

Victims with mild intellectual disabilities in the criminal justice system

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Nienke A Spaan

University of Applied Sciences, Leiden, Leiden, Netherlands

Hendrien L Kaal

University of Applied Sciences, Leiden, Leiden, Netherlands
Centre of Expertise William Schrikker, Amsterdam, The Netherlands

Abstract

● *Summary:* People with mild intellectual disabilities are more vulnerable to become victims of crime. Victims with intellectual disabilities can face attitudinal, procedural and practical barriers within the justice system. This exploratory study looked at obstacles encountered by victims of crime with mild intellectual disabilities in effectuating their rights, their vulnerability to secondary victimization and ways to support them. In 2014, 35 respondents from across the Dutch justice system and 10 respondents with mild intellectual disabilities-expertise were interviewed. Inductive and deductive content analysis was carried out. Resonance of findings was checked in an expert meeting.

● *Findings:* Three major problems were identified: (1) victims' incomprehension about the process and the proceedings; (2) victims' difficulty meeting system requirements and expectations; and (3) impact of prejudices concerning mild intellectual disabilities. A system adequately set up to deal with victims with mild intellectual disabilities could ease these difficulties. However, additional problems were identified, namely: (1) limited recognition of mild intellectual disabilities; (2) insufficient knowledge and understanding of consequences of mild intellectual disabilities; (3) issues related to accessing and accepting support; (4) communication unsuited for victims' reading and comprehension-level. These problems influence the ability of victims with mild

Corresponding author:

Nienke A Spaan, Faculty of Social Work and Applied Psychology, University of Applied Sciences Leiden, t.a.v. Nienke Spaan, Postbus 382, 2300 AJ Leiden, the Netherlands.

Email: spaan.n@hsleiden.nl

intellectual disabilities to effectuate their rights and increases risk of secondary victimization.

- *Applications:* Besides the importance of these findings for policymakers, results are of importance for all those working with victims or with people with mild intellectual disabilities. Individually tailored forms of support are required to overcome the identified problems. Awareness of the barriers that victims with mild intellectual disabilities may encounter will aid providing adequate support for victims with mild intellectual disabilities to exercise their rights and protect against secondary victimization.

Keywords

Social work, criminal justice, justice, learning disability, rights, social justice, access

Background

This article reports an exploratory study conducted in The Netherlands looking at the obstacles encountered by victims of crime with mild intellectual disabilities (MIDs)¹ in effectuating their rights and at their vulnerability to secondary victimization. For the purpose of this study, secondary victimization was defined as aggravation of a victim's suffering or damages as a result of the criminal justice system (Wijers & De Boer, 2010) including implicit secondary victimization which can be caused by unjust disbelief of a victim (Mulder & Winkel, 1996). Over the previous years, the position of victims of crime within the Dutch penal system has been strengthened. Although by Dutch law, the victims are not a judicial party, they are considered participants in the judicial pathway. The extent of their rights and the available types of victim support are related to the crime involved, with some options being available for all victims while others are only available to victims of specific, more severe, crimes. Currently, specific safeguards for (the hearing of) victims with MIDs mostly concern victims of more severe crimes. The EU directive establishing minimum standards on the rights, support and protection of victims of crime states that all victims should be individually assessed to determine their vulnerability for secondary victimization and their need for special protection and support measures (2012/29/EU). In light of this directive, the Dutch Ministry of Security and Justice is developing such an assessment. As it is suspected that victims with MIDs will more often fit the description of the term vulnerability used in the EU-directive and are less able to effectuate their rights than victims with average abilities, the Ministry's *Research and Documentation Centre* at the same time commissioned a study to determine in what way victims with MIDs can be given the support they need to effectuate their rights and how to decrease the potential of secondary victimization. Results of this study are felt to be of importance not only for the policymakers but also for all those working with victims or with people with MIDs. As social work professionals work in positions in which they will frequently meet victims with MIDs, either with the aim to support them within the judicial system or for different reasons, it is important to be aware of possible barriers their

clients may face in the aftermath of a crime. On a larger scale, as a profession as a whole, it is important to help ensure that these victims are able to exercise their rights and can receive the necessary support and protection where needed.

Literature

It is expected that people with MIDs are more at risk of victimization than people with average abilities, due to multiple factors. Although comparisons between studies are complex, the prevalence of victimization of people with disabilities in general is likely to be at least twice that of people without disabilities, varying across type of disability and crime (e.g. Emerson & Roulstone, 2014; Nettelbeck & Wilson, 2002; Wilson & Brewer, 1992). Also, people with disabilities are at higher risk of repeated victimization and of victimization of a more serious nature (e.g. Beadle-Brown et al., 2014; Nettelbeck & Wilson, 2002; Petersilia, 2001). Recent studies in the UK and US show that the highest rates of violent crime occur among people with cognitive disabilities or mental health problems (Emerson & Roulstone, 2014; Harrell, 2015). Although these are broad definitions, they also include people with intellectual disabilities. People with intellectual disabilities² (ID) are found to be more vulnerable to hate crime (Emerson & Roulstone, 2014), but they are also believed to be more vulnerable to so-called mate crime, (calculated) hostile acts by perpetrators who are part of the victim's (social) network in which the desire of people with ID for friendships and relationships is seen as a key feature (Thomas, 2011). Presence of ID is also seen as a factor which can increase the risk of secondary victimization (Wijers & De Boer, 2010).

The literature suggests that recognition of victimization of people with (M)ID³ can be problematic. Studies on victimization of people with (M)ID in general show that victimization is not always recognized as such by the victims themselves or by the people around them. People may be unaware that changes in behaviour or so-called problem behaviour of people with ID are the result of victimization (e.g. Beail & Warden, 1995; Doyle & Mitchell, 2003; Mevissen & de Jongh, 2010) or that the event was inappropriate or illegal (e.g. Evans, 2013; Petersilia, 2001). Incidents involving people with ID may be labelled differently, e.g. Williams (1993) explains that what is often called 'abuse' of a person with ID, might be considered an 'assault' if perpetrated on anyone else and the term 'sexual abuse' is often used rather than the more appropriate terms 'rape' or 'indecent assault' (p. 163). The ability of people with (M)ID to consent to sexual relationships can also be a complicating factor (McCormack, Kavanagh, Kaffrey, & Power, 2005; Murphy & O'Callaghan, 2004), while attributes, such as vulnerability for exploitation and suggestibility can lead to the perception that people with ID themselves are (partly) to blame (Grundy, 2011; Salekin, Olley, & Hedge, 2010). Moreover, crimes against people with (M)ID are believed to be underreported due to, e.g. limited communication skills, disincentives to reporting such as a dependent relationship with the perpetrator or fear of not being believed or taken seriously (Beadle-Brown et al., 2014; Nettelbeck & Wilson, 2002; Williams, 1995).

Although recognition or report rates of victimization undeniably impact on victims' ability to claim their rights, this is not the focus of this study, which starts where the victim becomes known to the criminal justice system. Previous studies show that overall, victims with ID face multiple barriers within the justice system, both attitudinal and procedural, which can influence their cases throughout the system (e.g. Cederborg & Lamb, 2006; Keilty & Connelly, 2001; Nettelbeck & Wilson, 2002; Williams, 1993) and are likely to influence their risk of secondary victimization. Practical obstacles can be the result of, e.g. their lack of understanding of terminology and knowledge of processes (Ericson & Perlman, 2001) or even factors like physical accessibility (Tyiska, 2001).

Many studies have focussed on the difficulties regarding hearing people with (M)ID as witnesses. Besides difficulties with placing situations in time, memory, language production and understanding, slower information processing, varying degrees of concentration, as well as difficulties structuring statements and dealing with stress as part of the (M)ID, there is also a greater vulnerability for suggestibility, confabulation, acquiescence, pseudo-memories and imagination (e.g. Clare & Gudjonsson, 1993; Kebell & Hatton, 1999; Moonen & Rispens, 2014). Furthermore, factors such as less recalled detail, inconsistencies in testimony, non-verbal behaviour including displayed emotion of victims and experienced time pressure of those hearing them, can negatively impact assessment of credibility of victims in general (Cederborg & Lamb, 2006 in Ask & Landström, 2010; Cederborg, Danielsson, La Rooy, & Lamb, 2009; Henry, Ridley, Perry, & Crane, 2011; Mulder & Winkel, 1996). As these factors are likely to be present and deviate from the expected norm more often when victims with MIDs are concerned, this may also play a role in their experience within the justice system. Notwithstanding the diversity of challenges and limitations, accurate witness accounts can, however, be given by people with (M)ID with the right support and conditions (e.g. Ericson & Isaacs, 2003; Kebell & Hatton, 1999; Manzanero, Contreras, Recio, Alemany, & Martorell, 2012; Perlman, Ericson, Esses, & Isaacs, 1994).

Other studies have focussed mainly on the impact of preconceptions regarding (M)ID. Historically, people with disabilities were considered as, e.g. deviant and less valuable to society (Livneh, 1982). Circumstances that shape attitudes and beliefs are found to be complex and are impacted by a broad context of, e.g. historical influences, social policies and cultural beliefs and values. Reliance on common misperceptions and stereotypes in the process of making judgements and decisions about individuals may also be influenced by a lack of familiarity with people with ID (Kersh, 2011). Negative attitudes towards people with disabilities result also from a general lack of understanding about disability and the needs of people with disabilities (Aiden & McArthy, 2014). Research has shown that attitudes and biases toward people with ID, e.g. related to viewing them as promiscuous, criminal or untrustworthy, are also present within the justice system (Bailey, Barr, & Bunting, 2001; Brennan & Brennan, 1994; Keilty & Connelly, 2001). This can create reluctance among some police to take reported matters seriously or lead to assumptions about exaggeration or fabrication of reports (Keilty & Connelly,

2001). Not all studies found equally negative effects: McAfee, Cockram, and Wolfe (2001) for example, found a favourable disposition of police towards victims with ID with respondents indicating that they would be more supportive or take stronger action toward the alleged assailant, while Bottoms, Nysse-Carris, Harris, and Tyda (2003) found a difference in case judgements in favour of an adolescent female victim of sexual assault described as 'mildly mentally retarded'.

Finally, the literature has drawn attention to problems regarding recognition of MIDs (Kaal, 2013). Knowledge of appropriate treatment of victims with MIDs will not be applied when the MID itself goes unrecognized. How to identify an (suspected) MID with victims can be difficult. Literature indicates that mainly the higher IQs (70–85) will be overlooked (Harris, 2006 in Spivak & Thomas, 2013). Spivak and Thomas (2013) state that police do not need to diagnose an ID but more importantly need to recognize perceived vulnerabilities.

Methods

The literature gave some indication of potential problems that may be encountered by victims with MIDs. The research design was such that we could identify whether these issues were indeed at hand for Dutch victims with MIDs, but also gave ample opportunity to discover whether other issues were perhaps equally important (applied theory). Considerations during design were: there was no prior research available on the position of victims with MIDs within the Dutch criminal justice system; the Dutch advocacy organization for people with MIDs can be considered limited and has not yet focussed on victims of crime with MIDs; an (possible) MID of victims is not routinely registered within the criminal justice system; and not all victims (with and without MID) will experience the full victims' pathway and thus not all will encounter all bottlenecks or victims' rights. Therefore, the choice was made to first explore the experiences of professionals within the criminal justice system itself who have direct contact with victims and to involve experts on MIDs.

In 2014, a total of 39 interviews were carried out with 35 relevant actors from across the justice system and 10 respondents with expertise in the field of MIDs. The latter comprised people with a predominant academic or practical professional background and one experience-expert; a person with MID associated with the Dutch MID advocacy organisation. A more detailed description of respondents can be found in Tables 1 and 2. Purposive sampling was used in order to obtain a broad representation of actors within the justice system who have direct interaction with victims. Written informed consent was obtained from all respondents.

Interviews were conducted using visual stimuli (diagrammatic elicitation) in the shape of a flowchart of the criminal justice process, illustrating the victims' pathway specifying victims' rights and moments of choice that occur. The flowchart was constructed on the basis of literature consulted in the preparation phase and verified by legal experts and police. Respondents from the criminal justice system were first asked in which area they worked. Some people are active in multiple

Table 1. Respondents working within the criminal justice system (first set of interviews).

Function	Abbreviation	<i>n</i> = 35 ^a	Specification
Police	P	12	Service employees who form the first entrance to the police at the desk or telephone (<i>n</i> = 5) Operational police officers including ward officers (<i>n</i> = 3) Specialist criminal investigators (<i>n</i> = 4)
Public prosecution service	PPS	5	Prosecutors (<i>n</i> = 2) Case-coordinators (<i>n</i> = 3)
Victim support services	VSS	8	Support workers providing first access and contact (<i>n</i> = 3) Short and long-term support workers (<i>n</i> = 5)
'Victims counter'(a collaboration of the PPS, police and victim support)	VC	3	
attorney	At	4	Attorneys providing legal assistance to victims
Examining magistrate	EM	1	Examining magistrate
Criminal JUDGE	CJ	1	Criminal judge
Violent offences compensation fund	VOCF	1	Employee of the violent offences compensation fund

^aA total of 31 interviews were held with 35 respondents.

Table 2. Expert respondents (second set of interviews).

Expertise [†]	<i>n</i> = 10 ^a	Specification
Predominant academic background	4	Research/academia/centre of expertise
Predominant practical background	5	Care organizations specialized in MID
'Experience expert'/person with MID	1	Dutch MID advocacy organization

MID: mild intellectual disability.

^aA total of 8 interviews were held with 10 respondents.

areas, e.g. caseworkers can support victims from the reporting of a crime to the execution of a sentence, and some people have insight in multiple areas due to, e.g. having worked at different stages in the victims' pathway previously or by collaborating closely with those who work in other areas. Therefore, respondents were asked to mark on the flowchart in what area they presently worked and of what

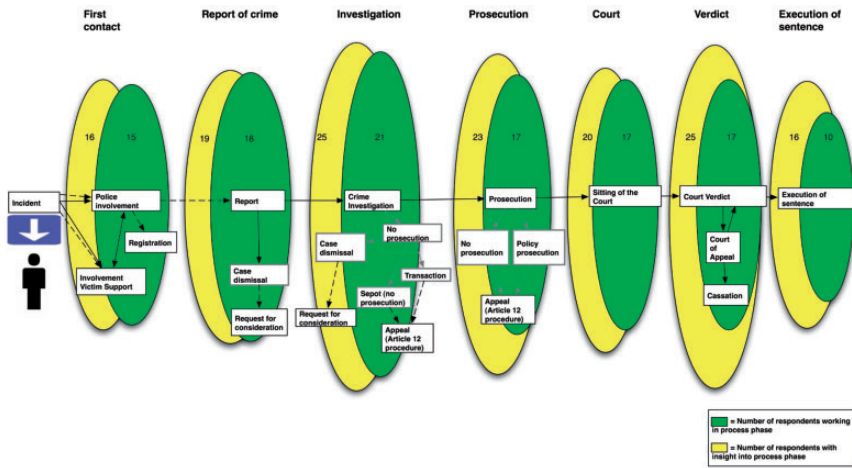


Figure 1. Dispersion of respondents.

part of the victims’ pathway they had further knowledge. Respondents were then asked about where they identified bottlenecks for victims with MIDs regarding effectuating their rights and preventing secondary victimization. Moreover, practical examples from experience were asked as illustration. Respondents were also asked for possible additions to the flowchart; this did not lead to adaptations. As illustrated in Figure 1, the coverage was good and no aspects of the process were left unassessed.

Findings from both literature and interviews with respondents from the criminal justice system formed the basis for interviews with experts in the field of MIDs. These interviews entailed describing the formerly identified bottlenecks after which respondents were asked to estimate the risks involved with these bottlenecks and how to possibly prevent or diminish these. Bottlenecks in all phases of the pathway and concerning support, recognition of MIDs and written communication were addressed. Respondents were also asked about their experiences and illustrations from practice giving room for additional possible barriers. For the respondent with MIDs, the interview protocol was adjusted according to the respondent’s abilities with regard to, e.g. use of language and explanation of topics.

Data analysis

All interviews were audio-recorded, transcribed in full and coded. A combination of inductive and deductive content analysis was carried out. Data were divided into citations after which two approaches to analysis were applied; one conventional content analysis (Hsieh & Sarah, 2005) which focussed on emerging themes and one coding data according to phases of the victim- pathway. For the first, all

citations were labelled according to identified emerging themes. For the second, data were coded referring to the criminal justice process, e.g. if it concerned the reporting of a crime or claiming damages. If a citation clearly corresponded with a specific right for victims, this was included in the code too. As there is overlap between the two types of coding, e.g. communication when making a statement takes place both during the reporting of a crime and when being heard by the examining magistrate, and compressing the data could lead to missing valuable information, the original research report combined two methods of presenting the analysis: findings were presented by using both overarching categories: support, recognition and communication, and phases of the victims' pathway: pre-reporting of a crime, reporting of a crime, investigation, prosecution, court process, verdict and the execution of a sentence (Spaan & Kaal, 2015).

Ten full transcripts were labelled independently by two researchers in order to reach consensus on both methods of analysis. For the remaining transcripts, deliberation took place when needed. In total, over 1700 citations were categorized and analysed. The sorting and indexing of citations were done by both authors. As even without MIDs, the victims' pathway can present problems, and as it may be presumed that these apply equally to victims with MIDs, only those bottlenecks that apply to a greater extent or more specifically to victims with MIDs were described. Main findings are presented in this article. For the purpose of this article, citations from interviews were selected from the full research report to illustrate some of the presented findings and translated into English, stating the respondent's function/role and a number. This article is based on findings reported on in full by Spaan and Kaal (2015).

Results

Overall, seven overarching problems were identified concerning victims with MIDs:

1. Victims' incomprehension about the process and the proceedings;
2. Victims' difficulty meeting the requirements and expectations of the system;
3. Impact of prejudices concerning MIDs;
4. Limited recognition of MIDs;
5. Insufficient knowledge and understanding of (the consequences) of living with MIDs;
6. Issues related to accessing and accepting support;
7. Communication that is not adapted to the victims' reading and comprehension level.

It was found that the first three bottlenecks could be addressed by an adequately set up system, e.g. sufficient skills regarding recognition of, knowledge about, support of and communication with victims with MIDs. However, problems 4 to 7 show that problems which negatively affect the ability to adequately

accommodate victims with MIDs also occur in these specific areas. Each of these problems will be briefly described below.

Victims' incomprehension about the process and the proceedings

Provided that victims with MIDs realize they can report a crime to the police and know how to (something that respondents experienced not always to be the case), they are presented with an array of choices. When contacting the police, a victim can choose to report the crime or have it registered. Where the former equals a request for investigation, the latter usually leads to it being registered in the police system without further action being taken. If the crime is reported, the victim is faced with more choices over time regarding, e.g. the option to stay informed about the progress of the case or the option to claim for damages. Examples of difficulties encountered by victims with MIDs all through the victims' pathway were provided. We present a selection:

Many respondents recalled various experiences with victims with MIDs who had not correctly judged the multitude of consequences of their decision. They indicated that it is more difficult for these victims to comprehend and assess the consequences of reporting a crime. Examples given showed that this can occur in different situations: Attorney-respondents recalled victims who would not have reported the crime had they known it involved having to repeat their story many times; a Public Prosecution Service (PPS)-respondent spoke about a victim who had not realized what the consequences were for the (known) offender and that a report, once made, cannot be withdrawn by the victim. At least two expert-respondents provided examples of multiple clients experiencing difficulties in (choosing to) report a crime, and respondents from the criminal justice system (victim support services (VSS), PPO, At) highlighted specific difficulties in knowledge of the right to report a crime under a different address (domicile) – an option available for victims worried about retribution, and the benefits of doing so. If the case is investigated further and a suspect is identified, victims encounter more situations which can be difficult to understand, e.g. additional interviews (EM; At; PPS). Difficulties in weighing pros and cons about choosing to be present at the hearing when a case is brought to court was mentioned by almost all respondents with knowledge of this phase of the pathway, illustrated with different examples and aspects which can present difficulties.

Different respondents mentioned that understanding why things are done in certain ways can be difficult as well. Examples were given of this occurring throughout the penal process. One illustration was provided by a police officer who explained why, e.g. the way questions are asked when making a statement may result in a victim feeling it is implied that they instigated the incident or are even a suspect:

At the reporting of the crime as well perhaps. Obviously, critical questions are asked and in the case of for example a (violent) assault, often something is asked like: "But what

did you do? Why did they target you specifically? What did you say, what did you shout? Did you hit as well?" Those are not questions to discredit their story, they're just questions that we rather ask here. Because otherwise we will get the case returned from the public prosecutor's office, they just want to know. So I think these things can be quite challenging for people with ID, like "I just told you that, don't you believe me?" (Police 7, ward officer)

Overall, almost all respondents thought victims with MIDs face more difficulties approaching the police and entering the penal system. However, examples were also given of people with MIDs contacting police (too) readily. Police-respondents, e.g. manning the telephones gave multiple examples of people with (suspected) MIDs calling for help in situations that do not warrant police involvement, or with repeated questions or unclear stories. Although there is no way of quantifying these experiences, and in some cases they may be wrongly interpreted by police, it may also show a lack of understanding of the penal system from some people with MIDs. This unfortunately also impacts negatively on the ways they are then viewed when they try to report something serious.

Victims' difficulty meeting the requirements and expectations of the system

Experts emphasized the heterogeneity of victims with MIDs; some encounter fewer difficulties than others. However, some implicit and explicit requirements and expectations of victims are generally found to be more difficult for victims with MIDs. For example, in non-acute cases, e.g. crimes which occurred previously and warrant no immediate action of police, victims need to make an appointment in order to report a crime. This is something that can prove difficult for a number of victims with MIDs. Also, the current system requires victims to tell their story quickly and coherently. Although respondents recognized that, for victims with MIDs especially, ample time and a quiet environment are important, in practice there is often not enough time or opportunity for this. Respondents from the penal system explained this can result in them being impatient or making an appointment for a later date which can lead to extra difficulties for at least part of the victims with MIDs.

As was found in the literature, respondents felt that the actual making of a statement is often relatively more taxing for victims with MIDs. A large number of respondents mentioned that they expected providing a 'good' witness account to be difficult for people with MIDs. Police, Victim Support and attorney respondents especially argued that limited skills in expression can cause victims with MIDs to be unable to provide a concise account. Although suitable support measures could alleviate and even remove these initial difficulties, in practice these difficulties continue to influence the way the case is handled further. Victims may be asked to provide additional statements, or it may even be concluded that no crime took place, or that there are no proportionate leads to pursue and the case will not be forwarded for further investigation (P). Some respondents also stated that it can

lead to difficulties in assessing whether the victim is genuine or not. The type of questions asked during police interviews or by the examining magistrate was regularly perceived as unsuitable for victims with MIDs. The often more informal setting at the examining magistrate's office, however, was seen as less stressful than, e.g. answering questions in court.

Risks involved with interviewing victims and witnesses with (M)ID are recognized in Dutch law. For example, when it concerns sexual crimes, victims with (M)ID are required to be interviewed by specialized police officers who can be advised by external experts. The importance of such provisions was illustrated by respondents;

We had one who was abused in a changing-room. And then the detective asked "So, how did that door open?" "Well, the door didn't open." So it couldn't have happened because you can't be abused in a locked changing-room. (...) There were experts then who were allowed to think along and contribute if the situation was difficult. So they got involved. (...) Turned out the assailant had climbed over it [the door]. (MID expert 5)

Although respondents often showed good intentions and explained that solutions were sought to help victims with MIDs provide a good account of what happened (also see Impact of prejudices concerning MID), the supplied support measures they mentioned are not always sufficient, and it is unclear how often they are applied in those cases when they are not mandatory.

Further on in the victims' pathway, respondents mentioned filling in forms, arguing damages, providing a victim impact statement, answering questions in additional interviews, expected behaviour when present in court, and providing requested proof in the form of, e.g. bank statements, or copies of medical reports as possibly problematic for victims with MIDs. After a case is handed over to the PPS, an active role is expected of victims. For instance, victims are sent a letter asking them to indicate which rights they want to execute. Especially in less severe cases, these rights can be automatically forfeited when no (timely) response is given. Although some rights can still be implemented later, this will then require a higher degree of assertiveness and planning. Respondents described situations in which victims with MIDs were unable to claim their damages or cases being handled differently than they would have been had the victim responded in time. In general, the assertiveness needed to report a crime or to access certain rights can prove especially difficult for victims with MIDs. Our respondent with MIDs showed that in some cases, however, adequate support can be extracted eventually:

Well, I had to report then that my bicycle was stolen but I was so upset that I was actually also angry (...) And I had to report at the front desk. But that woman was in a bad mood, man, that police officer, and I was like "jeez, my bike" and she said: "Here's the form" [with raised voice] "Yes, here is your form. Just write down when, where and how it happened, at what location", but it was a really long list and I just didn't understand what it all said on the form. But I thought "well, if I oppose this, it can happen that

I have to go to jail so to speak". So then I eventually did ask if they could explain it to me. "Yes, I don't have time now". No time? I said: "yes but I just need some help". "Yes I will go see if a colleague of mine can help. "Well that is good". I just stayed polite so I said "that is fine, thank you" even though I wasn't happy. Eventually she got someone and I was helped with the questionnaire. (Experience-expert)

Impact of prejudices concerning MIDs

There was indication that entry to and progression through the victims' pathway are at times complicated by prejudiced attitudes. The labelling of crimes in a trivializing manner that was found in literature was also mentioned by some respondents, e.g. a care institution calling a sexual assault incident 'messing about for a few minutes' and refusing to take the case further (At). Also, factors such as doubt about consent in sexual abuse cases or disbelief about disclosure of various types of crime against victims with MIDs were mentioned by PPS, P and expert-respondents.

When I started working here, there was one home in which three professionals had abused one woman, she was very unattractive. So she had ID but was also very ugly looking. And nobody believed it, because they were well-educated people you know. (MID expert 5)

Respondents from throughout the victims' pathway mentioned a tendency to take victimization less seriously when the victim showed 'insensible' behaviour. Furthermore, the presence of an MID on both the victim and offenders side can be of influence as also illustrated by an attorney respondent; when parents of a (male) sexual abuse victim with MIDs tried to report it to the police, they were turned away and told that it did not belong within the penal system due to the assailant's MID.

Prejudices not only play a role when labelling the offence but also when judging the victim's behaviour. When people with MIDs address the police repeatedly with seemingly incoherent or repeated stories and questions, this may get registered in the central system. Upon next contact, this information can lead to them being taken less seriously. Also, shortcomings in verbal and social skills, and difficulties in emotion-regulation can lead to misunderstandings and thus to decreased willingness to take reports by police. It can also influence the victim's decision as was illustrated by an expert-respondent who spoke about a client who had gone to report a crime but was unable to adequately explain his story. The victim showed so much anger and frustration that the police decided to let him 'cool off' first by putting him into observation. The client subsequently decided not to report the crime, but to get out of there as soon as possible.

Overall, examples showed that (extra) persuasion is regularly needed for police to report an incident involving victims with MIDs. Various respondents stressed

that decisions about whether or not to report a crime should not be taken by police but by the victim and the PPS.

When cases do progress through the justice system, preconceptions about MIDs may further influence the case. One attorney-respondent recounted multiple experiences where assumptions about the ability of a client to appropriately handle sensitive information influenced his or her right of access to information. An example was provided where a client was not granted access to her files, despite this being a specific victim's right when requested. Only after 'making it a problem', the attorney gained access. Another respondent showed that the presence of MID may sometimes also impact on the amount of compensation awarded by a judge:

And she got a little compensation, not so much, but that is something you encounter. It is being used against you all the time. "Yes, the girl was traumatized already anyway and not very right in the head, so we can't award the whole claim." (Attorney 4)

Limited recognition of MIDs

Respondents revealed multiple preconceptions about characteristics of MIDs and the consequences of MIDs which were not always correct. Recognizing MIDs and the possible problems arising from it at an early stage are important as during first contact between the victim and police or victim support, important decisions are made. However, many respondents from the criminal justice system felt that they would have failed to recognize MIDs with victims. Expert-respondents shared this view, with one concluding that MIDs are probably more often recognized than not, whereas another felt that even after a degree and years of work-experience, recognition was not a 'given'. Nowhere in the victims' pathway was the presence of MIDs with victims structurally considered or actively identified. In many cases, professionals and victims spend too little time together for MIDs to be identifiable. Respondents did mention various indicators which would lead them to consider the presence of MIDs. However, each of the individual respondents only used a few indicators, as presented in Table 3.

Insufficient knowledge and understanding of (the consequences of) living with an MID

In order to be able to meet the needs and abilities of each individual with MIDs, not just recognition but also knowledge and understanding of the consequences of living with MIDs are important. Some respondents recognized that they lacked the required knowledge and skills to adequately interact with victims with MIDs; some mentioned that this type of knowledge was most lacking at the first point of entry with police. In some cases, this led to implementation of unsuitable solutions (see for examples issues related to accessing and accepting support; and

Table 3. Indicators mentioned by respondents for recognizing MID.

	<i>n</i>	% of 31 interviews
Intuition	9	29
Self-labelling by victim	4	13
Mentioned in file	13	42
Care and independence		
Living circumstances	12	39
Receiving care	10	32
(Special) education	3	10
Work/sheltered employment	1	3
Financial and administrative self-reliance	1	3
Behaviour and communication		
Conversation	22	71
Written communication	3	10
Behaviour	8	26
Physical characteristics	3	10

n: number of interviews in which the indicator was mentioned.

Communication that is not adapted to the victims' reading and comprehension level). Consequences of not adapting to the possibilities and needs of victims with MIDs were thought to differ along the victims' pathway, e.g. at the beginning of the pathway it may hinder the reporting of a crime where further on it may influence rights, e.g. claiming financial compensation.

Issues related to accessing and accepting support

While some victims with MIDs can be very independent and will be able to find ways to navigate through the victims' pathway, most respondents thought that most will not be able to do so on their own. The need for more support was mentioned by many, but not all respondents as this outlier quotation illustrates:

An outspoken/assertive civilian has different needs than less outspoken/assertive civilians. [Is that so?] I think so. If it is a need, then one way or the other it comes from oneself. (...) If it is really a need, then the less outspoken/assertive civilian will eventually formulate that they would want something. From that moment onwards, in the Netherlands there is help for him. (...) And if that [need] doesn't surface, then you shouldn't awaken it. (Police 12)

Different forms of support available for victims with MIDs were identified, such as victim support, personal care providers, attorneys, family and other (non-professional) people from the victim's network. Some forms are actively offered; others need to be initiated by the victim. This can prove difficult in some cases. Although with all types of crimes, it is ultimately the choice of the victim whether

or not to officially report a crime, the police often take on an advisory role. This can lead to the choice being made at first contact with police, for example, over the telephone. In the Netherlands, an informative conversation – after which the victim is given time to consider their options before a report is made – is only standard procedure when it concerns sexual offences. Victim support can help with the decision about reporting a crime but is usually introduced only after a crime has been reported. When victim support is offered, it was understood that victims with MIDs will often not (immediately) accept this help. The standard approach of a brief phone call or letter will often not be enough to reach people with MIDs. Furthermore, a lack of understanding of what victim support is, overestimation of their own ability, perceptions of the self as a victim, and previous experiences with support workers, police and the penal system, may stop victims with MIDs from accepting help. Some experts questioned if enough knowledge and experience are present within the VSS to adequately support victims with MIDs. However, both expert- and VSS-respondents explained that in practice, both victims and care-workers can (wrongly) assume that victim support does not provide additional value to their regular support, thus failing to appreciate the added value of knowledge of the victims' pathway through the criminal justice system. Finally, with severe types of crimes, there is some continuity in the support offered; when the type of crime is less severe, however, victims can end up with a higher number of different support-providers, which requires more independence, skills and initiative of the victim.

Specific issues arose concerning support when making a statement. Respondents from the criminal justice system often indicated that they were willing to look at ways to help victims with MIDs to provide good witness statements, also when mandatory measures did not apply. Some thought it important to involve a care worker or family member. This was seen as imperative in some cases, e.g. a police respondent provided an example of a case of embezzlement by a care worker in which the officer involved could not obtain a usable statement from the victim with MIDs and instead someone from the organization was able to provide sufficient details. However, the presence of someone who is part of the victim's network was not always considered the right solution. An expert respondent pointed out that it could not be assumed that care providers were to recognize all answering tendencies of the victim or to oversee what was in the victim's best interest and an attorney-respondent spoke about a case in which a professional support worker had, seemingly unwittingly, provided a statement about the client which undermined the client's case. Moreover, privacy issues and possible conflicts of interests between clients and care workers were experienced as obstacles in some cases by multiple respondents. However, the speediness in which a report often needs to be obtained, especially in more acute situations, was seen as a barrier for involving more specialized support.

Issues concerning privacy and autonomy arose in other contexts as well. It became evident that victims are not always allowed to make choices regarding involvement of a third party in reporting a crime themselves. One police

respondent referred to a local agreement between police and a mental healthcare organization, which ensures that clients can only report a crime in the presence of a care provider, thus resulting in crimes not being (officially) reported. Complex situations also arise when it is not evident that the consequences of a decision about, e.g. reporting a crime or involving victim support are carefully considered by the victim. Respondents stressed that in those cases an open discussion with the clients was needed. Finally, in cases where the penal system and care professionals do collaborate well, another type of conflict arises: the desire to share information can clash with the victim's right to privacy. Some examples were provided which showed that information is sometimes exchanged between care providers and the criminal justice system without consent of the victim. Where there is consent, information is not always conveyed to the victim, often with the intent to reduce psychological strain.

Just as within the penal system, practical limitations also occur outside it. It was made clear that there is often simply not enough capacity within support organizations to provide adequate support or to accompany clients to the police or court. This lack of support can lead to crimes not being reported. It is important to mention that examples were also given of different circumstances, e.g. policies ensuring that all incidents were reported to police by care workers and accompanying clients to appointments. Some experts also described positive experiences with structural collaboration between care workers and police lowering barriers for clients.

Communication that is not adapted to the victims' reading comprehension level

Lastly, the way the justice system communicates with victims is often not appropriate for victims with MIDs. A lot of the communication is done in writing. A section of the people with MIDs often do not open their mail, especially when it is from 'official organizations' like the justice department. When mail is opened, the language used is often not suited to people with MIDs. Some respondents indicated that, as they realized the standard written information would be too complicated, they would give the necessary information verbally instead. However, by doing so, a larger demand is made on the victim's memory and they then do not have a chance to read back the information or share it with people within their network at a later stage.

Discussion

In line with the literature, barriers for victims with MIDs identified in this study are practical, procedural and attitudinal. The literature shows that in some situations, a positive rather than a negative influence of MIDs on assessments of certain aspects concerning victims with MIDs has been identified (see e.g. Bottoms et al., 2003; McAfee et al., 2001). At first, these findings seem to contradict the majority of studies identifying negative influences and barriers for victims with MIDs.

Notwithstanding the possible influence of differences in methods across studies, we found that although respondents in our study regularly showed good intentions and willingness to accommodate victims with MIDs, insufficient knowledge and skills as well as insufficient recourses can lead to inappropriate solutions in practice. This indicates that the attitudinal barriers faced by victims with MIDs are complex and can include both negative and more favourable attitudinal aspects. Moreover, there may be an interaction present between the different types of barriers as, e.g. both skills and available resources were seen to be of influence.

All in all, it is felt that strengthening knowledge can help mutual understanding which indicates a need for education on the subject. It is important they are aware that the choices their clients have to make within this system may have implications on the accessibility of their rights, e.g. their right to claim damages from the perpetrator within the criminal procedure or the right to stay informed about the case.

Knowledge is not enough when the context does not allow the use of this knowledge; thus, both the justice system and care-organizations should look at how they can allocate sufficient resources to enable adequate support of those who cannot (fully) effectuate their rights on their own. Limited recognition of MIDs was identified as a problem within the criminal justice system. There are multiple screening instruments available and some are actively used within the penal system to, e.g. identify people who are incarcerated (Kaal, Nijman, & Moonen, 2015; Murphy, Gardner, & Freeman, 2015). Possible application of such instruments with victims and the possible implications of such an approach should be considered and researched further.

Some examples of local collaboration between care-organizations and police where joint policies regarding the support of victims with MIDs who are clients of their care organizations are formed can be seen as good practice. However, many people with MIDs do not receive regular care, and it is felt their interests should be protected as well.

Implications for practice

Providing and ensuring adequate support is available for victims with MIDs individually and as a group can be considered of explicit concern for the social work profession. In the Netherlands, VSS provide support to victims by means of both paid and voluntary employees of which some are trained social workers. However, the social work profession as a whole will encounter victims with MIDs at different times, some playing an active role during their client's experiences with the criminal justice system, others before or after. Understanding the possible difficulties and barriers clients with MIDs encounter or may have encountered, knowledge of the role different organizations play for victims and possible inadequacies in the way systems are set up are also important factors. At the same time, they should be aware of possible conflicts of interest and practical limitations concerning their role in order to prevent negative impact on victims. As there are indications that

victims with MIDs sometimes fail to enter into the criminal justice system due to actions of or decisions by support workers or organizational policies, support workers should ensure that they or their organization themselves do not become a barrier to victims effectuating their rights.

The more victim-related bottlenecks identified in this study (such as victims' incomprehension about the process and proceedings and difficulty meeting requirements and expectation of the system) may be alleviated by addressing these issues not only with victims with MIDs but also with clients with MIDs in general. (Practical) knowledge of the judicial system and victims' rights as well as collaboration with other organizations involved can be seen as a prerequisite to provide adequate support for victims with MIDs. Moreover, as difficulties for victims with MIDs are likely to start even before they encounter the criminal justice system, it is important for all professionals working with people with MIDs to be aware of their high risk of victimization and that victimization is not always recognized or acknowledged. In this context, the social work profession can also play an important role in addressing the need for trauma-informed care and services in programmes and supports available to people with disabilities as specified by Davis, Petty, and Sick (2015). Lastly, the importance of providing support for self-advocacy of victims with MIDs seems evident and has been recently reiterated by Davis et al. (2015). In countries where this support is not yet sufficiently available, the social work profession could review their possible role here within.

Limitations

Due to the qualitative methods applied, prevalence of the identified barriers cannot be estimated. However, many of the barriers identified were backed by different examples from multiple respondents, often from different fields, suggesting this exploratory investigation identified usually broadly recognized barriers. This is strengthened by the fact that our study was concluded with an expert meeting involving respondents from both the criminal justice system and professionals working with people with MIDs, who had not taken part in the earlier interviews. Resonance of the findings was checked and confirmed by respondents in this meeting. Methods used for and findings of this meeting were reported in the original study report.

The choice of respondents may have influenced the findings. As the majority of the respondents from the criminal justice system were active at the beginning of the system, the later stages of the victims' pathway may have been underexposed. However, many respondents worked and had insight into multiple phases of the victims' pathway with respondents from, e.g. VSS, VC, the PPS and attorneys playing active roles in most phases. Respondents comprised professionals from the criminal justice system and experts on MIDs. Consequently, only one victim with MID was included as an experience expert. Although it was felt that interviewing experts in the field of MIDs helped to include the perspective of victims with MIDs to some extent, the lack of involvement of more respondents with

MIDs is recognized. The background of the choices made in the design of this study was discussed in the methods section. Now that bottlenecks are identified, future research should aim to interview victims with MIDs directly about their experiences of the penal system.

The respondents could only relate their experiences with victims whose MID was recognized. We could not identify how often respondents were confronted with victims with unrecognized MIDs and who either did not experience any substantial problems, or who experienced problems that were attributed to something else than the MID.

Conclusions

Due to the heterogeneity of victims with MIDs, not all victims with MIDs will encounter (the same) problems in effectuating their rights. It is clear, however, that at least some of them will experience extra difficulties during multiple stages of the victims' pathway, influencing their ability to effectuate their rights and increasing the risk of secondary victimization. Individually tailored forms of support are required to overcome this and can be considered to be in line with the individual assessment mentioned EU directive (2012/29/EU). The social work profession can fulfil a crucial role in ensuring victims with MIDs can effectuate their rights and help protect against secondary victimization. Identified problems are mostly situated at the beginning of the victims' pathway. Consequently, assessment and implementation of required support should, at least in some form, precede the actual reporting of a crime. As the timeline in which, e.g. evidence, including statements needs to be acquired can be short, support measures should not hinder the necessary procedures. Therefore, influence of assessments and support measures on the victims' position within the criminal justice system and their access to rights should be closely monitored.

While failure to recognize MIDs may lead to wrongly interpreted behaviour displayed by victims with MIDs, recognition of MIDs may impact the way a case is handled in terms of attitudes of prejudice. In both cases, strengthening the knowledge of MIDs is required. Specialized knowledge about victims with MIDs is available within the Dutch criminal justice system, especially with the police. However, this knowledge seems to be mostly applied to victims of more severe types of crime. Whether and how the needs of a victim with MIDs are taken into account is often dependent on personal knowledge and initiative of individual actors within the justice system. Privacy and autonomy of victims with MIDs can be threatened in some situations and (mandatory) dependency on third persons can further reduce accessibility of rights by, e.g. practical limitations or conflicts of interests.

This research was performed within the context of increased attention for the position of victims in general. During the interviews, it was regularly mentioned that it is difficult to guide any victim through the victims' pathway undamaged. The findings show that it is nevertheless important to keep victims with MIDs explicitly in mind when implementing general improvements as these will not

always meet their needs. For example: standard letters being reproduced at a more understandable language level might still be too difficult for victims with MIDs, while digitalization of communication as currently pursued might provide extra barriers for some victims with MIDs.

Ethics

Not relevant. Ethical approval was not required for this study.

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Notes

1. IQ 50-85 combined with limitation in social adaptive skills and accompanying difficulties, for example, learning or psychiatric disabilities (De Beer, 2011).
2. When referencing literature, original terms are used. Learning disabilities have been classified as ID.
3. (M)ID is used when referring to both ID and the broader (IQ) definition of MID.

References

- Ask, K., & Landström, S. (2010). Why emotions matter: Expectancy violation and affective response mediate the emotional victim effect. *Law and Human Behavior, 34*(5), 9. doi: 10.1007/s10979-009-9208-6
- Aiden., H.S., & McCarthy, A. (2014) *Research Output: Research Commissioned* report see. London: Scope, 2014. 20p. [https://research-information.bristol.ac.uk/en/publications/current-attitudes-towards-disabled-people\(f85a8a8d-dc69-4e23-a02b-42707a1acf9f\).html](https://research-information.bristol.ac.uk/en/publications/current-attitudes-towards-disabled-people(f85a8a8d-dc69-4e23-a02b-42707a1acf9f).html)
- Bailey, A., Barr, O., & Bunting, B. (2001). Police attitudes toward people with intellectual disability: An evaluation of awareness training. *Journal of Intellectual Disability Research, 45*(4), 344–350. doi: 10.1046/j.1365-2788.2001.00339.x
- Beadle-Brown, J., Richardson, L., Guest, C., Malovic, A., Bradshaw, J., & Himmerich, J. (2014). *Living in fear: Better outcomes for people with learning disabilities and autism*. Main research report. Retrieved from http://www.mcch.org.uk/pages/multimedia/db_document.document?id=8009
- Beail, N., & Warden, S. (1995). Sexual abuse of adults with learning disabilities. *Journal of Intellectual Disability Research, 39*(5), 5. doi: 10.1111/j.1365-2788.1995.tb00542.x

- Bottoms, B. L., Nysse-Carris, K. L., Harris, T., & Tyda, K. (2003). Jurors' perceptions of adolescent sexual assault victims who have intellectual disabilities. *Law and Human Behavior, 27*(2), 205–227. doi: <https://doi.org/10.1023/A:1022551314668>
- Brennan, R., & Brennan, M. (1994). *Cleartalk: Police responding to intellectual disability*. 176. Retrieved from <http://www.criminologyresearchcouncil.gov.au/reports/25-92-3.pdf>
- Cederborg, A., & Lamb, M. (2006). How does the legal system respond when children with learning difficulties are victimized? *Child Abuse & Neglect, 30*, 537–547. doi: 10.1016/j.chiabu.2005.10.015.
- Cederborg, A.-C., Danielsson, H., La Rooy, D., & Lamb, M. E. (2009). Repetition of contaminating question types when children and youths with intellectual disabilities are interviewed. *Journal of Intellectual Disability Research, 53*, 440–449. doi: 10.1111/j.1365-2788.2009.01160.x.
- Clare, I. C. H., & Gudjonsson, G. H. (1993). Interrogative suggestibility, confabulation, and acquiescence in people with mild learning disabilities (mental handicap): Implications for reliability during police interrogations. *British Journal of Clinical Psychology, 32*, 296–301. doi: 10.1111/j.2044-8260.1993.tb01059.x
- Davis, L. A., Petty, J., & Sick, R. (2015). Access to justice. *Inclusion, 3*(4), 274–281. doi: 10.1352/2326-6988-3.4.274
- De Beer, Y. (2011). *De Kleine Gids – Mensen met een licht verstandelijke beperking*. [English: *The Small Guide -People with Mild Intellectual Disabilities*] Deventer: Kluwer.
- Doyle, C., & Mitchell, D. (2003). Post-traumatic stress disorder and people with learning disabilities: A literature based discussion. *Journal of Learning Disabilities, 7*(1), 23–33. doi: <https://doi.org/10.1177/1469004703007001603>
- Emerson, E., & Roulstone, A. (2014). Developing an evidence base for violent and disablist hate crime in Britain: Findings from the life opportunities survey. *Journal of Interpersonal Violence, 29*(17), 3055–3062. doi: 10.1177/0886260514534524
- Ericson, K., & Isaacs, B. (2003). Eyewitness identification accuracy: A comparison of adults with and those without intellectual disabilities. *Mental Retardation, 41*(3), 161–173.
- Ericson, K., & Perlman, N. (2001). Knowledge of legal terminology and court proceedings in adults with developmental disabilities. *Law and Human Behavior, 25*(5), 529–545. doi: 0147-7307/01/1000-0529\$19.50/1
- Evans, D. N. (2013). Perceptions of the victimization of individuals with intellectual disabilities. *Advances in Applied Sociology, 3*(2), 114–123. doi: 10.4236/aaoci.2013.32015
- Grundy, D. (2011). Friend or fake? Mate crimes and people with learning disabilities. *Journal of Learning Disabilities and Offending Behaviour, 2*(4), 167–169. doi: 10.1108/20420921111207855
- Harrell, E. (2015). *Crime against persons with disabilities, 2009-2013 – Statistical Tables*. Retrieved from <http://www.bjs.gov/content/pub/pdf/capd0913st.pdf>
- Henry, L., Ridley, A., Perry, J., & Crane, L. (2011). Perceived credibility and eyewitness testimony of children with intellectual disabilities. *Journal of Intellectual Disability Research, 55*(4), 385–391. doi: 10.1111/j.1365-2788.2011.01383.x
- Hsieh, H.-F., & Sarah, E. S. (2005). Three approaches to qualitative content analysis. *Qualitative Health Research, 15*(9), 1277–1288. doi: 10.1177/1049732305276687
- Kaal, H. (2013). *Ongewoon moeilijk; Jeugdige delinquenten met een LVB als (voortdurende) bron van zorg*. [English: *Exceptionally difficult: Youthful delinquents with MID's as (continued) source of care.*] Den Haag: Boom Lemma uitgevers.
- Kaal, H. L., Nijman, H. L. I., & Moonen, M. H. (2015). Identifying offenders with an intellectual disability in detention in the Netherlands. *Journal of Intellectual Disabilities and Offending Behaviour, 6*(2), 94–101. doi: 10.1108/JIDOB-04-2015-0008

- Kebbell, M., & Hatton, C. (1999). People with mental retardation as witnesses in court: A review. *Mental Retardation*, 37(3), 179–187. doi: [http://dx.doi.org/10.1352/0047-6765\(1999\)037<0179:PWMRAW>2.0.CO;2](http://dx.doi.org/10.1352/0047-6765(1999)037<0179:PWMRAW>2.0.CO;2)
- Keilty, J., & Connelly, G. (2001). Making a statement: An exploratory study of barriers facing women with an intellectual disability when making a statement about sexual assault to police. *Disability & Society*, 16(2), 273–291. doi: 10.1080/09687590120035843
- Kersh, J. (2011). Attitudes about people with intellectual disabilities: Current status and new directions. In Hodapp R. M. (Ed.), *International review of research in developmental disabilities* (Vol. 41, pp. 199–225). Oxford: Academic Press, Elsevier.
- Livneh, H. (1982). On the origins of negative attitudes toward people with disabilities. *Rehabilitation Literature*, 43, 338–347. Retrieved from http://pdxscholar.library.pdx.edu/cgi/viewcontent.cgi?article=1021&context=coun_fac
- Manzanero, A. L., Contreras, M. J., Recio, M., Alemany, A., & Martorell, A. (2012). Effects of presentation format and instructions on the ability of persons with intellectual disability to identify faces. *Research in Developmental Disabilities*, 33, 391–397. doi: 10.1016/j.ridd.2011.09.015
- McAfee, J., Cockram, J., & Wolfe, P. S. (2001). Police reactions to crimes involving people with mental retardation: A cross-cultural experimental study. *Education and Training in Mental Retardation and Developmental Disabilities*, 36(2), 160–171. Retrieved from https://www.jstor.org/stable/23879731?seq=1#fndtn-page_scan_tab_contents
- McCormack, B., Kavanagh, D., Kaffrey, S., & Power, A. (2005). Investigating sexual abuse: Findings of a 15-year longitudinal study. *Journal of Applied Research in Intellectual Disabilities*, 18(3), 217–227. doi: 10.1111/j.1468-3148.2005.00236.x
- Mevissen, L., & de Jongh, A. (2010). PTSD and it's treatment in people with intellectual disabilities: A review of the literature. *Clinical Psychology Review*, 30(3), 308–316. doi: 10.1016/j.cpr.2009.12.005.
- Moonen, X., & Rispens, I. (2014). Schakels in de strafrechtsketen [*Links in the criminal justice system*]. In Kaal H., Overvest N., & Boertjes M. (Eds), *Beperkt in de keten. Mensen met en licht verstandelijke beperking in de strafrechtsketen. [Limited in the Chain. People with Mild Intellectual Disabilities within the chain of the criminal justice system]* (pp. 83–94). Den Haag.
- Mulder, M. R., & Winkel, F. W. (1996). Social workers' and police officers' perception of victim credibility: Perspective-taking and the impact of extra-evidential factors. *Psychology, Crime & Law*, 2(4), 307–319. doi: 10.1080/10683169608409786
- Murphy, G. H., & O'Callaghan, A. (2004). Capacity of adults with intellectual disabilities to consent to sexual relationships. *Psychological Medicine*, 34(7), 1347–1357. doi: 10.1017/S0033291704001941
- Murphy, G. H., Gardner, J., & Freeman, M. J. (2015). Screening prisoners for intellectual disabilities in three english prisons. *Journal of Applied Research in Intellectual Disabilities*, 30, 198–204. doi: 10.1111/jar.12224
- Nettelbeck, T., & Wilson, C. (2002). Personal vulnerability to victimization of people with mental retardation. *Trauma, Violence and Abuse*, 3(4), 289–306. doi: 10.1177/1524838002237331
- Perlman, N. B., Ericson, K. I., Esses, V. M., & Isaacs, B. J. (1994). The developmentally handicapped witness: Competency as a function of question format. *Law and Human Behavior*, 18(2), 171–187. doi: 10.1007/BF01499014

- Petersilia. (2001). Crime victims with developmental disabilities: A review essay. *Criminal Justice and Behavior*, 28(6), 655–694. doi: 10.1177/009385480102800601
- Salekin, K. L., Olley, J. G., & Hedge, K. A. (2010). Offenders with intellectual disability: Characteristics, prevalence, and issues in forensic assessment. *Journal of Mental Health Research in Intellectual Disabilities*, 3(2), 97–116. doi: 10.1080/19315861003695769
- Spaan, N., & Kaal, H. (2015). *Onbeperkt toegang tot recht? Slachtoffers met een licht verstandelijke beperking in de strafrechtsketen [English: Unlimited access to rights? Victims with mild intellectual disabilities within the criminal justice system]*. Leiden, the Netherlands: Brave New Books/Hogeschool Leiden
- Spivak, B. L., & Thomas, S. D. M. (2013). Police contact with people with an intellectual disability: The Independent Third Person perspective. *Journal of Intellectual Disability Research*, 57(7), 635–646. doi: 0.1111/j.1365-2788.2012.01571.x
- Thomas, P. (2011). 'Mate crime': Ridicule, hostility and targeted attacks against disabled people. *Disability & Society*, 26(1), 107–111. doi: 10.1080/09687599.2011.532590
- Tyiska, C. G. (2001). *Working with victims of crime with disabilities*. Minnesota Center Against Violence and Abuse. Retrieved from <http://www.projectdartpdx.org/pdf/Working%20with%20Victims%20of%20Crime.pdf>
- Wijers, M., & De Boer, M. (2010). *Een keer is erg genoeg [English: One time is bad enough]*. Amsterdam. Retrieved from https://www.wodc.nl/onderzoeksdatabase/secundaire-victimisatie-van-slachtoffers-als-getuigen-in-het-straftproces.aspx?nav=ra&l=opsporing_en_handhaving&l=verhoor
- Williams, C. (1993). Vulnerable victims? A current awareness of the victimisation of people with learning disabilities. *Disability, Handicap & Society*, 8(2), 161–172. doi: 10.1080/02674649366780131
- Williams, C. (1995). *Invisible Victims: Crime and abuse against people with learning difficulties*. London: Jessica Kingsley Publishers. Retrieved from <https://www.ncjrs.gov/App/Publications/abstract.aspx?ID=162273>
- Wilson, C., & Brewer, N. (1992). The incidence of criminal victimisation of individuals with an intellectual disability. *Australian Psychologist*, 27(2), 114–117. doi: 10.1080/00050069208257591