MedCrave
Step into the World of Research
Forensic Research & Criminology International Journal

Research Article
Open Access
CrossMark

Victim-centered criminal justice: a feminist criminology perspective

Abstract

Despite significant advances in legislation and international human rights frameworks aimed at combating gender-based violence, criminal justice systems continue to operate predominantly under an offender-centered paradigm that prioritizes prosecution and punishment while often neglecting victims' protection, participation, and long-term recovery. This review examines the contributions of feminist criminology to the development of a victim-centered criminal justice model, arguing that traditional approaches are insufficient to address the structural inequalities and institutional barriers experienced by victims of gender-based violence. A narrative literature review was conducted based on peer-reviewed articles, books, international legal instruments, and reports from recognized organizations addressing feminist criminology, victimology, human rights, and criminal justice. The analysis demonstrates that feminist criminology challenges conventional assumptions of criminal justice by exposing how gender stereotypes, institutional practices, and unequal power relations contribute to secondary victimization and limit victims' effective access to justice. The literature further indicates that a victim-centered approach promotes dignity, participation, protection, trauma-informed practices, and comprehensive support throughout the criminal justice process, strengthening both victims' rights and institutional legitimacy. This study concludes that feminist criminology provides a robust theoretical and normative framework for reorienting criminal justice toward a more inclusive, equitable, and human rights-based model. Shifting the focus from the offender to the victim represents not only a conceptual transformation but also an essential strategy for improving institutional responses to gender-based violence and ensuring more effective protection, accountability, and access to justice.

Keywords: Feminist criminology, victim-centered justice, gender-based violence, secondary victimization, victims' rights, access to justice, criminal justice, human rights

Volume 14 Issue 4 - 2026

Ines Moreira Fernandes
Department of Law, Law and criminology, State University of Rio de Janeiro, Brazil

Correspondence: Ines Moreira Fernandes, Department of Law, State University of Rio de Janeiro, Rio de Janeiro, Brazil, Tel +55 (21) 99783-5559

Received: September 30, 2026 | **Published:** November 11, 2026

Abbreviations: CJS, criminal justice system; VAW, violence against women; VAWG, violence against women and girls; UN, United Nations; UNODC, United Nations office on drugs and crime

Introduction

Criminal justice has historically been organized around the identification of an offender, the establishment of criminal responsibility, and the imposition of a legally prescribed sanction. Although these functions remain fundamental to the rule of law, an institutional model centered predominantly on the accused can leave the person harmed by the offence at the margins of the process. This tension becomes particularly visible in cases of gender-based violence, in which the harm may be embedded in unequal social relations, economic dependence, gender stereotypes, and patterns of coercion that are not fully captured by an exclusively offence-centered analysis.

Feminist criminology emerged in part as a response to the androcentric assumptions that shaped traditional criminological theories. Early feminist scholarship questioned the treatment of women as peripheral subjects and demonstrated that gender is relevant not only to offending but also to victimization, social control, policing, adjudication, and punishment. Daly and Chesney-Lind argued that feminist inquiry could help criminology reconsider theories of crime, responses to men's violence against women, and gender equality within criminal justice.[1] Smart likewise challenged conventional criminological accounts for their treatment of women as marginal to the central questions of crime and justice.[2]

From this perspective, the victim cannot be understood merely as a source of evidence for the prosecution. The victim is a rights-bearing participant whose safety, dignity, voice, and material and psychosocial needs must be considered throughout the justice process. The United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power recognizes rights relating to access to justice, restitution, compensation, and assistance, while emphasizing the need for personnel who interact with victims to be trained to respond to their needs.[3]

Gender-based violence makes this transformation especially important. Feminist criminological scholarship has shown that women's experiences of crime and justice cannot be separated from social structures and gendered expectations. Chesney-Lind, for example, demonstrated how girls' victimization could be overlooked when criminal justice institutions focus narrowly on delinquency and official offending.[4] More recent scholarship continues to examine how gender, family roles, and institutional responses shape experiences on both sides of the criminal justice system.[5]

Against this background, the present study examines how feminist criminology can contribute to a victim-centered model of criminal justice. The objective is not to replace due process or the rights of the accused, but to examine how protection, participation, dignity, non-discrimination, and access to support can be integrated into criminal justice without abandoning procedural fairness. The study therefore asks how a victim-centered approach can respond to secondary victimization, institutional barriers, and the structural dimensions of gender-based violence.

Submit Manuscript | http://medcraveonline.com

©2026 Fernandes. This is an open access article distributed under the terms of the Creative Commons Attribution License, which permits unrestricted use, distribution, and build upon your work non-commercially.

Copyright: ©2026 Fernandes.

Material and methods

This study adopts a narrative literature review design. The review was developed through a qualitative synthesis of academic literature and normative documents addressing feminist criminology, victimization, victims' rights, gender-based violence, and criminal justice responses. The purpose of the method was to identify recurring concepts and institutional recommendations rather than to calculate an aggregate effect size or conduct a systematic meta-analysis.

The literature considered included peer-reviewed journal articles, academic books, international human rights instruments, policy guidance issued by recognized international organizations, and relevant Brazilian legislation. Particular attention was given to sources discussing feminist critiques of criminology, the position of victims within criminal proceedings, secondary victimization, participation, protection, support services, and gender-sensitive institutional practices. The normative framework included United Nations materials, the Council of Europe Convention on preventing and combating violence against women and domestic violence, and the European Union framework on victims' rights.[6–9] Brazilian legislation was also considered to illustrate how victim protection and gender-sensitive responses have been incorporated into a national legal framework.[10,11]

The analysis was organized thematically around four dimensions: (1) the feminist critique of offender-centered criminal justice; (2) secondary victimization and institutional barriers; (3) victim participation, protection, and support; and (4) institutional transformation and the limits of a victim-centered model. Because this is a narrative review, the findings should be understood as a structured synthesis of the selected literature and normative sources rather than as an exhaustive systematic review of all publications in the field.

Results

Feminist criminology and the limits of an offender-centered model: Feminist criminology broadens the object of criminological inquiry by asking whose experiences have historically been treated as central and whose have been rendered invisible. Daly and Chesney-Lind identified gender equality in criminal justice as a core area for feminist criminological analysis, alongside the study of gender and crime and responses to violence against women.[1] Smart's feminist critique similarly called attention to the ways in which legal and penal institutions construct and regulate women through gendered assumptions.[2] These contributions are significant for victim-centered justice because they challenge the idea that neutrality is achieved simply by applying formally identical procedures to everyone.

A victim-centered model does not require criminal justice institutions to abandon the presumption of innocence, the right to counsel, the burden of proof, or other guarantees of a fair trial. Rather, it requires those guarantees to coexist with recognition that victims also possess procedural and substantive interests. The United Nations framework explicitly connects justice for victims with access to judicial mechanisms, restitution, compensation, and assistance.[3] The result is a broader conception of justice in which the successful conclusion of a criminal case is not the only institutional concern.

Secondary victimization and gendered institutional practices: Secondary victimization refers to additional harm experienced as a consequence of responses by institutions, professionals, or social environments after the original offence. In gender-based violence cases, such harm may arise when victims are confronted with disbelief, gender stereotypes, unnecessary repetition of traumatic accounts, insensitive questioning, inadequate information, or procedures that fail to consider safety and dignity. The Istanbul Convention expressly requires protection and support measures to adopt a human rights and victim-centered approach and to avoid secondary victimization.[6]

International standards also emphasize that participation in criminal proceedings should not itself expose victims to avoidable harm. The European Union's victims' rights framework requires measures to protect victims from secondary and repeat victimization, intimidation, and retaliation and recognizes the importance of protecting dignity during questioning and testimony.[8] It further supports practical measures designed to reduce unnecessary contact and repeated interactions with authorities.[9] These principles illustrate that procedural efficiency and victim protection can be mutually reinforcing when institutions are designed around the actual needs of those participating in the process.

Evidence from Brazil illustrates the continuing relevance of these concerns. An empirical study of women accessing domestic violence courts in Brazil identified experiences of secondary victimization associated with institutional practices, including judicial approaches that focused narrowly on criminal aspects of the Maria da Penha Law and insufficient expertise regarding gender issues.[12] The finding is important because it demonstrates that formal legal protection does not automatically produce an effective victim-centered experience. Implementation, professional training, institutional coordination, and the practical conditions under which victims are heard remain decisive.

Participation, protection, and comprehensive support: A victim-centered justice model treats participation as more than the simple act of providing testimony. Meaningful participation requires accessible information, respectful communication, opportunities to express concerns, and mechanisms that allow victims to understand what is happening in their cases. The UNODC Handbook on effective prosecution responses to violence against women and girls emphasizes the relationship between victim safety and offender accountability and recommends cooperation among criminal justice institutions and other services.[7]

Protection must likewise extend beyond physical security. Victims may face economic dependence, housing insecurity, social isolation, retaliation, or psychological consequences that affect their capacity to participate in proceedings. International standards therefore connect justice with health, psychological, social, and material assistance.[3] The Council of Europe framework similarly emphasizes specialized support, integrated policies, information, and recovery services, while stressing that support should not be dependent on the victim's willingness to press charges or testify.[6]

The Brazilian framework provides an important example of this integrated perspective. The Maria da Penha Law defines domestic and family violence against women as a human rights violation and establishes measures involving prevention, assistance, protection, and coordinated public policies.[10] The subsequent strengthening of the legal framework, including the autonomous criminalization of feminicide under Law No. 14,994/2024, demonstrates the continuing evolution of the State's response to gender-based violence.[11] Yet the existence of legislation alone cannot guarantee a victim-centered system; implementation depends on institutional capacity, accessibility, coordination, and professional practice.

From formal protection to institutional transformation: The literature suggests that victim-centered justice should be understood as an institutional orientation rather than as a single

Citation: Fernandes IM. Victim-centered criminal justice: a feminist criminology perspective. *Forensic Res Criminol Int J.* 2026;14(4):166–169.
DOI: 10.15406/frcij.2026.14.00485

Copyright: ©2026 Fernandes.

procedural measure. It requires police officers, prosecutors, judges, lawyers, health professionals, social workers, and victim-support organizations to recognize that gender-based violence may involve patterns of control and inequality that affect how victims interact with institutions. Feminist criminology contributes to this transformation by questioning apparently neutral practices when those practices reproduce gendered assumptions or obscure structural conditions.[1,2,13]

A central implication is the need for trauma-informed and gender-sensitive procedures. Such procedures can include minimizing unnecessary repetition of testimony, providing clear information, allowing appropriate support persons, assessing risks, ensuring privacy, preventing direct or unnecessary contact with the accused, and coordinating referrals to specialized services. These measures are consistent with international standards on victim protection and participation.[6,8]

At the same time, a victim-centered model must avoid replacing one form of marginalization with another. The victim's autonomy should be preserved rather than transformed into paternalistic decision-making by institutions. A feminist approach is therefore strongest when it combines protection with agency: institutions should reduce avoidable barriers, provide meaningful choices, and respect the victim's dignity while maintaining due process and the rights of all parties. This is particularly important because the category of 'victim' is not homogeneous. Experiences can differ according to age, race, class, disability, migration status, sexual orientation, economic dependence, and other social conditions. A victim-centered model must consequently remain attentive to intersecting forms of vulnerability and discrimination.

Discussion

The results support a conceptual shift from an exclusively offender-centered understanding of criminal justice toward a model that places the victim's rights and needs within the core architecture of justice. Feminist criminology is particularly useful for this shift because it does not treat victimization as an isolated event. Instead, it asks how gendered power relations, stereotypes, social control, and institutional practices influence both the occurrence of violence and the subsequent response of the justice system.[1,2]

The distinction between formal equality and substantive equality is central. A procedure may appear neutral while producing unequal effects if it ignores the circumstances in which gender-based violence occurs. For example, requiring a victim to repeatedly recount traumatic events, failing to provide information in accessible language, or interpreting delayed reporting through stereotypes may create practical barriers even when the same procedural rule formally applies to everyone. International victim-rights frameworks increasingly recognize these concerns by requiring respectful treatment, protection from secondary victimization, and access to information and support.[3,6,8]

The Brazilian experience reinforces the importance of implementation. The Maria da Penha Law established a broad framework for addressing domestic and family violence, but empirical research indicates that institutional practices can still generate secondary victimization.[10,12] This gap between normative protection and lived experience is a central challenge for victim-centered justice. Legal reform must therefore be accompanied by professional education, interdisciplinary cooperation, specialized services, data collection, monitoring, and mechanisms for evaluating how victims actually experience the system.

A further implication concerns institutional legitimacy. When victims are treated with dignity, receive understandable information, are protected from avoidable harm, and can access support, the justice process is more capable of responding to the full consequences of violence. The UNODC framework emphasizes that effective prosecutorial responses require both accountability and attention to victim safety.[7] Victim-centered justice should therefore not be understood as a reduction in criminal accountability. Rather, it can strengthen accountability by reducing barriers that discourage reporting and continued participation.

Nevertheless, this approach has limits. Criminal justice cannot, by itself, eliminate the social and economic structures that facilitate gender-based violence. Nor can prosecution provide every form of recovery or remedy required by victims. A comprehensive model must therefore operate in coordination with health, social assistance, housing, education, employment, and community-based services. The Istanbul Convention's emphasis on coordinated policies reflects this broader institutional understanding.[6]

Finally, feminist criminology encourages continued attention to voices that remain underrepresented even within victim-centered frameworks. Intersectional differences may shape access to police protection, legal assistance, shelters, health services, and credibility assessments. Future research should therefore examine how victim-centered practices operate across different groups and legal systems, including through empirical studies of victims' experiences, professional decision-making, case outcomes, and institutional accessibility.[14–17]

Conclusion

Feminist criminology provides an important theoretical and normative basis for reorienting criminal justice toward a victim-centered model. Its contribution lies not simply in adding victims to an existing offender-centered system, but in questioning the assumptions, institutional practices, and power relations that have historically shaped how crime and justice are understood. The literature reviewed indicates that effective victim-centered justice requires dignity, meaningful participation, protection from secondary and repeat victimization, access to information, specialized support, and coordination among criminal justice and social institutions. These elements are compatible with due process and should not be understood as substitutes for the rights of the accused. Rather, they expand the conception of justice by recognizing victims as rights-bearing participants whose safety and agency matter throughout the proceedings. In cases of gender-based violence, this transformation is particularly significant because formal legal equality may be insufficient when institutional practices reproduce gender stereotypes or fail to account for structural inequalities. A sustainable victim-centered model therefore requires more than legislative reform: it requires continuous professional training, institutional accountability, interdisciplinary coordination, accessible support services, and evaluation grounded in victims' experiences. Feminist criminology ultimately offers a framework through which criminal justice can pursue accountability while also protecting dignity, reducing institutional harm, and improving access to justice.

Acknowledgments

The author declares no specific acknowledgments.

Conflicts of interest

The author declares that there is no conflict of interest.

Citation: Fernandes IM. Victim-centered criminal justice: a feminist criminology perspective. *Forensic Res Criminol Int J.* 2026;14(4):166–169. DOI: 10.15406/frcij.2026.14.00485

Copyright: ©2026 Fernandes.

References

1. Daly K, Chesney-Lind M. Feminism and criminology. *Justice Q*. 1988;5(4):497–538.
2. Smart C. *Women, crime, and criminology: a feminist critique*. London: Routledge & Kegan Paul; 1976.
3. United Nations. *Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power*. New York: United Nations; 1985.
4. Chesney-Lind M. Girls' crime and woman's place: toward a feminist model of female delinquency. *Crime Delinq*. 1989;35(1):5–29.
5. Gueta K, Condry R. Centering mothers in feminist criminology: a critical review of literature on mothers of victims and offenders. *Feminist Criminol*. 2024;19(5):443–474.
6. Council of Europe. *Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)*. Strasbourg: Council of Europe; 2011.
7. United Nations Office on Drugs and Crime. *Handbook on effective prosecution responses to violence against women and girls*. Vienna: UNODC; 2014.
8. European Parliament, Council of the European Union. Directive 2012/29/EU of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime. *Off J Eur Union*. 2012;L315:57–73.
9. United Nations Entity for Gender Equality and the Empowerment of Women. *Handbook for legislation on violence against women*. New York: UN Women; 2012.
10. Brazil. *Lei No. 11.340, de 7 de agosto de 2006. Retrains domestic and family violence against women*. Brasília: Presidência da República; 2006.
11. Brazil. *Lei No. 14.994, de 9 de outubro de 2024. Makes feminicide an autonomous crime and provides measures to prevent and curb violence against women*. Brasília: Presidência da República; 2024.
12. Rosenblatt FF, Mello MMP, Medeiros CSLQ. Secondary victimisation, procedural injustices, and machismo: the experiences of women who access Brazil's not-so-specialised domestic violence courts. *Int J Comp Appl Crim Justice*. 2023;47(2):167–184.
13. Chesney-Lind M. Feminist criminology in an era of misogyny. *Criminology*. 2020;58(3):407–422.
14. Hester M, Williamson E, Eisenstadt N, et al. What is justice? Perspectives of victims-survivors of gender-based violence. *Violence Against Women*. 2025;31(2):570–597.
15. Pemberton A, Mulder E. Bringing injustice back in: Secondary victimization as epistemic injustice. *Criminology & Criminal Justice*. 2025;25(4):1181–1200.
16. Campbell R, Gregory K, Engleton J, et al. "This Time It Was Different": Creating a Multidisciplinary, Trauma-Informed, Victim-Centered Approach to Sexual Assault Cold Case Investigations and Prosecutions. *J Interpers Violence*. 2025;40(15–16):3639–3662.
17. Flynn A, Powell A, Hindes S. An Intersectional Analysis of Technology-Facilitated Abuse: Prevalence, Experiences and Impacts of Victimization. *Br J Criminol*. 2024;64(3):600–619.

Citation: Fernandes IM. Victim-centered criminal justice: a feminist criminology perspective. *Forensic Res Criminol Int J*. 2026;14(4):166–169.
DOI: 10.15406/frcij.2026.14.00485