
JUSTICE THAT HEALS: INTEGRATING PSYCHOLOGY INTO VICTIM REHABILITATION

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ABSTRACT

In our rapidly advancing, technology-driven world, crime rates are rising, occurring anytime and anywhere. While legislatures prescribe punishments for offenders to protect society, they often neglect victims' psychological and emotional well-being. Victims are thrust into a protracted judicial process that exacerbates their distress, compelling them to relive harrowing experiences under intense scrutiny. This systemic neglect precipitates severe mental health disruptions, including post-traumatic stress disorder (PTSD), anxiety, depression, and diminished life functioning, ultimately hindering societal reintegration. Victims face immense pressure navigating the judicial process, leading to severe mental health disruptions. Legislative frameworks prioritize punitive measures against perpetrators to safeguard societal order. However, this paradigm inadvertently sidelines the psychological and emotional ramifications endured by victims, subjecting them to protracted judicial scrutiny that exacerbates trauma. This paper explores the vital interplay between forensic psychology and jurisprudence for survivor recovery, shifting from penalty-centric to renewal-oriented strategies. Victimization, characterized by acute stress responses, post-traumatic stress disorder (PTSD), and diminished psychosocial functioning, underscores the necessity for a rehabilitative legal architecture. This paper critically analyses the imperative for synergising psychology and law to foster comprehensive victim rehabilitation. By formulating evidence-based policies that prioritise victims' rights to rehabilitation, the legal system can mitigate long-term mental health disruptions, empower resilience, and restore agency. This interdisciplinary approach not only heals traumatized minds but also fortifies the criminal justice system's efficacy in promoting holistic justice.

Keywords: Rehabilitation, Victim, trauma, perpetrator, psychology.

INTRODUCTION

The goal of the criminal justice system is to penalise and reform wrongdoers to safeguard people, society, and the state. Criminal acts are not limited to physical harm in that they can affect the victim emotionally, psychologically and financially. Justice systems often forget the harm done to victims and focus more on punishing offenders and less on addressing victims' core needs. Victims are, however, entitled to pursue justice and obtain remedies for the harm they have faced. The violation of victims' rights, loss of dignity and real-world losses are unperceived by nearly anyone except the victims because the criminal justice systems have historically been organised around state control of crime rather than incorporating victim participation. Where compensation mechanisms rights should be protected and not disregarded as part of a victim-centred framework of justice. It is only in recent decades that the impact of victimisation drew the attention of criminal law jurisdictions around the world, and they were convinced that the victims need to be treated with compassion and their dignity and fundamental rights must be protected and preserved. In India, with the growing jurisprudence on human rights, judicial activism, and international developments such as the United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (1985), India has taken notable steps to incorporate victim-centric measures. The introduction of Section 357A of the Code of Criminal Procedure, 1973, mandating state-funded compensation schemes, represents a landmark development in this direction. Upon analyzing the strengths and shortcomings of current frameworks, the paper argues for not only reparation but also the reintegration of victims into society with dignity.

VICTIM, VICTIMOLOGY & VICTIMISATION

Victimization is a widespread issue that affects people of all ages, genders, and nationalities. Understanding the connection between a victim and victimology is crucial in addressing this complex issue.

The term 'victim' refers to all those who experience injury, loss or hardship due to any cause and one of such causes could be crime. Victimology is the study of victims and their experiences of injury, loss or hardship due to any cause, and also includes understanding the causes and consequences of victimization. Such injury involves physical, psychological, emotional or financial injury. A Victim of a crime is the person who has suffered at the Hands

of the perpetrator of the crime¹.

In the case of *Maru Ram v. Union of India*², Justice V.R. Krishna Iyer further discussed that while the criminal law's societal obligation is to restore the lost or heal the harm and it is ensured by awarding punishments, the length of the jail sentence does not provide compensation to the aggrieved but rather amounts to futility compounded with cruelty. Victims must feel fulfilled through mandatory awarding of damage or compensation to the victim and not by inflicting additional anguish on the criminal, but by decreasing the loss of the bereaved.

Victimology has now emerged as a branch of criminology dealing exclusively with the victims of crime who need to be treated with compassion and rendered compensation and assistance under the criminal justice system. While Criminology is concerned mainly with the causation of crime, victimology is primarily concerned with the study of why people become victims of a crime and how to help and assist them against abuse of power or criminal acts of offenders through access to the criminal justice system³.

Through victimology, we can gain insights into the different forms of victimization that exist and develop strategies for preventing such occurrences. Victimization occurs primarily in childhood and adolescence compared to other age groups, underscoring the vulnerability of children⁴.

Section 2(y) of the Bharatiya Nagarik Suraksha Sanhita, 2023⁵ (previously Section 2 (wa) of the Code of Criminal Procedure, 1973) defines '*victim*' as *a person who has suffered any loss or injury caused by reason of the act or omission of the accused person, and includes the guardian or legal heir of such victim.*

The BNSS provides an inclusive definition of the term 'victim' and gives a clear outline of who the victims are. For litigation purposes, it also includes the guardian or legal heir of the victim, as they are the persons who suffer due to the loss of the victim.

The Universal Declaration of Human Rights (UDHR, 1948) does not directly address victim

¹ Andrew Karman, *Crime Victims: An Introduction to Victimology* (2003) p.7.

² 1981 (1) SCC 107.

³ N.V. Paranjape, *Criminology and Penology*, Central Law Publications (2023) p.763.

⁴ Kanishka Choudhary, *Victimology and Global Comparison: India, South Korea, And United States*, *Ile Law Reporter (ILE LRE)*, 1 (1) Of 2023, Pg. 25-32.

⁵ S.2(y), *Bharatiya Nagarik Suraksha Sanhita*, 2023.

rehabilitation, focusing instead on broad rights like remedy for violations (Article 8) and security of person (Article 3). However, the 1985 UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, often referenced in victim rights contexts, establishes key standards for compassionate treatment, access to justice, and rehabilitation services.

Victim Definition and Treatment

It defines victims broadly as those suffering physical/mental injury, emotional suffering, or rights impairment from crimes or power abuses, including families/dependants. Victims must receive compassionate, dignified treatment with prompt redress via expeditious, accessible mechanisms, minimizing delays and protecting privacy/safety.

Rehabilitation Provisions

States should provide material, medical, psychological, and social assistance through government/voluntary/community means, informing victims of available services. Personnel like police and health workers need training to aid victims sensitively, prioritizing those with special needs (e.g., trauma, disability).

Restitution and Compensation

Emphasizes offender restitution (property return, harm payment, services) as a sentencing option, with states funding compensation for serious harm where offenders cannot pay. Extends to abuse of power victims, promoting informal resolutions like mediation.

Later UN Guidelines

The 2005 Basic Principles on Remedy and Reparation explicitly define rehabilitation as medical/psychological care plus legal/social services for gross violations. These build on UDHR foundations, urging states to ensure full reparation, including psychological well-being.

PRIMARY, SECONDARY AND TERTIARY VICTIMIZATION

Primary victimisation refers to the immediate harm suffered directly as a result of the criminal act. It includes not only physical injury but also emotional shock and psychological trauma. When a person is subjected to violence, sexual assault, robbery, or domestic abuse, the experience often shatters their sense of safety and control. For instance, in the 2012 Delhi gang

rape case⁶ (widely known as the Nirbhaya Rape Case), the brutality of the offence caused immense physical suffering, but the psychological rupture was equally profound. Victims in such situations frequently experience fear, humiliation, nightmares, anxiety, and in many cases, Post-Traumatic Stress Disorder (PTSD). The crime leaves behind not merely a legal injury, but a deep psychological wound that alters the victim's perception of the world.

Secondary victimisation occurs when the response of institutions or society aggravates the victim's suffering. This harm is caused by insensitive procedures, repeated questioning, hostile cross-examination, trial delays, or public scrutiny. In several high-profile cases, including the Kathua rape case⁷, the prolonged legal process and intense media attention added emotional strain to the victim's family. Victims are often required to recount traumatic events multiple times, which can force them to relive the experience. When legal systems fail to provide sensitivity and support, the courtroom itself can become a space of re-traumatisation rather than relief, deepening feelings of helplessness and distress⁸.

Tertiary victimisation refers to the broader social and long-term consequences that follow crime. It includes stigma, social isolation, economic hardship, and disruption of family life. Acid attack survivors like Laxmi Agarwal have spoken about facing not only physical and emotional trauma but also social rejection and difficulty in rebuilding their lives. Victims of sexual and violent crimes may encounter victim-blaming attitudes or exclusion within their communities. These effects demonstrate that victimisation extends beyond the immediate incident and the courtroom; it can reshape identity, relationships, and opportunities for years. Addressing tertiary victimisation requires sustained rehabilitative and social support, not merely legal closure⁹.

Judicial action has been at the forefront of the modern-day discussion of issues related to which we see the needs of the victim at the core. In cases like *Delhi Domestic Working Women's Forum v. Union of India (1995)*¹⁰, the Supreme Court saw it fit that the State should provide a structure for the redressal of women that has in its framework the elements of compensation and support in cases of sexual assault which includes a move beyond the simple act of

⁶ *Mukesh & Anr v. State for NCT of Delhi & Ors*, (2017) 6 SCC 1.

⁷ *State of Jammu and Kashmir v. Shubham Sangra*, 2022 SCC OnLine SC 1592.

⁸ Bag, R. K. "PERSPECTIVES IN VICTIMOLOGY IN CONTEXT OF CRIMINAL JUSTICE SYSTEM." *Journal of the Indian Law Institute*, vol. 41, no. 1, 1999, pp. 78–80.

⁹ Ganesh Shrirang, *Victimology In Global And Indian Perspectives: Evolution, Impact, Legal Frameworks and Contemporary Developments*, *Indian Journal Of Legal Review (IJLR)*, Vol. 5 no.13, 2025, pp. 186-187.

¹⁰ (1995) 1 SCC 14.

prosecuting the offender. In the *Best Bakery case (2002)*¹¹, the issue of protective measures for the witness and the conduct of the trial came to the front which in turn brought with it the changes in the legal structure, to which the idea was to protect victims and witnesses from intimidation, which also includes what we may call secondary trauma.

VICTIM REHABILITATION

Beyond compensation, rebuilding lives means support and rehabilitation—material, psychological, and social. Support Schemes like

The Central Victim Compensation Fund (CVCF) scheme: Victims of crime (including acid attack, rape, and minors sexually abused) can access compensation via this central-state mechanism.

Rehabilitation measures: These include medical treatment, psychological counselling, vocational training, legal aid, and sometimes housing support. For example, certain NGO/State programmes for acid-attack survivors provide vocational classes, community reintegration.

Legal aid through NALSA/DLSA: Free legal services, counselling, assistance in making applications for compensation.

One-Stop Centres & helplines (especially for women victims) under Nirbhaya Fund: immediate support, shelter, linking with necessary services.

Technology can bridge some gaps in the victim support ecosystem, but only if used thoughtfully. A digital claims-tracking portal linked to FIR registration can alert victims about the status of compensation, reducing anxiety and backlog. Blockchain or secure cloud systems could safeguard victim data, give victims control over access, and ensure transparency of fund disbursement.

We must guard against over-reliance on tech. Victims may mistrust digital forms, may lack access to internet, may need human empathy rather than automated responses. Also,

¹¹ *Zahira Habibullah H. Sheikh and Anr. v. State of Gujarat and Ors.*, (2004) 4 SCC 158.

algorithmic bias could privilege urban, more educated victims¹².

TRAUMA CARE

Psychological interventions for crime victims have become an essential aspect of modern criminal justice and victim support systems, focusing on trauma-informed care. Trauma-informed care involves recognizing the profound impact crime can have on an individual's mental health, ensuring that victims are treated with empathy and respect throughout their recovery process. This approach emphasizes safety, trustworthiness, and collaboration, ensuring that victims' experiences and emotional needs are at the forefront of their healing journey. Counselling services and therapeutic models tailored to the unique needs of crime victims, such as cognitive-behavioural therapy for those suffering from PTSD, or trauma-focused therapy for survivors of sexual violence, play a crucial role in helping individuals regain control over their lives. Mental health professionals, including psychologists, psychiatrists, and social workers, are integral in this process. They not only assist victims in managing psychological distress but also in navigating the emotional and psychological aftermath of criminal acts, often helping them re-engage with society and rebuild trust in themselves and others. These professionals provide vital support in post-crime recovery, facilitating the development of coping mechanisms and assisting victims in overcoming the barriers that crime leaves in its wake¹³.

A holistic approach to victim rehabilitation requires the integration of legal and mental health services to provide comprehensive support. This integration ensures that victims' psychological needs are addressed alongside their legal rights, creating a more compassionate and effective support system. Community-based rehabilitation programs offer a vital avenue for ongoing care, emphasizing the importance of social reintegration and peer support. These programs often include initiatives that involve the victim's family, social networks, and support groups, which are critical in helping individuals heal emotionally and reintegrate into society. The family and close social networks act as crucial pillars of support, providing an environment of trust, empathy, and safety for the victim. Additionally, the collaboration between mental health professionals and legal institutions is paramount to ensuring that victims are not

¹² Monika Thakur, *Rebuilding Lives: Legal Provisions And Policies For Victim Rehabilitation*, <https://taxguru.in/corporate-law/rebuilding-lives-legal-provisions-policies-victim-rehabilitation.html>, last visited on 21/02/2026.

¹³ Hiba Zaheer, Erika Yagnik, *Psychological Warfare of Sexual Violence*, *IJMLH*, Vol. 1 (2018) p.152.

retraumatized by the legal process. This collaboration requires the training of law enforcement officers and judicial systems to understand trauma's psychological effects, ensuring that victims are not further victimized during investigation and trial. Mental health professionals should be involved in the legal process, particularly in preparing victims for testimony, supporting them through the trial, and providing post-trial counselling to address any emotional toll caused by the legal proceedings. Finally, effective coordination among government agencies, NGOs, and healthcare providers is essential to ensure that victims have access to a seamless network of both legal and psychological support, promoting their long-term recovery and well-being¹⁴.

LEGAL REFORMS

In recent years, India has witnessed significant legal reforms aimed at improving victim protection and mental health support for crime victims, culminating in the enactment of three major criminal laws, BNS, 2023, BNSS, 2023, & BSA, 2023. These laws are designed to reshape the criminal justice landscape by prioritizing victimology, especially the psychological well-being of victims. The importance of these reforms cannot be overstated, as they seek to address the psychological trauma faced by victims of crime, which has often been neglected within the traditional punitive framework of Indian criminal law.

Victimology, which examines the psychological impact of crime and the societal treatment of victims, is now acknowledged as a critical component of a just legal system. The new legislative framework is poised to integrate psychological support into the criminal justice process, ensuring that victims are not only protected physically but are also given the necessary mental health care and legal aid to recover from their trauma. BNS, 2023, which replaces IPC, 1860, provides a crucial legal response to the issue of victim support by outlining comprehensive provisions for victim protection and compensation. One of its significant aspects is the enhanced focus on psychological trauma, acknowledging the long-term mental health challenges faced by victims, particularly those affected by violent crimes. The law mandates the establishment of dedicated counselling services and psychological support for victims, making it easier for them to access mental health professionals and support mechanisms.

¹⁴ Rasandeep Kaur, Dr. Kriti Kaushik, *Victimology And Mental Health: Addressing Psychological Trauma Among Crime Victims In Contemporary India*, JET, Vol. 14 (2024) p. 281-283.

Additionally, BNS introduces an expedited process for victim compensation, including coverage for psychological treatment, which is crucial for addressing the emotional and mental repercussions of victimization. For example, in cases of sexual violence or domestic abuse, BNS provides victims with access to trauma-informed care, helping them navigate their psychological distress while also receiving legal remedies. This law thus represents a critical shift from punitive justice to restorative justice, emphasizing the need for psychological rehabilitation as an integral part of the victim recovery process. BNSS, 2023, which replaces CrPC, 1973, builds upon the BNS by specifically focusing on victim safety and the prevention of further harm. The BNSS is groundbreaking in its provisions for the mental health of crime victims, particularly vulnerable groups such as women, children, and marginalized communities. The law mandates the creation of safe spaces for victims, where they can access not only physical protection but also psychological counseling and therapy. By ensuring access to professional mental health support, the BNSS directly addresses the trauma victims experience, facilitating a more holistic recovery. Furthermore, it recognizes the complex social realities that often exacerbate victimization, such as economic dependency, social stigma, and fear of retribution. Through the BNSS, the Indian legal system has taken proactive steps to protect the mental health of crime victims by integrating psychological care into the broader framework of victim protection.

SIGNIFICANCE OF INTEGRATING PSYCHOLOGY AND LAW IN VICTIM REHABILITATION

The integration of psychology and law in victim rehabilitation is significant because crime operates simultaneously on two levels: it violates a legal norm and it disrupts psychological stability. While law identifies the offence, determines culpability, and prescribes sanctions, psychology examines the internal consequences of that offence on the victim's mind and behaviour.

One major significance of psycho-legal integration lies in promoting informed legal processes. Trauma affects memory encoding and recall. Victims may remember events in fragments rather than in chronological sequence. Stress may impair concentration or produce emotional outbursts during testimony. Without psychological insight, such responses may be misinterpreted as unreliable.

Psycho-legal integration also strengthens rehabilitation planning. Effective rehabilitation

requires more than financial assistance; it requires structured emotional support, coping strategies, and resilience-building interventions. Psychology provides tools such as cognitive behavioural therapy, crisis counselling, and stress management techniques. Law, on the other hand, provides the institutional authority to ensure accessibility and implementation. Integrating psychology and law strengthens public confidence in the justice system. When victims feel heard, understood, and supported trust in legal institutions increases. A system perceived as compassionate and responsive encourages reporting of crimes and participation in legal processes, thereby improving overall justice outcomes¹⁵. Their integration ensures that rehabilitation is not simply about punishing offenders but about restoring lives, dignity, and hope.

CHALLENGES IN INTEGRATION

The integration of law and psychology seeks to create a justice system that not only punishes wrongdoing but also understands human behaviour, trauma, and mental health. While this interdisciplinary approach is essential for modern criminal justice, its practical implementation faces several real-life obstacles. The following discussion expands on five major challenges that commonly arise.

1. Difference in Objectives and Standards

Law is rule-based and focuses on liability, evidence, and punishment. Psychology is science-based and focuses on understanding behaviour, mental processes, and rehabilitation.

Courts require proof “beyond reasonable doubt,” whereas psychology often works on assessment, probability, and clinical interpretation. This difference becomes visible in cases involving mental illness.

Under the **Bharatiya Nyaya Sanhita**, the legal test for insanity is narrow and focuses on the accused’s ability to understand the nature of the act. However, a person may be clinically diagnosed with a mental disorder without meeting the strict legal standard.

Thus, a gap exists between medical diagnosis and legal responsibility.

¹⁵ Bessel A. Van Der Kolk, *The Body Keeps The Score: Brain, Mind, And Body In The Healing Of Trauma* (2014).

2. Reliability and Admissibility of Psychological Evidence

Psychological tools such as personality assessments, IQ tests, risk evaluation scales, and behavioural profiling are useful in investigations and sentencing. However, courts often question their scientific reliability.

Judges prefer objective, measurable evidence. Psychological findings may be challenged as subjective or influenced by examiner bias.

In *Selvi v. State of Karnataka*¹⁶, the Supreme Court held that involuntary narco-analysis, polygraph tests, and brain mapping violate constitutional protections. The Court emphasised mental privacy and protection against self-incrimination.

This judgment reflects judicial caution in accepting psychological or scientific techniques without strong safeguards.

3. Trauma, Memory and Victim Testimony

Psychology recognises that trauma affects memory and behaviour. Victims of sexual offences or violent crimes may:

- Delay reporting
- Show emotional numbness
- Have fragmented or inconsistent recollections
- Experience PTSD or dissociation

However, the legal system traditionally values consistency and immediate reporting. Minor inconsistencies may be interpreted as lack of credibility.

Although sensitivity has improved after cases like the **Nirbhaya case**¹⁷, trauma-informed questioning and evaluation are not uniformly practised across all trial courts.

¹⁶ (2010) 7 SCC 263.

¹⁷ *Mukesh & Anr v. State for NCT of Delhi & Ors*, (2017) 6 SCC 1.

4. Ethical Conflicts and Confidentiality Issues

Psychologists are bound by ethical duties such as confidentiality, informed consent, and professional neutrality.

In legal proceedings, however:

- Courts may summon therapy records.
- Lawyers may aggressively cross-examine expert witnesses.
- Psychological reports may be publicly scrutinised.

This creates ethical tension between protecting client trust and fulfilling legal obligations.

In juvenile matters under the **Juvenile Justice (Care and Protection of Children) Act**, psychological evaluation reports play a role in determining maturity. Yet public disclosure of such sensitive material may harm the child's future reintegration.

5. Institutional, Cultural, and Resource Constraints

Even progressive laws such as the **Mental Healthcare Act, 2017** recognise mental health rights. However, ground-level implementation faces practical barriers:

- Shortage of trained forensic psychologists
- Lack of court-attached counselling units
- Delays in psychiatric assessments
- Limited awareness among police officers
- Social stigma attached to mental illness

Additionally, interdisciplinary communication between judges, lawyers, psychiatrists, and psychologists is often weak. Each profession has its own language and framework, making collaboration challenging.

SOME JUDICIAL INSIGHTS

The Indian judiciary has increasingly recognised that justice cannot remain confined to physical injury and procedural formalism. Courts have progressively incorporated psychological realities—mental trauma, emotional suffering, and cognitive harm—into constitutional interpretation, criminal jurisprudence, and victim protection frameworks. This judicial evolution reflects a shift from purely punitive justice to a more psychologically informed model that acknowledges the lived experiences of victims.

One of the most significant steps toward psycho-legal integration is visible in *Vishaka v. State of Rajasthan*¹⁸, where the Supreme Court acknowledged that sexual harassment violates not merely bodily autonomy but also dignity, equality, and psychological security in the workplace. The Court treated gender-based harassment as a constitutional injury under Articles 14, 15, 19, and 21, emphasizing that the absence of legislation could not justify the continued psychological vulnerability of women. By framing sexual harassment as an assault on dignity and mental well-being, the Court embedded psychological harm into constitutional discourse and laid the groundwork for trauma-sensitive legal reform.

The recognition of emotional and mental cruelty as actionable legal harm further illustrates this integration. In *Rupali Devi v. State of Uttar Pradesh*¹⁹, the Supreme Court clarified that cruelty under Section 498A of the Indian Penal Code includes mental harassment that continues to affect a woman even after she leaves her matrimonial home. The Court observed that the impact of domestic cruelty “is not confined to the place where the acts were committed,” thereby acknowledging the enduring psychological effects of abuse. This reasoning marks a decisive move away from viewing cruelty solely as physical violence and toward understanding sustained emotional harm as legally cognizable injury.

Similarly, in cases involving dowry death and abetment of suicide, the judiciary has recognized the causal relationship between psychological abuse and self-destructive outcomes. The statutory presumption under Section 113B of the Indian Evidence Act has been interpreted in light of persistent mental cruelty, reflecting judicial awareness that prolonged psychological torment may drive victims to suicide²⁰. By embedding psychological causation into evidentiary

¹⁸ (1997) 6 SCC 241.

¹⁹ (2019) 5 SCC 384.

²⁰ *Kaliyaperumal v. State of Tamil Nadu*, (2004) 9 SCC 157 (India) (interpreting Section 113B of the Indian Evidence Act in the context of dowry death and cruelty).

presumptions, the courts have acknowledged the profound mental impact of domestic violence and harassment.

The constitutional dimension of mental well-being was further strengthened in *Selvi v. State of Karnataka*²¹, where the Supreme Court rejected involuntary narco-analysis, polygraph tests, and brain-mapping techniques. The Court held that such practices violate Article 20(3) and intrude upon mental privacy, observing that the right against self-incrimination protects an individual's cognitive processes from coercive extraction. This judgment is pivotal in recognizing the sanctity of the human mind within constitutional jurisprudence. By safeguarding mental autonomy, the Court affirmed that psychological integrity forms part of personal liberty under Article 21.

More recently, judicial interpretation of Article 21 has expanded to explicitly include mental health as an intrinsic component of the right to life. Courts have acknowledged that dignity encompasses emotional and psychological well-being, reinforcing the legislative framework of the Mental Healthcare Act²². This recognition transforms mental health from a policy aspiration into a constitutional imperative, requiring institutional sensitivity toward victims and vulnerable individuals.

Collectively, these decisions represent a gradual but decisive judicial reform: the integration of psychological insight into legal reasoning. The Indian judiciary has moved beyond treating harm as merely physical or economic and has begun to recognize emotional trauma, mental autonomy, and psychological suffering as legally significant. While structural and institutional challenges remain, these judgments demonstrate that constitutional courts are increasingly willing to bridge the gap between law and psychology, thereby advancing a more humane and victim-centred conception of justice.

SUGGESTIONS

To strengthen the integration of psychology into victim-centered justice, the following reforms are essential:

- Shift legal frameworks from purely punitive to restorative models by embedding

²¹ (2010) 7 SCC 263.

²² *Mental Healthcare Act*, No. 10 of 2017.

victim-offender mediation programs under Bharatiya Nyaya Sanhita (BNS) and Juvenile Justice Act 2015, proven to significantly lower post-traumatic stress symptoms like intrusive thoughts, avoidance behaviours, and hyperarousal in victims, while fostering long-term empowerment and emotional closure that traditional courts often overlook.

- Mandate integration of evidence-based psychological therapies such as trauma-focused cognitive behavioural therapy (TF-CBT) and narrative exposure therapy directly into CrPC Section 357A victim compensation schemes, customizing them for high-trauma cases like cybercrimes, banking fraud, or child trafficking with culturally adaptive elements like yoga and Ayurveda to enhance accessibility and efficacy in diverse Indian contexts.
- Establish dedicated Victim Support Units through State Legal Services Authorities (SLSAs) in partnership with NGOs, offering holistic services including counseling, peer support groups, vocational rehabilitation, and family mediation to rebuild social networks shattered by crime.
- Launch government-funded longitudinal studies via National Institute of Criminology and Forensic Science (NICFS) to evaluate restorative justice outcomes specific to India, measuring reductions in anxiety, depression, and recidivism over 5-10 years across demographics like minorities and women, providing empirical data to refine policies and scale successful interventions nationwide.
- Link victim compensation disbursements to standardized psychological metrics, such as pre- and post-intervention trauma scales (e.g., IES-R or PCL-5), ensuring funds support comprehensive rehab plans that address emotional, financial, and social dimensions rather than just monetary payouts, aligning with victimology principles for true restorative healing.
- Incorporate mandatory psychologist training for judges, prosecutors, and police under new BNS guidelines to sensitize the system to victim psychology, reducing secondary victimization from insensitive questioning or delays, and promoting alternatives like community-based RJ circles for low-severity offenses to prevent escalation and promote societal reconciliation.

CONCLUSION

The Indian legal framework has acknowledged the psychological rehabilitation of victims in the Bharatiya Nagarik Suraksha Sanhita, 2023 and the Mental Health Act, 2017. The gradual integration of psychology into Indian judicial reasoning marks a transformative shift in the philosophy of justice. Through constitutional interpretation, evidentiary presumptions, and expansive readings of dignity and liberty, the courts have moved beyond a narrow focus on physical harm and punitive outcomes. By recognizing mental cruelty, emotional trauma, cognitive privacy, and psychological autonomy as legally cognizable concerns, the judiciary has laid the groundwork for a justice system that is both constitutionally rigorous and psychologically informed. Judicial recognition alone cannot complete the project of “justice that heals.” Structural reforms, institutional coordination, trauma-informed procedures, and accessible mental health services must accompany doctrinal advances. The judiciary has initiated the conceptual bridge between law and psychology; the continued evolution of victim-centred justice now depends on embedding these principles into everyday legal practice.

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