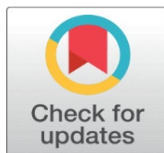
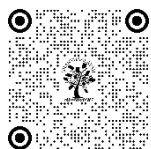


VICTIMS STATUS IN INDIAN CRIMINAL JUSTICE SYSTEM WITH EVOLUTION

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ABSTRACT

The first stage in the victim's journey to justice via the criminal justice system is reporting a crime. However, quite often, victims opt not to report the incident. As a result, the perpetrator escapes punishment and they never interact with the criminal justice system. The goal of justice is thereby undermined. In the criminal justice system, victims are crucial. They must thus take an active role in the criminal justice system. The role of victims in the criminal justice system has significantly increased with the advent of restorative justice. However, these rights may encounter resistance in their use as victim involvement in sentencing choices challenges customs and established patterns within criminal courts. On the other hand, when legal cultures shift and the victim is widely recognized as a legitimate participant in criminal proceedings, victim involvement may become a common practice and a means of incorporating elements of restorative justice into adversarial court systems.

This study aims to investigate the victim's function within the criminal justice system and how it helps victims obtain justice. With an emphasis on the Indian criminal justice system, the historical evolution of the position of crime victims in common-law criminal justice systems has been explained. The study article explains the significant participation rights that victims are granted under the Code of Criminal Procedure, 1973 (CrPC). The researcher investigates the apparent discrepancy between the victim's rights and their actualization. The researcher stresses the need for victim-sensitive behavior from the criminal justice system. New and creative methods for including victims into procedures have been studied. The implications of criminal justice policy on crime victims are covered in the study paper's conclusion.

"For too long, the victims of crime have been the forgotten persons of our criminal justice system. Rarely do we give victims the help they need or the attention they deserve. Yet the protection of our citizens – to guard them from becoming victims – is the primary purpose of our penal laws. Thus, each new victim personally represents an instance in which our system has failed to prevent crime. Lack of concern for victims compounds that failure."

Keywords: Victim, Victim Rights, Criminal Justice, Victim Participation, Criminal Process, Justice

1. INTRODUCTION

Crime has always existed and is a given in human civilization, dating back to the beginning of time. A "victim" is created as a direct or indirect effect of every act. This interconnectedness means that a crime cannot be victimless. The two main components of crime are the criminal (the one who commits the crime) and the victim (the one who is harmed). The victim's status, importance, and visibility have varied greatly throughout human cultures. In the past, the victim of crime had a significant role in the criminal justice system's management. However, victims have evolved throughout time to just serve as witnesses in criminal cases. Prior to the development of the concept of an evolutionary science that would eventually be known as "Victimology," a subfield of criminology, victims were a completely disregarded species in terms of research. The victim, who was previously overlooked as a component of the crime, returned to the forefront with the rise of this new field known as victimology.

In the past, Crime was no longer seen as a victim-only offense but as an offense against the state. In its capacity as the community's protector, the State started defending the victim in the criminal case against the perpetrator. Then, in order to prevent the accused from being treated like a lesser human being as a result of criminal charges, some principles in

their favor have arisen. The accused has been granted certain rights under the principles of natural justice, fairness, and equity, including the right to be believed innocent until his guilt is established, the right to a reasonable trial, the right to counsel, the right to bail, and other significant inherent rights. The growing rights for the accused caused a deficit in the area of crime victims' rights. Undoubtedly, a comparable rights-based framework was necessary for the victims. However, there is controversy over the extent to which such rights should be granted, their structure, and the beginning date of their recognition. When it comes to ensuring that victims of crime, for whom justice is sought, are granted their rightful rights, the criminal justice system is terribly unbalanced in favor of the accused and his rights. Upholding the values of justice, equity, and dignity requires protecting the rights of the accused, but this cannot be done at the expense of the victims' rights.

Who is a victim?

In the Criminal Procedure Code, 1973, Section 2 (wa) inserted by the Code of Criminal Procedure (Amendment) Act, 2009, defines the term "victim" or who is "victim"? According to Section 2 (wa) of Criminal Procedure Code, 1973(Cr.PC), *"A victim means a person who has suffered any loss or injury caused by reason of the act or omission for which the accused person has been charged and the expression victim includes his or her guardian or legal heir."* Only individuals who fall within the legal description of "Victim" are entitled to legal rights of participation in a criminal proceeding.

The term "victim" would include the guardian or legal heir of the person affected by the crime. Nevertheless, it is typically used to refer to the individual whose suffering is a direct or imminent effect of the crime. In a 2022 judgement, the Karnataka High Court held that the term "victim" includes the victim's legal heirs, who would have the locus and be entitled to carry on the criminal case before the police filed a chargesheet in the event of the victim's death, in accordance with Section 2 (wa) of CrPC.¹ Justice M Nagaprasanna stated:

*"A genuine victim is to be permitted to come on record and the definition of 'victim' as found in Section 2(wa) of the CrPC cannot be rendered a restrictive meaning and has to be liberally construed...The cause (complaint filed by deceased person) continues and the legal heir who has stepped in into the shoes of the complainant is entitled to agitate the cause brought up by the complainant."*²

Whether a person is guilty or innocent, courts usually reluctant to allow the term "victim" to be used during a trial. This hesitation stems from a concern that the term "victim" unquestionably certifies the commission of a crime; hence, its use is unfavorable and violates the accused's constitutional right to a fair trial. Because the term "victim" accurately describes a victim's legal role in the case, it is proper to use it during court proceedings. In order to fulfill the purpose of victims' rights statutes and to acknowledge a victim's unique and important position in the criminal justice system, courts must permit the usage of the term "victim."

If a victim is incapable of speaking for themselves, the following people may exercise their legal rights on their behalf:

- 1) A victim's spouse;
- 2) Any person having custody of the victim;
- 3) A victim's common law partner and had lived with them for at least a year prior to the victim's death;
- 4) Any relative of the victim.

The above category of persons has been recognized to be within the ambit of the term "victim" under Indian criminal justice system by virtue of Section 2 (wa) of the Criminal Procedure Code, 1973, (Cr.PC).³

2. EMERGENCE OF THE ROLE OF CRIME VICTIMS IN COMMON-LAW CRIMINAL JUSTICE SYSTEMS

The criminal justice system prioritized victims of crime under common law. Since the Middle Ages, victims of crime have been pursuing private prosecutions. Ancient law placed more emphasis on restitution from the offender to the victim

¹Plumber, Mustafa, 'Victim' U/S 2(wa) CrPC Includes Legal Heirs Who May Continue Criminal Case If Victim Dies: Karnataka High Court, Live Law, (Nov. 14, 2022), <https://www.livelaw.in/news-updates/victim-us-2wa-crpc-includes-legal-heirs-who-may-take-over-criminal-complaint-where-victim-dies-karnatakahigh-court-214037>.

²Scania Commercial Vehicles India Pvt. Ltd v. State of Karnataka, 2022 LiveLaw (Kar) 457.

³Ibid.

than on state recompense for victims. Victims were required to actively engage in the criminal justice system, not only granted the right to do so. In the eighteenth century, prosecution was frequently the victim's responsibility. The victim was involved at every stage of the criminal justice process, including filing the case, choosing the charge, gathering witnesses, and taking part in court proceedings. In addition, victims had the complete right to challenge the punishment in court if they believed it was unjust or would lead to a royal pardon.

The victim's "spiritual" and financial well-being, or recompense, was given precedence above the offender's punishment in ancient Hindu law. It has been shown that India has long recognized reparations or compensation as a kind of punishment. In Hindu law prior to the Sutra, giving recompense was seen as a royal privilege. Manu law mandates that the offender pay for the victim's injuries, pay for any related medical expenses, and appease the owner of any damaged property. In addition to the punishment—not in place of it—the person who was wronged would get compensation. In ancient India, the king was seen to have an obligation to provide restitution to the victim of a crime. Thus, it may be argued that under ancient Hindu law, the victim took center stage and that the King and the offender were equally accountable for making amends and providing for the victim's needs.

Through the 19th century, private prosecution was typical in the United States⁴. So, it is clear that the position of victims in the criminal justice system was quite low by the turn of the twentieth century. Obviously, victims had a part in informing the police about crimes, and there were some modest legal provisions for recompense. But they were neither entitled to compensation nor were they involved in the criminal investigation. In 1973, in *Linda R. S. v. Richard D.*⁵, the United States Supreme Court observed that:

"In American jurisprudence at least, a private citizen lacks a judicially cognizable interest in the prosecution or non-prosecution of another."

The nineteenth-century criminal reform movement considered bringing back reparations and compensation. The return of compensation was advocated by Jeremy Bentham, who said that "satisfaction" should be given from the offender's property; but, if the criminal has no property, it should be paid from public funds as it is a public benefit. The victim's role in the crime, their perception of the criminal justice system, or their right to reparation were rarely considered by criminal law and criminologists until the conclusion of World War II. In 1949, American psychiatrist Frederick Wertham suggested "a science of victimology" that would concentrate on victim sociology. The late 1940s victim studies work of his contemporaries Hans Von Hentig and Benjamin Mendelsohn is now widely regarded as the founding book for victim studies and the origins of victimology, which looks at the crime from the victim's perspective. A strong victims' rights movement gained traction in the late 1970s, changing state and federal laws and regulations as well as state and federal constitutions. These laws prioritized reintegrating victims of crime into the juvenile and criminal justice systems so that they can actively engage in holding offenders responsible for their conduct and for the damages and costs victims have incurred as a result of the crime.

3. THE DEVELOPMENT OF VICTIMS' RIGHTS AND THE EXTENT OF VICTIM INVOLVEMENT.

Many rights that were formerly mainly disregarded by the criminal court system are now guaranteed to victims. Enhancing victim privacy and protection is the primary objective of victim rights. Some common fundamental rights available to victims of crime include the right to restitution, the right to be informed of court appearances, the right to submit victim impact statements, the right to attend court and sentencing hearings, the right to protection, the right to dignity and respect, the right to compensation, and the right to a speedy trial. Additional rights could include the freedom from unjustified delays, the right to consult with the public prosecutor in the case, the right to be fairly heard during criminal processes including release, plea, or sentencing, etc. Together, these rights give victims the ability to engage with the criminal justice system in an effort to get justice for themselves.

Some of the rights of victims that are instrumental in their participation in the criminal justice system are discussed below:

Right to Notification: A victim must have the right to reasonable notice of all public hearings at which the accused and the prosecutor are entitled to appear, as well as the right to attend any hearings on parole or other post-conviction release. A victim must be given the right to request a hearing in any event when a victim's rights are in question.

⁴ U.S. Department of Justice, *Fundamentals of Victims' Rights: A Brief History of Crime Victims' Rights in the United States*, (Nov. 11, 2011), <https://www.ojp.gov/ncjrs/virtual-library/abstracts/fundamentals-victims-rights-brief-history-crime-victims-rights>.

⁵ *Linda R. S. v. Richard D.*, 410 U.S. 614.

Right to Protection: Victims have the right to request that the court keep their identity private and that their security and privacy are taken into account. They also have the right to protection from intimidation and retaliation.

Right to a Speedy Trial: Victims of crime must have the right to a speedy disposition or trial. The Court must consider the interests of the victim in ruling on motions for continuance. There must be provision for speedy disposal of trials in cases involving elderly, minor or disabled victims.

Rights related to Evidence: Any items taken from victims as evidence may be given back to them at their request.

Right to Compensation and Restitution: Victims have the right to seek compensation from the criminal or from government compensation programmes for medical expenses related to physical or emotional damage brought on by the crime, repair and replacement costs related to property offences, and opportunity costs of time lost, assessed in lost income.

Right to Participation and Consultation: The Victim Impact Statement (VIS), which is submitted at the time of sentencing, is the most common method by which victims participate. The victim is given the chance to address the court during VIS and elaborate on the socioeconomic, psychological, and physical impacts of the offence on the victim. It may be submitted by direct victims of the crime or by individuals who were harmed vicariously. A VIS permits the victims' suffering and experience to be recognised in the criminal justice system and grants them the ability to be heard in court. Private prosecution is a good tool for protecting victims and preventing subsequent abuse by the criminal justice system because it is difficult for the prosecution to always secure the correct verdict. There should be a legal mechanism to require the investigative authorities to provide the injured party with the essential details relevant to the case when a private prosecution is used.

4. ADVANTAGES OF VICTIM INVOLVEMENT

Giving victims the opportunity to take part can help stop "secondary victimization" and possibly even help with their rehabilitation. There are several ways in which participation might support a victim's recovery. The act of testifying itself, for example, may be therapeutic. Victims may find value in being heard if a witness attests that their abuse did happen, that it was horrifying, and that it was not their fault. This process of revealing the truth validates the victims' experiences, enabling them to heal. By participating in the prosecution, for example, victims may be able to take back control of their lives and ensure that their voices are heard, respected, and understood. Participation may also restore the victim's dignity by restoring the sense of agency and ability to act that the first assault had depleted.

The right of victims to participate is a basic implication of their right to seek reparations. Since the prosecutor's only goal is to get a conviction, the victim's involvement is required to guarantee that material relevant to the award of compensation is disclosed. Participation is essential because it advances the process of reconciliation in regions where human rights violations have occurred and helps with the possible legal necessity to provide victims with a remedy. A more effective prosecution might come from victim cooperation. Victims are likely to know the most about their own victimization, therefore they may provide the court with important and relevant information regarding the crimes. The difficulty of incorporating their thoughts into the process should not be a hindrance to their potential.

5. VICTIM PARTICIPATORY RIGHTS IN INDIA:

The Status Quo

According to author and criminology professor Ian Edwards, "participation" in relation to victim rights may be understood as originating from the larger idea of citizenship and might involve being in charge, having a voice, being heard, or receiving respect and dignity. One aspect of the victims' rights to participate is their procedural rights during the criminal prosecution. For the state to enforce the Rule of Law, a country's criminal justice system must function effectively. A country's ability to have a strong criminal justice system is a good indicator of how well-run it is. Despite the present flaws in India's criminal justice system, one area that requires both strict administrative action and legislative change is the provision of justice to victims of crime.

Justice V.S. Malimath's Committee on "Reforms of the Criminal Justice System" has enunciated on the subject of "Justice to Victims" and made valuable recommendations about victim participatory rights. Fairness, due process, and recognition are the three elements of victim participation rights.

Fairness: The criminal justice system is unfair to victims because it prioritises the public interest over their needs. Hence, victim participation rights are fundamental to striking a balance between the rights of victims and accused. Their greater involvement is therefore required by the fairness principle throughout the entire trial, not just at the sentence phase.

Due Process: The "due process" justification places a strong emphasis on the victims' inherent rights to "life, liberty, and property" and calls for some protection for victims during the due process phase. The right to life or liberty of a victim of a violent crime has been violated due to the commission of the crime. The government utilises victims as witnesses, thus even while the due process provision is a check on governmental power, victims can nevertheless assert a private interest in how a criminal case turns out. According to this viewpoint, victims should receive procedural due process from the government and the courts.

Recognition: If the victims believe the criminal justice system has treated them unfairly, their situation must be acknowledged. It would significantly improve social welfare by enticing crime victims to file complaints and report offences. Yet not just at the time of sentence, but throughout the entire process, it is necessary to respect the victims' dignity.

In India, the accused and the prosecution play the major roles in the criminal justice system, with the judge acting as a referee. Only when providing evidence is the victim required to take part in the criminal process.

6. SCOPE OF VICTIM PARTICIPATION IN THE INDIAN CRIMINAL JUSTICE SYSTEM

The primary focus of India's criminal justice system is on offenders, whether through conviction, treatment, reformation, or rehabilitation. Determining an accused person's guilt or innocence seems to be the only objective of the criminal justice system at the moment. The role of a victim of crime in the current criminal justice system is restricted to that of a prosecution witness, despite the fact that they have suffered harm in many ways. It is very necessary to give victims of crime a clearly defined legal standing and to make the system victim-oriented. The State's social control cannot completely overlook or override the victim's desire to see the offender punished. The victim's viewpoints are not even sought, much less taken into consideration, while a charge is being prepared or when a discharge order is being issued. The State will defend the trial court's ruling in any appeals that are filed against the conviction and penalty, even if the case ends in a conviction.

To better serve victims' interests, it is imperative to ensure that they participate actively in the investigation and trial. The problem with the existing judicial system is that the victim has very little influence once an inquiry starts. Police personnel usually take too long while conducting investigations, which increases the possibility of corruption and causes them to lose opportunities to gather crucial evidence. Investigations involving well-known and connected individuals as victims, however, are usually completed swiftly. The victim's participation is restricted to acting as a "prosecution witness" throughout the trial since the State bears full responsibility for carrying out the prosecution.

An International View on Victim Involvement in Criminal Cases

The adoption of the **UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power** by the General Assembly of the United Nations at its 96th Plenary on November 29, 1985, marked a significant international acknowledgment of the necessity of establishing norms and minimum requirements in national and international legal systems for the rights of crime victims. In accordance with the United Nations Declaration's Articles 4 and 6 (b), it is essential that victims receive compassionate care, are respected for who they are, and receive support in their efforts to take part in the criminal justice system.

According to the UN Declaration, victims of crime have a right to four main safeguards:

- a) **Access to justice and fair treatment:** This right involves the ability to quickly seek redress, access to the legal system, right to be apprised of the victim's rights, appropriate support during the legal process, and protection of the victim's safety and privacy.

- b) **Restitution:** Restitution for crimes committed by public servants or other agents, should be provided to the victims by the State. This right would include restoration of property or compensation for harm or loss.
- c) **Compensation:** When the compensation from the offender is insufficient, the state should offer financial compensation, at the very least in cases of serious crimes that result in bodily injury and for which national funds should be established.
- d) **Rehabilitation:** Through governmental, non-profit, and community-based channels, victims should receive the essential aid in terms of material goods, medical care, psychological care, and social services. Those working in law enforcement, justice, health care, and social services should be trained in this area.

7. OPINIONS, SUGGESTIONS AND REFORMS ENVISAGED

It is clear from assessing the level of victim involvement in the Indian criminal justice system that there is a significant lack of laws or statutes guaranteeing victims' rights or their involvement in criminal proceedings. Despite the existence of some rights, their application is lacking. The rights of victims of crime should be respected before, during, and after the trial.

The following rights must be given legitimacy through statutory authority and must be implemented effectively so as to ensure that victims' rights are upheld and their participation is observed:

Choice of prosecution: When the case is being framed, the police officer must be obligated to make sure the victim is heard. Victims should be given the reasonable opportunity to voice their opinions and grievances throughout the investigation stage by filing a complaint.

Right to consultation: At the time the offender is sentenced and while parole decisions are being made, the victim must be consulted. The victim must be consulted at the sentencing stage in order to determine the amount of compensation and to give a Victim Impact Statement (VIS) that might affect the severity of the punishment. Crime causes the most suffering for its victims. It is crucial to provide them the opportunity to express their suffering and worries through a Victim Impact Statement (VIS) and Victim Impact Evidence (VIE).

Right to contest the police report's findings: The victim's right to get the police report under Section 173(2)(ii) of the CrPC should be coupled with the victim's right to contest the report's findings in front of a higher-ranking police official.

Notification to the victims at the investigation stage as well as trial stage: The victims must be given the right to information about the case status, including the reasons why the culprits have not been found yet, the stage of the investigation or trial, the reasons the trial has been postponed, the specifics of the evidence the prosecution will use, and the victims' right to appropriate access to the police report. As a result, a responsibility is created. on the investigating agency to keep the victim in loop.

Bail decisions: While deciding whether to release the accused on bail, the victims must be given fair regard. When the bail request is brought before a court, that is the period when victims can voice their opinions.

Right to Information: The Right to Information Act, 2005 allows the victim to request information regarding the investigation or trial.

Right to participate in the criminal justice system: Victims must be conferred the right to appear in court and call attention to the police's failure to question witnesses or their ignorance of important pieces of evidence. The victim's advocate must be permitted to cross-examine the defence witness and ask questions of the prosecution witnesses. In addition to the above rights, statutory backing must be given to the procedure of victim participation in criminal proceedings in the following basic aspects:

Through the course of the process of criminal justice, victims' opinions and concerns should be heard and properly addressed by the appropriate authorities. Victims should be encouraged in their endeavours to participate in the criminal justice system and treated with compassion and respect for their dignity. When the State decides not to prosecute, one of the choices can be private prosecution. Precautions must be taken to prevent the misuse of private prosecution.

However, the provision for private prosecution must be made. The prosecution should take into account, among other things, the opinions of the victims while deciding whether to appeal. It is crucial that victims obtain prompt compensation for sustained as a result of the crime through the criminal court system when it comes to compensation and restitution for victims.

The following initiatives will pave the way for enhanced victim participation and victim empowerment:

Victim-Offender Mediation Programs: There may be certain victims who would want to have face to face meetings with their offenders. To facilitate such a dialogue in a structured environment, Victim-Offender Mediation Programs should be introduced. Mediation in criminal law is a diversion from prosecution.

Compliance Programs: Through training, workshops, etc., victim rights compliance programmes aim to inform the general public and criminal justice organisations about victims' rights. They have a formal complaint process and receive complaints from victims when their rights are violated.

Victim Rights Clinics: In order to aid in the enforcement of victims' rights by giving victims free legal representation in court, Victim Rights Clinics must be established. The clinics may be run by advocates, lawyers, law students, social activists and so on.

Realizing that merely recognizing victims' rights is insufficient is crucial. A plan of action must be in place to promote victim rights in order to guarantee that the organizations and individuals responsible for informing victims of their rights do so. Among the obstacles to victims' full exercise of their rights include the government's power to reject them, the absence of a process to enforce those rights, and the appellate court's power to refuse review. In the event that their rights are violated, victims must have a place to defend those rights.

8. CONCLUSION

In modern countries, the state is tasked with protecting its population from crime and has the exclusive authority to put criminals in jail for the good of the society. However, the state denies any responsibility for harm to victims. Although retribution plays a little part in the current operation of the criminal justice system, its importance cannot be downplayed. The sense of righteous anger continues to be the main driving force for criminal legislation. There is still a tendency, aside from sporadic attempts, to move the restitution or compensation problem farther and more outside of the criminal court system, perhaps in an effort to keep the victim out of it. It is clear from the reasoning that the victim is not considered a necessary participant in the criminal justice system. The victim's involvement in the criminal proceedings is seldom ever taken into account by the judicial system. The mechanism is either not entirely successful or does not function at all in cases when state compensation is present, which is uncommon. The wrong or harm done to the victim as a result of the crime is nearly seen as a private matter, even if the state is believed to be in charge of criminal punishment. The victim of today cannot seek retribution on his own since the State prohibits him from implementing the law on his own.

Modifications to socioeconomic circumstances could be crucial to finding a solution. Laissez-faire ideas prevailed and prevented governments from developing social welfare programs, especially those that helped crime victims, even though the nineteenth century witnessed tremendous breakthroughs and revisions in criminal law. Most wealthy countries now recognize some or all of the responsibility for social deaths, and as a social welfare policy, restitution and compensation plans now dominate government legislative agendas. However, it is significant that after living in near-total darkness for millennia, the victim of crime has suddenly emerged and is acknowledged as a person worthy of attention in nations all over the world.

The rights of the accused are given top priority in the Indian criminal justice system, which upholds the constitutionally guaranteed ideals of natural justice, fairness, etc. But in doing so, the victims' rights are blatantly disregarded. Since it is well known that a crime has an impact on society as a whole, the state bears the responsibility of ensuring that justice is served. It is important to remember that the victim of a crime bears the brunt of the consequences in many areas of their lives. It is only just and fair that the victim of a crime committed against him gets a voice in the criminal proceedings. The victim is the one who seeks justice, is not that right? Immediate changes are required to the Code of Criminal Procedure to significantly strengthen the victim's right to participate. An attempt must be made to strike the correct balance in order to grant victim participation rights a proper position in the criminal justice system.

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CONFLICT OF INTEREST

None.

REFERENCES

- International Journal For Legal Research & Analysis Issn 2582-6433, Volume 2 Issue 7|April 2023.
- United Nations Office on Drugs and Crime, *Victims and their participation in the criminal justice process*, (Jul. 2019), <https://www.unodc.org/e4j/zh/crime-prevention-criminal-justice/module-11/key-issues/5--victims-and-their-participation-in-the-criminal-justice-process.html>.
- United Nations Human Rights Office of the High Commissioner, *Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power*, <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-basic-principles-justice-victims-crime-and-abuse>.
- University of Lucknow, *Victimology and Victims' Rights*, https://www.lkouniv.ac.in/site/writereaddata/siteContent/202004120812184884omendra_yadav_SW_Victimology_and_Victims_Rights.pdf.
- Daigle, Leah E., *VICTIMOLOGY*, Sage Publications Ltd., 2nd Ed.
- National Crime Victim Law Institute, *Use of the Term "Victim" In Criminal Proceedings*, (2009), <https://law.lclark.edu/live/files/21940-use-of-the-term-victim-in-crim-proc11th-edpdf>.
- Banville, Laurence, *Victim's Role in Criminal Proceedings: Past, Present And Future*, Pace Criminal Justice Blog, Elisabeth Haub School of Law, (Dec. 16, 2016), <https://pcjc.blogs.pace.edu/2016/12/16/victims-role-in-criminal-proceedings-past-present-and-future/>.
- Criminal Justice, *Victim Participation in the Criminal Justice System*, <https://criminal-justice.iresearchnet.com/forensic-psychology/victim-participation/>.
- Sanders, Andrew, *Victim Participation In Criminal Justice*, Criminal Justice Matters, 49:1, pp. 30-31, (2002), <https://www.crimeandjustice.org.uk/sites/crimeandjustice.org.uk/files/09627250208553497.pdf>.
- The Government of Canada, *The Role of the Victim in the Criminal Process: A Literature Review - 1989 to 1999*, (Dec. 2021), https://www.justice.gc.ca/eng/rp-pr/cj-jp/victim/rr00_vic20/p2.html.
- V., Pavithra, Muralidhar, Riktha, *Victim Rights in India: Is the Focus of the Criminal Justice System Shifting from the Accused to the Victim?*, International Journal of Law Management and Humanities, Vol. 4, Issue 2, <https://www.ijlmh.com/paper/victim-rights-in-india-is-the-focus-of-the-criminal-justice-system-shifting-from-the-accused-to-the-victim/#:~:text=In%20India%2C%20the%20term%20%E2%80%9Cvictim,a%20result%20of%20a%20crime>
- Victim Participation in Criminal Justice System: Status Quo and the Way Forward, Authored by: Debalina Roy, Third Year, BA. LL. B (H), Xavier Law School, XIM University