

A study of economic compensation for victims of sexual violence in Europe

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In an article coming from the project, recently published in the *Teoría y Derecho* magazine, the efficiency of the Spanish system of economic compensation for victims of sexual violence is analysed through the two procedures aimed at this purpose: on one hand, the payment of compensations established in judgement of conviction and on the other hand, grants given to the victims directly from the State, and they note solutions to improve the situation. The results of this analysis prove "the inefficiency of the procedural system and especially the lack of interest

on the part of the State on compensating the victims through public assistance."

"We have observed that the State compensation system for victims is an absolute disaster and that victims of sexual crimes rarely receive compensation," points out Helena Soletto, leader of the study and professor of Procedural Law at the UC3M. These grants are usually used to pay for therapy to overcome the victims' trauma and it has been proven that they do not normally cost more than 800 Euros per victim, who are minors in many cases.

Victims of sexual violence are usually women (in 80 per cent of cases). The rest are men, in this case mostly children. The worst crimes in this context are abuse, sexual aggression (rape) and human trafficking for the purposes of prostitution.

"The State, in theory, provides some compensation to victims of sexual crimes that are regulated in a law from 1995. In practice we have seen that nearly half of these requests come from children and the State refuses to give them compensation which, moreover, could only be used for therapy," explains Helena Soletto.

Studying the compensation system in Europe

This study carried out in Spain is part of FAIRCOM (Towards a fair and effective compensation scheme for victims of sexual violence; GA 847360), a research project funded by The European Union Justice Programme (2014-2020) which bring six partners together from five countries (Spain, Greece, Italy, Latvia and the Netherlands). The project is led by the UC3M under the management of Helena Soletto, with the participation of researchers from various fields such as Statistics and IT, as well as Law.

The main aim of this project is to design and promote an efficient and effective model for a fair and adequate compensation for victims of sexual crimes. The committee proposes to modify the current deficient compensation model for victims of sexual violence in each country through the identification of legal and organisational obstacles that prevent victims from claiming and accessing their right to effective compensation. In addition, they intend to identify and develop good practices to overcome these barriers and allow the victims to exercise their rights in an efficient manner. "A rule that theoretically protects is not enough; it also needs to put this into practice. Ultimately, we want a fair [compensation](#) system to exist for victims of sexual crimes," concludes Soleto.

More information: Soleto Muñoz, Helena (2020). La ineficacia del sistema de justicia español para reparar económicamente a las víctimas: un espacio para la justicia restaurativa. *Teoría y Derecho*, Revista de Pensamiento Jurídico. Editorial Tirant. ISSN: 1888-3443.
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