

# Secondary Victimization of a Survivor of Sexual Violence in the Lubumbashi Criminal System

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**Abstract:** *We identify secondary victimization of a survivor of sexual violence in the Lubumbashi criminal system. This work answers the following question: "What would be the consequences of secondary victimization of victims of abuse at the High Court of Lubumbashi?" To respond to this question we have used the clinical method that is supported by the clinical interviews and content analysis that have allowed us to obtain the results below: the consequences of secondary victimization of survivors of sexual violence in the Lubumbashi criminal system are the changes of somatic, psychological and environmental order as well as values and principles. These results have been discussed with the resilience theory of Werner and Smith (1982). For a holistic treatment of the survivor of sexual violence and her family system, we have proposed support and family psychotherapies.*

**Keywords:** Resilience, secondary victimization, survivor of sexual violence and criminal system

## 1. Problem Definition

Secondary victimization of a survivor of sexual violence is a result of the mistreatment of victims of sexual violence. The latter is the fact of reliving one's trauma by a new event related or not to the initial trauma, that is to say the mistreatment that victims receive from the justice. By the mistreatment of the victim, we are talking about a single or repeated act, or lack of appropriate intervention, in a relationship that is meant to be a relationship of trust, which results in injury or moral distress to the person who is a victim of sexual violence.

In relation to our work, we try to show that in Congolese law, the victim is not the main party to the trial. S/he plays the role of a simple witness. Researches on the field have revealed that the victim, to seek compensation for damages suffered, may be grafted on the action of the Public Ministry or may act directly before the Court of First Instance by direct appearance.

If the prosecutor decides to prosecute perpetrators of violence sexual, the victims can take a civil action seeking compensation for damages in the form of damages. When the public prosecutor does not act, victims can trigger a public action by summoning the defendant by the bailiff before the High Court of Lubumbashi.

It is important for us to emphasize that sexual violence is based on the environment in which they are perpetrated and they differ from one place to another and they are also dependent on cultures and / or people. While survivors of sexual violence is aware of being victims, they seek to understand what happened to them, they experience grief, resentment, anger or a desire for revenge, justice or compensation. The Congolese criminal system directs its gaze towards the offender and has no provisions that could enable it to protect and care for the victims of sexual violence on psychological aspect. Thus victims face humiliation and the climate of fear characterized by

mockery, insults, offensive remarks, discriminatory remarks about sexual orientation, etc.

This situation leads survivors of sexual violence to secondary victimization which can lead her into poverty, confusion, distress or affliction that require a psychological and social support, or a possible material assistance and legal advice. In order to understand secondary victimization in Lubumbashi criminal system, we have asked ourselves the following question: "What would be the consequences of secondary victimization of a survivor of sexual violence in Lubumbashi criminal system?"

## 2. Theoretical Framework

This section is organized around three sub-sections below: The hypothesis of the work, the state of the art and the theoretical approaches.

### 2.1 Hypothesis

The consequences of secondary victimization of survivors of sexual violence in Lubumbashi criminal system would be somatic, psychological, environmental changes and values as well as principles.

### 2.2 State of the art

Pieters, Italiano, Offermans & Hellemans (2010) estimate that the public interest for the victims of sexual abuse and other social actors, such as parents of murdered or missing children subsequently, has strengthened in creating an image of the issue of sexual violence. Like a "snowball effect", other forms of violence have emerged in the light of the day: the violence of children and young people towards parents or other children, the mistreatment of aged people, institutional violence and children witnessing violence.

For Pasteel (2013), consequences of sexual violence are not only physical in nature but also have a huge impact on the quality of life. This creates a feeling of obstacle to freedom

of movement and freedom in general. The number of social relationships and their stability can be heavily affected. There may be a feeling of loneliness, distrust of others, problems in the relationship, as well as various psychological problems (anxiety, lack of self-confidence, depression), post-traumatic problems (problems with concentration, nightmares), psychosomatic problems (headaches, stomach ache) and sexual problems (aversion to sex).

We notice with Grandin (2018) that while increasing efforts are being made day by day to combat sexist acts and sexual violence, recent events have unfortunately shown that these behaviors continue to last throughout our society and that the world of work does not escape from this phenomenon. For this author, the world of work is only the reflection of our society and the real battle will be won upstream by education. No one shall be sexually assaulted, which is any act related to the sex of a person, the object or effect of which is to impair his or her dignity or to create an intimidating, hostile, degrading, humiliating or offensive environment.

Kawit Yav (2018) identified in his work, the real victims of sexual violence in Lubumbashi because rape is becoming a source of income for some parents of the alleged victims. He wanted to know what would prevail between the psychological variable and the physical one. He used the psychosocial survey, the questionnaire and the Chi-Square. The population was made up of Lushois [the inhabitants of Lubumbashi], as they are infinite; he extracted a disproportionate stratified sample of 483 participants. According to that study, a victim of sexual violence is any person who has suffered the introduction of a sex organ, an object or a part of the body into any orifice without his/her consent, the imposition to recount his/her sexual intercourse, sexual exploitation, sexual threats, the obligation to see or touch the private parts of person and exhibit his/her sensitive parts. After analyzing and discussing the results, he reversed the hypothesis that the psychological variable would take precedence over the physical variable.

Since 2006 in the Democratic Republic of Congo, we have a law on sexual violence which modifies and supplements the following laws: the first, No. 06/018 amending and supplementing the Decree of 30 January 1940 on the Congolese Criminal Code and the second, No. 06/019 amending and supplementing the Decree of 06 August 1959 establishing the Congolese Code of Criminal Procedure. They largely take into account the protection of the most vulnerable people, including women, children and men who are victims of sexual violence offenses. Referring to Part D of Article 170 which makes use of paragraph 2 of Article 167 which gives the description of the person, we have taken out the following definition of sexual violence: the only fact of the carnal sex contact committed on a child under eighteen years old is known as rape accompanied with violence.

From what is above, this study discusses the issue of victims of sexual violence and their consequences are not just physical in nature but also greatly affecting the quality of

life. It follows from these studies that the more efforts against sexist behavior increase the more such behavior persists throughout our society. But our study is different from the aforementioned ones in that it goes beyond the primary victimization by addressing aspects of secondary injuries due to the treatment of the environment after sexual violence. In addition to the notion of secondary victimization, its methodological tool and its delimitation in space and time show its originality.

## 2.4. Theoretical approaches

### 2.4.1. Definitions of concepts

To make sense of this work, we thought it was important to define the following concepts: resilience, secondary victimization, survivor of sexual violence and the criminal system.

#### 1) Resilience

The word "resilience" comes from the physics when it describes the ability of a body to resist a shock. However its shift in the social sciences, means according to Cyrulnik (2002, p.8) "the ability to succeed, live and develop positively, in an acceptable way, despite the stress or adversity that normally carries with it the serious risk of a negative outcome". It should be remembered that in the history of life, there is only one problem to be solved, one that gives meaning to existence and imposes a relational style (Cyrulnik, 2005). The role of the environment in dramatic situations, like those of sexual abuse, is decisive. "It is obvious that reactions of people living around the abused child will strongly influence the child in his/her capacity to overcome this situation. On the one hand, the general quality of the relationship between the mother and the child will help or not for a better recovery. On the other hand, there is a specific maternal support related to the abuse situation (Cyrulnik & Seron, 2003, p.18).

In view of the statement, resilience is for us the ability to bounce back after having experienced one or more adverse, traumatic and sometimes disabling situations.

#### 2) Secondary Victimization

Secondary victimization is the indirect consequences of crime and, in particular, the psychological pain and injuries inflicted on victims by those around them and by the judicial and social institutions. These injuries result from the lack of support the victim expects from his/her family, his/her community and his/her society at large (Frema, 2002).

Secondary hurt or injury is one that is generally not physical resulting from secondary victimization [1 Secondary victimization = set of negative reactions of people towards the victims]. This has the effect of causing secondary injuries (feelings of injustice, betrayal, guilt, fear, helplessness, etc.). In literature, the terms "secondary victimization" and "secondary injury" are sometimes used as synonyms. Their differentiation, however, makes it easier to identify and evaluate them (Turgeon, 2003).

Secondary victimization is caused by attitudes of blame, overprotection or banalization following the crime, or even the unintentional blunders committed by helping

victims (Gaudreault, 2009). It is therefore important not to consider secondary victimization and all accompanying symptoms as a diagnosis, but as the result of an inappropriate response from a system (family, judicial, police, media, medical, educational, etc.) or an environment (relatives, friends, family, spouse, interveners, etc.). The way of reacting of the environment or of the system causes negative and painful effects on the victim: we do not believe him or her, we minimize his/her trauma, we attribute to him/her the responsibility for what happened, we blame him/her, we associate his discomfort with his state of mental health, we medicate him/her, we reduce his/her self-esteem, and so on. Having a psychiatric diagnosis also increases the risk of discrimination.

The same author continues, if a woman has been sexually assaulted in a room where a lamp was covered with a red scarf (which broadcast a red light in the room), whenever she enters a room where there is the same kind of lighting, she relives his aggression and suffers. This new suffering adds to those caused by the initial crime. When she tells her family or caregivers what she's going through, she's told, "It's been five years since it happened, you should move on." This intervention is secondary victimization (Gaudreault, 2009).

We view secondary victimization as a set of negative reactions to the victim of sexual violence by those to whom they speak of aggression, confide in or ask for help. Although not always intended to hurt the survivor of sexual violence, these negative reactions can have devastating effects on her, effects that are identified as secondary injuries.

### 3) Survivor of Sexual Violence

For KawitYav (2018) victims are individuals who, individually or collectively, have suffered harm, including physical and mental harm. The term victim also includes, where appropriate, the immediate family or dependents of the direct victim and those who have been harmed by intervening to assist victims in distress or to prevent victimization. The World Health Organization- WHO - (2015) has a new definition as follows: "a survivor of sexual violence is anyone who has known any sexual act perpetrated against the will of the one who suffers it. It can be committed by anyone, regardless of their relationship with the victim, in any setting." For us, a survivor of sexual violence is the person who continues to live after the sexual violence. The survivor is also called a victim of sexual violence.

### 4) Criminal system

For Kasongo Maloba Tshikala (2018), the systemic approach deals with interacting sets, and we have come to recognize and admit with the dynamic psychology of the masses that a group is irreducible to the sum of the individuals that compose it; this implies that the system is not reducible to the collection of its elements ; it is an emerging quality ; we cannot methodologically proceed by analyzing notions specific to the isolated unit or to a linear approach ; we will take into account the context. KawitYav , Amadi Mustapha & Mbale Kizekiele (2018) when they evoke the term system, concretely, they refer to a

network of individuals who have certain types of relationships, links, interactions, especially interrelated to achieve common and well-defined objectives. In this work when we talk about the criminal system, we see the bodies in charge of punishing the offenses of sexual violence; Such is the case of the Police Unity of Contention and Child Protection and Sexual Violence, the prosecution service at The High Court of Lubulbashi.

### 2.4.2 Resilience theory as an adaptation method

For Werner and Smith (1982), the theory of resilience states that it is not the absence of suffering. It is the ability to evolve favorably despite suffering. This supposes adaptive strategies and possibilities of memorizing. When a member of a family system is severely broken by a traumatic situation, it is legitimate to think that it is in his/her family, with those with whom s/he has strong emotional ties that s/he is most likely to find "resilience tutors". For someone who is facing a desperate situation, the family appears, a priori, as the natural "resource environment", which is most able to welcome suffering and help resume the course of life (Delage, 2008). When one is struck by a misfortune, big or small, it is first of all from one's family, one's relatives that one hopes for help. But because the family and neighbors are very affected by what has happened, the family circle may not be able to provide the expected support.

In order to get built, resilience needs this intimate space where interpersonal relationships exist. This interpersonal aspect that someone experiences, when they are small, thanks to their "development tutors" most often their parents, but they are also experimenting it when they are hurt , and they need to meet "resilience tutors". Like children, adults sometimes need to be able to benefit from "offers to resilience", that is to say safe, supporting, reassuring environmental conditions which feed their thought, thanks to what can be communicable and shareable in intersubjectivity.

We have made use of the theory of resilience as it is supported by Tisseron (2011), if human beings are almost accustomed to life, but an unusual event occurs and affects their family landmarks. It is a fall, they just move back on themselves, they suffer from depression and sometimes they fall physically sick, or all at once. But a time comes when they recognize and where they are trying to recover. Before the theory of resilience, the idea prevailed that after a disaster it was necessary to try to find one's balance. With resilience, the idea is that we can go much better than before.

Tisseron (2011) goes on saying that the consequences of the traumas were suddenly thought of differently. After a disaster, there are those who cannot rebuild their lives as satisfactorily as before; those who arrive there and return to their previous state; those who initiate a new development, even a new identity. Resilience became the study of the general conditions that could transform each trauma into a "new start". And for this, we immediately include in the theory inherent to resilience all biological, psychic, family and social data.

Fortuna & Chatillon (2014), for having met and heard victims of rape, who for the most part have connected the certainty of dying and experienced the strange sensation of “get out of their bodies”, they are convinced that they have a lot to teach us about altered states of consciousness. Some have told them that they feel like they have been in another dimension since the event. Thus, they are life events, more or less severe shocks, including the intensity associated with the inability to respond adequately, causes problems with pathogenic effects throughout the organization of the life of an individual. Fortunately, after that, the resumption of a new development is possible, a reconstruction can be done.

### 3. Method and Techniques

We have used the clinical method which helps us to consider cases indepth. Lagache (1949) distinguishes two types of clinical method. The first is based on the observation of the individual and the leading of interviews which is “bare hands” clinic. The second is characterized by the use of tests and scales. This is armed clinical psychology. Thus, our study is to be located in the first type of clinical method that is supported by clinical interviews and content analysis.

For KasongoAfirikiTshikala (2017), a clinical interview is used both in diagnostic or therapeutic practice and in scientific research, but its form and its objectives are not the same. So, within our work we had to organize our clinical interviews with our survivor of sexual violence, members of her family system as well as members of the relevant criminal justice system in cases of sexual violence to enable us to work in the most favorable conditions for the exposition, the understanding, and the collection of data to diagnose the difficulties that are at the base of the suffering of our participant to this research. Concretely, our interviews were conducted in offices or offices of some members of the criminal system, in the Hearing Room of the High Court of Lubumbashi, in the family of the victim as well as in our firm.

Finally the content analysis has allowed us to treat the collected data in the form of interviews exerts. In the course of this one, we proceeded by the understanding of the exerts of interviews, to make the synthesis, to extract an idea to identify the opinions, the beliefs, the positions and the points of view conveyed by our participants.

#### a) Data Collection Institutions

Our field of investigation consists of three following institutions The unity of the child protection and sexual violence, The Court at the High Court of Lubumbashi and the High Court of Lubumbashi in Lubumbashi. The Unity of Child Protection and Sexual Violence was set and inaugurated in Lubumbashi on April 21, 2010 and has its offices on Chaussée de Kasenga Road, Bel-air Quarter in Kampemba Commune in Lubumbashi. From its creation, this unit was named after the Special Unit for the Protection of Women and Children. Currently with the reform of the police, this unit is called the Unit of Police for Child Protection and sexual violence. This unit is currently at squadron level [A squadron is a police unit that consists of several platoons] with a mission to combat

violence against women and the prevention of abuses related to sexual violence and the participation to their repression.

The Court at the High Court of Lubumbashi and the High Court of Lubumbashi are located on the intersection of Tabora and Lomani Avenues in the town of Lubumbashi, Haut Katanga Province in the Democratic Republic of the Congo. They are within the walls of the Lubumbashi courthouse and their springs correspond to the whole extent of the city of Lubumbashi.

The Court at the High Court of Lubumbashi consists of magistrates of the Public Ministry, prosecutors or standing magistrates by the fact that when they attend a trial, they take the floor while standing. Even in private law, they have always to stand up during any trial when a floor is given to them or when they want to give an opinion or to ask a question to the parties or when they want to plead for or against the parties in presence. They are active in criminal matters as well as in civil matters because it is the interests of individuals.

The Court at the High Court of Lubumbashi’s mission is essentially to repress crimes and offenses committed under its control. So, in the administrative framework, it can be informed in three ways: a seisin by a magistrate, a lawsuit from the Officers of the Judicial Police and complaint or summon. Once the file is in the magistrate's office, the latter proceeds to the instruction, the various pieces of procedure that he can use are the following: The warrant of appearance that is an authorization or a decision of the investigating judge who invites the alleged person to appear before him/her in order to hear him/her in the course of investigation, the warrant is awarded by a judge when a person refuses to respond to his/her summons or if the person is at risk of absconding, the warrant is a moving permit of a lifeless body and the search warrant is a permission to search a place to address the elements that can give information to a court. The requisition of information makes it possible to obtain the communication of documents or specific information from a person, a body, an institution or an administration and the requisition to expert which is the recourse to a specialist to bring light into a material. The interrogatory commission is when the judge delegates his/her powers to another to perform a procedural act in his/her stead. The invitation and the meeting rooms are also commonly used by the Public Ministry’s Officer although they are not required by law but are necessary in practice.

The High Court of Lubumbashi is a jurisdiction composed of professional judges who are also called seated magistrates because they sit, which is in principle collegiate. Judgments which are normally rendered by three seated judges, that is to say a president and two judges. He has exclusive competence in certain matters, such as the status of persons (civil status, family law), child protection and property (real estate). He has general jurisdiction in all matters, except on grounds of the nature of the case or its importance. Thus, small civil cases fall within the jurisdiction of the Courts of Peace here: Katuba-Kenya, Lubumbashi-Kamalondo and Commune Annex- Ruashi-Kampemba.

**b) Population of this study**

The studied population in this study is the survivors of sexual violence who have initiated legal actions. That is to say that we are conducting this study for people who are looking for the justice to be done or this study is trying to illuminate the criminal justice system because they have been forced to have sexual intercourse against their will, whether that act has been fully committed or not, as well as any attempt to involve a person in sexual acts without him to understanding the nature or the condition of this act or that he can refuse to participate or express his/her refusal, for example because he/she is sick, disabled, under the influence of alcohol or drugs, or intimidated or pressurized. This study is conducted on a young lady who was a victim of sexual violence and initiated a legal action.

**c) Actor's sample**

According to Pires (1997), in an actor's sample, an empirical corpus is constituted mainly around one person or one family. As a general rule, you get an oral or written account of the person in question or members of a family. We conducted in-depth interviews around a single survivor of sexual violence with the same person.

**4. Results****4.1. Description of the participant****1) Identity of the survivor**

Sex	F
Age	16 yearsold
Sibling	6 <sup>th</sup> out of 8 children including 2 boys and 6 girls
Level of studies	4 <sup>th</sup> literary section
Address	Commune of Ruashi, Quarter II, City of Lubumbashi
Social ambition	becoming a journalist
Marital Status	Single
Religion	Christian (Protestant)

The study is about a 16- year- old girl. She is intelligent; she weighs 57 Kg and is alleged to be a victim of sexual violence in the criminal justice system. According to her, the sexual relationship being prosecuted was consenting, but her age was a problem, and her father initiated a lawsuit. So this situation has troubled her with all the members of her family.

The girl has the desire to grow up and to be separated from all the members of her family system to which she belongs and to change her environment. After enlightening the reader what the question is about, it will be possible for her to understand the meaning and the reason for this consultation.

**2) Reasons of the meeting**

This research is part of the observations we made during trials related to sexual violence at the High Court of Lubumbashi during our last year internship in Criminology at the University of Lubumbashi. Thus, in 2014 until today we have decided to conduct a comprehensive study in clinical psychology on traumas of survivors of sexual violence in the criminal system of Lubumbashi.

It was during the time of data collection that we have taken the initiative to address one aspect of our post graduate memoire in Clinical Psychology which enables us to understand secondary victimization of a survivor of sexual violence and to identify what she suffers from in order for a valid diagnosis to implement a psychotherapy that could bring help to him/her help in order to regain homeostasis.

So in this work we will just make a diagnosis and offer psychotherapy. For scientific research purposes, we solicited via the High Court to make contact with the survivor and her family to conduct the study. Specifically as it is us who were in need of information, we held in the courtroom and in our firm 18 sessions or two sessions a week with the survivor, in the offices of judges we organized 4 sessions or one session a week with members of the criminal justice system and finally in the family and in the courtroom, we conducted 7 sessions with the parents of the survivor.

**3) History of the victim of sexual violence**

I was born on September 20, 2002 and I am the 6<sup>th</sup> in a family of 8 children including 2 boys and 6 girls. This boy who is arrested was our neighbor for years in the same plot. He told me that he was going to marry me, at first I refused and he continued to write me small notes because he had moved to Kamalondo. Then I accepted and I also loved him. One day, after my class, he came to pick me up at school in Golf Quarter, we took the bus to downtown, then another bus to Kamalondo and we went straight to his house, he undressed me, then we slept together. Leaving home around noon he gave me the money for the return transport and I went home, when I arrived at home, my mum told me that I had changed my walking way and she beat me. I finally confessed for having sex. As my dad was away from home, she waited for my dad's return. When the problem was explained to him, he filed a complaint saying that I was raped. But the guy did not rape me. I love him and that's why I asked the judge to release and he does not refuse to have slept with me, he loves me very much. It's my father who wants to get money out of this problem reason why he wants him to be arrested. As for me, I love my husband and I do not agree with people from here. Why is he arrested?

**4) History of the criminal system**

For this case, legally, there was a rape because the girl is under 18, but the victim refuses to accept that she was raped. Anyway the victim of sexual violence is not the main party of the trial since the High Court of Lubumbashi may sit in her absence; the Public Ministry and the accused one are the two main parties in the proceedings. As it is criminal, the appeal to the victim of sexual violence is made to establish the materiality of the facts. It is up to the victim to prove that s/he was really raped. So the victim plays the role of a "simple witness". The civil interests pursued by the victim are not brought to in the first plan by the Court. The latter is more concerned with the restoration of public order, the protection of the society by punishing the offender and this is the case for this girl, her refusal to be a victim of sexual violence changes nothing because the facts are established.

### 5) Account received from the entourage of the victim of sexual violence

I have come to the Court because my 16-year-old daughter was raped by a boy who was arrested. It's been almost 8 months since this rape took place. Because we agreed that he would pay for what he did to my daughter. When they came to my house with his family; they begged me not to bring to the justice the case and they would support and take care of the girl. It's already been 6 months, but they promised to come back after one month. They noticed that we were calm; they wanted to consider us as stupid people because we have been patient and tolerant.

So my family and I decided to go to the police to file a complaint. At the level of the police, the officer of the judicial police asked us to talk in order not to transfer the case to the Public Prosecutor's Office to the High Court. We set the amount of 2,500 dollars for the damages caused to my child. But they did not agree, I stood still on my decision so as not to be seen as a coward.

That's why you found us here at the High Court of Lubumbashi. And here he will see, he believed he was cautious but he is not. His family is now cooperating, but he is serving his sentence in prison because he broke my heart. Even if it happens that they release him, the most important thing is that he is also suffering at the moment. For me, it is a way to make him pay for what he did and he deserves it.

We cannot even plead in his defense. I am sure because I gave a sum of money to the judges so that I always right and I know that I will win the lawsuit at the High Court of Lubumbashi. To be honest with you, I no longer need his money; what I want to do is to make his life very difficult for what he did for me too. I even gave him the opportunity to negotiate; he did not take advantage of that and he forgot that the court exists.

### 6) Account (personal, family or medical)

The survivor has been held in hospital four times in the last 7 months. It is also due to the following conflict situations which are frequently found certain: chronic social deprivation, unstable, random or null employment of relatives and the eating disorder characterized by an orthorexia which is an obsessive control over the quality of food that is to say, she considers that most foods are not healthy enough and she prefers not to eat them.

The victim of sexual violence cannot come to an end, she wakes up more than once at night or wakes up early without being able to go back to sleep. The consequences on the course of the day are inevitable: weariness, wanting to do nothing, fatigue, irritability, mood and memory disorders.

Since the patient is under 18, she has been a subject of law since birth, but she is said to be incapable because she has not, during the time of her minority, the legal capacity to use her rights herself. Thus, she feels separated from her family system that develops loneliness. Loneliness modestly increases the risk of mortality due to stress. Severe loneliness can be a painful experience and can lead to irreversible psychological damages.

Agitations, disturbances of consciousness, aggressiveness (physical and verbal) crying, screaming, are clinical manifestations in the survivor. Each time she was put under the following chemo therapeutic drug treatment:

- Diazepam (valium)
- Lozapan (nordaz)
- Chlorpromazine (largactil)
- Levomepromazine (norzina)
- Haloperidol = (Halol)
- Serum G.5%
- Strong Tribex

### 7) Diagnosis

We say that we give the name of "*psychic trauma*" or "*trauma*" to this phenomenon of serious emotional shock manifested by the denial of the victim, a sudden break-in of the defenses of the psyche and it determines profound disturbances within the psyche of the survivor of sexual violence. Having observed changes to physical, psychological, environmental and at the level of values and principles, the survivor would be a secondary victim due to the treatment of her family and of the criminal system. From the current circumstances, we start from the assumption that our survivor would be only a patient and scapegoat simultaneously, for, the cause of her suffering is not somatic, it is rather to be situated in the dysfunction of her family system. And she is a scapegoat because the cause of the malfunction offers on her meanwhile she is not the real cause, she suffers for nothing.

### 8) Therapeutic proposal

We proposed two psychotherapies as a remedy to this situation namely:

- Supportive psychotherapy to accompany the survivor;
- Family psychotherapy

These two forms of psychotherapy would be appropriate in dealing with the secondary victimization of a survivor of sexual violence and the family of the victim who is dysfunctional to regain homeostasis.

## 4.2 Discussion of the Results

Our participant is a survivor of sexual violence who claims her consent for the sexual intercourse she had and denies having been raped, but the consent of a teenager cannot be taken into account. Therefore we referred to the resilience theory which assumes that for someone who is facing a desperate situation like sexual violence, the family appears, a priori, as "natural resource environment", the one that is most suitable to welcome suffering and can help resume the course of life (Delage, 2008).

Although the victim denies being raped, according to the criminal system, a judgment cannot be rendered on behalf of the victim of sexual violence. It cannot be said enough: in a criminal trial, the purpose of the judgment is not first, to satisfy the complainant or the victim, but to say the law and punish its transgression taking into account extenuating or aggravating circumstances in which it was committed. The resilience of Fortuna & Chatillon (2014) shows that this situation is one of life events, more or less violent shocks,

the intensity which, coupled with the inability to respond adequately, causes unrest with pathogenic effects throughout the reorganization of the life of an individual.

In this case, the family is not perceived as a natural resource environment, but rather as an abuser. This is justified in following the same theory in these terms: When one is struck by a misfortune, small or large, it is first of all his family, his relatives, where one hopes help to come from. But because it is very affected by what has happened, sometimes the family circle is unable to provide the expected support. This situation makes the family bond very weak in this situation.

It should be emphasized that the family of the victim is animated by a sense of revenge rather than the suffering of the victim; then beyond sexual intercourse before the age of majority which is fixed at 18, the family of the survivor and the criminal system constrain the victim to internalize that she was a victim of sexual violence because the two systems are also affected and unable to provide support expected by the victim. And this constraint then generates in the life of our participant the physical, psychological and environmental changes and at the level of values and principles which are symptoms of secondary victimization. This change allows us to include immediately in the inherent resilience theory all biological, psychological, social and family as supported by Tisseron (2011).

This work presents some peculiarities which constitute its strong point as: its object of study is the issue of secondary victimization of victims of sexual violence in the criminal system of Lubumbashi, the sampling tool and its methodological field of research. This research is to be located in clinical psychology, in criminology of social reaction and acting out as well as in criminal law. This study opens to other scientists some research fields and enriches the literature in the aforementioned scientific fields.

Far from us the spirit to have achieved a perfect scientific work, that is to say, it also contains weaknesses. This is observed at the level of the size of the sample; we have worked in this case with one participant, so the results of this work are not generalizable but well transferable because we wanted to study in-depth a case that involves the participation of the family and the criminal systems. So although this study is oriented to a single survivor of sexual violence, it has been achieved thanks to the collaboration of several participants.

Resilience is the ability to evolve favorably despite suffering. When one is struck by a misfortune, big or small, it is first of all his/her family, his/her relatives that one hopes for help. But because he himself is very affected by what has happened, sometimes the family circle is unable to provide the expected support. The survivor's family is unable to support the victim.

Given the above, the theory that we have used for the discussion of the results was verified as a whole, the objective which was of identifying the consequences of secondary victimization was reached and our hypothesis according to which the impact of secondary victimization of

survivors of sexual violence in the criminal system in Lubumbashi would be of somatic, psychological, and environmental order and the loss of values and principles is confirmed. The present study allowed us to reach our objective to identify the consequences of secondary victimization of a survivor of sexual violence in the Lubumbashi criminal system.

## 5. Conclusion

In conclusion, our work was focused on secondary victimization of a survivor of sexual violence in the Lubumbashi criminal system whose aim was to identify the consequences of secondary victimization. Therefore we asked the following questions: "What would be the consequences of secondary victimization of a survivor of sexual violence in the criminal system in Lubumbashi?" Prior to verify our hypothesis, we obtained the results through the clinical method that is supported by clinical interviews and content analysis that allowed us to have the following results: the physical changes (fatigue, craving to do nothing, tiredness, irritability and memory loss), psychological changes (food disorder characterized by orthorexia, mood disorders), environmental changes (loneliness) and in loss of values and principles (legal capacity). Our participant is therefore a victim secondary victimization due to the treatment of her family, the criminal system and the profound disturbances in the psyche of the victim. Then we confirm our hypothesis that the effects of secondary victimization of survivors of sexual violence in the criminal system in Lubumbashi would be the somatic, psychological, and environmental changes and the loss of values and principles. Finally we proposed the psychotherapies support and family support for a holistic care for the survivor of sexual violence and for her family system.

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