

Editorial

# Editors' Introduction: 'Access to Justice: Historical Approaches to Victims of Crime'

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Victims were central to the detection and prosecution of crime for most of the eighteenth and nineteenth centuries. Without victims taking action of some kind to instigate and progress formal proceedings, there would be relatively little recorded crime before the early nineteenth century in European and Anglophone countries. In most of these states, newly-formed police forces then took the lead in the prosecution process until their role was, in turn, supplanted by professional lawyers and state prosecution services. Despite their 'removal' from the courtroom, victims have remained important agents in the justice system. Today they are frequently evoked and re-imagined within media and political debates and have become symbolic ciphers for a range of concerns around crime and related social challenges. This special issue sets out to address three broad research questions: How has victims' access to justice been (re)framed over the last two centuries? How, and to what end, have cultural representations shaped perceptions of victims? How, why and when did victims come to shape political and criminal justice discourse and practice?

Two articles address the issue of victim participation in legal processes. The early decades of our selected period are addressed in an article by Kathrine M. Reynolds and Carol Liston [1]. Prior to (and, indeed, for some time after) the gradual introduction of local state police forces in the early nineteenth century, victims acted as prosecutors. This article uses records of English regional courts to explore prosecutions conducted by a diverse range of victims between 1800 and 1835. The cases sampled are drawn from a larger study of female offenders punished by transportation to New South Wales, Australia. The second article, by Buluma Bwire [2], explores victims' participation in restorative justice processes in contemporary Kenya. It suggests that restorative approaches are aligned with African customary law and that they foster offender accountability, reparation for the victim and participation by affected community members in the resolution of the alleged offence.

Two further articles in the special issue focus on two very different groups of victims who were culturally marginalised for different reasons and who, as a result, struggled to gain recognition of their victimisation. Jo Turner's article explores prosecutions of violence involving alleged assaults on male victims by female perpetrators in an English Midland town, Stafford, in the late nineteenth century. Using legal and newspaper records, she argues that both the courts and the press were dismissive of violence towards men in domestic settings, and that this contributed to low rates of prosecution and conviction [3]. Ben Jarman and Caroline Lanskey's article investigates child abuse in youth custodial institutions in England and Wales during the second half of the twentieth century. It contends that state authorities failed to recognise the victimisation of children held in such institutions and that this failure constituted a disavowal of the state's responsibility towards them [4].

Two final articles focus on state responses to victims of crime in more recent times. Marie Manikis compares the rise and outcomes of victims' movements in the US and England from the mid-twentieth century onwards. Her comparison demonstrates, among other things, how the adversarial legal models

common to both states flexed differently in response to these movements [5]. David Miers' article examines a key element of the modern state's response to crime: the payment of state compensation to 'blameless' victims of personal and sexual violence through the Criminal Injuries Compensation Scheme. It explores the ways in which eligible ('ideal') victims are perceived and their claims determined [6].

Overall, this interdisciplinary and transnational collection of articles sheds new light on the history of victims—an emergent field within victimology, criminology and socio-legal studies. We hope that, together with our own broader study of the changing role of victims in criminal trials ([www.esrcvictims.org](http://www.esrcvictims.org)), framed in their various capacities as complainants, prosecutors and witnesses, they will encourage further research into a critical history of victims' roles, recognition and participation.

**Conflicts of Interest:** The authors declare no conflict of interest.

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