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Victims' Rights and Participation in Criminal Justice: A Victim-Centred Legal Approach

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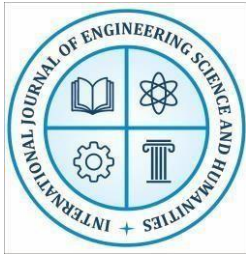
Abstract

Over the years, criminal justice systems across jurisdictions have largely remained accused-centric, resulting in the marginalisation of victims within legal processes. Victims have traditionally been confined to the role of witnesses, often facing secondary victimisation, procedural exclusion and inadequate redress. This paper examines the emerging paradigm of victim-centred justice, which recognises victims as rights-bearing participants in the criminal justice system rather than passive observers. It analyses the conceptual foundations and legal evolution of victims' rights, focusing on their protection, participation and rehabilitation within criminal proceedings. The study critically evaluates statutory frameworks, judicial interpretations and international legal standards aimed at strengthening victim participation and safeguarding dignity, security and access to remedies. It argues that an effective and legitimate criminal justice system must strike a principled balance between the due process rights of the accused and the rights, agency and restorative needs of victims. By foregrounding victim participation and protection, the paper highlights the transformative potential of victim-centred justice in enhancing procedural fairness, accountability and public confidence in the criminal justice system.

Keywords: Victims' Rights, Victim-Centred Justice, Criminal Justice System, Victim Participation, Compensation and Rehabilitation, Restorative Justice

1. Introduction

Victim-centred justice represents a significant development in modern criminal jurisprudence, seeking to relocate victims from the periphery to the mainstream of the criminal justice system. Traditionally, criminal law has primarily concentrated on identifying offenders, prosecuting criminal conduct and imposing punishment, with limited consideration given to the victims of crime who directly suffer physical, psychological and socio-economic harm. This offender-oriented approach has resulted in the procedural exclusion of victims, exposure to secondary victimisation and inadequate avenues for redress. The concept of victim-centred justice attempts to correct this imbalance by recognising victims as rights-bearing stakeholders rather than passive observers or mere providers of evidence. Under this approach, victims are



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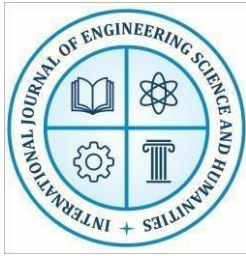
acknowledged as entitled to dignity, protection, access to information and meaningful participation throughout the criminal justice process. It emphasises a legal framework that not only safeguards victims' rights but also enables their involvement at various stages of criminal proceedings, including investigation, prosecution, trial and post-conviction phases, without undermining the due process rights of the accused.

Historically, criminal justice systems have been characterised by an offender-centric model in which crimes were treated primarily as offences against the State. In such systems, the State assumed control over prosecution and punishment, often sidelining victims once the initial complaint was lodged. As a result, victims were frequently denied information, protection and a meaningful voice in proceedings that had a direct impact on their safety, recovery and sense of justice. Victim-Centre justice seeks to address this structural imbalance by recognising that crime causes multidimensional harm physical, emotional, psychological, social and economic and that justice cannot be considered complete unless the needs and rights of victims are adequately addressed. At its core, victim-centred justice is grounded in the recognition that victims possess enforceable rights within the criminal justice process. These include the right to dignity, privacy, information, legal assistance, protection from intimidation or retaliation and access to remedies such as compensation and rehabilitation. This approach moves beyond symbolic recognition and requires concrete legal mechanisms that enable victims to participate meaningfully in criminal proceedings. Meaningful participation entails keeping victims informed about case developments, providing them opportunities to be heard at appropriate stages and considering their perspectives in decisions that directly affect their lives. By integrating principles of human rights, restorative justice and access to justice, victim-centred justice aspires to create a more balanced, responsive and humane criminal justice system. Such a framework not only promotes accountability for wrongdoing but also addresses the harm suffered by victims and contributes to restoring public confidence in the rule of law.

Victim Protection and Restorative Justice

Victim-centric justice also focuses on protecting the secondary victimization whereby secondary victimization occurs when the victims are re-hurt by insensitive investigations, extended trials, cross-examinations by mean-spirited prosecutors or social stigma. It may be the mandate of the legal system to find the truth but it has the unintended consequences of re-traumatizing the victim because of making them relive their experiences or failure to provide adequate protection against harassment and intimidation. Trauma-informed practice, child-friendly and gendered practice, in-camera trial where necessary and witness protection system will be necessary in a victim-centered practice such that a victim is free to engage with the justice system without fear or suffering. To this extent victim-centric justice is procedural fairness as substantive outcomes.

The other characteristic aspect of the victim-centric justice is its consistency with the principles of restorative justice. Traditional criminal law is entirely concerned with punishment and deterrent measures as opposed to the victim-centered justice system, which takes into



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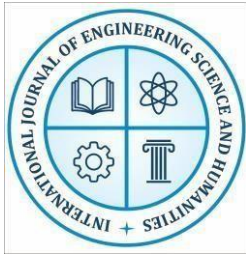
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consideration that punishment may not be adequate in meeting the emotional and mental demands of the victim. The restorative justice mechanisms are victim impact statements, mediation and restitution whereby victims are given a chance to express the injustice done to them and require the offender to be corrected and held accountable. These instruments are not applied to replace the formal justice system but they are applied as supplements as the systems are focused on healing, reconciliation and reintegration as they consider appropriate. Victim centered justice makes the legal process humanized and more holistic in its approach to justice through improved dialogue and understanding.

Victim-centric justice is also the concept that shows broader constitutional and human rights values. The law frames of the contemporary world are increasingly appreciating the fact that the right to access justice is not just extended to the accused, but also to the victims. The equality before the law, guarantee of life and individual freedom and the right to a fair and just process presuppose that the victims have to be treated with reverence and delicacy. The idea that the State has a positive duty to protect the victim of harm, remedies and remedies that are effective and prevent impunity has been fixed upon by applying the international human rights instruments and judicial pronouncements. Victim centred justice is thus a crossover of criminal law, constitutional law and jurisprudence of human rights.

It is noteworthy that, on the contrary, the victim-centric justice does not support the dilution of the rights of the accused or the neglect of the due process. Instead it is directed towards a system of compromise justice in which the rights of the accused and the rights of the victims would co-exist. It is not that fair trial and procedural protections as presumption of innocence are innate and misunderstood to make the victims silent and unseen. A victim oriented approach admits that the criminal justice system could only be legitimate when it stands in a better position to protect the innocent accused and the aggrieved victim. By that, justice is not a zero game, but a tradeoff between competing rights and interests in an ethical system of law.

The practical way of victim-centric justice is to make institutional reforms, administrative providing and legal recognition regimes, which are prone to elevating the experience of the victim in the overall justice system. This also entails establishing of victim support services, legal assistance means, counselling services, compensation schemes and special courts or procedures on vulnerable groups, such as women, children and persons with disabilities. Such efforts are informed by the fact that the needs of the victims do not stop at the court but rather that justice is supposed to be followed by recovery, rehabilitation and restoration to the society. In conclusion, victim-centric justice is transformative in both the meaning and nature of the concept and the vision of victim-centric justice is the victim-responsive criminal justice as a system. It tries to address the less inclusive, humanized and credible system of justice by the victim-centric justice by recognizing the victim as a rights-bearing party and protecting them as well as ensuring their active engagement and implementation of the principles of restorative and human rights. It re-pakes justice not merely as the criminalizing of the wrong doers but as a general procedure that restores dignity, reparations and restoring the rule of law.



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Historical Evolution of Victims' Rights

The shift of victims rights in the criminal justice system has been more a gradual yet a major change in the perception of crime, justice and involvement of the people who have directly experienced the effects of the criminal acts. The justice system in the early law was mostly victim oriented, because the crimes were seen as personal injustices against individuals or even families. In traditional and primitive societies, victims or their relatives were at the forefront in initiating litigation, restitution or settlements. Justice often involved compensation, reconciliation and reparation and the victim took centre-stage in determining its outcomes. Nonetheless, this individualized justice also came with its drawbacks such as disproportionate access to remedies and the possibility of avenging by oneself, which ultimately led to the unification of criminal justice into state jurisdiction.

Criminal justice became more state-centric with the development of the modern nation-state, especially since the eighteenth and nineteenth centuries. The concept of crime was reallocated to describe crimes committed against the society or State instead of the victims. The criminal justice system was dominated by the public authorities and the primary roles of the criminal justice system changed as the main aim of the criminal justice system was to maintain the order of the people, discourage and penalise the offenders. Although this shift enhanced standardization, law and process protection, victims were marginalized with their affiliation being diminished to witnessing. The victims did not have much power over the proceedings, limited access to information and little influence on the decisions made like prosecution, sentencing or release of criminals. This offender centric model did not pay much attention to the emotional, psychological and economic impacts of crime on victims.

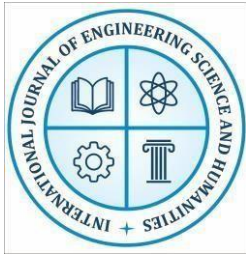
The second part of the twentieth century became the point of change in the understanding of the rights of the victims. The increasing consciousness of human rights, along with the results of empirical studies of the experiences of victims of crime, demonstrated the structural inadequacies of the offender-centered justice systems. The rights movements of victims especially in Europe and North America demanded that attention be given to issues like the secondary victimization, absence of support services and exclusion of victims in any legal procedure. The feminist legal research was significant in revealing the inefficiencies in the criminal justice systems in handling sexually-inflicted violence and domestic violence cases, as well as in responding to the victims with stigma, skepticism and insensitivity of the procedures. These arguments undermined conservative beliefs and demanded reforms that focus on victims as people who have their own rights and interests.

List of Laws

1. The Constitution of India

The Constitution of India provides the foundational framework for a victim-centred criminal justice system by embedding principles of equality, dignity and access to justice:

- **Article 14 – Equality before Law**



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Ensures equal protection of laws to victims, preventing arbitrary or discriminatory treatment within criminal proceedings.

- **Article 21 – Right to Life and Personal Liberty**

Judicially interpreted to include the right to dignity, fair procedure, compensation and protection against secondary victimisation.

- **Article 39A – Equal Justice and Free Legal Aid**

Mandates the State to ensure access to justice, particularly benefiting victims who lack financial or legal resources.

2. The Code of Criminal Procedure, 1973 (CrPC)

The CrPC marks a significant shift towards recognising victims as stakeholders in criminal proceedings:

- **Section 2(wa)** – Defines the term “*Victim*”, formally recognising the aggrieved person within criminal law.
- **Section 24(8)** – Grants victims the right to engage an advocate to assist the prosecution.
- **Section 357** – Empowers courts to award compensation to victims as part of sentencing.
- **Section 357A** – Establishes the Victim Compensation Scheme, obligating States to provide compensation irrespective of conviction.
- **Section 372 (Proviso)** – Confers upon victims the right to appeal against acquittal, conviction for lesser offence or inadequate compensation.
- **Section 439(1A)** – Recognises the victim’s right to be heard in bail proceedings.

3. Indian Penal Code, 1860 (IPC)

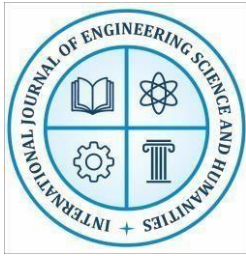
The IPC, while primarily offence-oriented, contains provisions that implicitly protect victim interests:

- **Sections 107–120** – Abetment and Criminal Conspiracy
Recognise victim harm caused through instigation and collective criminal responsibility.
- **Sections 299–304** – Culpable Homicide and Murder
Safeguard the right to life and acknowledge victim and family-centric justice.
- **Section 304B – Dowry Death**
Introduces presumptions in favour of victims, strengthening legal protection for women.

4. Bharatiya Nyaya Sanhita, 2023 (BNS)

The Bharatiya Nyaya Sanhita reflects a modern, victim-oriented approach to substantive criminal law:

- **Sections 63–70** – Sexual Offences



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Emphasise victim dignity, consent-based standards and enhanced procedural protection.

- **Sections 80–81** – Dowry Death and Cruelty
Reinforce presumptions favouring victims and strengthen offender accountability.
- **Sections 109–111** – Organised Crime and Trafficking
Focus on protection and rehabilitation of vulnerable victims, including women and children.

Mallikarjun Kodagali (Dead) through LRs v. State of Karnataka, (2019) 2 SCC 752

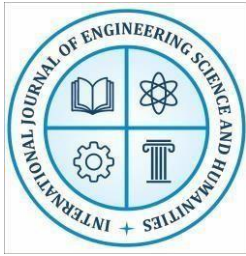
In *Mallikarjun Kodagali v. State of Karnataka*, the Supreme Court of India authoritatively has established the principles of victim-centric justice where the court decided that a victim is not a mere witness but a stakeholder in the criminal justice system with rights. The Court construed the proviso to the Code of Criminal Procedure, 1973, Section 372 and interpreted that the victims had a separate statutory right to take part in criminal proceedings, the right to be heard and the right to appeal against acquittal or inadequate sentencing. This judgment pointed out that criminal justice could not be brought down to a game pitting the State and the accused, but should take into consideration the direct harm, suffering and legitimate interests of the victims. The Court made it clear that the acknowledgment of the participatory rights of victims does not weaken the presumption of innocence and the right to a just trial of an accused person. Rather, it intensifies procedural fairness and improving credibility of the justice delivery system because it makes sure that the voices of victims are not ignored in decision making processes that directly influence the safety of victims, their dignity and justice.

Example:

In an example of a murder, an acquitted accused may be acquitted and the State may not appeal and then any other person, other than the accused and the family member of the victim, may file an appeal against an acquittal under Section 372 of CrPC. This will make sure that the grievance of the victim will be scrutinized in court and justice will not be denied simply because prosecutors have not taken action against them, thus putting practical application to victim-centric justice.

Role of International Norms and Judicial Innovation

The developments in international law also helped in the acceleration of the development of the rights of the victims. The discussion of global human rights focused more on the duty of States to safeguard the victims, offer them proper remedies and access to justice. The use of the international commitments and standards on the victims of crime and power abuse highlighted the importance of dignity, compassion and respect in handling the victims. These tools prompted the States to enshrine the rights of victims in local jurisprudence, such as the right to information, the right to participation and the right to protection and compensation. Such international norms were not always legally binding, yet they had a significant moral and persuasive effect on the legal system and judicial logic of the country.



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The judicial innovations have played a major role in promoting the rights of the victims as well. The courts in numerous jurisdictions have increasingly construed and applied the constitutional assurances, as well as the statutory provisions, as a strategy to increase the standing and involvement of both the victims in criminal procedures. The right of victims to be heard, to appeal procedural decisions and remedies have been given judicial recognition and have served to transform the criminal jurisprudence. Victim led litigation and the growing influence of public interest litigation has also pushed the legislatures and executive agencies to implement more victim-sensitive policies. This court intervention has strengthened the notion that justice is partial when it does not concern the grievances and pain of victims.

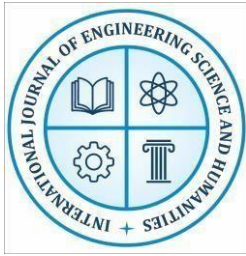
During the past decades, law reforms have been solidifying the rights of victims into criminal justice systems. Laws now usually offer victim compensation plans, witness protection initiatives, impact statement of victim and special treatment of vulnerable groups like children, women and people with disabilities. Implementation of restorative justice systems has also enriched the criminal justice scene by providing the victims with converse and recognition as well as healing. These reforms represent a much wider perception that justice should not be limited to the conviction and punishment, but also to restoration, rehabilitation and social reintegration.

Although there is a major improvement, the development of the rights of the victims is still a continuing process. There are still gaps in implementation, the issue of resource constraints, conflicts between the rights of victims and the due process guarantees. However, the reform direction shows clearly that the marginalization of the victim is replaced by the recognition of the victim. A modern criminal justice system is becoming more and more aware of the fact that victims are not marginal to the justice system but are core to its credibility and efficacy. This development of the rights of victims, therefore, represents a wider shift in the philosophy of criminal justice one that aims at equalizing the interests of the State, the rights of the accused and the dignity, participation and well-being of victims.

Victim Protection under Criminal Justice Law

The law that serves to safeguard the rights of the victims forms an important part of a victim-based criminal justice system, which seeks to secure that those who have fallen victims of crime are treated with dignity, fairness and sensitivity during the process of sentence. Conventionally, the criminal law emphasized more on the rights of the accused and victims were not given enough legal attention or protection. Effective justice, however, as has been recognized over time by legislatures and courts, cannot be delivered unless victims are granted some form of enforceable rights and effective remedies. As a result, the contemporary legal systems have introduced the principles of the constitution, the statutory law, court rules and organizational processes aimed at protecting the interests of victims and handling the complex damage that crime inflicts.

In the constitutional level, rights of victims have been gaining more and more based on additional guarantees like equality before the law, life and personal liberty and access to justice.



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These guarantees place a positive duty of protecting the victim against the harm, providing equitable and reasonable procedures and offering effective solutions to the breaches of rights on the State. These constitutional safeguards have been construed by the courts to mean that the right of the victim to be treated with dignity, to be heard at the right stages of proceedings and security against intimidation, coercion and secondary victimization. The normative premise, on which the victim-protective laws and policies rely, is therefore constituted by constitutional jurisprudence.

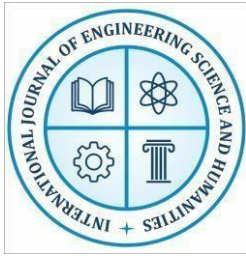
Statutory law is of the core in transforming the constitutional values into tangible rights and duties. The criminal procedural laws of most jurisdictions currently provide the victims as stakeholders in the justice process. These may involve the right to information on the case progress, right to counsel and right to be involved in the proceedings by submissions, objections or victim impact statements. Other protective measures as stipulated by statutory provisions include in-camera hearings, victims anonymity in sensitive cases and in-camera during the investigation and trial to ensure the victim does not experience any form of harassment or unnecessary trauma. Such legislative practices indicate the change in the ideology of recognition to the legal rights.

Another crucial pillar of the legal structure of securing the rights of victims is compensation and rehabilitation. Victim compensation schemes have been developed in many legal systems to allow a victim to have financial resources contributed by the State, especially where the offender is not in a position or even not willing to make restitution. The compensation is not only a financial solution but rather an acknowledgment of the damage caused and an avenue of recovery and reentering back into life. Rehabilitation is usually accompanied by medical treatment, psychological counseling, shelter, legal and vocational assistance and this is because it is seen that justice is not only judicial but also restoring the victims.

Judicial Protection and Victim Participation

The court intervention has also solidified the legal framework by increasing the extent and validity of the rights of the victims. Courts have been adopting locus standi of victims to appeal against procedural rulings, have their bail cancelled, appeal against acquittals or ineffective sentences and to ensure that they have their cases investigated and tried promptly. The guidelines of the judiciary have stressed the importance of procedures which are friendly to the victims, promptness in disposition of cases and responsibility of law enforcement agencies. The judiciary has been very instrumental in interpreting gaps between the intent and actual application of the legislation through interpretive purpose.

Legal provisions are supplemented by institutional mechanisms and support services which are aimed at effective enforcement of the rights of victims. A well-rounded legal system includes witness protection mechanisms, victim advocacy and liaison among law enforcement, prosecution and social welfare departments. Legal rights are under risk of being illusory without this institutional support. Thus, a victim-protective framework is not only effective



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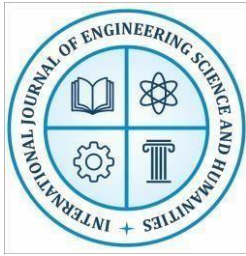
when there are laws but also when there is the application of these laws on a regular and sensitive basis.

In a way, the law on the right of victims is an indication of a complete shift of criminal justice towards inclusiveness and fairness. Combining constitutional rights, legislative security, judicial review and institutional assistance, the framework is aimed at making sure that victims are no longer sidelined but are instead acknowledged as rights-bearing members of the justice process.

Meaningful participation of victims in criminal processes is a legal and procedural system that allows victims to participate in the justice system at different levels of investigation, prosecution, trial process and post conviction proceedings in an active, informed and respectful way. Previously, the victims were limited to the role of witnesses and had little access to information and had little say in decisions that impacted directly on their safety, dignity and recovery. Victim-focused approach re-conceptualizes this stand by making victims stakeholders whose voices and experiences cannot be overlooked in administering justice fairly. The significant involvement goes beyond the symbolic inclusion, it involves giving the victims practical chances to make their voices heard, safeguard their interest and play an active role in judicial decision-making in a way that is in tandem with due process.

The essence of meaningful participation is to make sure that the victims are sufficiently informed about the course or the result of their cases. Availability of correct and prompt information enables victims to make decisions that are informed, uncertainty is minimized and the justice system is trusted more. Participation also entails the right to hear at the right time, i.e. when it comes to bailing, sentencing, plea bargaining, or even parole. Examples of such include victim impact statements which will enable victims to express the physical, emotional and economic impacts of crime so that the courts can be able to understand the magnitude of harm that the crime will cause. These processes make the criminal processes more humane and are necessary to guarantee that the judicial results are based on the lived experiences of victims. Procedural protections are also necessary to ensure meaningful participation where the victims feel free to participate without intimidation and re-traumatization. There is the need to protect the participants by providing them with the assistance of legal representation, in-camera proceedings, the use of technology in testimony and witness protection program among other measures to make the participation safe and dignified. In the absence of such safeguards, the victims can be discouraged to participate fully, which destroys their rights as well as the efficiency of the justice process. The involvement should thus be made in a way that is trauma-informed, vulnerable and responsive to the varied needs of victims.

Notably, meaningful participation does not mean that victims take the place of the prosecutor or that the involvement includes an infringement of the rights of the accused. Instead, it attempts to find the delicate balance between the interest of the victims and the core values of fairness and impartiality. The participation of victims will improve transparency, accountability and trust to the criminal justice system when it is duly controlled. It recognizes



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the fact that justice is not only concerned with the determination of guilt but also with the consideration of damages, restoration of integrity and the respect of the victims as being key actors in the process of dispensing justice.

Victim protection and support systems are a core element of a victim-focused criminal justice system, where the victim can participate in legal processes without fear, timidity or without humiliation. Crime also presents victims with several risks such as fear and intimidation by a criminal, social stigma, emotional trauma and economic distress. The lack of proper protection and support can cause the victim to pull out of the process, fail to report crimes, or become a victim of the system itself. The protection mechanisms to protect the victims are thus set to ensure that the victims are protected against threats, harassment, coercion and retaliation and support mechanisms are meant to support the victims psychological, social and rehabilitative needs during the criminal justice process.

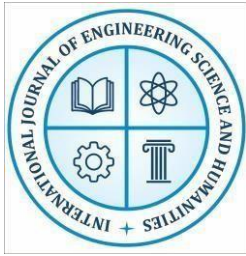
Reparative Mechanisms in Victim-Centric Justice

Protection: Witness protection Programs, In-camera trials or prohibition of the revelation of the identity of the victims especially those involving sexual crimes, children, or other vulnerable groups are all considered as protection measures. These protections are useful in establishing a safe environment that allows victims to testify and attend proceedings without worry of their safety and privacy. Laws that allow police defense, translocation, or even application of technologies, like video conferencing to give testimony, minimizes the threat of intimidation and re-traumatization. Protection mechanisms not only promote the integrity of the justice process but also ensure the dignity and well-being of the victims because they reduce the exposure to hostile environments and adversarial pressures.

The support mechanisms are used to supplement protection mechanisms, by focusing on the larger effect of crime on the life of the victims. These are access to medical services, psychological counseling, legal services, shelter and rehabilitation services. The victim assistance units and referral to social welfare agencies are also essential to facilitate the victims to navigate through complicated legalized procedures and follow-ups after the courtroom. Psychological and emotional support is especially essential, since trauma may lead to inability of a victim to engage in processes and overcome damage. The justice system takes into account all the needs of the victims by offering holistic support as victims require more than legal compensation to heal their minds and restore their social standing.

The combination of victim protection and support systems makes the criminal justice system an adjudicatory system into a responsive and human one. They make sure that the process of serving justice to victims is not abusive to them since this is supposed to be the avenue of justice and to prove the point that good criminal justice must be characterized more with safety and dignity and overall well being of the crime victims.

The reparative aspect of a victim-focused criminal justice system is compensation, restitution and restorative justice which are aimed at restoring the harm that the victims have endured regardless of the determination of guilt and punishment to the offenders. The consequences of



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crime are usually loss of great financial means, physical harm, psychological and social disturbance to the victims, which cannot be alleviated by punitive punishment. Compensation means money given to the victims, either by the perpetrator or by the State, which is a token of the damage taken and helps them recover and heal. Compensation schemes funded by the state are especially significant when the offenders are not known, when they are acquitted, or when they are unable to pay restitution, so that the victims would not be left unsupported because of the limitations of the procedures or other practical reasons.

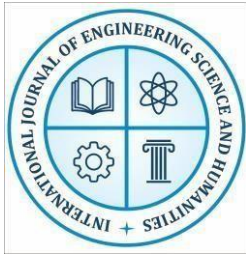
Restitution, however, focuses more on making the offender restore the damage that he or she has caused the victim. It is based on the accountability principle and aims at restoring victims, as much as possible, to the pre-crime level through money compensation, reimbursement of goods, or services. Instead, by connecting the debt of the offender with the harm of the victim, restitution strengthens the ethical and legal impact of criminal behavior and confirms the primary role of the victim in the court of law. There are growing court acceptance of the restitution as part of the sentence rather than an appendage of the sentencing system and it represents corrective justice as well as recognition of the victim.

Restorative Justice and Implementation Challenges

Restorative justice is an extension of compensation and restitution, but puts more emphasis on healing, dialogue and reconciliation instead of just retribution. It gives a formalized platform where the victim may express the effects of the offense, the offenders may accept responsibility and they both can be involved in the process of making the right corrective decisions. When voluntary and closely managed, restorative justice processes can provide the victims with power of a voice and closure opportunity and also prompt the offenders to realize the human impact of their behavior. Compensation, restitution and restorative justice as a set of approaches to justice is a comprehensive view of justice, where the misery of victims is noted, accountability and attempts to restore dignity, trust and social harmony in the criminal justice system.

In spite of increasing awareness of the rights of victims and the introduction of victim-centric legal reforms, the successful delivery of victim-centric justice remains a major issue. A very high ranking among the challenges is the well established offender-based orientation of the conventional criminal justice systems. In the past, legal systems have been structured in a manner that allows greater rights of the accused, officialism and governmental prosecution, neglecting the side of the victim. This institutional culture remains in use, which means that the needs of victims are not readily sensitive and efforts to reform the system are resisted to increase the participation of victims. As a result, victim-centric provisions, which prove to be progressive in concept, are often under used or unevenly implemented.

The second issue is that victims are still unaware and lack legal literacy on their rights and possible remedies. Most victims especially the ones with marginalized or socio- economically disadvantaged backgrounds are not aware of their right to information, protection, legal assistance, or compensation. Even complicated legal processes, use of technical terminology



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and bureaucracy further deter the victims to go out there to assert their rights. Without proper guidance and support, victims can feel frustrated, confused as well as detached to the justice process, which goes against the same aim of victim-centric justice.

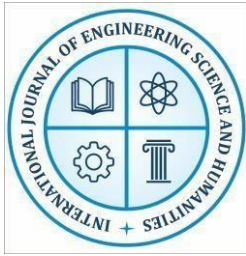
Inadequacies in the institutions and administration also pose serious challenges towards effectiveness in implementation. Victim-centric justice involves the concerted effort of various agencies such as the police, prosecution services, courts and social welfare divisions. Nonetheless, failure to coordinate inter-agencies can lead to disjointed service delivery, slowness and disjunction in protection and assistance. As an example, communication breakdown between investigating agencies and victim support services may leave victims without protection and rehabilitation in time. The lack of resources (both human and financial) and overstraining courts and law enforcement agency contribute to the even lesser ability to apply victim-sensitive procedures in a consistent manner.

The other important issue is the danger of secondary victimization in the very course of justice. The victims are also often subjected to repeated interrogations, cross-examinations and insensitive handling by the forces and taken through lengthy trials. These experiences may enhance trauma and discourage victims to be involved in proceedings fully. Although there can be laws to ensure that the officials protect themselves by such means as in-camera trials or witness protection, in practice its implementation is not good. Lack of training of police officers, prosecutors and judges on how to work in a trauma-informed manner, is also an issue that adds to the procedural behaviors that have a negative effect of recreating trauma in the victims.

Socio-Legal Challenges in Victim-Centric Justice

One of the most complex challenges in implementing a victim-centred approach lies in balancing victims' rights and participation with the due process rights of the accused. Fundamental principles such as the presumption of innocence and the right to a fair trial form the bedrock of criminal justice systems and must not be compromised. The expansion of victim participation requires careful calibration. Critics of victim-centred justice argue that excessive victim involvement may risk emotional decision-making, prosecutorial bias or disproportionate influence on judicial outcomes. Ensuring that victims are meaningfully involved while maintaining procedural fairness and judicial impartiality remains a sensitive and ongoing legal challenge.

Socio-cultural factors further complicate the effective realization of victims' rights. Many victims are discouraged from reporting crimes or pursuing legal remedies due to social stigma, fear of retaliation, patriarchal norms and community pressure. In cases involving sexual violence, domestic abuse and offences against children, victims often face ostracism, victim-blaming and threats, which significantly undermine their access to justice. These entrenched social realities expose the gap between legal recognition of victims' rights and their practical enforcement. Without sustained societal sensitisation and community-level transformation, victim-centred reforms risk remaining largely symbolic.



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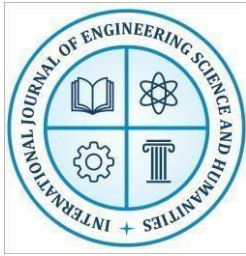
Additional challenges arise in the implementation of compensation, restitution and restorative justice mechanisms. Delays in disbursing compensation, ambiguity regarding eligibility and quantum and inadequate financial resources frequently render compensation schemes ineffective. Although restorative justice holds promise in addressing victims' emotional and psychological needs, such programmes must be carefully designed and facilitated by trained professionals. If imposed or inadequately regulated, restorative processes may reinforce power imbalances, expose victims to coercion or result in re-traumatisation, thereby undermining their intended purpose.

A further obstacle is the lack of robust monitoring, accountability and data collection mechanisms. In many jurisdictions, reliable empirical data on victims' experiences, utilisation of support services and outcomes of victim-oriented interventions remain limited. The absence of systematic evaluation hampers the assessment of reform effectiveness and the identification of areas requiring improvement. Victim-centred justice demands not only legal recognition but also sustained political will, institutional commitment and continuous capacity-building.

In sum, while victim-centred justice represents a progressive and humanising vision of criminal justice, its practical implementation is constrained by legal, institutional, socio-cultural and administrative challenges. Addressing these barriers requires holistic reforms encompassing legal clarity, institutional coordination, adequate resource allocation, professional training and social sensitisation. Only through such integrated efforts can victim-centred justice move beyond normative aspirations and become a lived reality within the criminal justice system.

Conclusion

Victim-centred justice represents a fundamental reorientation of criminal justice theory and practice by recognising that the effectiveness and legitimacy of the justice system cannot be assessed solely by the conviction of offenders or the protection of the rights of the accused. A truly just criminal justice system must also safeguard the dignity, safety and agency of victims. Central to a victim-centred legal approach is the recognition of victims as rights-bearing participants who are entitled to timely information, meaningful opportunities to be heard and effective protection against intimidation and secondary victimisation throughout the criminal process. The realisation of victims' rights further requires the availability of substantive remedies, including compensation, restitution and rehabilitation, so that justice addresses the actual and enduring consequences of crime. Such measures acknowledge the multifaceted harm suffered by victims and support their recovery and social reintegration. However, as demonstrated in this paper, translating the ideals of victim-centred justice into practice remains challenging due to entrenched offender-centric attitudes, institutional limitations, inadequate coordination among agencies, socio-cultural stigma and persistent gaps in victim protection and compensation mechanisms. Therefore, the advancement of victims' rights and participation in criminal justice cannot be achieved through legislative reform alone. It demands sustained institutional strengthening, including capacity-building, trauma-informed policing and prosecution, judicial sensitivity, comprehensive victim support services and



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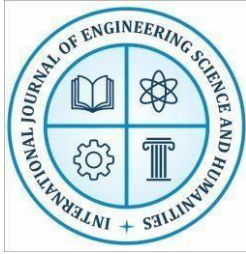
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robust accountability frameworks. When implemented in a balanced manner that respects due process while empowering victims, a victim-centred legal approach enhances fairness, humanises criminal justice and reinforces public confidence in the rule of law by recognising that human harm lies at the core of every crime.

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