

Nature of Crime Victims in Bangladesh

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ABSTRACT

The study focused on realizing the condition of crime victim and it is a tearing problem in Bangladesh. Police are the principal delegates of the criminal justice system local jurisdictions across the country face significant challenges in criminal justice. The particular sorts of crime and criminal justice problems that local governments face change extensively the nation over. To observe the nature of crime victimization in Bangladesh and try to find out the factors and their legal appreciations is the objectives of this study. In addition, secondary method and data is used for fulfillment of the study. There are some factors increase the visibility of victims i.e. role of media, the higher public profile etc. The victim is weak in relation to the offender – the ‘ideal victim’ is likely to be a female, sick, very old or very young and victim is blameless for what happened. Victims suffer from trauma resulted from the crime. Legal appreciation of victims’ right is, the Code of Criminal Procedure 1898, Section 545 (1 & 2) and section 546 recognized the right of compensation, but the opportunity was hardly available.

Keywords: Crime victim, Criminal Justice, Legal appreciation, Victim Rights, Compensation

INTRODUCTION

Criminal justice is an institution of social control (Haley, 2002). Police are the first representatives of the criminal justice system local jurisdictions across the country face significant challenges in criminal justice. The specific types of crime and criminal justice problems that local governments face vary considerably across the country (Wickman et al, 2010). Many crimes are solved by the law enforcing agencies but the law enforcing agencies, & they punished the criminals but in some types of cases where maximum sufferings go only to the side of victims. Most of the crime victims are made by Govt. or in connivance. Cases are started from junior levels. They are well aware of their senior’s shortcomings and mindsets of our subordinate judiciary. They very well aware that normally these false cases will take years and cause great harassment to accused before getting any relief (www.undp.org.bd). Crime victims would be: False accusations of Rape, false accusations of Cyber stalking, false accusations of workplace bullying, false accusations of stalking, narcissistic rage, psychological projection etc. (Wikipedia, 2012). In Bangladesh Constitution Arbitrary arrests & detention is included in article 33 sub article 30. So, victims have their human rights that included in Bangladesh Constitution. In 1980s

the Philadelphia police department had one of the highest recorded rates of unfounded (falsely reported) rapes in the country (Hallett, 2011). About 900 cases filled in National Registry of exonerations a database of prisoners exonerate in the US as false convictions since 1989 (Seward). In Netherlands & United kingdom false reporting rate was judged to be 11.5% with the majority of false victim's sufferings delusions 70 % (Sheridon, 2004). False victimization in false allegations of sexual harassment in Canada rate is 43.5%. United States revealed that 12% of women & 4% of men reported experience as false stalking (Tjaden & Theonnes, 1998). According to the scenario of Bangladesh, about 9,000 cases filled under the law are regarded as false cases in 2011 (Prokash Biswas, 2011). During February 2011, 08 journalists' cases were filled by the police as false case (Odhikar, 2011). Almost 90% of dowry cases filled by women in Bangladesh are false (www.saveindian.family.org). About 72% of inmates in Bangladesh are untried & legally innocent (Shally, 2011). About 70% of prison inmates are arbitrarily arrested without any ground (www.state.gov.ttghip). It is revealed that male about 0.6% & 0.4% female total 0.5% are victims of false cases in village court of Bangladesh (Village court in Bangladesh Baseline Survey, 2009) journalists were killed, 199 were injured & 88 assaulted for false cases (http.followup.upr.com). As for example in shiddhirgong police station one boy named Robin was arrested by false case of Extortion, snatching & beating in 13 February 2011 (Odhikar, 2011).

Crime victims have a great deal of difficulty reporting their good name & counteracting damage done to their carrier & relationships (Estrella, 2004). The victims' family suffered immense loss including financial & social dignity. The victims & their families need to be compensating for their grave sufferings (Asian human rights commission, 2008). 70% of prison inmates are arbitrarily arrested without any ground in Bangladesh (www.state.gov.ttghip). And the study focused on realizing the condition crime victim as a big problem in Bangladesh.

Objectives of the study

The main objective of the study is to observe the nature of crime victimization in Bangladesh. It also tries to find out the factors and their legal appreciations.

Methodology

In the present study secondary data source were used for fulfillment of the study purpose. As qualitative research findings are presented through review of related journal, articles, newspapers, books, web-sites etc and from various secondary sources.

STUDY ANALYSIS

Crime victims are viewed as passive receptors of a criminal anger, greed, or frustration (Siegal, 1998). The reactions of victims of false fraud victimization have the most sufferings (Titus et al., 1995). The crime victims are sufferings delusions (70%) in United Kingdom (Sheridon, 2004). The victims of false cases go to report police & about 75%e of proven victims knew & were able to identify their accusers (Gross, 2008). FBI states that about 242 defendants who has been wrongfully convicted of either sexual assault or murder (Stain, 2008). In Bangladesh there are about more than six cases against Elias Ali by the Government was committed (Wikipedia, 2011). NCVS is the Nation's primary source of information on criminal victimization states that, people mostly victimized by rape, sexual assault, robbery, assault, theft, household burglary, and motor vehicle theft for the population as a whole as well as for segments of the population such as women, the

elderly, members of various racial groups, city dwellers, or by other groups (NCVS, 2010). Asian males and youths between the ages of twelve through nineteen were more prone to victimization than females and those who are older (Yu, 2009). One man died in police custody in Chittagong on April 30 for false cases (Country reports of human rights 2011).

Factors contributing to the increase in victim 'visibility'

First, the interests of victims were initially championed by penal reformers who are usually better known for their campaigns on behalf of offenders. At the penal policy level they helped to shape some of the first victim-focused reforms of the criminal justice system. From ideological level their arguments that should not just like 'take it out of the offender' but ought rather to 'do justice to the offended' (Fry, 1951). A second important and much more obvious factor in the process of increasing the visibility of victims relates to the role of the media. A third factor contributing to the higher public profile that is now accorded to victims in general was a growing sensitization; notably women who experienced domestic violence at the hands of abusive partners; women who had been sexually assaulted or raped; and children who were the victims of incest or other forms of abuse. A fourth factor contributing towards the higher public profile for victims of crime in recent years relates to the spate of well-publicized incidents both at home and abroad involving serious acts of politically inspired criminal violence (Newburn, 1993). They include acts of terrorism that are directed against innocent civilians, political assassinations, and violent outbursts resulting from ethnic or inter communal tensions and even, on occasion, violent acts carried out by state agencies. The fifth factor relates to the introduction and increasingly widespread use of victim surveys on the part of both central and local government agencies.

Nature of Crime victims and Victimization

The four social categories upon which this book primarily focuses – class, race, age, and gender – happen also to be the major social inequalities in our society for victimization. Race, age, gender, class or media constructions of social categories have their connection to images of crime and victimization. Victimization refers the action of victimizing or fact of being victimized in various senses (Devasia, 1992). About 90% of Dowry cases filled by women in Bangladesh are false (www.saveindian.family.org). In false case RAB killing 43 persons, 68 in previous year in our country (Country reports of human rights, 2011). In Uk, from 40 determined false reports of stalking about 28 (70%) were partitioned as delusions cases eight (20%) as factitious victims & three (7.5%) as cases of false re-victimization & one (2.5%) as a victim reversal (Sheridon, 2004). According to Odhikar 135 death were suspected for politically motivated compared with 220 from previous year (Country reports of human rights, 2011). In Plillaphedia research about 2 % of rape reports are untrue (for car thefts, felony offense, that number about 10%) (Hallett, 2011). According to Paraphrasing Christie, the six attributes of ideal victim are:

- The victim is weak in relation to the offender – the 'ideal victim' is likely to be either female, sick, very old or very young (or a combination of these).
- The victim is, if not acting virtuously, then at least going about their legitimate, ordinary everyday business.
- The victim is blameless for what happened.

- The victim is unrelated to and does not know the 'stranger' who has committed the offence (which also implies that the offender is a person rather than a corporation; and that the offence is a single 'one-off' incident).
- The offender is unambiguously big and bad.
- The victim has the right combination of power, influence or sympathy to successfully elicit victim status without threatening (and thus risking opposition from) strong countervailing vested interests (Christie and Fattah, 1986).

Effects of crime victimization

In general victimization victim may suffer stress, anxiety high prevalence of depression, post traumatic disorder, anxiety disorder or sometimes hyper arousal repression of abuse spinal cord injuries (Siegal, 1998). Victims suffer from trauma resulted from the crime (Wikipedia.org). Victims have a great deal of difficulty reporting their good name & counteracting damage done to their carrier & relationships (Estrella, 2004). The crime victims' family suffered immense loss from media publication in case of their reputation (Sheridon, 2004)

Legal Appreciation of Victims' Right to Compensation

As far as the constitution of Bangladesh is concern, since 1972 to 2015, it has gone through sixteen amendments, but any positive or direct provisions have not been introduced in this respect. Still some may argue that fundamental rights are guaranteed by the constitution including right to fair trial under Art. 35, of the constitution, hence victims' right is protected thereby. But it is frustrating that the Constitution is favorable to the accused rather than victim as it attempts to ensure right to fair trial form the outlook of the accused. Consequently because of lack of Constitutional recognition, the right is still out of focus by the State legislation. On the other hand, apart from constitution, significant progressive changed have been made in statutory law of India (Kumar, 2005). Though the Code of Criminal Procedure 1898, Section 545 (1 & 2) and section 546 recognized the right of compensation, but the opportunity was hardly available (S. Muralidhan, 2004).

CONCLUSION

The Study has examined the crime victimization itself, factors contributing for victimization focus, nature, and some legal appreciation for compensation. This assessment has also generated an additional set of criteria by which the performance of different types of victim-focused measures might be judged. Courts have to prohibit themselves for giving "Dates". Heavy cost should be given to accused for any "Date" on lapse of prosecution. Strict action against all person engaged in prosecution, if a case fails because of their lapse is required. Crime victims, then, are victims in a double sense: they have been damaged first by the offender and second by society's institutional response to their victimization—a response that restricts their freedom to arrange revenge. The label of victim, with its dual connotations of suffering and non-retaliation, seems then particularly appropriate for those affected by crime. By calling them victims, we acknowledge their suffering while at the same time restraining their vengefulness. So, crime victims belonged in a vulnerable situation in Bangladesh. A serious concerning issue needs to rise to develop this situation and further research on this issues play an important role to prevent it from society.

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