

T TYPOLOGY OF ASSAULT VICTIMS

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Abstract

Few crimes other than rape or armed robbery are as damaging physically or psychologically as that of an assault by one person on another. Much of the research already conducted, regarding victims of violent crime including assault, generally finds that victims are not a random sample of the population. Not only do they have certain personal characteristics in common but they are assaulted in the same type of places and under similar circumstances.

There are a number of uses that a typology of victims, obtained through reliable and extensive research, can serve. "If it could be determined with sufficient specificity that people or businesses with certain characteristics are more likely than others to be victims of crime and that crime is more likely to occur in some places than others, efforts to control and prevent crime could be more productive. Then the public could be told where and when the risks of crime are greatest."¹

Perhaps if people who have been assaulted had known in advance the type of situations and places that persons with their characteristics should avoid, the assault might have been prevented.

The victims of violent crimes such as murder, rape and, to some extent, robbery, have already been studied to a large degree and therefore I decided to choose the offence of assault

to determine what, if any, typology existed for these victims. My major hypothesis: Assault victims are not a random sample of the population but have specific characteristics in common.

I also wished to determine if assault victims who brought their cases to court (the only type of victims I decided to interview) differed from victims of assault who had not necessarily laid charges against their attackers and brought the case to trial. I chose a Scandinavian study on assault victims to serve as the study on which I would make a comparison with my own for this secondary hypothesis.

Secondary hypothesis: Assault victims who bring assault cases to court are different types of individuals from those assault victims who in the majority of cases do not use the justice system.

Summary of Results

My research revealed that assault victims do have a number of characteristics in common that appear a great deal more often than by chance. The type of person that these characteristics reveal is predominantly male, with a high school education and a job as a blue-collar worker. This is the first time the accused or anyone else has assaulted him and therefore the first time he has brought an assault case to court. He has no criminal charges against himself. He is just as likely not to know the accused as he is to know him and he will not be having any

further association with the accused now that the trial is over. This is a typology which is noticeably different from that found by the Scandinavian study and the brief accounts that other studies devoted to the assault victims.

Unlike the Scandinavian study victims, the courtroom assault victim is not necessarily lower-class, young or just as capable of being the accused as the victim. As well, those in my study were not "recidivist" victims or in other words, the victim of numerous assaults. In most other studies the victim and the accused were not usually strangers or just casual acquaintances as many victims in my study were.

It is quite obvious from the results that the majority of assault victims, such as those found in the Scandinavian study, do not report this crime against them. In fact their study showed that less than 15% of the victims reported the event to the police.²

The victims in my study on the other hand appear to have respect for the law and what it can do. The majority of them have not violated any laws themselves and therefore are more willing to let the justice system deal with a legal problem, such as assault, when it arises.

Review of the Literature

Research on victims in general is not extensive and this is particularly noticeable regarding the specialized case of assault victims. Studies carried out on violent crimes usually concentrate on the crimes of murder or robbery but most of these studies included small sections on the assaulter and his victim. The information in most cases was not taken from victims who took the accused to court. Questionnaires sent at random to individuals or information from police records were their major sources of information. As a result their samples were somewhat different from my own and as I later found, often produced different results.

A Task Force Report includes the results of a national survey conducted in '67 on criminal victimization. This survey found that 60% of the victims of aggravated assaults (comparable to our CCC sec. 228- Bodily harm with intent) were at least casually acquainted with the accused.¹ This report also includes the fact that (according to the Chicago Police Dept.) the street and the home are the most common places of occurrence for assault. Men are more likely to be victims in the street while women more often find themselves victims in places of residence.²

F.H. McClintock's study on violence in general also contained some information on assault victims. He found that in the three years studied, '50, '57 and '60 more than 27% of assault related offences occurred between people who were related or well known

to each other, while acquaintanceships and business relationships accounted for 20%, and 40% of the total was comprised of victims and assaulters who were strangers to one another.³ The largest increase in assaults over these years took place in the area of friends, business associates and casual acquaintanceships rather than among more closely related individuals. Attacks on strangers also showed a significant increase.⁴

The majority of victims, more than 70%, were aged between 21 and under 50.⁵ More than two thirds of the victims were either casual or general labourers, factory workers or other unskilled employees, or wives of people so employed.⁶

E.A. Fattah in a report on violence in Canadian society states that studies have found assaults to be predominantly committed between members of the same sex, 57% were male against male and 7% female against female. In the U.S. assaults were also against members of the same race, blacks against blacks, etc.⁷

Pittman and Handy found that only 10 out of 241 aggravated assault cases were interracial. This report on criminal aggravated assault also finds that blue collar workers are more likely to be assaulted than white collar workers. 212 out of 252 victims were blue collar workers. In 181 out of 241 cases verbal arguments preceded the aggression.⁸

The one study that dealt specifically with assault cases and had the largest sample, 974 respondents, was a questionnaire survey conducted in Denmark, Norway and Finland. Random chosen individuals who received the questionnaire were asked to state whether or not they had experienced personal injury or threats of personal injury at least once over the preceding two year period. One quarter of all reported victims involved in violence concentrated on 1% of all the respondents. 85% did not report one single victimization involving even the mildest forms of physical violence in the two preceding years.⁹ Therefore it is not surprising that in Denmark and Finland those who are victimized once have an increased risk of being assaulted again.¹⁰

In this survey the general typology of the victim of the more serious assaults was a young, male living in an urban area who was an unskilled industrial worker with a low income.¹¹ "Both criminals and victims appear to be odd people inclined to unlawfulness, provocative and easily provoked. The same individual may turn up alternately or simultaneously as offender or victim."¹²

One study carried out in New South Wales, Australia employed the method I used and obtained their sample data from assault cases that appeared in court. However this study dealt strictly with domestic assaults. More than one third of the women victims (male victims were never mentioned) were in their twenties or younger and the majority of victims and assaulters had been

living together.¹³ In a thesis by Fleming on violent domestic assault he also states that 74.4% of the victims were women with male assaulters.¹⁴ This type of sample is generally very different from the one I am dealing with. However this report may explain why I encountered few domestic assaults among my sample and also supports my difficulties in obtaining even my small sample of victims.

The most common of all results of domestic assault cases was a dismissal resulting from no parties appearing at the hearing. Among those which did proceed, the number of adjournments was high.¹⁵ Almost half the cases (45%) went to three or more hearings. Many victims withdrew the charges for reasons such as intimidation by the accused, their emotional ties to the accused or on the basis of undertakings from their attackers to refrain from further violence towards them.¹⁶

A number of other studies in the U.S. produced results similar to those of McClintock and the Scandinavian studies. They showed that the assault victim was likely to be a male, young, blue collar worker assaulted by the same race and sex on the street or in a public place such as a tavern.¹⁷

Typologies

I could find no other major research specifically on the assault victim. However a number of people in the criminology

field have produced typologies of the individual who is a victim of crimes of violence, again not specifically assault victims.

Hentig defines his victims by general classes and psychological classes. Victims of crime tend to be the old, children, women, mentally defective, immigrants, minorities, the depressed, lonely, the wanton, the acquisitive (ie: victims to gamblers, loan sharks etc.) and the tormentor (ie: the individual who becomes a victim as a result of tormenting others.)¹⁸ Barnes and Teeters added to this list the negligent or careless.¹⁹

A. Fattah deals with a typology that judges the victim through his relationship with the accused and therefore determines the victim type after the crime has occurred. A victim may be nonparticipating, latent or predisposed (more liable to victimization than other people), provocative, participating (one who during the crime makes it easier for the criminal or adopts a passive attitude) or false (a victim of his own actions or not really a victim of a crime committed by another person.)²⁰

T. Sellin and M. Wolfgang use a system that types victimization situations under which a victim may be categorized. Primary victimization composed of face-to-face (ie: assault victims) and non face-to-face, secondary victimization (ie: against a person's property rather than bodily harm), tertiary victimization (ie: offenses against public order, social harmony etc.), mutual victimization and no victimization are the categories

which they use.²¹

W.C. Reckless proposes two models known as the doer-victim model and the victim-doer-victim model. The first type of victim is available to the doer, a likely prospect among alternates either through helplessness or some vulnerable condition. The doer tends to gravitate to vulnerable persons or seek them out. The second type of victim initiates the interaction. He sends out signals that the receiver (doer) decodes. This triggers the doer to commit some action. Some potential doers are touched off or instigated more easily than others.²²

It is possible that Reckless chose such a general method of typing victims because he believes that "victim typologies try to classify characteristics of victims but actually often typify social and psychological situations rather than the constant patterns of the personal makeup of victims. On this basis hundreds of victim types could be listed, all according to the characteristics of a situation at any given moment."²³

Diversion and the Assault Victim

Although the studies on diversion by Hogarth in the East York area included the victim and accused in all types of crime, assault was dealt with briefly. In this study 24 out of the 26 common assault cases encountered involved a previous victim-offender relationship. Only 7 out of these 24 laid charges against the accused.²⁴ The charging option for the offence of

common assault resides with the complainant. However it was found that "charging frequencies appear to depend more on whether the prosecutorial initiative resides with the police or with the complainant than on the presence or absence of a prior relationship."²⁵ It is obvious that assault victims who know the accused have a tendency to practice their own form of diversion by not laying charges against the accused.

No actual typing of the victim beyond his relationship with the accused was attempted in this research work.

It is obvious from the literature available that assault victims, especially those assaulted in circumstances other than that of a domestic or close relationship, have been ignored and yet it is this type of assault that according to McClintock is on the rise. S. Schafer also states that "among violent crimes (murder, robbery and aggravated assault), strangers are victims in the highest frequency in general."²⁶

Diverting of offenders and their victims away from the courts may be an appropriate step in cases where future contact between the parties is unavoidable and perhaps even necessary. However, victims who do not generally fall into this category and who must resort to the courts to deal with this violent crime committed against them should also be investigated to determine if anything can be learned about them which could help prevent further occurrences of assault. This is what my research was designed to find out.

Research Design and Methodology

Problems in Design

When I first began my research my intention was to check the provincial and county court dockets for assault cases, choose them randomly from the docket, listen to the assault trial and if a conviction was registered in the case, to interview the victim of the assault outside the courtroom after the trial. I originally hoped to get a sample of 60 to 75 victims.

I chose to interview only assault victims who brought the case to court, for two reasons. If I sent questionnaires through the mail to a random population I had no guarantee that enough questionnaires would be returned in the space of time I had allotted for collecting the data. Secondly and most importantly, there could be no confusion in the respondent's mind as to what constitutes an assault because the courts have already defined the case for the victim and myself.

I began attending the provincial and county courts on May 1 but after about ten days I realized that my original sample of 60 to 75 would be impossible to obtain. Large numbers of the assault cases were being remanded to dates 2 to 4 months in the future, some were dismissed and withdrawals both by the victim and by the crown if the victim did not appear, accounted for another large portion of my intended sample. However, overall, the major cause of my inability to obtain my original sample was

due to remanding of cases.

It occurred to me that the records office in the provincial court (Old City Hall) could offer me a list of already completed assault cases. I offered to do all the work of locating the assault cases in which a conviction was found and from there secure the names of the victims involved. However I was not allowed access to these records nor would the court official in the record department provide me with victims' names himself.

Methodology

Because I could not use the court records I returned to my daily visits to the provincial courts. I soon stopped going to the county court. Few assault cases find their way to this level of the judicial system. Those cases that did come to the county court took longer to try (meaning that I missed other cases going on at the same time in the provincial courts) and were remanded even further in the future than those in the provincial courts.

I found that Old City Hall courtrooms 31, 32, 33 and 37 had the majority of assault trials. Courtroom 37 was an informal, almost quasi-criminal court where the less serious offences were dealt with. Besides trials, this courtroom also included all remands and setting of trial dates, etc.

When I checked the court dockets for assaults, I only looked for common assault and assault bodily harm. Indecent assault

and assault police were the two types of assault that I did not think should be included in my sample. The accused involved in those types of assaults have a definite motive for committing this crime. Therefore their victims are automatically a selective sample of the population who fit their motive. This special sample would distort the final results I received from the victims of common assault and assault bodily harm. Therefore my sample only deals with assaults defined under section 245(1) and (2) of the Canadian Criminal Code.

Due to the difficulties I mentioned in finding enough victims for my sample, I was unable to choose assault cases randomly according to what courtroom they were in or alternatively, by their number of appearance on the court docket. After a short time I found that courtroom 37 disposed of more trials in a shorter length of time and always had more assault cases on its docket than courts 31, 32 or 33. Therefore I went to that courtroom first every morning except Wednesdays when income tax cases are heard exclusively.

After the assault cases had been remanded, dismissed, withdrawn or occasionally tried in courtroom 37, I proceeded to each of the three other courtrooms if assault had been listed on their dockets, starting with the courtroom that had the most assaults first. Using this method I was obviously going to miss some cases. However when I checked with each courtroom's police officer on the proceedings that I had missed, so many cases were

dismissed, remanded, etc. that I missed very few assaults that went to trial. After a few weeks I learned which of these three courts was more likely to have a trial and this also diminished my chances of missing assault trials.

Interviewing the Victims

When an assault trial was completed and the accused pleaded guilty or was found guilty, I left the courtroom at the same time as the victim and stopped him or her outside the courtroom. I explained that I had no affiliation with the courts but that I was doing research on assault victims and wondered if they could answer a few questions for me. I then gave the victim the letter of consent (found in the Appendices) and told him or her that it would explain more fully what I was doing. If the victim agreed to answer the questionnaire I asked the questions verbally, they answered verbally and as they answered I wrote down the response.

While I was in the courtroom listening to the trial I took notes that covered aspects of the victim himself, his relationship to the accused and the assault incident, similar to the information I obtained from the questionnaire. When analyzing the data I compared these two accounts of each assault case.

Only one of the 29 victims I interviewed refused to answer the questionnaire (he would have made the sample 30). All the rest were very co-operative. The one rejection was actually

understandable. In this particular case the accused had reacted in a highly agitated manner when he was found guilty and sentenced to pay a fine. He refused to pay a fine or go to jail, was near tears as a police officer led him away and struggled with this officer as well. This unusual outburst appeared to upset the victim. When I approached him directly after this incident he did not want to discuss his assault by the accused any further.

I went to court every day for 7 weeks in Toronto and interviewed 21 victims for my sample. After at least a month of research I considered including assault victims of withdrawals and dismissals as well and comparing these victims with those in cases where a conviction was entered. However after a week of attempting this it was obvious that I would never get enough withdrawals and dismissals to compare equally with the convictions. Also I still felt that when an assault case is dismissed or withdrawn you theoretically no longer have a definable victim as is the case where the accused is found guilty. Therefore I rejected this plan and continued to only interview victims in conviction cases.

Research Continued in Thunder Bay

After the 7 weeks in Toronto I left for my home town of Thunder Bay. Here I had the opportunity of speaking with a superior court judge, a senior provincial court judge, the provincial court records officer, a police inspector and a number of crown attorneys. None of these people were of much help to

me. The crown attorney and records officer connected with the county court and the supreme court tried to co-operate by looking up assault cases in their records. As I mentioned earlier however, few assault cases reach this level in the judicial system. The few assault victims that were listed in those courts over the past 1 to 3 years were largely inaccessible either because they had since moved, were Indians on reserves or they were deceased (later murder victims). I was able to contact only one of these victims.

The provincial court records office was generally unco-operative and supplied me with only one victim that I did not already have. I attended the courts in Thunder Bay for 4 weeks before approaching this office again. When I first arrived and asked to see the records I was refused as I had been in Toronto. I was able to trace the one name they did give me and interview that victim. I also got an assault victim's name from the local newspaper's account on a trial I was not able to attend and contacted this victim as well.

I attended the provincial courts in Thunder Bay on a daily basis as I had in Toronto. Courts B and D were the trial courts I attended there. In a four week period in Thunder Bay I was able to interview 8 victims.

Overall, although I met with an unco-operative records office in both cities, I had no trouble with my research in the

courtrooms themselves. Only on one occasion did a judge even inquire what I was doing in the courts and this was merely out of curiosity.

Analysis of the Results

The Victim's Personal Characteristics

Age

The median age of my victims was 28. Table 1 shows the frequency of victims in each age group. The 20's age group has the highest frequency and composes 41.38% of the total age groups. I collapsed the age groups into two groups of 30 or over and under 30 in order to perform a chi-square test on this data. The result was not significant. Therefore the null hypothesis that the number of victims 30 or over equals those under 30 can not be rejected.

This initial finding suggests a difference already in court assault victims (those victims used in my sample) from general assault victims (those victims sampled in other studies that I reviewed). General assault victims are generally typed as young (ie: 20's age group).

Sex

Table 2 shows the frequency of males and females among the victims. 72.41% of the total were male while 27.59% were female. This is a significant finding. One could conclude therefore that the greater percentage of males in this sample did not occur by chance.

This predominance of male victims is in agreement with all other assault victim studies I reviewed with the exception of

TABLE 1AGE GROUPINGS FOR ASSAULT VICTIMS

	<u>Age Group</u>	<u>Victims</u>
(1)	Under 20	5
	20's	12
(2)	30's	3
	40's	5
	50's	3
	60's	1
	Total	<u>29</u>
<u>Chi - Square = .86</u>		d.f. = 1 p - .30

TABLE 2SEX OF ASSAULT VICTIMS

	<u>Sex</u>	<u>Victims</u>
	Male	21
	Female	8
	Total	<u>29</u>
<u>Chi - Square = 5.82</u>		d.f. = 1 p - .01

TABLE 3MARITAL STATUS OF ASSAULT VICTIMS

	<u>Marital Status</u>	<u>Victims</u>
	Single	13
	Married	12
		<u>25</u>
<u>Chi - Square = .04</u>		d.f. = 1 p - .8
	Separated	1
	Divorced	2
	Widowed	1
		<u>4</u>
	Total	29

domestic assaults. The victim in the domestic assault study (New South Wales) appeared to be exclusively female.

Marital Status

In Table 3 one can see that the number of victims married or single is almost evenly divided. The four victims, separated, divorced and widowed are all females. I used the three categories single, married and separated, and divorced and widowed, in order to test the significance of these groups of marital status. The result is significant but only by a small margin and I did collapse categories which could have affected the results as well. Therefore I do not see that anything conclusive can be said about this type of assault victim's marital status. This is an area, with the exception of domestic assault victims, that has not been mentioned in other studies, possibly because of its lack of significance in those cases as well.

Education

86.21% of the victims had at least some high school or higher education. 7 of the high school victims specified they had grade 12 or 13 while 6 specified grade 9 or 10. Table 4 reveals that the majority of victims had at least some high school education. These findings are significant and verify that the number of victims with less than high school education and those with high school or higher levels of education are not equally distributed.

TABLE 4LEVEL OF EDUCATION OF ASSAULT VICTIMS

<u>Education Level</u>	<u>Victims</u>
(1) Elementary	4
(2) High School	20
Community Coll.	3
University	2
Total	29
<u>Chi - Square = 15.2 d.f. = 1 p - .001</u>	

TABLE 5OCCUPATIONAL LEVELS OF ASSAULT VICTIMS

<u>Occupational Level</u>	<u>Victims</u>
Student	5
White collar worker	5
Blue collar worker (skilled and unskilled)	17
	27
<u>Chi - Square = 10.67 d.f. = 2 p - .001</u>	
Unemployed	2
Total	29

However with society's emphasis on education, a minority of victims with only elementary education is to be expected. Therefore level of education is not a revealing characteristic of the type of victim in my sample.

Occupation

If the victim was not a student and was employed I categorized him under blue collar worker or white collar worker. Blue collar workers were either skilled or unskilled labourers who were not employed at what would be considered an office job or as a white collar worker. Some of the occupations given that I included under blue collar worker were waitress, store keeper, security guard and printer. I considered such occupations as district manager and psychiatric attendant as white collar workers. As Table 5 indicates, the majority of the victims, 58.62% were blue collar workers. 6.89% of the total number of victims were unemployed and 17.24% were students. The result of a chi-square test on the 3 occupation levels of blue collar worker, white collar worker and student was significant.

The victims in this sample were not evenly distributed as to occupation level (excluding the unemployed). Therefore the high majority of blue collar workers among the occupation level frequencies can be considered a definite characteristic of the victims in this sample.

The victim in the Scandinavian studies is generally an unskilled, industrial worker but because I combined both skilled and unskilled workers in my categorization of blue collar workers, it would not be accurate to compare my results too closely with theirs.

More than two thirds of the assault victims in McClintock's study were considered "working-class" people.¹

Relationship of the Victim with the Accused

As Table 6 reveals, the number of victims having a relationship with the accused prior to the assault is almost equal to those who did not have any relationship. It is obvious that a relationship with the accused is not one of the significant characteristics of the victim in my sample.

Considering only those victims who had been listed in Table 6 as having a prior relationship, 73.33% of them had known the accused three years or less, as indicated by the frequencies in Table 7.

Table 8 lists the type of relationship that the victim had with the accused. Again, this table only consists of that part of the sample of victims who had a prior relationship with the accused. Only 5 of these relationships could be described as close. A chi-square test indicated that the two categories, close (ie: containing the 5 victims indicated in the table) and

TABLE 6

PREVIOUS RELATIONSHIP
BETWEEN ACCUSED AND ASSAULT VICTIM

<u>Previous Relationship</u>	<u>Victims</u>
Yes	15
No	<u>14</u>
Total	29

TABLE 7

LENGTH OF PREVIOUS RELATIONSHIP

<u>Length in Years</u>	<u>Victims</u>
Less than 1. yr.	2
1 - 2 yrs.	4
approx. 3 yrs.	5
over 3 yrs.	<u>4</u>
	15
No previous relationship	14
Total	29

TABLE 8

TYPE OF PREVIOUS RELATIONSHIP
BETWEEN ACCUSED AND VICTIM

<u>Type of Relationship</u>	<u>Victims</u>
(1) Husband or wife	1
Son/Daughter	0
Other relative	0
Girlfriend/Boyfriend	2
Friend	2
(2) Other (more casual than above)	<u>10</u>
Total	15
<u>Chi - Square</u> = 1.66 d.f. = 1 p - .10	
No previous relationship	14
Total	29

casual (ie: other- fellow employee, etc.), are not significantly different from one another. The victim's relationship with the accused in my sample is as likely to be casual as it is to be close. This finding is not that surprising because a number of the withdrawals in assault cases that I observed in court were made by victims who, through their behaviour or what they said in court, appeared to have, what I defined in Table 8 as, a close relationship with the accused. Therefore, assaults involving close relationships would not get to the trial stage and become part of my sample.

The study on domestic assault in New South Wales supports this fact that assaults between individuals with close relationships often do not proceed to a trial.

A study by Field and Field in '73 found that only about one sixth of all arrests involving marital violence ultimately ended at trial or with a guilty plea.

Circumstances Surrounding the Assault

Alcohol and Drug Consumption

A glance at Table 9 will reveal that far more victims were not under the influence of alcohol or drugs than accused. However this difference is partly due to the large number of "don't know" responses from victims regarding the accused. One of the

TABLE 9ALCOHOL OR DRUG CONSUMPTION
BY ACCUSED AND VICTIMS

<u>Alcohol or Drug Consumption</u>	(A) <u>Victims</u>	(B) <u>Accused</u>
Yes	7	11
No	22	6
Don't know	0	12
Total	29	29

(A) Chi - Square = 7.74 d.f. = 1 p - .001

TABLE 10LOCATION WHERE ASSAULT OCCURRED

<u>Location</u>	<u>Victims</u>
(A) Outside	
Street	6
Other	5
	<u>11</u>
(B) Inside	
Apartment or house	6
Bar	2
Other	9
	<u>17</u>

Chi - Square = 1.28 d.f. = 1 p - .20

(B) Chi - Square = 7.66 2 d.f. p - .02

Don't know	<u>1</u>
Total	29

victims who stated that the accused had not been under the influence of alcohol was in fact mistaken about the question. In the course of the trial it was determined that the accused had been drinking. Some of the victims who gave "don't know" responses told me that they thought the accused had taken alcohol previous to the assault but they could not be certain and therefore gave the response that they did. On the other hand it was apparent that a couple of the victims who gave a "don't know" response apparently had a negative image of the accused and assumed that he probably had taken alcohol or drugs even when there was no evidence to indicate that he had. 24.12% of the victims were under the influence of alcohol or drugs while 37.93% of the accused were definitely stated by the victim to be in a similar condition.

At the time of the assault the uneven distribution between drinking and non-drinking victims did not occur by chance. This is a significant finding. However it must be remembered that the high figure of non-drinking or drug-taking victims could be due in part to the fact that the victim himself is answering the questionnaire. It is possible that some of them did not wish to suggest that by drinking or taking drugs they were partly responsible for the assault. In a study by Pittman and Handy alcohol was present in little more than one quarter of both offenders and victims. Pittman and Handy seemed to question this low figure as well because they stated that the low percentage could be due

to a failure to detect or report alcohol consumption.³

Location Where the Assault Occurred

Table 10 explains the breakdown of location into outside (street and other ie: parking lot) and inside (apartment or house, bar, other and don't know). There was one "don't know" because I was not present for the trial and the answers given to me did not give me a clear indication of the assault location. The null hypothesis that the assaults were equally distributed between the two categories, outside and inside locations, can not be rejected by the findings.

The three inside categories, apartment or house, bar and other shows a significant result. From this it can be concluded that assault in my sample did not occur in those three categories in equal numbers.

The Task Force Report on crime found that, according to the Chicago Police Department, the street and the home were the most common places of occurrence for assaults.⁴ This is similar to my findings that assaults take place indoors and out with relatively equal frequency. This study also found that the tavern is the third most common setting for men to be victims of assault.⁵ A similar finding can not be determined from my sample. Both Pittman and Handy and the Scandinavian studies on assault victims support the finding that assaults generally occur on the street or in a residence. As Table 10 indicates these two locations

have the greatest frequencies for single locations in my sample as well.

Reasons for the Assault

The reasons for assaults were almost as numerous as the number of victims in my sample. I attempted to fit the various reasons under one of the 7 categories I have listed in Table 11. Some of the victims categorized under line of duty include a store detective and community guardians. I separated argument and previous aggravations into two categories because 5 of the arguments were between people who were either strangers or who were very casual acquaintances who had never had any past disagreements. Their arguments were of a different nature than those victims and accused with a history of disturbances between them.

One assault, according to the accused, was the result of racial conflict but the victim did not agree with this story and stated that the attack was unprovoked. Because I only recorded the words of the victim on the Questionnaire, this victim was listed under the unprovoked category.

Three assault victims listed under the category of "line of duty" were the only ones attacked because the accused was in the process of committing another crime for profit. All other assaults occurred because of personal or emotional reasons on the part of the accused.

TABLE 11REASONS FOR ASSAULT AGAINST VICTIMS

<u>Reasons for Assault</u>	<u>Victims</u>
Line of Duty (other than Police)	5
Alcohol	3
Work situation	3
Previous aggravations	17
Unprovoked	4
Racial	2
Argument	<u>5</u>
Total	29

TABLE 12FURTHER ASSOCIATION BETWEEN
THE ACCUSED AND THE VICTIMS

<u>Further Association</u>	<u>Victims</u>
Yes	4
No	20
Don't know	<u>5</u>
Total	29

Chi - Square = 16.64 d.f. = 2 p - .001

It is quite evident from Table 11 that there is no overriding reason for the assaults in my sample. Victims in this sample cannot be typed according to assault motive.

S. Schafer in The Victim and his Criminal states that the leading motives when assault is against a spouse, friends or relatives are emotion and alcohol. If the assault is against a stranger the leading motive is for profit.⁶

Post Trial Association between the Victim and Accused

Due to circumstances such as the victim and accused's working situations or proximity of their residences, 5 of the victims did not know whether or not they would be associating with the accused again now that the trial was over. All five expressed the desire that they did not want to have to associate with the accused again. As Table 12 indicates, the majority of victims, 68.97% said they would definitely not be associating with the accused now that the trial was completed. This is a significant result.

Therefore it would be reasonable to assume that victims in this sample tend not to associate with the accused after the court case against him or her has been decided. This is understandable after analyzing Tables 6, 7 and 8 because few of the victims had relationships close enough to the accused to even consider the necessity of further contact with him or her.

This is unlike the domestic assault cases where half the victims, in the New South Wales study, who were living with the accused at the time of the assault said they would continue to live with him.

The conclusions I have reached under this section titled Circumstances Surrounding the Assault are not ones that I give as much emphasis to as those results found under the other sections of my analysis. I tend to agree with Reckless, who I quoted in the Review of Literature section, when he states that situation variables are typing just that, the situation, rather than the victim in whom the study is most interested. My analysis of reasons for the assault shows the unlimited number of factors this section on situation must deal with. I think that situational variables are of interest in a typology of assault victims but their importance should play a minor role in the overall typology.

Assault and the Victim

Most of the assault victims in this sample show themselves to be first time victims of assault by the accused and also by anyone else. Table 13 reveals that 89.66% of the victims had never been assaulted by the accused previous to this one incident. However two of the victims included in this percentage had previously been threatened with bodily harm. Neither of the two victims who had been previously assaulted by the accused had

TABLE 13FIRST TIME ASSAULTED BY ACCUSED

<u>First Time</u>	<u>Victims</u>
(1) No	2
(2) Yes	24
Yes but threatened	<u>2</u>
	28
<u>Chi - Square = 20.56</u> <u>d.f. = 1</u> <u>p - .001</u>	
No answer	<u>1</u>
Total	29

TABLE 14FIRST TIME ASSAULTED BY ANYONE

<u>First Time</u>	<u>Victims</u>
Yes	23
No	<u>6</u>
Total	29
<u>Chi - Square = 9.96</u> <u>d.f. = 1</u> <u>p - .001</u>	

TABLE 15FIRST COURT CASE VICTIM INVOLVED IN
FOR ASSAULT AGAINST HIM

<u>First Court Case</u>	<u>Victims</u>
Yes	4
No	<u>2</u>
	6
No previous assault or court case	23
Total	29

taken the accused to court at that time. A chi-square test performed on the two categories, assaulted by the accused and not assaulted and threatened, gives a significant result. The number of victims assaulted by the accused before the present incident is not equal to those who were not previously assaulted by the accused.

A similar finding is made regarding assault on the victim by anyone other than the present accused (preferably in the past two years). From Table 14 I calculated that 79.31% of the victims had never been assaulted prior to this single incident. This result is also significant.

One victim I interviewed hesitated noticeably when asked this question and then answered that she had never been assaulted by anyone before. In her testimony during the trial she implied at one point that she had been previously assaulted by another or other persons. However with this one exception no other victims appeared to me to be lying about his or her answer to this question.

Unlike those who carried out the Scandinavian study I definitely could not make the statement regarding my sample that "those victimized once have an increased risk of being assaulted again."⁷

In a study by Johnson et al '73 they found that in a sample of assault victims, recidivist victims comprised 26% of the

total. This finding, like my own, indicates that a significant proportion of the assault victim population is not recidivistic.

Table 15 shows that 2 of the 6 victims, noted in Table 14, who had previously been assaulted by someone other than the accused, took the accused to court. If one includes the 2 victims, accounted for in Table 13, who were previously assaulted by the present accused then you have only two victims out of 8 who took their assault case to court in the past. The numbers being dealt with in this case are so small that nothing really conclusive can be said. However this finding could possibly support the fact that those victims who did not bring their previous assaults to the court's attention must have felt genuinely wronged by this present case of assault against them in order to have sought out the courts to deal with the accused. The fact that I only interviewed victims when a conviction was registered indicates that the judge also agreed that the victim had suffered in some way or he would have dismissed the case.

Credibility of the Assault Victims

Criminal Charges Against the Victim

The last question on my questionnaire concerning whether or not the victim had any previous charges (see Appendices) was one that I originally believed would cause some reluctance or refusal to answer by the victims. However with the exception of

TABLE 16CRIMINAL OFFENCES CHARGED AGAINST THE VICTIM

<u>Criminal Charges</u>	<u>Victims</u>
Yes	5
No	<u>24</u>
Total	29

Chi - Square = 12.44 d.f. = 1 p - .001

TABLE 17COURT EVIDENCE
VS. QUESTIONNAIRE RESPONSES

	<u>Victims</u>
Different	8
Same	<u>16</u>
	24

Chi - Square = 2.66 d.f. = 1 p - .10

Don't know	5
Total	29

perhaps 3 victims, 2 who hesitated before saying yes and one who said no, all other victims answered this question willingly. It should be emphasized that the question was "charged" with a crime and not necessarily convicted. By using this term I hoped to include persons who had even had minor brushes with the judicial system.

As Table 16 indicates 82.76% of the victims stated they had never had any criminal charges against them. This is a significant finding as well.

Therefore, unlike the Scandinavian study results, the victims in my sample do not show a tendency to interchange the roles of accused and victim depending on the situation in which they became involved.

It is possible that some victims may not have wished to reveal that they had past criminal charges against them. However as I said earlier, few victims even hesitated to answer this question and all did answer it.

Just as a past criminal record can weaken the credibility of an individual's testimony in court, a sample where a large majority of the individuals had previous criminal charges against them could also raise some doubts about their credibility in a study such as mine. This is especially the case because I am interviewing them as victims and not as individuals already convicted of a crime. Therefore it can be suggested that the low

percentage of victims in my sample who had been charged increases the reliability of the victims' responses to the questionnaire overall.

Court Testimony vs Questionnaire Responses

I included Table 17 in my study because I was interested to see whether or not the testimony given in court by the victim and the answers given to me in the interview were the same. Unfortunately I was not present for the trials of 5 of the victims that I interviewed. However out of the remaining sample of 24, 66.66% of the victims gave the same evidence in the courtroom as they did in their answers to me. This is not a significant finding.

However 7 of the 8 responses categorized as different were labelled as such because the victim supplied a different motivation for the assault than that given in the courtroom. This was the only question which differed from their courtroom testimony. The eighth victim gave an incorrect response to me about the alcohol consumption of the accused, something which had been established during the trial.

4 of the 7 motivation responses were different in that the victim supplied additional information to me that was not revealed in court and which put the motive for the assault in a slightly different perspective. The other three victims who had

given no reason for why the assault occurred while in the courtroom, readily supplied me with the possible (but not verifiable) motive when I interviewed them outside the courtroom.

However other than these three victims, the remaining 21 victims gave information to me that was the same or a somewhat more detailed version of what they said in the court. It is possible of course that they could have lied under oath. Nevertheless, the credibility of the majority of the victims in my sample is strengthened to some extent by the fact that their answers concerning the assault are consistent both in and out of court.

Conclusions

Both my hypotheses could not be proven false for the sample I used in my study. The courtroom assault victim does not represent the individual chosen at random from the population.

The assault victim in my study could be summarized as being male, married or single with a high school education and a job as a blue collar worker. This individual may or may not have known the accused before the assault but if he did know him the relationship was a casual one. The victim was not under the influence of alcohol or drugs at the time of the assault. No previous assaults by the accused or anyone else had been experienced by the victim in the past and therefore this was the first assault case he had brought to court. The victim was unlikely to have any further association with the accused now that the trial was over. No criminal charges for assault or any other crime had ever been brought against the victim.

Characteristics such as the age of the victim, whether or not he had previously known the accused, location where the assault occurred, reasons for the assault and the difference between the victim's court and questionnaire responses, do not show themselves to be significant in this sample.

The lack of significance of age and relationship of the accused with the victim are two notable exceptions in this study

when compared with the rest of the literature I reviewed regarding assault victims. This raises the issue of my second hypothesis.

My sample revealed that the assault victim who lays charges against the accused and brings the case to court is in some ways different from the assault victim, in the Scandinavian study for example, who generally does not follow his or her assault case through to the trial level.

The assault victim generally referred to in the studies I reviewed was in his 20's, unlike my victim who does not fall under any specific age category. The general assault victim was usually known to the accused whereas the courtroom assault victim shows no significant tendencies for or against knowing the accused. Those who did know the accused usually had a casual relationship with him. This finding supports to some degree the philosophy on which the diversion program is based. Two parties who know one another well would probably be accomplishing more by settling their dispute out of court. However two relatively known parties (which was the case in more than half of my sample), who may never see one another again outside the courtroom, can make good use of the impersonal and authoritative type of justice system that we have in order to resolve their conflict.

Unlike the Scandinavian study victims, the courtroom victim is neither a "recidivist" victim, nor an individual who has been

in trouble with the law himself. The victims I interviewed appeared to be simply that, unfortunate victims. One could conclude that it is likely that few of them will ever be assaulted again.

Domestic assaults, as revealed in the New South Wales study and the dissertation by Fleming, are characterized by a predominance of female victims, close relationships between the accused and the victim and a likelihood that contact will continue between them after the assault. Alcohol was also more in evidence, at least on the part of the accused, than in other studies on assault. It is not surprising that none of these characteristics were significant in my sample of assault victims because, as I mentioned earlier, these type of cases are usually diverted out of the justice system completely or at least before the case reaches the trial stage.

Typologies are not conclusive on their own merits. They are a method of assembling a relatively large number of variables into a more workable unit for further research and possibly give indications as to the directions that further research could take.

Nevertheless, some limited implications can be drawn from the results.

Due to the fact that few of the courtroom assault victims were recidivists or offenders it does not appear that the courtroom is the place for further research into assault victims.

Aside from the fact that the majority of these victims were male and had a blue collar job, their remaining characteristics do not differ noticeably from our stereotype of the average law-abiding citizen. It is the victim who does not report the assault or withdraws the charge, who appears, from the literature I reviewed, to be in the most danger of future assaults and who therefore needs more attention directed towards him.

My difficulties in securing a sample when working with courtroom victims would also point towards the use of a questionnaire sent to a random population (if one had a reasonable length of time) which would produce a much larger sample to work with.

It is actually easier for the non-criminal population to understand assaults between people who have or had a close relationship. The idea that an individual would attack another person whom he does not know or knows only slightly (especially when no property gain from the victim is involved) is a disturbing realization. Yet this was exactly what happened in the majority of cases in my sample. If McClintock's finding that assaults on strangers and casual acquaintances is on the rise and this was still found to be the case now, research could be done in this area. It would be interesting to learn why the attackers are less inhibited about using physical violence to settle interpersonal conflicts against relatively unknown persons than they were in the past.

FOOTNOTES

Abstract

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APPENDICES

ASSAULT VICTIM RESEARCH - CENTRE OF CRIMINOLOGY
UNIVERSITY OF TORONTO.

To Whom It May Concern:

I am a graduate student at the Centre of Criminology doing research on assault victims. Part of my research consists of asking actual victims of assault a few general questions concerning their own experiences. The names of victims are not necessary for my research and therefore do not have to be given. Participation in this study is completely voluntary. However I would appreciate your consent in helping me with research that could be of direct benefit to yourself and others as potential victims of crime.

QUESTIONNAIRE

1. Age:
2. Sex:
3. Marital Status: Single Divorced
 Married Widowed
4. Education: Elementary High School
 Community College University
5. Occupation:
6. Did you know the accused before the assault on you?
 - (a) If yes to 6, how long had you known the accused?
 - (b) What relationship did you have with the accused?

Husband	Son	Girlfriend	Other relative
Wife	Daughter	Boyfriend	Friend Other
7. Do you know if the accused had taken any drugs or alcohol before committing the assault?
 - (a) Had you taken any drugs or alcohol before the assault on you?
8. If you knew the accused previously, briefly explain the reason why you were with him or her at the time of the assault.
9. Why do you think the accused assaulted you?
10. Does the accused agree with that explanation?
 - (a) If not, what reason does he or she give for having assaulted you?

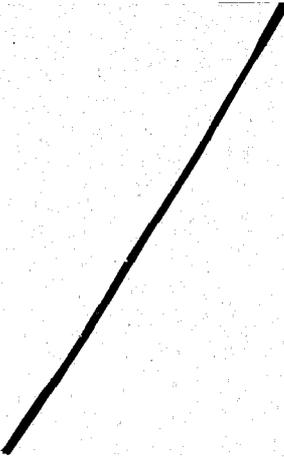
11. Is this present case of assault the first time the accused assaulted you?
 - (a) If no to 11, how many times were you assaulted by him or her previously?
12. If no to 11, is this the first time you have brought an assault charge against this accused?
 - (a) If no to 12, approximately how long ago did the previous case(s) of assault occur?
13. Will you be having any further association with the accused when all legal proceedings are finished?
14. Have you ever been assaulted by anyone other than the present accused?
 - (a) If yes to 14, how many times (preferably within the past two years)?
15. If yes to 14, have you ever brought any other assault cases to court besides the present one?
 - (a) If yes to 15, how many?
16. Have you ever been charged with any criminal offences?

Canadian Criminal Code Sections
Applying to Assaults Used
in This Study

Common Assault - Causing bodily harm

245 (1) Every one who commits a common assault is guilty of an offence punishable on summary conviction.

(2) Every one who unlawfully causes bodily harm to any person is guilty of an indictable offence and is liable to imprisonment for five years.



END