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# UNDERSTANDING DOMESTIC VIOLENCE AS A CRIME: A CRIMINOLOGICAL AND VICTIMOLOGICAL STUDY

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## 1. ABSTRACT

Domestic violence is the problem which affects all societies worldwide, yet it's also the main issue that's been neglected for a very long time. While it was once seen as a personal family issue, it is now viewed as a crime and a violation of human rights and human dignity. The purpose of this research, which is titled Understanding Domestic Violence as a Crime: A Criminological and Victimological Study, which is to seek to understand domestic violence from a criminological and victimological perspective in order to gain an understanding of its causes, its dynamics, and its effect on its victims in today's world.

Domestic violence from the criminological perspective is viewed as a social and behavioural phenomenon. Domestic Violence has been defined as possible through several criminological theories and models (i.e. Social Learning Theory, Strain Theory & Feminist Criminology) during the analysing and understanding of domestic violence as a crime, that ultimately showing offenders motivations to commit this form of violence against their partners, family members specially their wife for dowry. Victimology is a form of understanding the experience of Victims and documenting the psychological, psychosocial, economic, emotional impact of the abuse & the difficulties that victims face in finding justice and safety and making sure that the abuser or accused has been held accountable for their actions. Partnership between the two perspectives ( i.e. Criminological & Victimological ) provide a complete picture which help to understand offenders motivations to commit violence against females and provide a thorough examination of the vulnerabilities of the victims of Domestic Violence and how that provides insight into developing better strategies for law enforcement and ultimately increase the level of enforcement of the laws and increase the level of protections which is provided to the victims of Domestic Violence.

**Keywords:** Domestic Violence, Enforcement, Criminology, Victimology, Psychological.

## 2. INTRODUCTION

Domestic violence is an issue of an important concern to the social and legal institutions that effects all cultures, socioeconomic levels and geographic areas. Even though domestic violence happens mainly within the limit of an individual's home, its effects can be felt far beyond one's home or family, impacting everyone (public health), creating instability (social instability) within a community or society and also effects the operation of the criminal justice system. The issue of domestic violence has arisen over time and as society's view of domestic violence has changed, legal systems have developed from treating domestic violence as an individual or family problem to treating it as a very serious issue or crime that requires intervention and actions from the state. This evolution is also aligned with the changes that have occurred in human rights advocacy movements and the movement for gender equality.

The theory of criminology which can help in understanding domestic violence as a type of criminal behaviour that is influenced by social factors, psychological factors, and structural factors; scholars have observed that domestic violence stems from power differentials, patriarchal traditions, and learned behaviours of violence and aggression in intimate relationships. These ongoing patterns of behaviour which enable domestic violence to continue despite the presence of legislation in many areas that prohibit this violent behaviour. Victimology has also addressed the victim's experience and vulnerability to domestic violence; examining how victimisation is perpetuated by societal stigma, economic dependence on the accused or the abuser, and fear of retaliation for reporting the crime of domestic violence to law enforcement or for seeking the help from the judicial system.

India addresses domestic violence as a serious legal and social issue through various laws including the Protection of Women from Domestic Violence Act, 2005<sup>1</sup>. This legislation also highlighted the definition of domestic violence to include physical, emotional, verbal, sexual and economic abuse. The Supreme Court of India has provided further judicial interpretation that acknowledges that victims of domestic violence have rights to dignity and personal liberty under the Constitution Article 21<sup>2</sup>, and there is a need for protective measures which should be implemented.

The main purpose of this research is to develop the better understanding of domestic violence

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<sup>1</sup> *Protection of Women from Domestic Violence Act*, No. 43 of 2005, Acts of Parliament, 2005 (India).

<sup>2</sup> CONST. INDIA art. 21.

from both criminological and victimological points of view; this will allow for an exploration of the causes, impacts and responses to domestic violence in society by using some theoretical perspectives along with laws of domestic violence, in order to enhance our understanding of domestic violence as the crime and demonstrate the value of victim-focused approaches within the criminal justice system.

India has passed the Protection of Women from Domestic Violence Act, 2005<sup>2</sup> as the part of their formal, legislative efforts to recognise Domestic Violence as a crime. More effective implementation will only occur when there is a societal change in the reporting and blaming of women for their victimisation as a result of domestic violence. Also this study will explore what contributions are provided through combining both perspectives of Criminological and Victimological aspects to improve legal responses to domestic violence and to develop improved policies and laws through effective reforms. There exists a wide range of literature and data on domestic violence, its legal provisions, and the social context within which it occurs. An analysis of these provisions which illustrates the significance of victim-centred approaches and preventive measures. Overall, this research focuses that the integration of both criminology and victimology informs the development of a criminal justice system which are not only protects, serves, and rehabilitates victims but does so effectively.

### 3. RESEARCH PROBLEM

The ineffective attention which is given to the domestic violence by the criminal justice system is because domestic violence is normally viewed as a private or family matter instead of a serious crime warranting strict enforcement and action of the law against the abuser. This view contributes to the under-reporting of this crime by victims, who often would otherwise bring their cases to the attention of law enforcement agencies because of the fear of what may happen to them and their children if the abuser finds out, as well as other social stigma-related issues (e.g. embarrassment and shame), fear of retaliation from the knife-wielding abuser, emotionally controlling or manipulating behaviour by the offender, as well as being financially dependent upon the offender. Although laws and policies which have been passed to prevent domestic violence, there are several barriers to the successful implementation and enforcement of these laws, such as procedural delays; lack of sensitivity of law enforcement officers, staff and other related professionals to the needs of the victims; and poor coordination of services between

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<sup>2</sup> *Protection of Women from Domestic Violence Act*, No. 43 of 2005, Acts of Parliament, 2005 (India).

involved government agencies. Furthermore, many victims do not know about their legal rights and available remedies, which prevents them from going to the courts. The lack of supports (e.g. shelters, counselling services, rehabilitation programs, accessible legal aid) for domestic violence survivors only exacerbates the problem, as this leaves survivors vulnerable to further victimization, thus undermining the protective intent of the law.

#### **4. RESEARCH OBJECTIVES**

- a. Evaluating domestic violence as a criminal behaviour from a criminological perspective by exploring the causes, the relationship between a domestic violence and societal factors, and patterns within families and their broader community.
- b. Decoding domestic violence and its impact on victims through their individual experiences, with an emphasis on the psychological, physical, social, and financial consequences faced by those who have been victimised.
- c. Examining the laws regarding domestic violence in India in terms of enforcement, implementation, and effectiveness of victim support and protection.
- d. Assessing ways to reform existing laws in India to enhance current methods used to prevent future incidents of domestic violence, provide more effective support to victims, and improve the ability of victims to access the courts for justice.

#### **5. RESEARCH QUESTIONS**

- a. Which are the factors of criminology that influence domestic violence?
- b. How does domestic violence affect the victims psychologically, socially, and economically?
- c. Why do the victims of domestic violence hesitate to report cases of domestic violence?
- d. How effective are Indian laws in resolving the matter of domestic violence?

#### **6. LITERATURE REVIEW**

- 1) Lenore E Walker - The Battered Woman Syndrome (1979)

Lenore Walker was the first person to identify the concept of Battered Woman Syndrome and discuss how the long-term effects of abuse psychologically impact victims. She illustrates the cycle of violence, which keeps victims in a relationship with their abuser(s)<sup>3</sup>.

2) Murray A. Straus - Conflict Tactics Scales (1990) Murray A. Straus created a quantitative way to measure domestic violence in relationships and assisted researchers in understanding patterns of violence and conflict between partners<sup>4</sup>.

3) Dobash & Dobash - Violence Against Wives (1979)

The study of Violence Against Wives looked at domestic violence as a consequence of the patriarchal nature of society and indicated that the continued existence of domestic violence can be attributed to the male-type domination of women and women in the household<sup>6</sup>.

4) Flavia Agnes - Law and Gender Inequality (2011)

Flavia Agnes provides a critical analysis of the Indian family courts' approach to litigation involving women and describes how legal reforms typically fail to address the pervasive and structural inequalities experienced by women<sup>5</sup>.

5) Robert Merton's theory describes how economic/social strain causes people to commit violent acts.

The United Nations resolution acknowledges the use of violence against women as a violation of human rights. The Protection of Women from Domestic Violence Act 2005 gives legal protection and remedies to those affected by domestic violence in India.

6) In V.D Bhanot v Savita Bhanot (2012), the Supreme Court Case created greater protection for victims of domestic violence.

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<sup>3</sup> Lenore E. Walker, *The Battered Woman* (Harper & Row 1979).

<sup>4</sup> Murray A. Straus & Richard J. Gelles, *Physical Violence in American Families* (Transaction Publishers 1990).

<sup>6</sup> R. Emerson Dobash & Russell Dobash, *Violence Against Wives: A Case Against the Patriarchy* (Free Press 1979).

<sup>5</sup> Flavia Agnes, *Law, Justice and Gender: Family Law and Constitutional Provisions in India* (Oxford University Press 2011).

7) In *Hiral P Harsora v Kusum Harsora* case (2016), the definition of Respondents under the Domestic Violence Act was expanded beyond those living with the applicant.

8) Agnes, F. (2011) - *Law and Gender Inequality: Politics of Women's Rights in India*

Flavia Agnes critically analyzed Indian family law and gender inequality while demonstrating how the legal reforms were unable to address the structural patriarchy that existed at the time. In doing so she asserts that although laws did exist there were gaps in the implementation of these laws and the major barriers to an individual's ability to achieve justice as a result of societal attitudes toward women<sup>6</sup>.

9) National Crime Records Bureau (NCRB) Crime Against Women Reports

The National Crime Records Bureau reports document the rate of domestic violence, cruelty by men/husband/relatives and all other offenses associated with them. These reports generate statistics that reveal trends, reporting patterns, and conviction rates relating to domestic violence in India. They provide empirical understanding of the magnitude of and systemic challenges associated with domestic violence.

10) Buzawa & Buzawa (2017) - *Domestic Violence: The Criminal Justice System's Response*

The authors of this particular content evaluated the criminal justice system's reaction to domestic violence, looking at how the police respond to domestic violence, the policies of prosecution, mandatory arrest laws, and laws protecting victims of domestic violence. The authors concluded that the prevention of domestic violence and the accountability of those responsible would be maximized by a coordinated effort from the community at large<sup>7</sup>.

11) Mahajan, A. (2013) - *Role of Education to Prevent Domestic Violence in India*

The author of this content identified education as a preventative tool in the prevention

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<sup>6</sup> Flavia Agnes, *Law, Justice and Gender: Family Law and Constitutional Provisions in India* (Oxford University Press 2011).

<sup>7</sup> Eve S. Buzawa & Carl G. Buzawa, *Domestic Violence: The Criminal Justice Response* (5th ed. Sage Publications 2017).

of domestic violence. The author argues that through education (awareness, gender sensitivity, and empowerment) one can negate patriarchal norms and minimize the level of abuse/abuse acceptance by those who are subject to domestic abuse.

12) Chandra and Satish (2020) discussed issues related to the implementation of laws aimed at combating gender-based violence (GBV) within India. They note a disconnect between the intent of law and the actual enforcement of said laws. Institutional constraints, judicial delays, and lack of victim support are common obstacles to achieving the goals of domestic violence legislation<sup>8</sup>.

13) DeKeseredy and Schwartz (1998) analyze domestic violence from a sociological and criminological perspective. They emphasize that the societal structures that favour patriarchal authority and gender inequity contribute to the perpetuation of violence against women. They propose that the very structures that create a power imbalance between men and women, and social constructions that support male dominance in intimate relationships, are often at the core of the problem of domestic violence<sup>9</sup>.

14) Walker (1990) is a key figure in the victimological study of domestic violence. In her research, she has developed the theory of the cycle of violence, which analyzes how abusive relationships typically involve cycles of tension-building, violence, and reconciliation. She also developed the concept of “battered woman syndrome,” which focuses on the psychological toll of long-term abuse on its victims. Walker has demonstrated that fear and emotional dependence often keep victims in abusive relationships.<sup>12</sup>

15) According to Evan Stark, coercive control is another method to understand domestic violence. He believes that domestic violence is not just violent in and of itself but includes psychological abuse, intimidation, and limiting your freedom as part of a pattern of another person controlling you. Abusive partners use many different forms of abuse (e.g., economic abuse, emotional abuse, and isolation) to make it difficult for

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<sup>8</sup> Aparna Chandra & Mrinal Satish, “Gender Justice and Criminal Law Reform in India,” *National Law School of India Review* (2015).

<sup>9</sup> Walter S. DeKeseredy & Martin D. Schwartz, *Contemporary Criminology* (Routledge 2013).<sup>12</sup>  
Walter S. DeKeseredy & Martin D. Schwartz, *Contemporary Criminology* (Routledge 2013).

victims to escape. Through his work, Evan Stark helped to broaden the definition of domestic violence within criminology by identifying other non-physical forms of abuse that are typically ignored by law enforcement<sup>10</sup>.

## 7. RESEARCH METHODOLOGY

The research methodology for the study relies on a doctrinal form of legal research, which involves systematically analysing, interpreting, and applying all forms of legal rules, statutes, and judicial decisions that relates to domestic abuse. The doctrinal research approach mainly focuses on legally which describes all aspects of the law as it relates to the Domestic Violence Act of 2005<sup>11</sup>, such as how the law defines domestic violence morally and legally in the context of criminal law.

The research will also include a comprehensive review of the key statutory provisions that form the complete legal framework governing domestic violence. These statutes include the Bharatiya Nyaya Sanhita, 2023<sup>12</sup>; the Code of Criminal Procedure, 1973<sup>13</sup>; and the Protection of Women from Domestic Violence Act of 2005<sup>14</sup>; all of which outline the substantive criminal law, procedural law, and the civil law remedy options which is available to victims of domestic abuse in India. The research will also focus on the important judicial opinions decided by the Supreme Court of India and various high courts that have interpreted domestic violence laws and provided protections for victims of domestic abuse. A combination of primary and secondary references will be used in this study. Primary references which will consist of legislative enactments, case law as reported in law reports, constitutional provisions related to domestic violence, and public reports regarding domestic violence and criminal justice. Secondary references which will include books written by scholars, articles published in peerreviewed journals, research papers, and commentaries on the law which offer both theoretical and analytical approaches to the areas of criminology and victimology. In order to obtain relevant legal resources and scholarly literature, credible online legal databases such as SCC Online, Manupatra, and HeinOnline will also be searched. The thorough review and analysis of legal principles will aid with determining whether current legal principles

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<sup>10</sup> Evan Stark, *Coercive Control: How Men Entrap Women in Personal Life* (Oxford University Press 2007).

<sup>11</sup> *Protection of Women from Domestic Violence Act*, No. 43 of 2005, Acts of Parliament, 2005 (India).

<sup>12</sup> *Bharatiya Nyaya Sanhita, 2023* (India).

<sup>13</sup> *Code of Criminal Procedure*, No. 2 of 1974, Acts of Parliament, 1974 (India).

<sup>14</sup> *Protection of Women from Domestic Violence Act*, No. 43 of 2005, Acts of Parliament, 2005 (India).

sufficiently address domestic violence as a criminal act.

## **8. CHAPTER 1: What is Domestic Violence?**

Domestic Violence is a trend of violent behaviours intended to control and dominate another person in the context of an intimate or family relationship. It mixes the physical violence, psychological abuse, emotional coercion, sexual coercion and economic exploitation. Domestic Violence can happen in absolutely any intimate or familial relationship, regardless of gender, social class or culture. However, men act as the abuser in the majority (68%) of domestic violence cases and women tend to be the victims of abusive behaviour (87%).

Over many centuries, domestic violence has mostly remained covered within the private or domestic domain of family life. Conflicts that occurred among family members in the home were generally viewed as a 'family issue' and dealt with entirely by members of the household, so that planned victims were provided very limited opportunity to consult law enforcement or the courts. Therefore, very little domestic violence was formally reported.

There has been increasing confirmation of Domestic Violence as a serious violation of human rights and an important social problem in recent decades. Women's rights advocacy and other human rights advocacy have played a vital role which is in raising awareness about Domestic Violence and advocating for more robust legal protections for victims of Domestic Violence.

All over the world, the governments are enacting laws and creating policies for the prevention of Domestic Violence, as well as providing legal remedies for victims of Domestic Violence.

Domestic violence is related to a variety of societal practices, that include, at least from a female's perspective, expectations related to dowry, gender inequality and dependence on men for finances. The patriarchal systems which include men obviously and structures that exist in a large part of India reinforce women's subjugation and create an environment that perpetuates women experiencing violence in their homes. Often times, women who do not report domestic violence to police because of the fear of being disowned by the society, pressure from their family, and fear of being unable to provide for themselves if their husband or partner were to go to jail.

The enforcement of the Protection of Women from Domestic Violence Act, 2005<sup>18</sup>, was a landmark piece of legislation in India which focused on addressing domestic violence. The Act

specifically defined for the first time domestic violence in India which also incorporate not only physical violence but also emotional, sexual and economic forms of abuse. The Act further added on numerous civil remedies, to include orders of protection, residence rights and various forms of financial assistance for victims of domestic violence.

Even with the legal changes or implementations in India, victims of domestic violence continue to remain largely unreported or undiscovered and, as a result, inadequately addressed. By viewing domestic violence through a criminological, as well as a victimological lens, one can gain further understanding of the continuum of causes of domestic violence and, therefore, develop a better response, both legally and socially.

## **9. CHAPTER 2: PERSPECTIVE OF CRIMINOLOGY ON VDOMESTIC VIOLENCE**

Domestic violence and its causes which are explained by criminology and victimology, and it helps us understand the social, psychological, and structural factors that influence criminal behaviour. There are different theories and aspects in criminology that try to explain the causes of domestic violence.

One of the main theory which try to explain the cause of domestic violence is the patriarchal theory. According to the patriarchal theory, domestic violence is caused by gender inequality and male dominance in society. According to this theory, in a patriarchal society, men are more dominant in the family and are in charge of women. The gap between men and women in society forces men to use violence against their wives to assert their dominance over them.

Another theory that tries to explain the main cause of domestic violence is the social learning theory. According to the social learning theory, people learn to be violent by watching others and imitating their behaviour. Some people are more likely to be violent in their relationships because they have seen others being violent in their families like their parents. When children see their parents being violent in their relationships, they are likely to be violent in their own relationships in the future.

## **10. CHAPTER 3: ANALYSIS OF VICTIMOLOGY**

Victimology is the study of how victims of crime faced crime and the consequences that arise for victims. When handling with domestic violence, victims often experience long-term

impacts from both physical and psychological, social, and emotional perspectives. The nature of domestic violence differs from many other crimes in that they occur between individuals that are included in an intimate relationship and may still have some emotional attachment to their abuser; therefore, this makes leaving the abusive relationship complicated.

One of the most serious results of domestic violence is psychological trauma. Victims who suffer from anxiety, depression, and post-traumatic stress disorder, and as a result of continued exposure to abuse, many victims will have feelings of hopelessness and diminished self-esteem. Lenore Walker is credited with first introducing Battered Woman Syndrome to describe the psychological and emotional toll that prolonged exposure to domestic violence has on a victim, and describes the effects of the violence.

In addition to introducing Battered Woman Syndrome, Lenore Walker introduced the cycle of violence. He refers to three phases in the cycle of violence: the tension-building phase, the acute battering phase, and the honeymoon phase. During the tension-building phase, there is an increase in the severity and frequency of conflict, creating an increased state of anxiety and fear. During the severe assault phase, the victim experiences significant and common attacks; and finally, during the honeymoon phase, the perpetrator expresses remorse for their actions and begins to make assurance of change. The pattern of violence which creates emotional turmoil and dependence on the victim towards the abuser and can hence make it even more difficult for the victim to exit the relationship. Physical harm from domestic violence can include broken bones, burnt skin and other pains. The World Health Organization (WHO)<sup>15</sup> states that one area of intimate relationship violence poses a serious problem to public health as it has far-reaching implications for both physically and mentally.

Many people who are experiencing domestic violence are also dependent on their partner financially, making it harder for them to escape the relationship. Cultural norms of marriage and family honour which may also influence some individuals to abstain from reporting the abuse they have endured.

One of the biggest problems is under-reporting. Many victims who avoid contacting law enforcement for fear of retaliation or because they are emotionally attached to the offender, or do not have faith in the criminal justice system. Therefore, official statistics of domestic

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<sup>15</sup> World Health Organization, *Global and Regional Estimates of Violence Against Women: Prevalence and Health Effects of Intimate Partner Violence and Non-Partner Sexual Violence* (2013).

violence tend to be under-reported compared to what occurs.

In order to have a clear knowledge of how to best help victims of domestic violence with messages of safety and recovery and access to justice, it is important to have knowledge of the victim's experience.

## 11. CHAPTER 4: INDIAN LEGAL FRAMEWORK AND JUDICIAL DECISIONS

The legal framework to avoid domestic violence and provide support for victims is well-established in India. The Protection of Women from Domestic Violence Act, 2005<sup>20</sup> (PWDVA) is the primary piece of legislation regarding domestic violence. The PWDVA was introduced to provide civil remedies for domestic violence and promote safety and dignity for those affected.

Domestic violence has a broad definition under the PWDVA, and it includes physical, emotional, sexual, and financial acts of violence against a person living in a domestic relationship. The definition of a domestic relationship also includes couples who are cohabitating; therefore, the PWDVA applies to all women in domestic relationships.

There are several vital features of the PWDVA, including the availability of civil remedies to domestic violence victims. Domestic violence victims can attain protection orders, residence orders, monetary remedies, and custody of their children. In addition, the PWDVA provides for the appointment of protection officers and service providers to help the domestic violence victim in gaining legal remedies and support services.

Moreover, there are various laws within the criminal code regarding domestic abuse. The Indian Penal Code prohibits a husband or his relatives from being cruel to a woman; this is Section 498A<sup>16</sup>. Similarly, the Dowry Prohibition Act of 1961<sup>17</sup> seeks to prevent violence associated with demands. The judiciary has an important part in the interpretation of the law against domestic violence. In the case of *V.D. Bhanot v. Savita Bhanot*<sup>18</sup>, the Supreme Court of India found that if there was a continuing domestic relationship between the parties then the domestic violence Act granted protection to acts of domestic violence that took place prior to

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<sup>16</sup> *Indian Penal Code*, No. 45 of 1860, § 498A (India).

<sup>17</sup> *Dowry Prohibition Act*, No. 28 of 1961, Acts of Parliament, 1961 (India).

<sup>18</sup> *V.D. Bhanot v. Savita Bhanot*, (2012) 3 SCC 183 (India).

the coming into force of the domestic violence Act.

Another important judgment was handed down by the Supreme Court in *Hiral P Harsora v. Kusum Narottamdas Harsora*<sup>19</sup>. The Supreme Court found that imposing a restriction that only adult males could be a respondent limited the ability to obtain relief. This decision expanded the reach of the domestic violence legislation to allow for a complaint of domestic violence to be brought against female family members involved in both abusing and/or enabling the continued abuse of the victim. The judicial rulings observed above which proved the changing perception of domestic violence as a serious criminal offense that requires appropriate legal intervention.

## 12. CHAPTER 5: CHALLENGES AND IMPLEMENTATIONS

Though there are laws targeted at protecting those who have been harmed by domestic abuse, the reality is that domestic abuse is still a major issue in India. One of the primary reasons for this is the social context in which domestic violence occurs. In many cultural groups, domestic abuse is regarded as a private, family issue rather than a crime. Many individuals may have cultural expectations of preserving their family's honour, so they may be less willing to report or speak up about domestic abuse for fear of being ashamed by the social consequences or facing criticism from their own families or communities. Many a times people do not report or talk about what has happened to them because they fear that they will suffer the consequences of going against their families or being stigmatized.

Moreover, victims of domestic violence may not know what their legal rights are, or how to get protection from domestic violence. Many people simply do not know that they have rights and remedies as well as the support available to them under the Protection of Women from Domestic Violence Act, 2005 (PWDVA)<sup>25</sup>. If victims do not understand their legal rights and protections under PWDVA, they may continue to experience domestic violence and not seek help from authorities, or see if there are other options which are available for them. There are a number of uneven surfaces that exist within the criminal justice system with regard to domestic violence. In some cases, the police and the relevant authorities may not have the relevant knowledge to deal with the issue of domestic violence. In some cases, the relevant authorities attempt to resolve the issue by trying to bring the two parties together rather than

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<sup>19</sup> *Hiral P. Harsora v. Kusum Narottamdas Harsora*, (2016) 10 SCC 165.

dealing with the issue the right way. As a result, the victims become more exposed and vulnerable.

The more we delay in the judicial process which also play a role in pushing the victims away from the judicial process. Cases involving domestic violence may take ages to be heard in court. In the end, the victims become disillusioned with the judicial process.

There is a lack of support for the victims. There may not be sudden available facilities to help the victims. In some cases, the victims may be financially dependent on the perpetrators. In such cases, the lack of facilities may make it impossible for the victims to move on with their lives.

### **13. CONCLUSION**

Research which shows that domestic violence is a complicated problem with many different social, cultural, or psychological variables influencing it. Theoretical paradigms in criminology which focused on how the patriarchy, learned behaviours and economics also shape and create abusive behaviours. Stability in these patterns will continue to pass from generation to generation until the main underlying causes have been addressed or resolved.

In conclusion, the analysis of domestic violence through victimology shows how deeply domestic violence can affect its victims. Many domestic violence victims suffer from longterm psychological effects of domestic violence, physical affectations, and social isolation. The cycle of violence defined by Lenore Walker is a good example of how the one can understand the reason why domestic violence victims do not leave violent relationships even after experiencing abuse multiple times.

Though India's government has legislated significant domestic violence legislation (Protection of Women from Domestic Violence Act)<sup>20</sup>, the legal issues caused by social stigma, lack of education and other factors severely limit the effectiveness of this legislation. Domestic violence also continued one of the most significant barriers to reporting domestic violence and addressing this issue in any significant way.

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<sup>20</sup> *Protection of Women from Domestic Violence Act*, No. 43 of 2005, Acts of Parliament, 2005 (India).