

# Victims of Environmental Crime

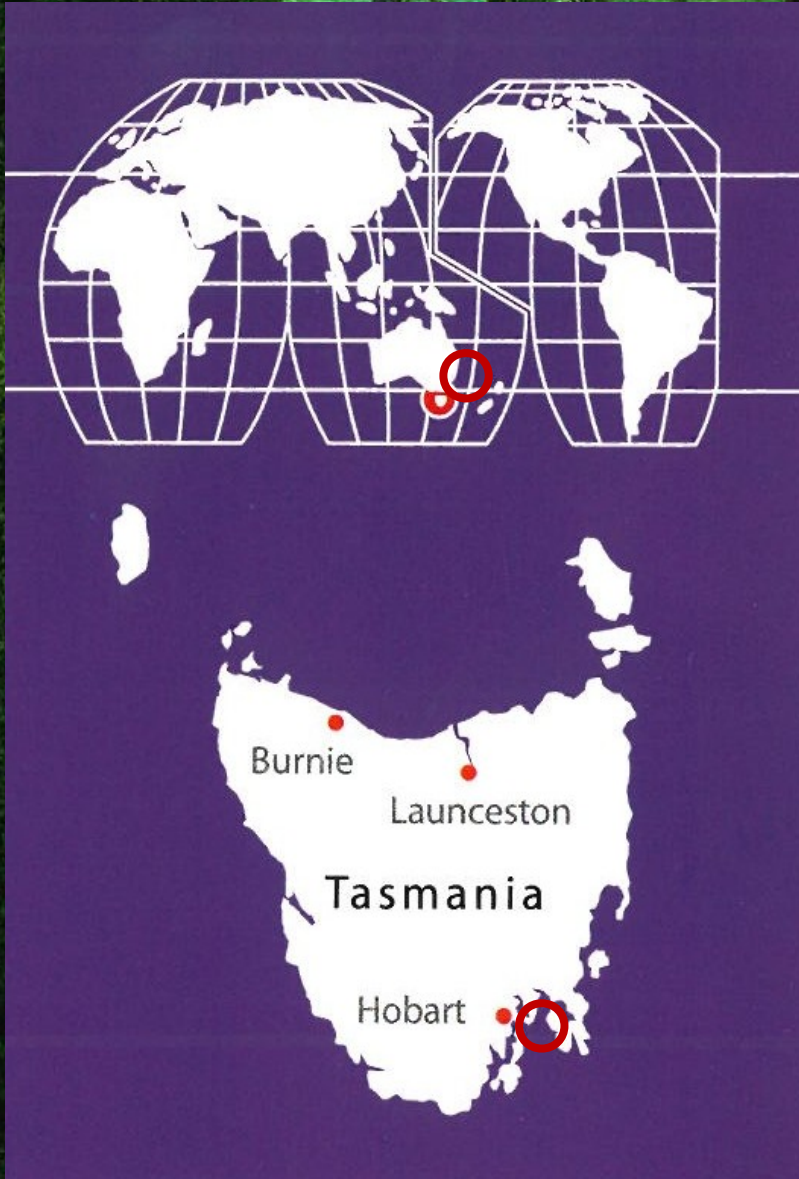
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# An Environmental Victims Charter

- Who/what is or should be acknowledged as a victim of environmental crime?
- What are agencies of social control doing about environmental victimisation?
- How is or should victimhood be addressed by courts and the criminal justice system?
- How is compensation for victims and reparation of harms to be achieved?

# Eco-Justice and Victims

- ***Environment justice*** – environmental rights are seen as an extension of human or social rights so as to enhance the quality of human life, now and into the future: **the victim is human**
- ***Ecological justice*** – human beings are merely one component of complex ecosystems that should be preserved for their own sake: **the victim is specific environments**
- ***Species justice*** – animals have an intrinsic right to not suffer abuse, and plants the degradation of habitat to the extent that threatens biodiversity loss: **the victim is animals and plants**

# Victim Needs and Entitlements

**Justice as fairness/equality** (rights, needs, deserts, entitlements)

- Support services for victims and survivors of environmental crime (including harmed animals)
- Victim survival: issues of distribution of resources and weighing up the consequences of human actions
- Universal victimisation: climate change, illegal fishing, air pollution (everyone is affected,

# Victim Status

- Justice as acknowledgement** (subordination, non-recognition, disrespect, indifference)
- Human victims as ecological citizens with rights to healthy environments: issues of the recognition of their victim/survivor status
  - Rights and status of nonhuman environmental victims: plants, animals, biospheres
  - Differential risks within at risk populations: children, elderly, people with disabilities, illnesses, pregnant women

# Victim Participation

**Justice as engagement** (decision-making procedures, protecting interests, listening to multiple voices)

- Victims as having agency: issues of participation and engagement, being heard
- Environmental crime and the notion of ‘surrogate victims’: issues of representation of the non-human
- Victim Impacts of environmental crime:  
assessment of damage and harm relative to

# Victim Capacities

**Justice as functionings** (opportunities to 'do' and to 'be')

- Victims and compensation: assigning 'value' to environmental harm
- Victims and repairing the harm: issues of restorative and reparative justice
- Victim agency and mobilisation of survivors: making claims (e.g., Inuit people)

.11/23/12 Struggles for eco-justice: conservation, animal



# Victims, Offenders, Observers, By Standers

- **Complicit behaviours and multiple identities:** traditional users of land and contests over how to use resources, 'folk crime'
- **Precipitating factors of victimisation:** businesses and environmental regulation, vulnerable states/peoples and environmental degradation
- **Reassurance for whole communities:** the world is watching, monitoring corporate exploitation and manipulation of natural

# Now and Into the Future

Remediation of contaminated land and restoration of habitat of species, populations and ecological communities are examples of intergenerational burdens passed from the present generation to future generations. Where intergenerational inequity is caused by the commission of an environmental offence, the victims include future generations...The biosphere and non-human biota have intrinsic value independent of their utilitarian or instrumental value for humans. When harmed by