived as criticism as to who is included under the current vulnerability definition, but to call for a review and further research into who might be inadvertently excluded, and what factors influence victims' self-identification.

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## **Tables and Figures**

Table 1. Self-reported vulnerability by demographic groups.

Figure 1. The most cited sources of disability