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## Putting a Face on the Dark Figure: Describing Victims Who Don't Report Crime

STEPHANIE FOHRING\*

*Since the inception of large scale victimisation surveys a considerable amount of research has been conducted investigating the so called 'dark figure' of unreported crime. Although this figure has consistently hovered around 60% of all victims, recent research reveals little about those who choose not to pursue formal avenues of justice. This article thus seeks to open a dialogue which focuses on the actual people behind the dark figure. It uses examples from the Scottish Crime and Justice Survey to describe these individuals and to explore explanations for their non-reporting. It highlights the importance of deprivation and vulnerability with regards to reporting crime but also the initial risk of victimisation. It concludes by arguing that the lack of focus on victims who don't report leaves them vulnerable and invisible to the eyes of policy makers and the criminal justice system.*

**Keywords:** *victims, dark-figure of crime, reporting, deprivation, labelling.*

### Introduction

It may come as a surprise to those not well acquainted with criminological research that well over half of all crime committed in Western society is never reported to the police, let alone brought before a judge or jury, and only rarely punished. This seems almost counter-intuitive when we are constantly reminded of ever burgeoning prison populations on both sides of the Atlantic, and the new research de rigueur, the so called "crime drop". If crime

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rates are falling while at the same time an increasing number of offenders are being imprisoned, surely more crimes are being reported to the police? Unfortunately, this is not the case. In the United Kingdom, along with most Western nations, the shadowy, dark, unreported proportion of crime remains in excess of 60% of all those committed.

In an effort to bring this dark figure to light, this article will first briefly review the history and existing research surrounding the dark figure of crime, including the literature and theory surrounding the phenomenon of non-reporting. Following this, I will turn to describing the arguably “invisible victims” who in fact make up the dark figure, and present some data which aims to help describe this group and how deprivation and vulnerability link those most at risk of victimisation with those who choose not to involve formal avenues of justice.

## **Background/history**

The dark figure of crime was “discovered” alongside the advent of large cross national victimisation surveys, the first of which, the National Crime and Victimization Survey (NCVS), took place in the USA in 1977, and was closely followed by similar surveys in the United Kingdom (and later Scotland and Northern Ireland), the Netherlands, Canada, and eventually on an international scale (International Crime and Victimization Survey) (see Maguire, 2002; Zedner, 2002). It quickly became apparent that these surveys were measuring something other than police recorded crime, as the staggering number of incidents reported compared to police records came to light. In America, the National Crime Victim Survey (NCVS), which recorded some 6.1 million violent victimizations, showed that less than half were reported to the police (Truman, Langton, 2014). In the UK, the British Crime Survey, now the Crime Survey England and Wales, provides a 30 year picture of crime reporting where reporting rates were as low as 31% in the first survey in 1982, peaked at 43% in 1992, and have since dropped again to 38% (Hoare, 2009). Results from the Scottish Crime and Justice Survey (SCJS) mirror those from England and Wales, with only two in five (38%) being reported to the police (Page et al., 2009). In the Netherlands, 43% of victimizations are reported to the police (Goudriaan et al., 2006). The dark figure of unreported crime thus remains a significant proportion, consisting of nearly half of crimes overall, and worryin-

gly, may be much higher for some categories of crime such as sexual offences, where the rate of reporting may be as low as 15% (Office for National Statistics, 2013). A substantial literature has formed around the concept of the dark figure, addressing both the impact of unreported crime on the criminal justice system and policy, as well as a growing number of theories seeking to explain the decision to not report a crime from the victim's perspective. An in-depth discussion of this literature is, of course, far beyond the scope of this article, as such, here I provide only a brief overview.

### **The importance of non-reporting**

Non-reporting is a serious problem in criminal justice for a number of reasons, for the victim as well as the system. It is a key determinant in shaping the statistics recorded by the police and also in providing a broader understanding of how crime impacts on different individuals, communities and neighbourhoods (Tarling, Morris, 2010). Notification by the victims and witnesses of criminal incidents leads to action by the authorities in as many as 75 to 80% of cases; without such notification by victims, few crimes would come to the attention of the police (Skogan, 1984). It is perhaps for this reason that Hindelang and Gottfredson (1976) labelled the victim "the gatekeeper of the criminal justice system" for if they do not report, the deterrent capability of the criminal justice system is severely limited, as certain classes of perpetrators, including those who abuse relatives and family members who are reluctant to involve the police are safeguarded from official view (Skogan, 1977). Furthermore, from a policy perspective, police resources may be misallocated if crime reporting varies a great deal from place to place in that neighbourhoods who do not report the crimes they have experienced will be disadvantaged in not receiving their share of crime prevention or crime control expenditure.

I would argue however, that the most serious consequence of non-reporting is the fact that those victims who represent the dark figure remain invisible to the eyes of those people and organisations that are there to assist in the aftermath of crime. Although many organisations exist to support people affected by crime and reporting is in most cases not a prerequisite of support, many schemes rely almost exclusively on the police to identify and refer victims in need, meaning those whose experiences go unreported may be cut off from assistance and support, as well as financial compensation. For

example, in Scotland as few as 5% of those who used the services of Victim Support Scotland (the country's largest provider for victims of crime) were self-referred, suggesting that very few victims find their way to these services without referral by the police (Victim Support Scotland, 2010). For these reasons, there is an ever growing literature investigating the rationale behind victims' willingness to report.

### **Reasons for non-reporting**

A number of years ago I was so lucky to hear one of victimology's most noted contributors, Nils Christie, speak at the conference in Japan. A comment made by Nils (and I paraphrase here) insinuating that rape victims should *not* report the crime to the police, did not go down so well with the audience. I must admit, at the time I was also a little shocked. However, I soon came to understand why one might consider rape victims to be better off by not reporting. From Christie's perspective, by not reporting, a victim maintains ownership of the conflict. This option is seen as preferable to the alternative of ceding ownership to the prosecution, whereby it becomes an issue between the state and the offender, leaving the role of the victim to that of a witness in a crime against the state (Wemmers, 2012). Additionally, as victims who do report are often subjected to scorn, humiliating cross-examination (if their case even makes it to trial), secondary victimisation, disbelief, ostracising, and more often than not (as displayed by this country's pitiful conviction rate in rape cases) ultimate disappointment and disillusionment with the failure of the criminal justice system; they cannot be blamed for wanting to avoid this path. That being said, victims are arguably still better off reporting, mostly for the reasons cited above regarding access to services. Especially in serious cases such as rape, where victims may significantly benefit from long term support and counselling, one would hope specialised services be readily available. Particularly so as research suggests as few as 28% of front line service providers, such as general health practitioners (family doctors), are able to accurately assess and prescribe for serious mental illnesses related to crime, including PTSD (Munro et al., 2004).

In contrast to Christie's more philosophic approach, most reporting research based on large scale victimization surveys tends to suggest similar incident focused factors influencing victims' decisions such as the per-

ceived seriousness of the offence, the victims' relationship to the offender, and the value of items lost or damaged (Greenberg et al., 1979; Skogan, 1984; Goudriaan et al., 2006; Bowles et al., 2009). This has led to the proliferation of theories suggesting the use of a cost-benefit calculation: a cognitive tool which victims use to weigh the potential pros (return of lost items) and cons (time) of reporting to the police (Cohen, 2005; Bowles et al., 2009). This so called "cold" decision making process has received a fair amount of criticism for its over reliance on a victim's ability to make rational decisions in an emotionally laden context, as well as for using current reports of past judgements. Greenberg et al. (1979) also point out that this model may be appropriate for studying bystander or witness decision-making, but appears less well suited for studying victim decision making due to the stronger affective component.

Greenberg and Beach (2004) build on this cost benefit model, through the addition of both affective and social elements in their explanation of reporting behaviour. This explanation encompasses three general processes underlying the decision of victims to notify the police: one that is cognitively driven by reward/cost considerations, one that is affectively driven, and another that is socially driven. They base this theory on previous evidence that emotional trauma experienced as a result of victimization might influence victims' attention, perceptions, thoughts, judgments, interpretations and processing strategies (Keinan, 1987; Niedenthal, Setterlund, Jones, 1994; Petty, Cacioppo, Kasmer, 1988; Forgas, 2001 cited in Greenberg, Beach, 2004). The social facet of reporting is derived from research demonstrating a considerable proportion of victims turn to close others including family, friends, or even bystanders when deliberating on whether to notify the police (Van Kirk, 1978; Spelman, Brown, 1981). The fact that victims would turn to others for advice and assistance is consistent with classic social psychological research suggesting that when individuals are anxious or confused they are likely to turn to others (Asch, 1952; Festinger, 1954).

Cooperation with others, including one's community as well as the police, has been found to be significantly influenced by perceptions of legitimacy and fairness, often now grouped together under the umbrella of procedural justice (Tyler, Fagan, 2008). This ever burgeoning area of research has largely grown out of Tyler's (1990) conclusion that "people comply with the law not so much because they fear punishment as because they feel that legal authorities are legitimate and that their actions are generally fair" (Tyler according to Bottoms, Tambebe, 2012: 120). Naturally, many researchers have assumed that

trust in the police and acceptance of their status as legitimate should increase victims' willingness to report crimes. However, the available research suggests the reality is in fact far more complicated: that trust in the police does not appear to increase the likelihood of people reporting crime over and above other commonly researched factors such as perceived seriousness or relationships between the victim and offender (Kääriäinen, Sirén, 2011).

Further, recent research has sought to incorporate both the external, societal influences as well as deeply personal decision making into explanations of non-reporting. Building on the work of Greenberg and Beach (among others) is work by Fohring (2015) which expands on the cognitive processes involved in the first stage of Greenberg and Beech's model. Fohring (2015) integrates a number of social psychological and criminological theories, including Lerner's Just World Theory (1980), Janoff-Bulman's Shattered Assumptions (1992), and Taylor et al.'s (1983) Selective Evaluation, and comes to the conclusion that victims are highly motivated to avoid be labelled as victims, and as such employ a number of cognitive defence mechanisms to protect their non-victim identity and pre-existing beliefs about themselves and the world. The natural consequence of this process is that the incident in question – the crime – must no longer be considered a crime if one is not to be considered a victim. If a crime has not been committed, there is no reason to inform the police, and the crime remains invisible for all intents and purposes.

## **Findings**

Now that we have an idea of some of the possible explanations behind non-reporting, we turn to our primary concern – who exactly is it that is not reporting? An indication of the answer to this question lies in some of my earlier work (Fohring, 2015). In this paper, I examined the impact of numerous variables on reporting behaviour, service uptake, and satisfaction with support received. Factors affecting the risk of initial victimisation were also studied, though not reported in the paper. This analysis was carried out using data from the Scottish Crime and Justice Survey (SCJS), in depth discussions of which, including methodology, are available elsewhere (Fohring, 2015). So, suffice it to say that the survey is a large, nationally representative data-set, conducted via face-to-face interview, the purpose of which is to determine individuals' experiences of crime and perceptions regarding number of cri-

minal justice matters in Scotland. The sweep used in this analysis was from 2008 – slightly dated but this sweep provides the largest dataset for analysis as some 16000 respondents took part.

Upon re-examining the findings from the exploratory analysis that was conducted ahead of the much more advanced modelling reported in Fohring (2015), I noticed a rather telling result – the variables found to be significant predictors of both personal crime victimisation risk and reporting in bivariate analyses were not just similar, but an exact match. These findings are presented in Table 1 below, which demonstrates how predictor variables are either demographic in nature, describing the characteristics of the victim, or descriptors of the neighbourhood in which the victim lives. Data is broken down into these levels not only for ease of interpretation, but because, when working with survey data, it is necessary to take into consideration the nested structure of the dataset in order to avoid errors of inference (Hope, 2008).

**Table 1:** *Effects on risk and reporting (personal crime)*

	Risk	Reporting
<b>Individual</b>	Gender (male)	Gender (male)
	Urban (city)	Urban (city)
	# Adults in Household (4+)	# Adults in Household (4+)
	Age (16-24)	Age (16-24)
	Employment status (unemployed)	Employment status (unemployed)
<b>Neighbourhood</b>	% 16 – 24	% 16 - 24
	% Victims	% Victims
	% Income deprived	% Income deprived
	% Employment deprived	% Employment deprived
	% Pensioners	% Pensioners

Table 1 demonstrates a striking relationship between risk and reporting behaviour, and helps to conjure up an image of what the individuals behind the dark figure may look like. The table compares variables found to have a significant ( $\alpha \leq 0.05$ ) effect on risk and reporting when tested using bivariate logistic regression. Variables measured at the Individual level are all categorical in nature, where for example, the gender variable is made up of male or female categories. The Urban variable consisted of three categories, city (the reference category) town, and rural. The number of adults in a household was measured in four categories, with one being the reference category, and further categories representing two, three and four or more. Offending



history was a simple binary measure, with “yes” indicating time spent in either prison or a young offenders institution, with “no” as the reference category. Age was measured in four categories, with 16-24s as the reference, with additional groups containing 25-54 year olds, 55-74, and 75+. Finally, employment status was measured in three groups representing the reference employed, unemployed, or inactive. In contrast, neighbourhood level predictors are continuous as they are measured on a percentage scale ranging from 1-100.

In line with previous research (Brennen et al., 2010), young men aged 16-24, or those living in high occupancy dwellings in urban areas, affected by unemployment and with a history of offending were at greater risk of victimisation while also having a lower likelihood of reporting. Additionally, risk and reporting were also significantly related to the neighbourhood characteristics listed in Table 1, in that they increased victimisation risk, while at the same time decreased the likelihood of reporting. The resulting image is one rather familiar to those of us working in fields such as criminal justice, sociology, social work or psychology: a young man, living in a large urban centre, in a high occupancy dwelling and possibly struggling to find work. Furthermore, the neighbourhood he lives in has high population of both, the very young, and the very old, has high levels of employment and income deprived, as well as a high proportion of others who have been the victims of crime. Simply put, the picture painted is one of deprivation and vulnerability.

Now, obviously this is not in any way a casual explanation, but simply an indicator of a relationship between deprivation, victimisation and non-reporting. That being said, I believe it to be a relationship worth exploring further as nearly one fifth (18.2%) of all crime in Scotland occurs in the most deprived areas (Scottish Government, 2014).

In order to further explore this relationship, it is handy to examine victimisation across areas of deprivation (in this case, in Scotland). To this end, I use the Scottish Index of Multiple Deprivation (SIMD) to examine differences in both the prevalence and incidence of crime based on the level of deprivation in the neighbourhood where the incident took place. SIMD provides an (albeit imperfect) indicator of the relative level of deprivation in an area by combining 38 indicators across 7 domains, these are: income, employment, health, education, skills and training, housing, geographic access and crime. Areas or neighbourhoods are then ranked in quintiles, with 1 representing the most deprived areas, and 5 the least. Table 2 below displays the results of a simple cross-tabulation of SIMD quintiles with the number of victims of violent

crime. Even this simple analysis is however able to demonstrate some rather telling patterns, with 50% of violent crime victims resident in neighbourhoods within the two most deprived quintiles, versus only 9% in the least deprived areas. This amounts to nearly triple the number of victims in the most deprived area as in the least.

**Table 2:** *Prevalence of violent crime by level of deprivation*

Prevalence: Victim of violent crime*	SIMD Quintiles					Total
	1 (high deprivation)	2	3	4	5 (low deprivation)	
Count	90	90	75	69	33	357
%	25%	25%	21%	19%	9%	100.0%

\*Percentages rounded to nearest whole number

Furthermore, the number of repeat and/or multiple victims is also more concentrated in areas of higher deprivation. Table 3 below provides further insight into the impact of deprivation on victimisation; this time depicting incidents of crime rather than persons (as one victim can report numerous incidents). It quickly becomes apparent that, even for single incidents, the number is nearly double for the most deprived areas compared the least. This trend quickly escalates as we look to victims who have experienced multiple incidents of crime, until we see that of those who report five or more incidents, 40% can be found in the most deprived quintile alone, with a further 28% added if we take into account the lowest two quintiles, for a total of 68%, compared to only 11% in the top two quintiles.

**Table 3:** *Incidents of personal crime by level of deprivation*

Incidents of personal crime*		SIMD Quintiles					Total
		1 (high)	2	3	4	5 (low)	
1.00	Count	249	278	207	126	126	986
	%	25%	28%	21%	13%	13%	100%
2.00	Count	91	88	90	32	29	330
	%	28%	27%	27%	10%	9%	100%
3.00	Count	46	35	27	10	16	134
	%	34%	26%	20%	8%	12%	100%
4.00	Count	43	27	16	10	11	107
	%	40%	25%	15%	9%	10%	100%
≥ 5.00	Count	45	32	24	6	7	114
	%	40%	28%	21%	5%	6%	100%
Total	Count	474	460	364	184	189	1671
	%	28%	28%	22%	11%	11%	100%

\*Percentages rounded to nearest whole number

Deprivation is obviously showing a relationship with victimisation, though again, from this data we cannot infer that one causes the other. So what exactly can we conclude from the above pattern? Stepping back from the data and looking at the big picture reveals the possibility that victimisation risk is a combination of life stage, lifestyle and location choice with those at more vulnerable stages and locations facing greater risk of victimisation. That is, young men living in deprived urban neighbourhoods are more likely to be exposed to crime. The concept of vulnerability in relation to risk is not a new one, and has been particularly highlighted by Hope, Trickett and Ozborn (2008) who see victimisation risk more as an indicator of belonging to either of two opposing groups in the population, one of which is highly immune to crime, the other of which is highly susceptible. The source of crime victimisation (motivated offenders) comes primarily from victims environments, therefore very vulnerable residents in high risk environments continue to be victimised because they are unable to attain immunity, or to remove themselves from risk within these environments (Hope, Trickett, Osborne, 2008: 48). Clearly the combination of characteristics identified here plays a role in making it much more difficult for an individual to achieve immunity from victimisation.

## **Discussion**

The information presented above suggests a clear connection between that those who face the greatest risk of criminal victimisation may also be the least likely to report a crime to the police. This is indicated by the striking overlap in variables which significantly predict both victimisation risk, and reporting. Furthermore, when taken together, it is argued that these same variables are indicative of the more general experience of deprivation. Deprivation in turn, is shown to be related to the distribution of victimisation in the population, with greater concentrations of both crimes and victims in more deprived areas. That being said, this is not a simple relationship; deprivation is not the sole factor in under-reporting, and in fact, its impact becomes less apparent when other factors are considered.

In my previous work (mentioned above) when looking for variables with an impact on reporting, I found that the variables discussed above were significant in bivariate analysis. However, when entered into a multivariate regre-

ssion, only gender remained a significant predictor of reporting (Fohring, 2015). What was found to be the strongest predictor of reporting was the victim's perception of the incident. That is, whether or not they labelled the incident as a crime, with those in fact labelled as such, being 14 times more likely to be reported. Qualitative analysis of further data led me to believe that it was a strong motivation to avoid both the social stigma attached to victimisation and to protect one's core, foundational beliefs about the self and world that resulted in this finding. If one does not wish to perceive themselves as a victim, it is necessary that an incident not be considered as crime, which in turn makes it highly unlikely to be reported to the police. So, although vulnerability and deprivation are undeniably related to victimisation, and the variables found to be significant predictors of both victimisation and reporting seem to indicate deprivation, what is the link that ties these two findings together?

Being labelled as a victim has previously been shown to be objectionable for a number of both social and personal reasons, including the stigma attached to the label, but also the derogation and blame it may precede. One aspect of this label not previously discussed in the literature is how it adds to deprivation and vulnerability. When someone is labelled a victim, any existing vulnerability is exacerbated as one is now also deprived of their former self. Although being the victim of crime affects everyone differently, it is common not only in the literature, but for victims themselves to report a loss or shattering of their beliefs about the safety of their world, justice, and their ability to cope or deal with adversity (Janoff-Bulmann, 1993). Additionally, as a result of the stigma attached to victimisation, victims may be further deprived of the respect of others, their dignity and self-confidence, making it that much more likely they will be unable to remove themselves from the risk of future victimisations and acquire safety or immunity.

## **Conclusions**

The dual purpose of this paper has been to take an initial step in highlighting the problem of the dark figure of crime for victimology and to begin to describe the persons represented by the figure by highlighting deprivation and vulnerability as key links between those with both a greater risk of victimisation and non-reporting. These persons are all too often invisible, their

absence representing two serious issues. Firstly, in terms of criminal justice agencies and the policy makers responsible for providing support and implementing change. Many countries globally, including the United States, Australia, the United Kingdom and the wider European Union, are implementing legislation and directives intended to expand victims' rights and to support their experience of, and participation in, court proceedings. The problem arises however, when efforts to improve the plight of victims focus entirely on improving their experiences of criminal justice, when, as has now been made clear, the bulk of victims do not even become involved with this system.

The second issue arises for researchers, as the invisibility of this group makes them particularly difficult to access and study. Obviously large scale crime and victimisation surveys like the SCJS used here are immensely useful, but are also limited in the information they provide into a complex and often oversimplified problem. Going beyond survey research by including qualitative approaches is necessary in order to develop a deeper understanding of the motivation behind non-reporting than can be derived from binary survey responses. It is however, very difficult, though not impossible, for the creative and determined researcher (and I speak here from first-hand experience) to access victims who have not been involved in criminal justice as no record of their victimisation exists, and in many cases, they might not even consider themselves victims.

This perception of oneself as either a victim or not has been shown elsewhere to be a key determinant of the decision to report, as have a number of other factors. In this paper, reporting has also been linked to the initial risk of victimisation in that those behind the dark figure tend to be young, urban, unemployed, and living in areas of high deprivation. In other words, they are vulnerable to crime, or unable to remove themselves from ongoing risk. This vulnerability is only heightened by the non-reporting of crime by further depriving the victim of support and resources which may decrease ongoing risk and the impact of the crime. The unfortunate fact thus remains that until more attention is paid to this group, the victims who comprise the dark figure will remain invisible.

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STEPHANIE FOHRING

## Davanje lica tamnoj brojci kriminaliteta: karakteristike žrtava koje ne prijavljuju krivična dela

Od početka široke primene anketa o viktimizaciji sproveden je znatan broj istraživanja o takozvanoj tamnoj brojci kriminaliteta. Iako se tamna brojka kriminaliteta dosledno kreće oko 60% za sve žrtve, novija istraživanja otkrivaju malo o onima koji odlučuju da ne prijave krivično delo. Shodno tome, ovaj rad ima za cilj da otvori prostor za dijalog koji bi se fokusirao na stvarne ljude iza tamne brojke kriminaliteta. Da bi se opisali ovi pojedinci i analizirala moguća objašnjenja njihovih odluka da ne prijave krivično delo, korišćeni su primeri škotske Ankete o kriminalitetu i pravosuđu. Pri tome, istaknut je značaj deprivacije i vulnerabilnosti u vezi sa prijavljivanjem krivičnih dela, kao i polazni rizik viktimizacije. Zaključeno je da nedostatak fokusa na žrtve koje ne prijavljuju krivična dela čini ove žrtve vulnerabilnim i nevidljivim za kreatore politike i sistem krivičnog pravosuđa.

**Ključne reči:** žrtve, tamna brojka kriminaliteta, prijavljivanje, deprivacija, etiketiranje.