



WHAT IS A VICTIM OF CRIME?

The first finding is that anyone can be the victim of a crime. There is no person who is free to go through such a situation, and being a victim of any crime is always a very traumatizing situation with a strong impact on the life of any person.

Being a victim of crime is therefore an always negative event, to which anyone can be subjected throughout his life.

Being a victim of crime can always have physical, psychological, economic and social consequences for the victim, consequences which vary, according to his/her psychological and economic structure, as well as the violence of the crime.

One thing that always raises doubts to a victim of a crime is the unfolding of the process that follows, a situation that always causes some anxiety to the person who suffers the crime.

Some important concepts:

1. WHAT IS A CRIME?

Crime is any behavior that violates the law and as such is punished with a penalty.

For the purposes of the Code of Criminal Procedure, crime is the set of assumptions on which the application to its author of a criminal penalty or security measure depends.

Most crimes are punishable only by intent (intention to do so); punishability by way of negligence must be expressly provided by the law.

There are penalties of various kinds, such as admonishment, work in favor of the community, fine (convertible into alternative prison in certain cases), imprisonment (whose execution may be suspended or be replaced by a fine in certain cases), there are also additional penalties (for example, prohibition of driving motor vehicles), which apply to certain types of crime (for instance, driving while intoxicated).

2. WHO IS THE RESPONSIBILITY OF INVESTIGATING A CRIME?

The jurisdiction for investigating a crime rests with the Public Prosecutor's Office in the investigation phase, although there is a delegation of jurisdiction to the Criminal Police Organs, depending on their competence.

3. WHAT IS A PUBLIC CRIME?

It is a crime for which proceedings are sufficient that the judicial or police authorities are aware of its occurrence, as well as the voluntary denunciation of any person.

The judicial authorities or criminal police organs, as soon as they are aware of a crime of this nature, initiate investigation and clearance of responsibilities, regardless of the victim's will.

On the other hand, police and other public officials, including magistrates, are obliged to report crimes they are aware of in the course of their duties.

As already mentioned, in public crimes the process runs even against the will of the victim.

3. WHAT IS A SEMI-PUBLIC CRIME?

It is a crime for whose criminal procedure to be initiated, it is necessary that a criminal complaint be presented by the person with the legitimacy to exercise it (usually the victim or his / her legal representative or successor).

Police entities and civil servants are obliged to denounce these crimes, however, subsequently, it is necessary that the victims file a complaint within the legal deadlines. If they do not do so, the Crime Inquiry will not start.

In a semi-public crime it is permissible to withdraw the complaint, that is, the complainant, can at any time, give up the complaint, which causes the Inquiry to be immediately closed.

4. WHAT IS A PARTICULAR CRIME?

It is a crime that, in order for the process to begin, depends on the presentation of the respective complaint by the victim and the previous constitution as an assistant to the

person entitled to do so (usually the victim of crime, or his representative or successor), and at the end of the Inquiry, there shall be deduction of the private accusation by that person.

The most publicized are crimes against honor (slander and defamation as well as some crimes against property among people with close family ties).

Even in private crimes it is permissible to withdraw the complaint, that is, the complainant, can at any time, give up the complaint, which causes the Inquiry to be immediately filed.

5. WHO CAN BE RESPONSIBLE FOR THE PRACTICE OF A CRIME?

Any person, who is over 16 years of age, can be held responsible for the practice of a crime, provided that it is not judicially considered to be inimputable because of a psychic anomaly.

Those under 16 years of age and over 12 who practice acts classified as crime, are subject to an educational tutoring procedure.

Young offenders (aged between 16 and 21) may also benefit from special arrangements that take account of their particular situation and the actual circumstances of the offense and may see the sentence suspended or especially mitigated.

Also, collective persons and similar entities may be criminally liable for certain offenses expressly provided for in article 11/2 of the Criminal Code and in other individual criminal law (such as, for example, crimes of a fiscal, noneconomic and informatics nature).

6. WHAT DOES IT MEAN TO BE CONSIDERED INIMPUTABLE?

It means that the legislature understands that these people do not have discernment, due to a serious psychic anomaly and existing at the time of the practice of the crime, which prevents the defendant from understanding the prohibited meaning of the act that he committed.

For those who are inimputable (over 16 years of age), penalties are not imposed, but rather security measures that may deprive them of their freedom.

Were you a victim of crime?

What are the main consequences of this, and what are your reactions to this occurrence?

Being a victim of a crime can cause a series of reactions or behaviors of different types, which have a lot to do with the personality of each of us.

However, being a victim of a crime can cause a combination of emotions and thoughts with which it can be very difficult to deal with.

Usually a crime is a traumatic situation for the victim, causing always a trauma, that manifests itself especially in the days following the crime, and that can cause a great stress to the victim.

However, it is important to point out that, in most situations and cases, this trauma decreases with time until it goes completely. Thus, in the majority of cases, the victims, in the moments immediately following the crime suffered, live in a permanent fear, fear of going out, talking to strangers, fear of living. However, as time goes by, trust gradually returns, fears fade away, and the victim gradually acquires the lost confidence.

There are no rules; each person feels the crime suffered in a different way. But there are other factors to take into account, for example, the reaction of a robber is very different from the reaction of a sex crime or a crime of domestic violence. It is also important the personality of the victim and the time he/she has been exposed to violence. Thus, the trauma is always greater if the crime is very violent and the exposure to violence is great. The personality and psychological condition of the victim is also determinant. A strong person with a great ability to respond to adversities overcome crime more easily than a person with a weaker personality, less resilience, and less ability to react to adversity.

It is therefore very important to realize that there is no pre-defined form of reaction to a crime. The reactions can be multiple, depending on many factors, mainly factors related to the personality of the victim of crime.

When we feel that our personal, physical and social integrity has been violated, we can enter into a kind of shock. We can still suffer or feel new problems, resulting from the crime, such as, sleep difficulties, depression, anxiety or feeling guilty for the situation experienced.

The situation made us feel that we have completely lost control of our lives and that the society in which we live, our city, has ceased to be a safe place to live, to become a very insecure place.

Fortunately for most people, these symptoms gradually disappear over time and the victim of crime feels again that he/she commands his/her life.

What always remains, are the memories of the crime, however the victim learns to live with these memories.

When this does not happen, then the victim must seek help, especially of a psychological nature, to help her live with these memories.

The trauma

Victims of crime deal with a wide variety of psychological reactions.

While the physical and financial damage caused by a crime are easily identified, traumatic psychological experiences, as well as their consequences for the victims, both for those directly affected by the crime and for their direct relatives, are more difficult to identify, and are almost always the target of much less attention and understanding.

Victims of crime often suffer psychosomatic consequences, that is, physical reactions to emotional stress. Certain stimulus, such as a certain sound that reminds the victim of the crime he/she suffered, not only bring memories but also physical reactions such as palpitations or increased blood pressure.

Another typical symptom developed by crime victims is a pessimistic view of the future. This can be seen by their passive behavior or diminished self-esteem in the development of tasks and obligations of daily living.

The phases of trauma

The traumatic event, as a rule, begins by causing in the initial phase a reaction of shock, some disorientation, deep sadness, great revolt, among other feelings. This phase takes a day, several days, weeks or months depending on the psychological structure of the person who was the victim of the crime. This reaction is always different from person to person.

Posttraumatic Stress Disorder

According to the World Health Organization, Posttraumatic Stress Disorder is defined as "exposure to an event or stressful situation (which may be short or long term) of an exceptionally threatening or catastrophic nature, which is liable to cause distress generalized to anyone."

The key symptoms of posttraumatic stress disorder may be the relapse of the traumatic event, avoid certain situations or places that may cause distress and increased irritability. In the case of the victims of crime, a particularly intense avoidance behavior may occur, since most situations are experienced as threatening.

There is a persistent feeling of generalized fear and frequent psychosomatic complaints, that is, physical disturbances originated in psychological factors.

HELP TO DEAL WITH THE IMPACT OF CRIME

1.ª Talking to close people about crime can help

The victim may feel that it helps to talk with other people, especially people he/she trusts, about everything that happened to him/her.

Sometimes it is difficult and even disturbing for the victim to talk about the crime or the consequences of the crime, but as a rule, it is good to share the experience with someone else. As a rule, if that person is someone who has already experienced the same situation or a similar situation, that conversation will be even more important.

2.^a To seek professional assistance, in particular medical assistance:

If the situation is not resolved, the symptoms does not change or if these changes were poorly visible and the victim feels that they are not being able to deal with the situation on their own, then he/she must seek professional help: his/her family doctor, or if possible, psychological help.