

Cite this Article: Khan, M. S., Ahmed, T., Afzal, A., & Ali, H. M. A. (2026). Victim-Centered Justice in Pakistan: Legal Gaps, Institutional Challenges, and Policy Reform. *Journal of Regional Studies Review*, 5(1), 9-18. <https://doi.org/10.62843/jrsr/2026.5a159>

RESEARCH ARTICLE

JOURNAL OF REGIONAL STUDIES REVIEW (JRSR)

Victim-Centered Justice in Pakistan: Legal Gaps, Institutional Challenges, and Policy Reform

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Abstract: One of the emerging paradigms in contemporary criminal justice is victim-centered justice, which emphasizes the recognition, protection, and active participation of victims throughout legal proceedings. This paper analyzes legal, institutional and socio-cultural aspects of victim based justice in Pakistan wherein the criminal justice system has been offender-based. In spite of the constitutional guarantees of dignity, equality of law and access to justice, and the pledges of the international human rights frameworks, the victims are not central in practice in Pakistan. Through a qualitative research design, the study evaluates the provisions of the constitution, statutory laws, judicial practices, and policy frameworks that involve the protection of the victim. The important legal means such as the Pakistan Penal Code, the Code of Criminal Procedure, and legislation specific to the victim are assessed based on how effective they are in protecting the rights of the victims. The courts and case law, United Nations findings, and academic sources mention the systemic lack of legislation, institutional infirmities and socio- cultural obstacles that hinder access to justice. The results show that the legal framework in Pakistan does not have a full-fledged codification of the rights of the victims and therefore the protection is fragmented and not well implemented. There are institutional issues like substandard training, bureaucratic delays, insufficient victim support, and poor coordination which also contribute to the poor delivery of justice. It has been found that the patriarchal norms, stigma, and power imbalances hinder victim participation; therefore comprehensive reforms, codification of victim rights, institutional strengthening, and restorative justice are essential.

Keywords: Victim-Centered Justice, Legal Reform, Patriarchal Norms, Victim Participation, Institutional Challenges, Victim-Specific Legislation, Restorative Justice

Introduction

The idea of victim-centered justice has been getting more and more popularity in modern criminal justice discourse, signifying the move away from the traditionally offender-centered systems to the systems that address the rights, dignity, and welfare of crime victims. The victim-centered justice underscores the proactive engagement of victims within the criminal process, prioritizes the mitigation of secondary victimization, and advances the pursuit of justice through compensatory mechanisms and rehabilitative measures. It further encompasses the provision of psychological assistance and socio-cultural support, thereby ensuring a holistic framework of protection and empowerment for those affected by crime (United Nations, 1985). This paradigm has found extensive support in the international human rights law and criminological literature as a prerequisite of justice systems that are just and efficient (Walklate, 2011; Van Dijk, 2009).

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Traditionally, the criminal justice system in Pakistan has been offender-centered with little institutional concerns to the rights and needs of victims. Though, the Constitution of the Islamic Republic of Pakistan, 1973 provides basic rights like dignity of person and access to justice, in most of the cases, the victims are often marginalized in the judicial process (Constitution of Pakistan, 1973, Art. 4 & 14). Crime control and procedural aspects are mainly governed by statutory frameworks such as Pakistan Penal Code, 1860 and Code of Criminal Procedure, 1898 which only provide protection to the victims indirectly and in bits (Imran et al., 2024). The criminal justice institutions especially the police, prosecution services, judiciary as well as the correctional mechanisms are crucial towards the achievement of victim-centered justice. Nevertheless, according to the results of empirical research, the institutional obstacles such as the slowness of the investigation and trials, insufficient protection of witnesses, insufficient victim assistance services, and the absence of special training of criminal justice workers remain a problem (Shahbaz & Zafar, 2025). Female subordination, fear of consequences, stigma, and power imbalance are other socio-cultural aspects that deter the victim to report crimes or seek legal solutions (Jilani, 2019).

This paper is a critical analysis of the current legal and institutional system in Pakistan to determine whether it provides victim-oriented justice. The research determines significant gaps in laws and structural barriers by subjecting statutory rulings, judicial traditions, and policy tools to international norms. This research claims that unless there are a complete legal reform, institutional capacity building, and incorporation of restorative justice concepts, the criminal justice system will still fail to meet the needs of the victims.

Literature Review

Victim-Centered Justice: Concept and Evolution

The victim centered justice advocates the rights, involvement, security and accessibility of justice by the victims (United Nations, 1985). The initial frameworks including UN Declaration of Basic Principles of Justice to Victims of Crime and Abuse of Power gave more focus to restitution, compensation and rehabilitation (van Dijk, 2009). The comparative literature in such countries as Canada, the UK, and Australia proves that victim service institutionalization substantially increases the rates of reporting, the level of victim satisfaction, and the general justice results (Herman, 2003; Brody, 2015).

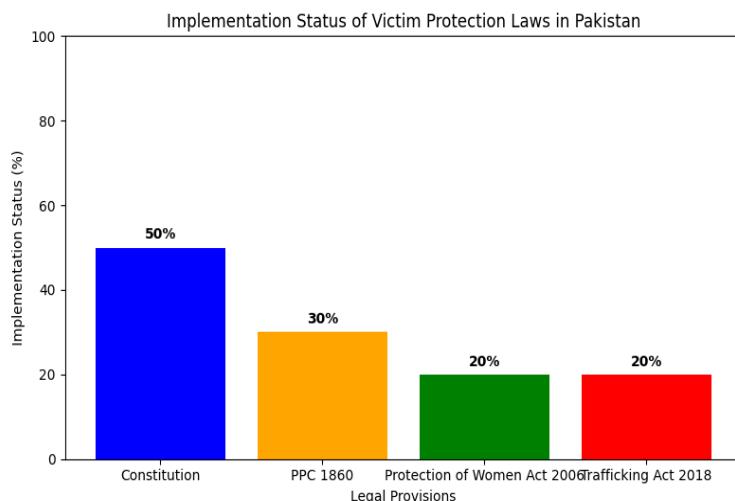
Legal Frameworks and Statutory Gaps in Pakistan

The criminal justice system in Pakistan is still largely offender oriented. The Constitution ensures basic rights, whereas the statutory rule such as the Pakistan Penal Code (1860) and Code of Criminal Procedure (1898) is concerned with crime control and not with its victims (Imran et al., 2024). The identified law, including the Protection of Women (Criminal Laws Amendment) Act, 2006, and the Prevention of Trafficking in Persons Act, 2018, is poorly implemented because of the institutional loopholes (UNODC, 2020; Shahbaz & Zafar, 2025).

Table 1

Legal Provisions for Victims in Pakistan

Law / Act	Year	Victim Group Covered	Key Rights / Protections	Implementation Status
Constitution of Pakistan	1973	All citizens	Right to dignity, access to justice	Partial
Pakistan Penal Code	1860	General	Crime control, limited victim protection	Low
Protection of Women Act	2006	Women	Protection from domestic & sexual violence	Weak
Prevention of Trafficking in Persons Act	2018	Trafficking victims	Protection, rehabilitation, compensation	Weak

Graph 1*Implementation Status of Victim Protection Laws in Pakistan*

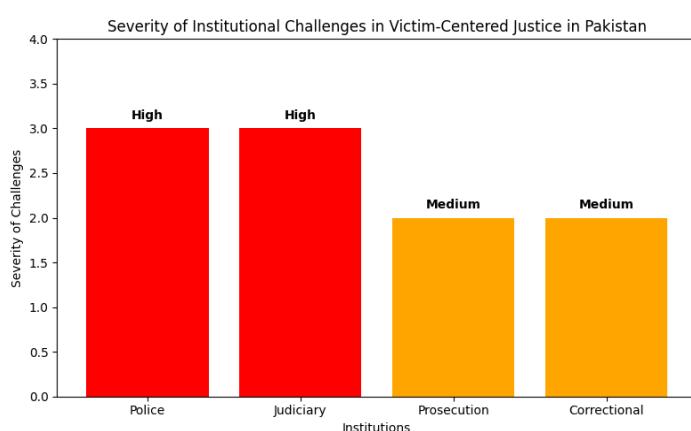
Bar chart comparing Partial, Low, and Weak implementation across the 4 laws.

Institutional Challenges and Capacity Deficits

The persistent institutional deficiencies include lack of specialized training for police and judiciary, delays in trials, inadequate victim support, and insufficient correctional and rehabilitation services (Shahbaz & Zafar, 2025).

Table 2*Institutional Challenges in Victim-Centered Justice*

Institution	Challenges	Impact on Victims	Frequency / Severity
Police	Lack of training, delayed response	Secondary victimization	High
Judiciary	Trial delays, limited victim participation	Frustration, reduced reporting	High
Prosecution	Weak witness support	Weak case outcomes	Medium
Correctional & Rehabilitation	Limited victim services	Poor recovery & reintegration	Medium

Graph 2*Severity of Institutional Challenges in Pakistan*

Stacked bar chart showing High, Medium, Low severity levels for each institution.

Socio-Cultural Influences

The patriarchal norms, fear of retaliation, social stigma, and power asymmetries restrict victims' reporting of crimes. Cultural barriers interact with institutional weaknesses to perpetuate victim neglect (Jilani, 2019).

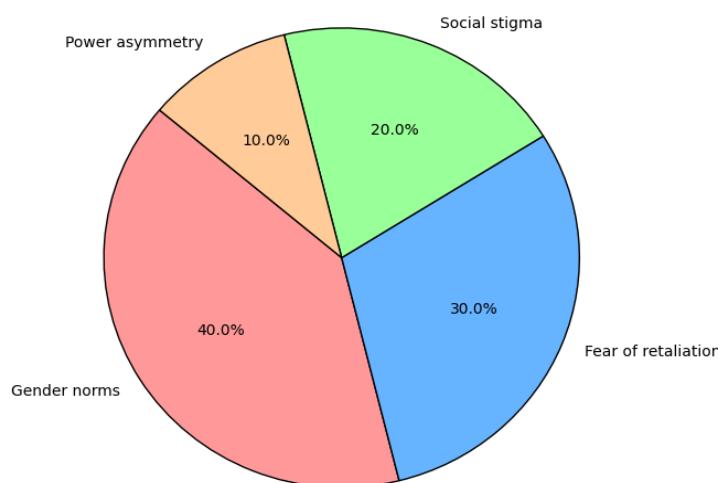
Table 3

Socio-Cultural Factors Affecting Victims

Factor	Description	Effect on Victim Reporting	Prevalence
Gender norms	Patriarchal societal structure	Limits reporting of violence	High
Fear of retaliation	Threats from offender / family	Victims avoid legal process	High
Social stigma	Cultural shame	Reduces participation in trials	High
Power asymmetry	Influence of elites	Undermines fair investigation	Medium

Graph 3

Effect of Socio-Cultural Factors on Victims' Access to Justice



Pie chart showing percentage contribution of each factor to underreporting.

International Comparisons and Lessons

The global experiences highlight the importance of codified victim rights, inter-agency coordination, specialized training, and restorative justice mechanisms (Herman, 2003; Brody, 2015).

Table 4

International Best Practices and Relevance to Pakistan

Country	Victim-Centered Mechanism	Effectiveness / Outcomes	Relevance to Pakistan
Canada	Victim support programs & compensation	High victim satisfaction	High
UK	Restorative justice & mediation	Reduced re-victimization	Medium
Australia	Specialized police units for victims	Improved reporting & protection	High
Sweden	Integrated victim assistance & rehabilitation	Strong protection & rehabilitation	High

Graph 4

International Best Practices vs. Relevance to Pakistan



Column chart showing effectiveness vs. applicability to Pakistan.

Theoretical Framework

This study is theoretically anchored in the domains of victimology, restorative justice, and institutional theory.

1. **Victimology** interrogates the lived experiences, entitlements, and exigencies of victims, foregrounding their centrality within the justice process (Van Dijk, 2009; Walklate, 2011).
2. **Restorative Justice Theory** accentuates the redress of harm through reconciliation, restitution, and rehabilitation, positing the victim as a pivotal agent in the reconstruction of justice (Zehr, 2002; Daly & Stubbs, 2006).
3. **Institutional Theory** scrutinizes the organizational architectures, normative frameworks, and procedural mechanisms that shape the conduct of criminal justice institutions, thereby elucidating systemic inefficiencies in the realization of victim-centered justice (Scott, 2014).

The confluence of these theoretical perspectives furnishes a robust analytical lens through which the interplay of legal provisions, institutional capacities, and socio-cultural dynamics can be examined. Such synthesis not only illuminates structural lacunae but also informs the critical appraisal of policy reforms requisite for embedding victim-centered justice within Pakistan's predominantly offender-oriented criminal justice paradigm.

Research Objectives

1. Conduct a comprehensive analysis of the legal protective framework for victims in Pakistan.
2. Evaluate the institutional capabilities and challenges of criminal justice organizations.
3. Examine the socio-cultural issues that affect victims' access to justice.
4. Assess the alignment of Pakistan's victim-based policies with international standards.
5. Identify gaps in the law and institutional deficiencies that hinder the effective implementation of victim-centered justice.
6. Explore strategies for introducing victim-centered solutions into Pakistan's criminal justice system.

Research Questions

1. What are the major legal and institutional loopholes within the criminal justice system of Pakistan that will impede the adoption of victim-centered justice?
2. What role should socio-cultural and institutional practices play in determining the accessibility of justice to victims, and how might a policy change improve the protection of victims and their engagement in Pakistan?

Methodology

The research design adopted is the qualitative research design where the content and document are analyzed. Sources include:

1. The constitutional, statutory provisions and amendments under the rights of victims.
2. The court rulings in response to the protection and compensation of victims.
3. The reports of UNODC and other international agencies.
4. The scholarly articles and books that are peer reviewed regarding victimology, restorative justice, and institutional analysis.

The data were discussed through the thematic analysis, which included legal loopholes, institutional failures, socio-cultural factors, and possible reforms.

Analysis and Discussion

Legal Gaps

Although there are a number of laws and constitutional guarantees, the legal framework in the victim-centered justice in Pakistan remains very disjointed and inconsistent. Victims rights are not codified well, and the compensation, rehabilitation, and protection of victims have poor provisions during the criminal justice process (Imran et al., 2024; UNODC, 2020). An example is that although the Constitution has the right to dignity and access to justice, it is usually general and does not have operational provisions to seek practical implementation. Certain acts like the Protection of Women (Criminal Laws Amendment) Act, 2006, and the Prevention of Trafficking in Persons Act, 2018, although having a good intention and purpose, do not offer a detailed legal framework that encompasses all the aspects of protection of victims. The loopholes in the law also apply to lack of systems of compensation to the victims, who are usually left to engage in civil proceedings or even out of court settlements, which may be tedious, expensive and incompetent.

In addition, there is no unified law on victims rights, this has led to confusion due to multiple statutes and agencies had to share responsibilities with overlapping in responsiveness. There is no clear definition of the concept of the victim in a number of laws, which further worsens the situation in obtaining legal redress, particularly regarding those who are marginalized like women, children, and members of the minority communities. This legal fragmentation exposes the victim to secondary victimization, in which even the legal system can fuel up the trauma. The global best practice focuses on enshrining full rights of the victims such as access to justice, prevention against harassment and entitlement to state-funded compensation plans (UNODC, 2020; Walklate, 2011). The legal framework of Pakistan, in turn, does not meet these standards, and this is a reason why the necessary reform is needed.

Institutional Challenges

One of the most important obstacles to the implementation of the victim-centered justice in Pakistan is its institutional deficiencies. The police agencies, judicial systems, prosecution and correction agencies do not have special training on procedures sensitive to victims. To illustrate, police officers simply do not offer the victims the necessary help at the reporting stage, which leads to delays, evidence mishandling, and even intimidation of complainants (Shahbaz & Zafar, 2025). In the same manner, the judiciary is congested and delays in trials are normal thus demotivating the victims to seek the services of the law. The absence of proper witness protection programs and victim assistance services makes the situation worse, as now the victims are vulnerable to threats and social pressures of the perpetrators or their families.

The prosecution offices have the problem of inadequate resources and lack of coordination with the law enforcement agencies, a situation that leads to weak presentation of the case and poor results to the victims. The correction and rehabilitation facilities are also ill-prepared to accommodate the victims especially in matters of counseling, reentering society, and protection against additional damage. These institutional constraints result in creating a systemic setting in which the needs of the victim are marginalized, which supports the classic offender-centered media of justice. According to the studies, the countries that have

specialized constitute victim units, special training, and inter-agency coordination have higher reporting rates, better case outcomes, and the highest rates of victim satisfaction (Herman, 2003; Brody, 2015). Instead, the institutions in Pakistan need to be developed with capacity building, standardization of policies and accountability of the institution to reach the international standards.

Socio-Cultural Influences

Socio-cultural factors are important in determining victims experiences and access to justice in Pakistan. It is also seen that patriarchal expectations, which are deeply rooted in the society restrict independence and agency of women and girls and tend to prevent them from reporting on crimes like domestic violence, sexual assault, and harassment (Jilani, 2019). The fear of retaliation by the victims, their families or representatives of society is also another factor that would prevent the victims, who may want to take legal action. In most instances, victims experience stigma in the society, such as victim-blaming attitude, shame and isolation, which minimizes their propensity toward formal justice systems.

The prospects of fair and timely justice are also undermined by power imbalances, particularly in cases involving powerful or politically connected offenders. The victims might be intimidated not to file any complaints or resolve disputes in a non formal manner because of the fear that they may face social, economic, or political consequences. Furthermore, cultural demands towards honor, reputation, and family honor tend to be incompatible with the rights of the victims, which keeps the underreporting and marginalization of the victims. The focus of international literature is the fact that legal reforms cannot be made without the simultaneous socio-cultural interventions, i.e., without awareness campaigns, education, and community-based support systems (Walklate, 2011; Van Dijk, 2009). Such socio-cultural barriers should thus be dealt with in order to make sure that victims do not fear or be prejudiced to access justice.

Policy Implications

To solve the legal, institutional and socio-cultural issues together, it is necessary to interfere in the policies. It is recommended to take the following measures:

Codify Rights of the Victims and Enhance Enforcement Mechanisms:

The country of Pakistan requires a unified law, one which clearly outlines rights of the victims, access to compensations, protection, as well as legal actions and also establishes clear accountability in the implementation process. All types of victims, women, children, and vulnerable groups should be included in this law and it should be compatible with international norms like the UN Declaration of Basic Principles of Justice to the Victims of Crime and Abuse of Power.

Develop institutional capacity through Training, allotment of resources and specialized services

The criminal justice agencies should be provided with sufficient resources and professional training on victim-focused practices. The victim assistance can be improved by establishing special victim support centers in the police stations, courts and prosecution offices to assist the victims, facilitate the investigations and prosecutions and minimize the secondary victimization.

Incorporate Restorative Justice Systems of Participatory Justice

Mediation, reconciliation and community-based programs, which are the part of the restorative justice approaches, are to be used to supplement the traditional punitive approaches. Such mechanisms have the power to empower the victims, offer restitution possibilities, and promote the rehabilitation process, which in turn will enhance the overall system of justice delivery.

Carry out Public Awareness Campaigns in order to minimize Stigma and increase Reporting

The consciousness-raising exercises of communities, schools and workplaces are able to defy the patriarchal norms, victim-blaming attitudes and inform citizens about the rights of victims. These efforts

can enhance the attitudes of the society towards the victims, high rates of reporting, and a culture of support and protection.

Improve Inter-Agency Co-ordination and Surveillance

This demands the integration of law enforcement, judiciary, prosecution, social welfare departments and NGOs to ensure the successful implementation of the policy. Accountability can be implemented through the set-up of monitoring systems, performance measures, and feedback systems to assess the effectiveness of victim-centered policies.

Encourage Research and Data Collection

The overall information on crime, victimization, reporting patterns and institutional response is essential to evidence-based policymaking. Reforms can be informed by research work and regular audits, help to detect the gaps and help allocate resources more effectively to enhance justice that is victim-centered.

When these recommendations are put into consideration, Pakistan will be on the way to a justice system that will balance the rights of criminals with the dignity, protection, and welfare of victims. To accomplish this objective, there is a need to provide a long-term commitment by policymakers, criminal justice agencies and civil society stakeholders.

Conclusion

The victim-focused justice is an undeveloped but crucial aspect of the criminal justice system of Pakistan. Even in the cases when the constitutional rights of dignity, equality before the law, and access to justice are guaranteed, there still is a marginalization of the crime victims at various levels of the legal procedure. This paper has established that the current offender approach coupled with poor legal provisions, ineffective institutional capacity, and well-established socio-cultural obstacles play major roles in undermining the achievement of any meaningful justice to victims. This leads to secondary victimization, lengthy processing time, lack of protection and access to compensation and rehabilitation by the victims. As per the analysis, the legal structure of Pakistan does not have a detailed and written acknowledgement of the rights of the victims. Although some laws and clauses of the constitution cover the protection of the victims indirectly, there is still lack of consistency in their enforcement and is mostly symbolic. The lack of a single charter on ensuring victim rights, effective compensation schemes, and enforceable procedures has also led to poor protection practices. Unless there are definite statutory directives that place the interests of the victims and safety and recovery first, the legal reforms will continue to be incomplete and inadequate to cover the systemic injustices that victims encounter. The institutional inefficiencies are further exacerbating these legal gaps. In the study, it is noted that there is an inherent inability within the major criminal justice entities which include the police, the prosecution services, the judiciary and the correctional processes.

The slow investigations and trials, lack of proper training of the staffs, lack of victim services and lack of proper coordination between the institutions all diminish the level of trust of the people in the justice system. Such vices do not only demoralize the victims to report crimes but also affect the quality and efficiency of justice delivery. Building the institutional capacity through the specialized training, resource provision and development of victim support units is therefore the key to victim-centered justice development. The socio-cultural factors also emerge strongly in the access to the justice in the victims. Existing norms are still patriarchal, there is still intimidation, social stigmatization, and power imbalance, which continue to keep the victims to remain silent, particularly women and the marginalized. They are fed with the institutional weaknesses in such a manner that the victims feel that the justice system is not accessible or not friendly to them. The method of overcoming these barriers will not be only a legal and institutional change to struggle against them but the further continuation of the awareness campaign, mobilization of communities and social transformation programmes that will assist in overcoming the attitude to victimization and justice change. The relevance of international good practices to reform agenda is also brought out in the paper. The current

experience of the jurisdictions that institutionalized victim-based forms demonstrates that the presence of codified victim rights, the restorative mechanisms of justice, and even the support services that are integrated into each other can considerably increase levels of victim satisfaction and justice outcomes. These practices should be re-oriented to the social-legal situation in Pakistan where the national norms and constitutional principles should be taken into consideration and this can be viewed as a viable option of reform. In conclusion, reforms in Pakistan need to be a serious collective effort to achieve the victim based justice. The building of institutional capacity, the codification of victim rights, the application of the principles of restorative justice and responsibility of socio-cultural barriers are the essential steps toward having a more inclusive and a humane criminal justice system. Making the national policies conform to international ones can contribute to the rise in access to justice and restore the confidence of the population and ensure that victims are not just witnesses of the crime, but they are also the owners of the rights in the process of justice being implemented.

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