The Effects of Legal Involvement on Crime Victims’ Psychological Adjustment

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Victimization by violent crimes is a serious social problem. In most countries, studies using probability samples suggest that a significant proportion of the population experiences criminal victimization. For example, for the U.S. population, estimates of the yearly prevalence of rape range from 0.3% to 0.6% for women, and estimates of the yearly prevalence of physical assault are 1.5% to 1.9% for women and 3.4% for men (for a review see Kilpatrick & Acierno, 2003). After the assault, victims have to make a decision about whether they report the assault to the police or not. If the victim makes a report, the legal authorities respond in most, but not all, cases by investigating the suspected crime, and, where appropriate, bringing a trial against the accused. Given that the majority of criminal offenses are brought to authorities’ attention through victims’ reporting, the victim has great control over whether she or he becomes involved in a legal process as a witness.

Conflicting hypotheses have been brought forward as to whether legal involvement of crime victims affects their psychological adjustment. On the one hand, some researchers and legal reformers have stated that legal processes, if adequately designed, may be beneficial for both victims and perpetrators, as alluded to by the concepts of restorative justice (e.g., Braithwaite, 1998) and therapeutic jurisprudence (e.g., Simon, 1995). On the other hand, researchers and victim advocates have cautioned that legal involvement of crime victims may impair their mental health or even increase the psychological trauma experienced in the criminal assault (Fattah, 1997; Gutheil, Bursztajn, Brodsky, & Strasburger, 2000; Herman, 2003; Kilpatrick & Otto, 1987; Koss, 2000; Koss, Bachar, Hopkins, & Carlson, 2004). Mental health professionals frequently believe that contact with the legal system may be psychologically harmful for victims (Campbell & Raja, 1999), and Herman (2003) characterizes the legal system, with special regard to the U.S. system, as a “high-risk environment for victims” (p. 159).
The purpose of this chapter is to examine the effects of legal involvement of crime victims on their psychological adjustment. First, causes of possible effects are described, which may be located within the procedure or outcome of the legal process. Then, the available evidence is reviewed, most of it suggesting that legal involvement does not strongly affect the victims’ psychological adjustment, neither negatively nor positively. The chapter continues with a discussion of whether victims should be advised to report the assault to the police or not, and describes relevant decision criteria, such as victim adjustment, retributive justice, victim compensation, victim security, and societal security. Finally, suggestions for future research are outlined, pointing to necessary methodological improvements in the design of future studies on legal involvement.

The focus of the chapter is on adult crime victims. For children, who have become victims of assault, abuse, or neglect, the psychological situation may differ significantly from the situation of adult crime victims. However, when examining empirical findings on legal involvement, I will include studies that report on the psychological adjustment of adults who had given legal testimony of sexual abuse as children. For reviews on the effects of legal involvement of children see Lipovsky (1994), Ghetti, Alexander, and Goodman (2002), and Whitcomb (2003). The general conclusions from these reviews are that legal involvement is distressing for many children, that long-term effects are generally non-detectable, but that long-term effects may be elicited if multiple testimonies are required during the criminal proceedings.

Causes of Possible Effects

When assessing causes of possible effects of legal involvement, it is useful to distinguish between the procedure and the outcome of the legal process (Brockner & Wiesenfeld, 1996). Moreover, within both procedure and outcome, there are several factors that are important from
the victim’s perspective and that might affect the victim’s psychological adjustment. Outcome factors will be discussed first because they are the most obvious causes of possible effects.

The key outcome of criminal proceedings is the legal sentence, i.e., whether the perpetrator is punished or acquitted, or whether the legal process is dismissed without a sentence. The sentence is important for victims because it may help them attain several goals, which have been labeled sentencing goals or punishment goals (Carlsmith, Darley, & Robinson, 2002; Oswald, Hupfeld, Klug, & Gabriel, 2002; Vidmar & Miller, 1980; Weiner, Graham, & Reyna, 1997). Despite the increasing consideration of the victim’s perspective on legal punishment by politics and the public, little is known about the punishment goals of crime victims (i.e., what they hope the punishment accomplishes). The available data suggest that victim security and societal security are the most important goals for victims, followed by confirmation of societal values, and, with somewhat less importance, retaliation and recognition of victim status (Orth, 2003). Thus, empirical data confirm that the victim’s demand for punishment is not predominantly driven by retributive motivation, but more strongly by the motivation to control the perpetrator’s future behavior. Nevertheless, some crime victims report a strong desire for revenge (Orth, Montada, & Maercker, 2006), which is plausible given that retaliation may have the function to re-equilibrate gains and losses, to re-equilibrate power, and to restore the victim’s self-esteem (Frijda, 1994; McCullough, Bellah, Kilpatrick, & Johnson, 2001).

However, the sentence is not the only outcome of the legal process that determines whether the victims’ goals are attained or not. Notably, the degree of the perpetrator’s remorsefulness is important for many crime victims. For example, the victim’s assessment of their future security is only partly based on the sentence (i.e., length of imprisonment) and is also based on whether the perpetrator shows remorse, acknowledges the wrongdoing of the assault,
and asks for forgiveness (Exline, Worthington, Hill, & McCullough, 2003; Gold & Weiner, 2000). Sincere apologies re-equilibrate power because the perpetrator subjects himself to the victim’s moral judgment. If the victim concludes, based on observations and explicit statements by the perpetrator, that there is no future threat to herself or himself, imprisonment of the perpetrator is not essential in order to achieve the goal of victim security. In contrast, if the victim feels that the perpetrator is lacking insight in the wrongfulness of his behavior, the victim may fear future harm by the perpetrator, even if he is sentenced to imprisonment for some time.

Still another outcome of a legal process that is important for victims is whether they feel that their victim status has been acknowledged by the legal authorities (Herman, 2005; Gold & Weiner, 2000; Orth, 2003). Violations of the victims’ need for recognition of victim status are likely to be perceived as a particularly severe form of secondary victimization (Montada, 1994). Of course, sentencing of the perpetrator is the most definite proof of victim status. Through sentencing, the defendant is officially identified as the perpetrator and the victim is officially recognized as victim of a criminal offense. Victims may interpret the punishment of the perpetrator as an act of societal solidarity. However, in most legal systems, there is high attrition from the point where the assault is reported to the police to the point at which the perpetrator is sentenced, and only in the minority of the cases, the perpetrator is sanctioned by the authorities (Frazier & Haney, 1996). Yet, even if the legal process does not result in sentencing of the perpetrator, victims may conclude from positive interactions with the legal authorities that their victim status has been recognized.

However, not only the outcome of a legal process, but also the procedure itself (i.e., the set of rules and steps on which a process is based) is important from the perspective of crime victims and might affect their psychological adjustment. First, procedural justice is a crucial
characteristic of criminal proceedings (Leventhal, 1980; Lind & Tyler, 1988). Several principles have been identified that influence perceptions of procedural justice, such as consistent application of rules, bias suppression in decision making, accurate consideration of relevant information, correctability of the decision in case of objections and new information, representativeness of the views of all parties concerned, and compatibility of the decision with generally accepted ethical values (Leventhal, 1980; for procedural justice among crime victims see Wemmers, van der Leeden, & Steensma, 1995). It is reasonable to assume that from the victims’ perspective, the principle of presumption of the defendant’s innocence is likely to be perceived as a significant imbalance in the consideration of the victim’s interests versus the perpetrator’s interests. Though the principle is a fundamental guarantee of a fair trial for the defendant, questioning the perpetrator’s guilt implies questioning the credibility of the victim’s testimony.

A second important characteristic of the procedure is interactional justice or the perceived fairness of the social interaction with the legal authorities and representatives (Bies & Moag, 1986). Victims pay attention to the status they are accorded by the judge, such as whether they are treated with respect and politeness. Examples of low interactional justice are victim blaming, insensitive remarks, and trivialization of the assault (Herbert & Dunkel-Schetter, 1992).

Third, the stressfulness of the legal process is another crucial characteristic of the procedure. Some especially stressful factors of the trial are the giving of the testimony, the confrontation with the perpetrator, and the presence of spectators (Herman, 2003; Koss, 2000). Also, victims may perceive the legal process as a further serious interpersonal conflict with the perpetrator (Pitman, Sparr, Saunders, & McFarlane, 1996), and the long delay between reporting an assault to the police and the beginning of a trial may represent a further source of
psychological stress for crime victims (Bennett, Goodman, & Dutton, 1999; Walker & Louw, 2005).

**Empirical Findings**

It is not a matter of controversy that, as described above, legal involvement is frequently very stressful for crime victims. However, what is disputed is whether legal involvement has psychological effects that exceed short-term distress. In this section, I will review empirical studies that investigated the effects of legal involvement on the psychological adjustment of the victims.

First, some studies examined differences in adjustment of victims with and without legal involvement. In an early study, Cluss, Boughton, Frank, Stewart, and West (1983) found that, among rape victims assessed immediately after the assault and at six and 12 months postassault, several adjustment indicators were predominantly uncorrelated to whether the victim reported the assault to the police or not. In a study with rape victims, Campbell et al. (1999) investigated whether contact with the legal system predicted the severity of posttraumatic stress disorder (PTSD). The results showed that the degree of contact with the legal system was not a significant predictor of PTSD. In another study, Sales, Baum, and Shore (1984) found that rape victims who reported the assault to the police had somewhat fewer psychological symptoms than victims who did not report it, both immediately after the assault and at six months postassault. However, the study design was merely quasi-experimental (whether the victim reported the assault or not is a variable that may not be experimentally manipulated). Therefore, it is important to note that potentially confounding factors were not controlled for, making the results inconclusive with regard to whether legal involvement affected the victims’ psychological adjustment. For example, victims who did not report to the police might have experienced more severe symptoms
because they were more often in a close relationship to the perpetrator, not because of the nonreporting. To summarize, the results of studies comparing victims with and without legal involvement do not provide evidence of harmful effects of legal involvement.

Second, some studies looked at the effects of the initial actions taken by the legal authorities, once a victim had reported the assault to the police. In the study by Cluss et al. (1983), psychological adjustment was not related to whether the case was actually prosecuted or not. Likewise, Frazier and Haney (1996), using a sample of victims of sexual assault, found that the frequency of PTSD symptoms was not related to whether the case was referred to the prosecuting attorney or not, and whether the case had been charged. In contrast, Sales, Baum, and Shore (1984) found that at six months postassault victims whose cases were tried had more symptoms than victims whose cases were not tried. However, as described above, potential confounds, such as the severity of the assault, were not controlled for, making it difficult to draw valid conclusions from this finding. In a study with rape victims, Campbell et al. (1999) investigated the effect of secondary victimizing behaviors by representatives of the legal system. Secondary victimization was assessed from the victims’ perspective using a checklist of behaviors, such as whether the police told the victim that the case was not serious enough to pursue. The results showed that the degree of secondary victimization significantly predicted PTSD severity, even when controlling for time since assault, demographic variables, and assault characteristics. The effect was of about medium size. Subsequent analyses suggested that the effect was stronger for victims having experienced nonstranger rape compared to stranger rape. To summarize, studies investigating the effects of actions taken by the police and the prosecuting attorney suggest that whether the actions are undertaken or not presumably does not affect the
victims’ adjustment, but these actions might be harmful if they are perceived as secondary victimization.

Third, there are other studies that have investigated the effects of variables in the later stages of the legal process. Two studies focused specifically on the effects of giving testimony in the trial. In a sample of adult women with a history of sexual assault in childhood, Epstein, Saunders, and Kilpatrick (1997) found that having testified in court predicted lifetime prevalence of PTSD. However, if severity of the incident was controlled for in a multiple regression analysis, the fact of having testified was no longer a statistically significant predictor. Quas et al. (2005) interviewed adult victims of child sexual abuse, who had been previously interviewed when they were children (cf. Goodman et al., 1992). The results showed that whether the victim had testified in court or not was unrelated to most indicators of psychological adjustment in adulthood.

Some studies investigated outcome and procedure variables more broadly. In a study with victims of robbery that were interviewed in the first four weeks after the trial, Hammer (1989) found that the frequency of PTSD symptoms reactions did not covary systematically with assessments of the trial. However, statistical tests were conducted only within relatively small subsamples, which might have lead to insufficient statistical power to detect effects of trial assessments. In a study of victims of violent and property crimes, Tontodonato and Erez (1994) examined the effect of such variables as court involvement, sentence severity, and receipt of compensation on level of depression a few years after the trial. A multiple regression analysis that controlled for several demographic and assault characteristics showed that receipt of compensation was the only significant legal involvement variable, showing a small effect and
predicting lower depression scores. In the study by Quas et al. (2005) mentioned above, the sentence severity was unrelated with most indicators of the victims’ psychological adjustment.

In a study with family members of homicide victims, Amick-McMullan, Kilpatrick, Veronen, and Smith (1989) used the victims’ satisfaction with the criminal justice system as predictor and found that it was strongly correlated with measures of anxiety, depression, and symptoms of PTSD. However, as discussed by the authors, because satisfaction with the criminal justice system was assessed retrospectively several years after the legal process, causal inferences are difficult to draw. It is quite conceivable that the retrospective evaluations of the legal process are shaped by the victims’ current psychological adjustment.

Two own studies with victims of sexual and nonsexual assault investigated the effects of the legal outcome and procedure on PTSD (Orth & Maercker, 2004). The first study was cross-sectional and tested how psychological adjustment was affected several years after the trial. When controlling for demographic and assault characteristics, the only trial variable that had a significant, albeit small, effect was moral satisfaction with the court decision (predicting lower PTSD severity). However, because this study also used retrospective assessments of the legal process as predictors, causal inferences cannot be drawn. The second study was longitudinal and suggested that, for the time interval from a few weeks before the trial to a few weeks after the trial, PTSD severity slightly decreased. Trial variables were no significant predictors of change. Thus, the results of this second study show that PTSD severity did not increase in the time interval investigated and support the hypothesis that attendance at trial does not retraumatize crime victims.

It is important to note that none of the studies that investigated effects of legal outcome and procedure included a control group of victims that were not legally involved. Thus, the
results of the studies that showed significant effects cannot be taken as evidence of harm caused by legal involvement. The results simply reflect that the psychological adjustment of the victims could be predicted by specific factors of criminal proceedings (e.g., receipt of compensation in the study by Tontodonato & Erez, 1994). However, the designs of these studies do not allow conclusions to be made about whether the absence of the factor (e.g., lack of compensation) impaired adjustment or, in contrast, whether the presence of the factor (e.g., receipt of compensation) enhanced adjustment. Thus, future studies investigating the effects of specific factors of the legal process should, whenever possible, include control groups (see further discussion below). Nevertheless, the results of these studies suggest that legal outcome and procedure do not strongly influence the victims’ psychological adjustment.

Finally, some studies directly asked victims who were involved in a legal process whether they experienced the legal involvement as psychologically helpful or harmful. Campbell et al. (2001; using the same data set as in Campbell et al., 1999) report that 52% of the victims in their sample identified contact with the legal system as hurtful, 35% as helpful, and 13% as neither hurtful nor helpful. However, it is important to note that the sample was recruited by self-selection in response to posters, flyers, and presentations. Thus, the proportions of victims with negative and positive experiences may therefore not reflect representative experiences with the legal system. Similarly, in an own study, I examined the victims’ subjective ratings of effects of criminal proceedings on coping efficacy, self-esteem, optimism, trust in the legal system, and belief in a just world (Orth, 2002; using the same data set as in Orth & Maercker, 2004). The results showed that 67% of the participants assessed the overall effects as negative, and that evaluations of both outcome and procedure significantly predicted the victims’ ratings. However, as in the study by Campbell et al. (2001), the recruitment procedure did not ensure
representativeness of the sample. Thus, results regarding the proportion of victims reporting negative effects of legal involvement should be interpreted with caution. Nevertheless, these studies show that crime victims may perceive legal involvement as both hurtful and helpful.

To summarize, the available studies suggest that legal involvement does not strongly affect the psychological adjustment of crime victims, neither negatively nor positively. Overall, the results of these studies are consistent with the conclusions that have been drawn from studies of child victims involved in criminal proceedings, as provided by the reviews cited above (Ghetti et al., 2002; Lipovsky, 1994; Whitcomb, 2003).

Should Victims be Advised to Report the Assault?

The review of effects of legal involvement on crime victims raises the question of whether victims should be advised to report the assault to the police and thereby initiate a legal process. However, how psychological adjustment is affected is only one of many criteria that should be considered when assessing the victims’ benefits and risks of reporting an assault. In the following, I will discuss criteria that psychologists, lawyers, and other individuals who counsel crime victims should take into account when thinking through the potential consequences of reporting an assault.

A first criterion, already reviewed above, is the effects on the victim’s psychological adjustment. Even if negative effects on average are small, in individual cases crime victims might experience significant harmful effects of legal involvement. In general, crime victims should not expect legal involvement to be psychologically beneficial. The two studies that directly asked victims to rate the effects (Campbell et al., 1999; Orth, 2002) suggested that only a small proportion of victims perceived criminal proceedings to be helpful. However, the reporting decision not only initiates a legal process (if the legal authorities decide to prosecute the case)
but may also influence informal social reactions that have consequences for adjustment. For example, reporting may affect whether individuals from the victim’s social context (family members, friends, neighbors, or coworkers) know about the assault. Disclosure of the assault to others may elicit positive social reactions but also negative social reactions, and limits the individual’s control over reminders of the event (Kowalski, 1999; Ullman & Filipas, 2001). The disclosure of the assault may also shape how others perceive the victim and, ultimately, how the victim perceives him- or herself (cf. Tice, 1992).

A second criterion is victim security. As reported above, empirical data suggest that security is the most important punishment goal of crime victims (Orth, 2003). Victims may expect that the trial and the sentence will deter or incapacitate the perpetrator from committing further offenses against the victim. If the perpetrator is sentenced to prison, he or she does not present a threat for a period of time. However, if the victim considers the term to be too short, the victim may already fearfully anticipate the perpetrator’s release at the time of the court decision. Moreover, some victims fear that the perpetrator, or his family or friends, might retaliate against the victim because of the reporting. For victims of domestic violence, this is often a reason to request dropping the prosecution of the perpetrator (Bennett et al., 1999). Usually, victims feel that they are not sufficiently protected from threat by the perpetrator. The risk of further violence and harm may, unfortunately, be a realistic and important reason against reporting an assault (Herman, 2003).

A third criterion is societal security. Some victims want to make a report to the police because they wish to protect other possible victims from the perpetrator. In the study of punishment goals of crime victims cited above, participants endorsed the goal of societal security as strongly as victim security (Orth, 2003). Thus, the motivation of some victims to report the
assault to the police may be altruistic, despite possible negative consequences of the decision for themselves.

A fourth criterion is retributive justice. Frequently, victims are dissatisfied with the results of the legal process, even if the perpetrator has been sentenced (Byrne, Kilpatrick, Howley, & Beatty, 1999; Erez & Belknap, 1998; Orth, 2002). A problem is that, at the time of the reporting decision, the outcome of a criminal lawsuit is presumably difficult to predict, even for insiders of the criminal justice system. Thus, reporting the assault to the police bears the risk of becoming badly disappointed by the legal outcome and experiencing the legal outcome as further injustice. For some victims, the reporting itself may already provide some feeling of justice. However, the moral satisfaction by the legal outcome is generally low (Orth & Maercker, 2004). Moreover, the available data suggest that perpetrator punishment satisfies the victim’s desire for revenge only partially and transitorily, even if the trial results in a harsh sentencing of the perpetrator (Orth, 2004). Vengeful and angry affect among victims is presumably only weakly influenced by the legal process and is more strongly related to the severity of the victims’ psychological symptoms (Orth et al., 2006; Orth, Cahill, Foa, & Maercker, in press; Orth & Wieland, 2006; Riggs, Dancu, Gershuny, Greenberg, & Foa, 1992).

Finally, a fifth criterion when considering the consequences of reporting an assault is victim compensation. Compensation for damages, if applicable, and compensation for pain and suffering is important for some victims because of financial reasons, but also because of its symbolic function (Des Rosiers, Feldthussen, & Hankivsky, 1998; Herman, 2005; Smith & Hillenbrand, 1997). In order to receive compensation by insurances, government agencies, or in a civil law suit, reporting the assault to the police may be obligatory. However, in many countries civil justice is not very successful in compensating crime victims (cf. Koss, 2000). In
addition, reporting of the assault may result in additional expenses for the victim in form of lawyer fees or suspension of earnings for the time spent with the legal process. Thus, in terms of financial compensation, reporting the assault is generally not an efficient means.

When drawing the balance using the criteria outlined above, crime victims should not expect, on average, that they will benefit from reporting an assault to the police compared to nonreporting. However, this conclusion is only tentative, given that more evidence is needed to assess whether reporting may help victims to attain the goals of adjustment, security, justice, and compensation. Also, this conclusion may only be temporary given that in the future legal systems may strengthen the consideration of victims’ interests, such as compensation, security, or assistance during the criminal proceedings.

Psychologists should be careful about giving a general recommendation pro or contra reporting because the individual situations of victims vary substantially. For example, the criteria listed above may be of differing importance for victims; some victims may primarily need security, others may primarily seek justice, and still others may primarily be interested in recovering from the psychological trauma caused by the assault. Moreover, in individual cases, moderating factors may increase or decrease the chances that the victim’s interests may be fulfilled by reporting. For example, Campbell (2006) has shown that support by victim advocates makes a difference even in terms of legal actions chosen by the prosecution authorities.

Psychologists and other victim helpers should therefore inform victims about the course of the criminal proceedings, their rights throughout the legal process, the range of legal outcomes, support available in case of threats by the perpetrator, and possible positive and negative consequences of reporting. Victims may then balance whether reporting helps them to attain their goals and to live up to their values, or whether alternative options are preferable.
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Suggestions for Future Research

Importantly, future studies should be conducted with methodological rigor. First, future research should use longitudinal designs that allow for the analysis of how legal involvement elicits change in psychological adjustment of crime victims. The designs should include more than two measurements so that the adjustment trajectories can be described more closely (e.g., when focusing on criminal trials, several measurements pre-trial and again several measurements post-trial). Ideally, the design would include measurements before the reporting of the assault or even before the assault itself. Surely, the latter feature is hard to implement, but existing or future archival data sets might offer possibilities for prospective studies of legal involvement (Cramer, 2007). Large-scale longitudinal studies with probability samples and multiple repeated measurements (e.g., yearly) might include such measures as those of psychological adjustment, criminal victimization, legal processes, and legal outcomes. This type of data set would allow for interesting analyses of how legal involvement influences psychological adjustment of victims (for an example regarding effects of divorce, unemployment, and disability see Lucas, 2007).

Second, as already emphasized, future research should include control groups (i.e., crime victims without legal involvement) because only control group designs can disentangle change that is driven by legal involvement versus change that occurs independently from it. For example, measuring symptoms pre-trial and post-trial might result in equal levels of symptoms, suggesting that the victims’ psychological adjustment is not impaired by legal involvement (as found by Orth & Maercker, 2004, Study 2). However, a comparison with a control group might reveal that the control group made much more progress in recovery during the same time interval. Thus, such findings would suggest that the symptoms of victims in the legal involvement group could have been further reduced if these victims had not been involved in
criminal proceedings. However, it is also conceivable that victims in a control group experience negative consequences caused by nonreporting. For example, failure to seek retributive justice might lower the victim’s self-esteem and social reputation, with negative consequences for their psychological adjustment (Montada, 1994; Tyler & Smith, 1998). Importantly, when studying the effects of legal involvement on crime victims, random assignment to a legal involvement group vs. control group is, of course, not possible for ethical reasons. Thus, the design necessarily would be quasi-experimental as opposed to experimental. Therefore, to allow for valid inferences on causal influences of legal involvement, much effort has to be exerted to control for confounding variables (Shadish, Cook, & Campbell, 2002).

Third, future studies would ideally collect data on samples that are representative for the population of crime victims. However, recruiting representative samples is particularly difficult in studies of crime victims. For contacting study participants, researchers are often reliant on the help of victim assistance associations, counseling centers, or hospitals; however, these institutions are typically frequented by selective samples of crime victims. Presumably, it is difficult to survey victims who have no contact at all with legal institutions, medical services, or mental health services. One remedy to this problem, if sufficient primary studies are available, is to conduct meta-analyses (see Cooper & Hedges, 1994). Meta-analyses allow testing of whether moderating factors (such as sampling procedure and sample characteristics) explain variability in effect sizes, and thereby provide information on the generalizability of empirical findings. Therefore, it is important that primary studies report detailed information on recruitment, response rate, demographic variables, assault characteristics, and legal processes experienced by participants.
Fourth, because effects of legal involvement may be dependent on features of the actual legal system, meta-analyses may also shed light on the moderating impact of geographical and historical differences in legal systems. Each country may have peculiarities in its legal system (e.g., punishability of specific types of assault, facets of the trial procedures, or attitudes towards victims by legal professionals). Particularly noteworthy is the difference between the adversarial system in Anglo-Saxon countries and the inquisitorial system in continental European countries. Legal involvement may have larger detrimental or beneficial effects on crime victims depending on the country within which it proceeds. The studies reviewed in the previous section were predominantly conducted in the United States. Therefore, due to differences in legal culture, the above conclusions can only be tentatively generalized to victims in other countries. Moreover, legal systems are subject to historical changes. For example, in many countries, the effects of legal involvement may have changed during the last decades due to increased sensitivity to victims’ interests and victims’ rights. Meta-analyses might also help to uncover these historical changes.

Fifth, future research should further explore the causal factors that drive the effects of legal involvement, for example by assessing in more detail the outcome of the legal process (e.g., retributive justice, victim compensation, victim security, recognition of victim status, and remorsefulness of the perpetrator) and the characteristics of the procedure (e.g., procedural justice, interactional fairness, testimony-induced stress). Future research should also further explore moderating factors, such as assault characteristics (e.g., type of assault, victim-perpetrator relationship) or availability of victim assistance (cf. Campbell, 2006). In addition, it is of interest how effects are moderated by victim participation in the legal process. Victim impact statements (VIS) and victim statements of opinion (VSO) have been established in some
countries to allow victims giving testimony about the harm and losses caused by the victimization to express their feelings towards the perpetrator, and to state their expectations of the court decision (Erez, Roeger, & Morgan, 1997; Erez & Tontodonato, 1992; Kelly & Erez, 1997). Finally, future studies should continue to compare the effects of involvement in traditional legal processes with the effects of involvement in victim-offender mediation and other strategies of restorative justice (Beven, Hall, Froyland, Steels, & Goulding, 2005; Latimer, Dowden, & Muise, 2005; Umbreit, Coates, & Vos, 2004; Wemmers & Cyr, 2005).

Conclusion

The available data suggest that legal involvement is, in the short-term, stressful for many crime victims, but that long-term effects on the victims’ psychological adjustment are at most small. However, the number of empirical studies is still relatively small. In view of the importance of the topic and the controversial beliefs about the risks and benefits of legal involvement, more research is needed to draw generalizable conclusions on the size of effects, and on the causal and moderating factors. Moreover, research is needed that investigates the effects of legal involvement with more methodological rigor as has been done so far. Given the present state of knowledge, researchers and victim advocates should be cautious in using dramatic descriptions of the psychological consequences of legal involvement, both in the negative direction (e.g., “legal involvement is retraumatizing”) and in the positive direction (e.g., “legal involvement is healing”), especially because the decision of victims to report an assault depends, among other things, on the information available about personal consequences of legal involvement.
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