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# **UNDERSTANDING VICTIMOLOGY: A BRIEF OVERVIEW OF THE LAW, THEORY, AND THE ROAD BACK TO DIGNITY**

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## **Introduction**

Crime leaves more than a legal footprint; it leaves people with scars, questions, and a long road back to dignity, which is why a victim-centered lens is essential in any justice system that aims to heal as well as to punish.

Victimology brings that lens into focus by asking who is harmed, how harm happens, and what helps people rebuild their lives with real support and legal remedies that do not depend only on a conviction.

## **What Is Victimology?**

Victimology is the scientific study of victims of crime, exploring the patterns of victimisation, the relationships between victims and offenders, and the systems that provide recovery, compensation, and voice within criminal justice.

In India's contemporary framework, the evolution from the Code of Criminal Procedure (CrPC) to the Bharatiya Nagarik Suraksha Sanhita (BNSS) reflects a growing recognition that the victim is not a bystander to criminal process but an active rights-holder entitled to protection, participation, and rehabilitation.

## **Scope and Significance in Criminal Justice**

Victimology informs prevention strategies, trauma-aware policing, survivor-friendly procedures, and compensation schemes that function even when offenders are unknown or acquitted, aligning justice delivery with human recovery rather than case outcomes alone.

In the Indian context, courts, commissions, and legal services authorities have steadily reframed victim protection as a constitutional commitment to life and dignity, not merely a

discretionary charity, which has matured policy and practice across states.

### **Key Theories in Victimology**

Theories of victimization do not blame victims; they help map risk and design prevention, situational safeguards, and fairer procedures by explaining how people, places, and routines converge to shape vulnerability and harm.

#### **Victim Precipitation Theory**

This theory suggests that in a subset of incidents—classically in interpersonal violence—an initial provocative act by the victim may help trigger the offender's response, a claim historically associated with Wolfgang's homicide research and widely debated today.

Example: A parking-lot argument escalates when one person throws the first punch, after which the other responds with disproportionate force; the theory studies the spark that sets the event in motion, while modern practice keeps moral and legal responsibility squarely with the offender.

#### **Lifestyle Theory**

Lifestyle theory argues that exposure to risk grows from daily activities and social associations—late-night travel, carrying valuable items, or frequenting high-risk locations—without implying culpability for the crime itself.

Example: A jewellery courier who routinely travels alone at night through poorly lit areas faces greater risk than an ice worker on a daytime commute, signalling the need for targeted guardianship rather than moral judgment.

#### **Deviant Place Theory**

Deviant place theory shifts the spotlight from people to places, noting that crime concentrates in areas marked by weak guardianship, disorder, and structural disadvantage, which elevates risk for anyone present regardless of personal behavior.

Example: Two equally cautious people face different risks if one lives in a well-lit, closely monitored area while the other lives where lighting, patrols, and social cohesion are persistently

weak, which directs prevention to neighbourhood-level fixes.

### **Routine Activity Theory**

Cohen and Felson's routine activity theory holds that crime happens when three conditions come together: a motivated offender, a suitable target, and the absence of a capable guardian, which gives policymakers a simple checklist for defense in depth.

Example: Daytime home burglaries rise in areas where households are empty on predictable schedules and surveillance is minimal, a pattern that can be softened by alarms, neighbourhood watches, and visible patrols that restore capable guardianship.

### **Legal Provisions and Compensatory Reliefs**

India's framework for victim compensation has widened from court-ordered sums after conviction to state-funded schemes that can operate even when the offender is unknown or acquitted, reflecting a rights-based turn in victim justice.

CrPC: Sections 357 and 357A

Section 357 empowers courts to direct that fines be paid to victims as compensation, while Section 357A requires states to run victim compensation schemes that can award support irrespective of conviction, with Legal Services Authorities managing inquiries and disbursals.

This architecture enabled interim relief and post-acquittal support where rehabilitation needs are urgent, breaking the old dependency on conviction alone to trigger restitution for harm and loss.

### **NALSA, SLSA, and DLSA Roles**

Under the Legal Services Authorities framework, NALSA guides policy, State Legal Services Authorities frame state schemes, and District Legal Services Authorities conduct inquiries, fix quantum as per schedules, and release interim and final compensation on timelines.

This network also dovetails with police and district administration to coordinate medical care, documentation, and counselling, making the process more navigable for survivors who often arrive in crisis.

## Central Victim Compensation Fund (CVCF)

Established in 2015 with a central corpus, the CVCF supports states and union territories to enhance and standardize compensation, with a focus on uniform minimums for serious crimes and faster access to interim relief.

The fund guides states to set schedules, improve outreach, and ensure that awards can be given when offenders are untraced, because harm and rehabilitation needs do not wait for investigative certainty.

## BNSS 2023: Section 396 (Key Updates)

Section 396 strengthens the scheme approach by mandating state compensation frameworks, enabling interim medical care, and setting stricter timelines—often two months—for inquiries and awards after court recommendations or applications.

It explicitly accommodates compensation when cases end in acquittal or discharge or when offenders are unknown, placing rehabilitation at the center of victim policy rather than at the end of trial outcomes.

## Probation of Offenders Act, 1958 (Section 5)

Courts may order an offender released on probation to pay compensation as a condition, ensuring victims receive some material restoration even when incarceration is replaced by supervised reform.

This design balances restorative and rehabilitative goals by requiring accountability to the person harmed while still investing in the offender's reintegration, where appropriate.

## Motor Vehicles Act: Sections 166, 163A, and 168

Under Section 166, victims or dependents can approach Motor Accident Claims Tribunals for just compensation, while Section 168 instructs tribunals to consider heads like loss of earnings, medical costs, and loss of amenities.

Section 163A provides a no-fault route using structured formulas, which speeds relief for families facing sudden loss without prolonged contests over liability.

### **Focused Schemes: Acid Attack and Rape Survivors**

NALSA's Compensation Scheme for Women Victims/Survivors of Sexual Assault and Other Crimes (2018) sets minimums and maximums for rape, gang rape, and other sexual offenses, with disbursal protocols that reserve a portion for long-term needs while releasing part for immediate expenses.

Acid attack survivors receive priority interim payments and higher minimums recognizing lifelong medical and social impacts, with central guidance and supplementary relief streams built to reduce catastrophic out-of-pocket burdens for surgery and rehabilitation.

### **Judicial Trends and Illustrative Rulings**

Indian courts have treated compensation as a constitutional tool, not a mere statutory afterthought, awarding interim and final sums to uphold the right to life and dignity under Article 21 when state action or inaction contributes to harm.

Judicial summaries consistently encourage interim awards in sexual violence cases and stress that acquittal does not erase the fact of victim harm or the state's duty to support recovery, which has shaped administrative practice in Legal Services Authorities.

### **Victim Support and Rehabilitation**

Justice for victims means more than money; it means medical care, psychosocial counselling, safe shelter, legal aid, livelihood pathways, and steady follow-up so that people can re-enter community life with confidence and agency.

India's integrated model now links compensation with services delivered through district mechanisms and dedicated centers so that survivors do not have to navigate a maze while still in trauma.

### **One Stop Centres (Sakhi)**

One Stop Centres offer a single doorway to emergency response, police facilitation, medical care, legal aid, counseling, and safe shelter, reducing re-traumatization that comes from repeating one's story across multiple offices.

The scheme, anchored under the Ministry of Women and Child Development and supported by the Nirbhaya framework, has scaled across districts to bring services closer to survivors who need immediate, coordinated help.

### **Rehabilitation Measures: What Works**

Effective rehabilitation weaves together trauma-informed mental health care, long-horizon medical support for complex injuries, skill training, financial inclusion, and community reintegration to counter stigma and isolation.

When these elements are planned together rather than piecemeal, return-to-school, return-to-work, and family stability outcomes improve markedly for survivors of serious violence.

### **AI-Based Tools: Promise and Ethics**

AI-enabled triage assistants, crisis chatbots, and case-management tools can extend 24/7 information access, flag high-risk indicators, and nudge agencies to meet compensation timelines when human bandwidth is strained.

However, privacy, transparency, bias auditing, human oversight, and offline alternatives are non-negotiable, because survivors must control their data and never be forced into digital-only channels that may exclude the most vulnerable.

### **Analytical Depth and Originality**

Victim–offender dynamics vary by crime type acquaintance and intimate-partner violence dominate sexual harm, while economic crimes often arise within professional or transactional relationships—so support must fit relational context, not only legal category.

Technology can widen the doorway to help through secure video testimony, encrypted communication, and multilingual rights portals, but it must be coupled with neighbourhood-level prevention from routine activity insights and place-based fixes from deviant place theory.

### **Gaps That Still Need Work**

Awareness remains uneven, documentation burdens delay relief, and state capacity constraints challenge the two-month inquiry goals now envisioned under BNSS, which requires staffing,

training, and digital-public dashboards for accountability.

Rural and marginalized survivors face underreporting and social pressure that blunt access to compensation and services, underscoring the need for proactive outreach and assured privacy protections at every touchpoint.

### **Conclusion**

A justice system worthy of the name measures itself by how it restores those harmed, not just by how many it convicts, and India's legal and service architecture is moving closer to that standard with scheme-based compensation and integrated support.

When theory guides prevention, law delivers timely compensation, and services accompany survivors from first report to full reintegration, the promise of victimology becomes real in people's lives rather than remaining a policy aspiration.

**REFERENCES;**

- <https://www.reliancegeneral.co.in/insurance/knowledge-center/blogs/section166-motor-vehicles-act-essentials.aspx>
- <https://oslsa.odisha.gov.in/wp-content/uploads/2019/08/Compensation-Scheme-for-Women-VictimsSurvivors-of-1.pdf>
- <https://vajiramandravi.com/upsc-exam/one-stop-centre-scheme/>
- <https://oslsa.odisha.gov.in/wp-content/uploads/2019/08/Compensation-Scheme-for-Women-VictimsSurvivors-of-1.pdf>
- <https://study.com/academy/lesson/leading-theories-of-victimization-risk.html>