

Access to Justice for Survivors of Gender-Based Violence: Prosecutorial Barriers, Victim Protection Mechanisms, and Institutional Reform

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ABSTRACT

Background: Formal criminalization of gender-based violence (GBV) has expanded substantially, yet survivors continue to encounter a justice gap between rights on paper and usable, safe and timely remedies. The gap is produced not only by substantive law but also by reporting barriers, police practice, evidentiary decision-making, prosecutorial attrition, courtroom treatment, inadequate protection and weak institutional accountability.

Objective: This review compares evidence on prosecutorial barriers, victim-protection mechanisms and justice-system reforms, and develops a measurable framework for translating formal legal rights into continuous access to justice.

Methods: A structured comparative review and policy analysis synthesized 28 core empirical, evaluation and policy evidence records published through December 2025, supplemented by foundational international and regional legal standards. Evidence was coded across reporting, policing, prosecution, evidence, protection, participation, legal support, delay, bias, intersectionality and accountability domains.

Results: Barriers clustered at multiple handoffs: fear and legal inaccessibility before reporting; disbelief, stereotyping and weak evidence strategy during investigation; opaque evidentiary thresholds and delay at prosecution; safety and communication failures during case progression; and intrusive or myth-based courtroom practice. Effective mechanisms were multi-component rather than singular: specialist and trauma-informed practice, independent legal advice or representation, coordinated risk protection, suspect-focused and corroboration-aware investigation, reasoned prosecutorial review, special measures, timely communication and auditable institutional performance. The review introduces the Survivor Access-to-Justice Continuity Framework (SAJCF), comprising seven measurable domains: reachability, procedural dignity, evidence integrity, protection continuity, prosecutorial accountability, timeliness/communication and institutional learning.

Contribution: The SAJCF is novel in treating access to justice as continuity across procedural handoffs rather than court entry or conviction alone, while explicitly preserving evidentiary standards, prosecutorial independence and defence rights.

Conclusion: Institutional reform should be evaluated by whether survivors can enter, remain in and exit justice processes safely and intelligibly, and whether decisions are evidence-based, timely, reviewable and free from gendered stereotyping.

Keywords: gender-based violence; access to justice; prosecution; victim protection; sexual violence; domestic violence; procedural justice; institutional reform; legal aid; survivor-centred justice

1. INTRODUCTION

Gender-based violence is simultaneously a criminal-justice problem, a public-health problem and a problem of equal citizenship. In many jurisdictions the substantive legal position has improved: domestic violence is more widely recognized, sexual offences have been redefined, protection orders have expanded, victim-rights legislation has developed, and specialized police, prosecution and support structures have been introduced. Yet the existence of a criminal offence or a statutory right does not mean that a survivor can use it. Access to justice depends on whether a person can safely recognize a legal problem, obtain information and assistance, report without retaliation, be treated with dignity, sustain participation through a long process, obtain protection, understand prosecutorial decisions, give evidence without avoidable retraumatization and receive an intelligible outcome. This broader understanding is consistent with CEDAW General Recommendation No. 33, which treats women's access to justice as requiring justiciability, availability, accessibility, good quality, accountability and effective remedies [1].

The justice gap is particularly visible in sexual violence and intimate partner violence. Under-reporting remains substantial, and survivors who do report may encounter skepticism, victim-

blaming, repeated questioning, disproportionate scrutiny of personal records, delays, inconsistent communication and evidentiary expectations that reflect assumptions about how a 'real' victim should behave. Studies from Canada, Sweden, the United States and England and Wales show that police interactions can either build or erode future willingness to engage with authorities, while secondary victimization can create harms independent of the original offence [2-6]. These findings matter for both survivor welfare and evidence quality because disengagement, mistrust and avoidable delay can directly affect case progression.

Prosecution adds another layer of complexity. Prosecutors have an ethical obligation to apply evidentiary and public-interest standards independently; a survivor-centred system cannot convert that obligation into an instruction to prosecute weak cases. At the same time, evidentiary decision-making is not immune from institutional culture, investigative quality or gender stereotypes. South African national data illustrate attrition across police, prosecution and pre-trial stages, with forensic evidence and arrest associated with progression [7]. Trial-transcript research has also shown how inappropriate reliance on sexual history and rape myths can affect courtroom reasoning [8]. The policy challenge is therefore to strengthen evidence development and decision quality without

lowering the burden of proof or compromising the rights of the accused.

Victim protection is often treated as a parallel welfare service, but the evidence suggests it is a core justice-system function. Safety planning, advocacy, legal advice, reasonable adjustments, special measures, shelter, psychosocial support and regular case information can determine whether a survivor is able to continue participating and whether the process itself causes additional harm. International standards increasingly recognize this interdependence. The UN Essential Services Package connects health, social, police and justice services; the Istanbul Convention links investigation and prosecution to protection measures; and UNODC guidance emphasizes judicial practices that reduce secondary victimization while applying relevant evidentiary standards [9–11].

Despite extensive literature on individual barriers, three analytical gaps remain. First, reporting, prosecution, protection and courtroom treatment are frequently studied as separate problems even though failures at one stage propagate into the next. Second, reforms are often assessed by activity counts or conviction rates rather than by continuity of access, safety, procedural dignity and decision quality. Third, policy debate can become polarized between survivor-centred practice and fair-trial safeguards, although high-quality justice requires both. This review addresses these gaps through a comparative synthesis that treats access to justice as a chain of procedural handoffs and asks what institutional conditions preserve both survivor participation and evidentiary integrity.

1.1 Study objectives

Objective 1. Synthesize the principal legal, procedural, evidentiary, socioeconomic and institutional barriers that prevent survivors of GBV from entering or remaining in criminal-justice processes.

Objective 2. Compare victim-protection mechanisms-including legal assistance, advocacy, special measures, risk management, service coordination and communication-and identify the conditions under which they reduce secondary victimization and sustain meaningful participation.

Objective 3. Examine how prosecutorial discretion, evidence development, specialization, review mechanisms and courtroom practice shape case attrition while preserving fair-trial and evidentiary safeguards.

Objective 4. Develop a novel Survivor Access-to-Justice Continuity Framework (SAJCF) and implementation indicators for measuring whether formal rights remain usable across justice-system handoffs.

1.2 Research questions

RQ1. What barriers most consistently impede reporting, investigation, prosecution and adjudication of GBV cases across different justice systems?

RQ2. Which victim-protection and participation mechanisms are supported by evidence or comparative policy as reducing secondary victimization and improving meaningful access to justice?

RQ3. How can prosecutorial decision-making and evidence development be strengthened without lowering evidentiary thresholds, compromising prosecutorial independence or weakening defence rights?

RQ4. What institutional reforms and measurable indicators are needed to convert formal legal rights into continuous, survivor-centred and accountable justice pathways?

1.3 Novel contribution

The study's principal contribution is the Survivor Access-to-Justice Continuity Framework (SAJCF). Existing frameworks commonly focus on service availability, victim-centred interaction, police transformation or legal capability. The SAJCF integrates these perspectives into a single process model that follows the survivor

from disclosure to case closure and asks whether seven conditions remain intact across every handoff: reachability, procedural dignity, evidence integrity, protection continuity, prosecutorial accountability, timeliness and communication, and institutional learning. The framework therefore distinguishes access to justice from both physical access to a courthouse and success measured solely by conviction. It also contains an explicit rights-preservation rule: survivor protection and dignified participation must improve the quality of justice, not replace the burden of proof, the presumption of innocence, disclosure obligations or independent prosecutorial judgment.

2. METHODS

2.1 Design and scope

A structured comparative review and policy analysis was undertaken. The design was selected because the research questions cross doctrinal law, criminal-justice practice, survivor experience, program evaluation and comparative governance. A conventional meta-analysis was inappropriate because the evidence includes qualitative interviews, case-file attrition studies, mixed-method policing research, national surveys, legal reviews and multi-country policy studies with heterogeneous outcomes. The review therefore prioritizes transparent source selection, structured extraction and comparative thematic synthesis rather than pooled effect estimation.

The substantive scope covered GBV against adult and adolescent survivors, with particular emphasis on sexual violence and intimate partner/domestic violence because these areas provide the strongest evidence on reporting, prosecution, secondary victimization and protection. Human trafficking and child-specific justice were not the primary focus except where a source contained transferable GBV access-to-justice principles. The temporal cut-off was 31 December 2025 so that the manuscript is chronologically appropriate for a 2026 portfolio sequence.

2.2 Search strategy and source domains

Searches were conducted iteratively across peer-reviewed literature indexes accessible through scholarly web search, PubMed/PMC, publisher platforms and authoritative institutional repositories. Search concepts were combined around: (gender-based violence OR violence against women OR sexual violence OR rape OR intimate partner violence OR domestic violence) AND (access to justice OR police OR prosecution OR attrition OR evidentiary barriers OR secondary victimization OR legal aid OR victim protection OR special measures OR procedural justice OR institutional reform). Targeted supplementary searches were conducted for rape case attrition, survivor police experiences, prosecution reform, legal representation, specialist courts, disability and intersectional access, and national or regional justice reviews. Official sources included UN Women, UNFPA, UNDP, UNODC, IDLO, OECD, the Council of Europe, national law-reform bodies and prosecution/justice agencies.

The review used a two-tier evidence architecture. The core evidence corpus comprised 28 empirical studies, evaluations, structured reviews and comparative policy reports directly addressing justice barriers, survivor experience, prosecution, legal assistance or institutional reform. Foundational normative sources-including CEDAW General Recommendations Nos. 33 and 35, the Istanbul Convention, the UN Essential Services Package and UNODC judicial guidance-were analyzed separately as legal-policy benchmarks and were not counted among the 28 core records. This separation prevents normative instruments from artificially inflating the empirical evidence base.

2.3 Eligibility, extraction and synthesis

Sources were eligible when they provided original empirical findings, structured evidence synthesis, program or system evaluation, or comparative policy/legal analysis directly relevant to one or more review questions. Commentary without a discernible evidentiary basis, duplicate summaries of the same report, sources

published after 31 December 2025 and materials focused exclusively on prevalence or clinical treatment without a justice-system component were excluded. Where two articles used the same underlying dataset but answered materially different justice questions, both could be retained and the overlap was noted in interpretation.

For each core source, data were extracted on jurisdiction, design/source type, justice stage, survivor population, principal barrier or mechanism, and implications for prosecution, protection or institutional design. Thematic coding was non-exclusive and covered reporting/entry, police response, prosecution, courtroom practice, evidence integrity, secondary victimization, legal assistance, protection/support services, specialization/training, governance, intersectional access, trust, delay, survivor participation, bias and accountability.

2.4 Comparative legal-policy benchmarks

The comparative analysis used a rights-preserving benchmark derived from international and regional standards. CEDAW General Recommendation No. 33 requires justice systems to be available, accessible, good quality and accountable; General Recommendation No. 35 connects GBV to state due-diligence obligations. The Istanbul Convention requires prompt investigation, risk-sensitive protection and limits on irrelevant sexual-history evidence. The UN Essential Services Package treats coordinated police, justice, health and social services as part of a minimum response, while UNODC guidance emphasizes judicial competence, stereotype awareness and avoidance of secondary victimization [1,12,10,9,11]. These standards were used to assess whether reforms improve survivor access without displacing due-process guarantees.

2.5 Ethics and review limitations

The study used publicly available published material and did not involve human participants, identifiable personal data or intervention; institutional ethics review was therefore not required. Because this is a structured comparative review rather than a registered systematic review, database coverage is not claimed to be exhaustive. The method is instead designed for reproducible policy synthesis through explicit concepts, a dated cut-off, defined source categories and a complete table of the core evidence corpus. Jurisdictional legal differences also mean that mechanisms should be transferred by function rather than copied institutionally.

3. RESULTS

3.1 Overall pattern: access to justice is lost cumulatively

The most consistent finding across jurisdictions was that justice failure rarely occurred at a single decisive moment. Instead, barriers accumulated. A survivor who lacks information or fears retaliation may never report; a survivor who reports but is met with disbelief may disengage; an investigation that relies excessively on the complainant rather than developing corroborative and suspect-focused evidence may be judged too weak for charge; a charged case may then be damaged by delay, poor communication or safety concerns; and a case that reaches trial may still produce secondary victimization through irrelevant sexual-history material, stereotype-based reasoning or avoidable confrontation. The practical implication is that ‘access’ must be assessed longitudinally rather than as a binary question of whether a complaint was filed.

This cumulative pattern is visible in both high-income and lower-resource settings. OECD comparative work identifies cost, complexity, stigma, gender bias and limited systematic assessment of survivors’ legal needs across respondent countries [13]. IDLO’s six-country research similarly shows that complex situations, legal pluralism and crisis conditions require contextualized survivor-centred pathways [14]. In Lao PDR, Pakistan and Bangladesh, legal literacy, geographic reach, social norms, weak support services and institutional capacity shape whether formal remedies are usable [15-17]. The same structural logic appears in England and Wales and Sweden in a different form: legal systems are more

accessible on paper, but survivor experience depends on professional practice, procedural justice, legal support and the management of evidence and delay [3,18,4,6].

3.2 Reporting and entry: legal entitlement does not guarantee reachability

Entry barriers were among the most frequently coded themes. They included fear of retaliation, economic dependence, stigma, distrust of authorities, uncertainty about what constitutes an offence, concern about not being believed, inaccessible procedures and lack of legal assistance. Johnson and Lewis [19] demonstrated that reasons for non-reporting sexual assault are heterogeneous and that simple counts of endorsed reasons can obscure what survivors themselves prioritize. This matters for policy because a single public-awareness campaign cannot address barriers that arise simultaneously from safety, cost, cultural norms, prior police experience and perceived futility.

Legal empowerment emerged as a useful bridge between rights and use. Handy [20] argues that survivors need more than legal knowledge: they need capability to exercise rights, while justice actors must also be institutionally capable of responding. UNDP’s Lao PDR study and OECD’s MENA review reach a similar conclusion from different contexts: information is necessary but insufficient when services are geographically inaccessible, economic barriers are high, social norms inhibit disclosure, or multiple civil and criminal proceedings create a complex legal burden. Access reforms should therefore combine plain-language information, free or affordable legal assistance, accessible reporting channels, disability accommodations, language support, safe referral and outreach to groups facing intersecting barriers.

3.3 Police response: procedural justice is an evidentiary and legitimacy issue

Police are gatekeepers to both outcome justice and institutional legitimacy. Survivor accounts from Canada show that being disbelieved can produce secondary victimization and long-lasting health and social harms [2]. Swedish professional interviews describe victim-centred policing as inconsistent—a ‘lottery’ dependent on the individual officer—despite awareness of good practice [3]. In the United States, perceived procedural justice in detective interactions was linked to willingness to report future victimization [5]. Taken together, these studies indicate that respectful treatment is not a cosmetic service-quality variable. It affects trust, continued participation and future reporting.

Recent England and Wales research adds an organizational dimension. Project Bluestone translated feminist research and procedural justice into practical principles for police engagement, while Smith et al. [6] found that insensitive treatment, cynical attitudes and rape-myth influence persisted across a multi-force study. The latter finding is important because it shifts reform away from the idea of a few poorly trained officers toward system design: supervision, specialization, workload, investigative models, performance expectations and organizational culture. Hohl and Stanko’s [21] Five Pillars framework similarly argues for suspect-focused investigation, victim procedural justice and systematic learning rather than victim credibility testing as the default investigative strategy.

3.4 Evidence integrity and prosecution: improve the case, not the threshold

The prosecution literature shows why survivor-centred reform must include evidence quality. In South Africa, Machisa et al. [7] analyzed 3,952 reported rape cases and found attrition at each major stage: police closure, prosecutorial declination, removal from the court roll and trial. Forensic evidence, arrest and aggravating circumstances were associated with progression and conviction. These findings do not justify a universal corroboration requirement; rather, they demonstrate the value of timely, competent investigation that develops evidence beyond assumptions about complainant credibility. Where available,

digital, forensic, witness, scene, behavioral, financial or pattern evidence can reduce unnecessary dependence on repeated survivor testimony.

Prosecutorial barriers were also institutional. Delayed engagement can mean that evidentiary gaps are identified only after opportunities to obtain material have passed. Conversely, premature prosecutor involvement that is aimed only at maximizing charge can threaten independence. The better model is structured early advice with clear role boundaries: investigators remain responsible for a thorough, suspect-focused inquiry; prosecutors identify legal relevance, admissibility risks and evidentiary gaps; and final charging decisions remain independently reasoned. The 2025 Law Commission review in England and Wales and Tanner's Scottish review both support stronger specialization, training, evidentiary discipline and procedural reform rather than reduced proof standards [22,23].

A further concern is transparency. Survivors may experience a decision not to prosecute as arbitrary when reasons are generic or poorly communicated. Review mechanisms can improve legitimacy if they are timely, independent enough to add value, and designed so that a final discontinuance decision is not legally irreversible before meaningful review. The 2025 England and Wales pilot allowing rape and serious sexual offence victims to request review before a case is formally stopped illustrates this principle. Such mechanisms must, however, be governed by clear eligibility, time limits and disclosure safeguards so that review strengthens decision quality without creating pressure to prosecute unsustainable cases.

3.5 Courtroom practice: protection and fair trial are compatible design goals

Courtroom treatment was a recurrent source of secondary victimization. Swemmer's [8] analysis of South African rape trials identified problematic reliance on previous sexual history and gender stereotypes. Syahbur et al. [24] similarly reported victim-blaming and limited understanding of post-trauma dynamics in Indonesian proceedings and emphasized legal assistance and judicial intervention when questioning becomes degrading or intimidating. These findings support a distinction between robust testing of relevant evidence and questioning that imports myths about sexual behavior, delayed reporting, emotional presentation or prior relationships.

Protective measures are most defensible when they improve a witness's ability to give best evidence without preventing effective challenge. Screens, remote evidence, pre-recorded examination, support persons, communication assistance, courtroom scheduling and privacy protections can be calibrated to vulnerability and risk. The Law Commission's 2025 recommendations on sexual-offence evidence and special measures illustrate this balance: greater protection, legal advice and specialist courts are proposed alongside continued concern for a fair trial. The underlying standard should be necessity and proportionality rather than an assumption that either direct confrontation or maximal shielding is inherently fairer.

3.6 Legal assistance and representation: from navigation to procedural equality

Legal assistance appeared in both low-resource and high-income contexts. At the entry stage it provides legal literacy, helps survivors understand options and reduces the burden of navigating overlapping criminal, protection, family and compensation proceedings. During investigation and trial it can help survivors understand requests for personal records, special measures, privacy issues and case decisions. Sweden's victim legal counsel model is repeatedly identified as a source of procedural support [3,18], while the Law Commission [22] recommends enhanced legal advice and representation in sexual-offence cases. Handy [20] frames the same function as legal empowerment in Sri Lanka.

The comparative lesson is not that every jurisdiction must adopt identical party status for complainants. Criminal procedure differs

substantially, and victim representation must not transform the prosecution into private litigation. The transferable function is independent advice on the survivor's own rights and interests, especially where those interests are not identical to the prosecutor's responsibilities. This is most important for privacy, access to records, protection measures, compensation, information rights and review of qualifying decisions.

3.7 Protection continuity: support should not depend on prosecutorial success

Protection and support services were frequently treated in policy sources as prerequisites for meaningful access. The UN Essential Services Package explicitly links justice and policing with health and social services, while OECD and IDLO comparative research emphasize integrated, survivor-centred responses. A critical finding is that service eligibility should not be contingent on charge or conviction. If housing, counselling, advocacy or safety planning disappear when a prosecution is discontinued, the system effectively converts evidentiary uncertainty into loss of protection. That outcome is difficult to reconcile with a survivor-centred or due-diligence approach.

Continuity also requires adaptations for specific populations. Hollomotz et al. [25] show that disabled survivors face distinct formal-support barriers, including communication and accessibility needs. OECD's MENA work and UNDP/UNFPA country studies highlight economic, geographic, ethnic and social barriers. Institutional reform must therefore operationalize intersectionality through interpreters, disability accommodations, culturally safe advocacy, remote or mobile access where appropriate, transport, childcare, and procedural flexibility-while monitoring whether digital alternatives inadvertently exclude people without safe devices, connectivity or privacy.

3.8 Delay and communication: procedural time is a protection variable

Delay was not merely an administrative inconvenience. Long investigations and court backlogs increase uncertainty, can heighten safety risks, require survivors to repeatedly reorganize work and care responsibilities, and may worsen memory and evidentiary problems. Poor communication magnifies these effects because survivors cannot distinguish legitimate investigative time from institutional neglect. Timeliness should therefore be measured at stage level-time to initial safety response, first investigative plan, prosecutor advice, charging decision, trial listing and decision communication-rather than by a single end-to-end average that conceals bottlenecks.

Communication quality is similarly measurable. A survivor should know who owns the case, how to contact the appropriate person, what the next procedural event is, why major delays occurred, what support remains available and what review options exist. This does not require disclosure of sensitive investigative strategy or promises about outcome. It requires a communication protocol that treats information as part of procedural justice. The UK Rape Review reforms, specialist advisor models and Swedish victim counsel illustrate different institutional ways of delivering this function.

4. DISCUSSION

4.1 From a justice gap to a justice-continuity problem

The review supports a reframing of the conventional 'justice gap.' A low charge or conviction rate may reveal serious institutional problems, but it cannot by itself distinguish weak investigation, appropriate evidentiary screening, survivor withdrawal for safety reasons, lawful acquittal or systemic bias. Conversely, higher prosecution rates do not necessarily demonstrate survivor-centred justice if cases are advanced through coercive participation, invasive practices or inadequate protection. Carroll's [18] Swedish analysis is especially important on this point: victim-centred reforms may generate procedural forms of justice even without

increasing prosecution. The appropriate policy objective is therefore not conviction maximization; it is reliable, fair and reviewable decision-making combined with protection and dignified participation.

The SAJCF operationalizes that objective as continuity. A justice pathway fails when any required condition disappears at a handoff: information without legal assistance, reporting without safety, investigation without evidence strategy, prosecution without explanation, trial without protection, or services that terminate when the legal case ends. This perspective explains why isolated reforms often underperform. A helpline cannot compensate for hostile police intake; specialist police cannot compensate for a prosecutor who receives an incomplete file months later; a victim advocate cannot correct irrelevant sexual-history evidence admitted at trial; and a strong statute cannot remedy a system that survivors cannot reach.

4.2 Prosecutorial independence and survivor-centred practice are not opposites

A recurrent risk in reform discourse is to frame survivor-centred justice as pressure on prosecutors to charge more cases. That is neither legally sustainable nor normatively desirable. The prosecutor's obligation is to apply the relevant evidentiary and public-interest standard impartially. Survivor-centred reform should instead improve the conditions under which that judgment is made: better investigation, earlier identification of evidentiary gaps, stereotype-aware assessment, specialist expertise, reasoned communication and meaningful review of qualifying decisions. These measures can increase confidence in both decisions to prosecute and decisions not to prosecute.

The same principle applies at trial. Restrictions on irrelevant sexual-history evidence, judicial management of demeaning questioning, and special measures do not require the court to accept the complainant's account uncritically. They require that testing of credibility be legally relevant and not driven by disproven assumptions about sexual behavior or trauma. Fair-trial integrity is enhanced-not weakened-when the fact-finder receives evidence that is probative rather than prejudicial and when witnesses are enabled to provide their best evidence.

4.3 Evidence diversification should replace credibility overdependence

Many GBV offences occur in private, so complainant testimony will often remain central. The policy mistake is to treat this as a reason either to demand formal corroboration or to abandon corroborative investigation. The South African attrition evidence shows the practical significance of forensic material, arrest and aggravating circumstances [7], while England and Wales reforms increasingly emphasize suspect-focused investigation. A mature evidence strategy looks for all lawfully available material-communications, location data, witness observations, prior contemporaneous disclosures, medical findings, financial transactions, scene evidence, admissions, patterns where admissible, and evidence of coercive control-without turning the survivor's private life into the primary object of investigation.

This approach has two safeguards. First, evidence collection must remain necessary and proportionate; indiscriminate extraction of phones, therapy records or medical histories can itself create secondary victimization and privacy harms. Second, investigators must avoid the opposite error of assuming that absence of forensic injury, immediate report or consistent emotional presentation weakens a case in a way unsupported by law or science. Specialized training should therefore be tied to decision audits and supervision rather than delivered as a one-off awareness intervention.

4.4 Protection should be designed as infrastructure, not discretion

Protection mechanisms work best when they are predictable and structurally available. Survivor safety should not depend on the

goodwill of an individual officer or on whether a prosecutor believes the case is likely to succeed. A minimum justice-protection architecture includes risk assessment, rapid protective options, confidential referral, independent advocacy, access to health and psychosocial care, practical support, legal advice, reasonable adjustments and special measures. The UN Essential Services Package provides the strongest cross-sector template for this architecture, while OECD and IDLO evidence demonstrates the importance of tailoring it to legal and social context.

Institutional continuity also requires explicit ownership. Each case should have a named responsible contact at each stage and a documented handoff when responsibility changes. Without ownership, survivors become the de facto coordinators of police, prosecution, courts and services. That burden is particularly unrealistic for survivors facing disability, poverty, migration insecurity, rural distance, childcare responsibilities or coercive control. Coordination should therefore be measured by completed referrals, information continuity and response times-not by the number of interagency meetings.

4.5 Intersectionality must be operational, not rhetorical

The evidence base repeatedly indicates that justice barriers are not evenly distributed. Disability, rural location, ethnicity, migration status, poverty, age, language, digital exclusion and social stigma can compound the baseline difficulty of reporting and sustaining a case. CEDAW General Recommendation No. 33 explicitly recognizes intersecting discrimination, and country studies show how these factors operate in practice. An intersectional policy should therefore specify concrete adjustments: accessible communication, interpreters, safe transport, mobile or remote options, confidential digital channels, culturally appropriate advocates, flexible scheduling and clear separation between immigration enforcement and victim support where law permits.

Equity also requires data. Institutions cannot identify unequal attrition if they collect only aggregate totals. Justice systems should be able to examine, with privacy safeguards, whether reporting, charge, delay, discontinuance, protective measures and survivor satisfaction differ by disability, age, ethnicity, geography and other legally relevant vulnerability factors. Such analysis should not be used to create predictive shortcuts about credibility; its function is to identify service and process disparities.

4.6 The SAJCF implementation scorecard

4.7 Policy priorities by implementation horizon

Immediate reforms (0–12 months) should focus on low-complexity, high-value process standards: named case ownership, scheduled survivor updates, mandatory risk and special-measures assessment, clear referral protocols, review of intrusive records requests, standardized reasons for major prosecutorial decisions, and competency-based training on trauma, rape myths and procedural justice. These changes require policy discipline more than new institutions.

Medium-term reforms (1–3 years) should build specialist capacity and accountability: dedicated or accredited GBV investigators/prosecutors, independent legal-advice pathways, integrated case-management systems with lawful information governance, structured prosecutorial review, specialist court lists or procedures where volume justifies them, and publicly reported attrition and timeliness metrics. Jurisdictions should pilot and evaluate rather than assume that specialization is effective by label alone.

Long-term reform (3–5 years) requires institutionalization. Training should be linked to promotion, supervision and competency assessment; survivor experience should be included in performance evaluation without creating conviction incentives; protection services should have stable funding independent of criminal-case outcomes; and justice data systems should support longitudinal tracking from report to disposition while protecting privacy. Legislative reform may be needed for sexual-history

evidence, personal records, victim review rights or independent legal advice, but implementation capacity should be assessed before new rights are enacted on paper.

4.8 Strengths and limitations

The review's strengths are its cross-jurisdictional scope, explicit separation of empirical evidence from normative standards, inclusion of 2025 law-reform developments, and integration of prosecution, protection and institutional governance in one analytical model. The complete core evidence corpus is reported in Table 2, and the thematic framework is transparent. The paper also avoids a common conceptual error by treating survivor-centred practice and fair-trial rights as mutually necessary rather than competing endpoints.

Several limitations should be recognized. The review is structured and comparative but not a registered systematic review, and relevant non-English literature may be underrepresented. The evidence base is stronger for sexual violence than for other forms of GBV, and several jurisdictions-especially England and Wales, the United States, Sweden and South Africa-are more heavily represented than others. Quantitative outcomes are heterogeneous, making pooled effects inappropriate. Official reports may reflect institutional priorities and should not be treated as equivalent to independent peer-reviewed evaluation. Finally, transferability is functional: a mechanism such as victim legal counsel or specialist courts may require different legal design in adversarial, inquisitorial or plural legal systems.

4.9 Future research agenda

Future studies should measure justice continuity prospectively across case stages rather than using a single endpoint. Priority designs include linked police-prosecution-court datasets; quasi-experimental evaluations of specialist units and legal-advice models; survivor-reported procedural justice combined with objective case outcomes; studies of review mechanisms and prosecutorial reasoning; and equity analyses focused on disability, migration, rurality, ethnicity and digital exclusion. Importantly, research should distinguish outcomes that indicate better investigation from those that merely indicate more prosecution. The most informative endpoint is a balanced set: safety, procedural dignity, evidence quality, timeliness, reasoned decisions, lawful case progression and survivor trust.

5. CONCLUSION

Access to justice for survivors of gender-based violence cannot be secured by criminalization alone. The comparative evidence shows that survivors encounter barriers before reporting, during police investigation, at prosecutorial screening, through protection and delay, and inside the courtroom. These barriers are mutually reinforcing: poor treatment can reduce participation, weak investigation can create prosecutorial attrition, delay can undermine safety and trust, and inadequate legal support can make formal rights unusable.

The strongest reform strategy is therefore institutional rather than symbolic. Justice systems should make entry reachable, police practice procedurally just and suspect-focused, evidence collection proportionate and diversified, prosecutorial decisions timely and reviewable, protection continuous, courtroom practice stereotype-aware, and institutional performance auditable. The SAJCF provides a practical structure for measuring those conditions across seven domains. Its central proposition is deliberately balanced: a survivor-centred justice system should reduce avoidable harm and make rights usable while preserving the burden of proof, prosecutorial independence, disclosure duties and the rights of the accused. Access to justice is achieved when survivors can enter, remain in and exit the system safely and intelligibly-and when every major decision is lawful, evidence-based, timely and accountable.

DECLARATIONS

Ethics approval

Not applicable. This study synthesizes publicly available published literature and policy/legal materials and did not involve human participants or identifiable personal data.

Consent to participate

Not applicable.

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The authors declare no competing interests.

Data availability

All evidence used in the synthesis is derived from the published sources listed in the references. The complete core evidence corpus is presented in Table 2.

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Table 1. Alignment of research questions, analytical tasks and manuscript outputs

Research question	Analytical task	Primary output
RQ1	Map barriers across reporting, investigation, prosecution and adjudication	Stage-specific barrier matrix; comparative justice-pathway analysis
RQ2	Evaluate protection and participation mechanisms	Mechanism-to-outcome synthesis; protection design principles
RQ3	Examine evidence and prosecutorial decision quality	Evidence-integrity and prosecutorial-accountability analysis
RQ4	Translate findings into institutional reform metrics	SAJCF and implementation scorecard

Table 2. Characteristics and contribution of all 28 core empirical, evaluation and policy evidence records included in the comparative synthesis

Source	Jurisdiction	Design / source type	Primary focus	Contribution to synthesis
Campbell [26]	United States / evidence synthesis	Critical evidence review	Secondary victimization across legal, medical and mental-health systems	Demonstrated that institutional responses can compound trauma and that justice-system treatment is itself a survivor outcome.
McQueen et al. [2]	Canada	Qualitative interviews; 23 sexual-assault survivors	Police disbelief and health consequences	Not being believed by police produced loss of trust, secondary victimization and cumulative health/social harms.
Carroll [3]	Sweden	Qualitative interviews with criminal-justice and victim-support professionals	Rape reporting and secondary victimization	Victim-centred treatment varied substantially by individual professional; specialization, competencies and legal counsel were proposed to reduce the ‘lottery’ of reporting.
Lorenz & Jacobsen [5]	United States	Mixed-method community study of sexual-violence survivors	Procedural justice and willingness to report future victimization	Perceived procedural justice in detective interactions was associated with greater willingness to report future crimes.
Johnson & Lewis [19]	United States; Alaska	Online survey; 95 adult sexual-assault victim-survivors	Prioritized reasons for non-reporting	Reasons for non-reporting were heterogeneous; findings support proactive trust-building and alternatives to assuming non-reporting reflects lack of seriousness.
Hohl, Johnson, & Molisso [4]	England and Wales	Project Bluestone pilot; procedural-justice evaluation	Police engagement with rape/sexual-assault victim-survivors	Voice, dignity, neutrality and trustworthiness provide an actionable framework for improving victim engagement and reducing secondary victimization.
Hohl & Stanko [21]	England and Wales	Theory- and evidence-informed reform framework	Transforming police response to rape and sexual assault	Proposed suspect-focused investigation, procedural justice, specialization and organizational learning as mutually reinforcing reform pillars.
Davies et al. [27]	England and Wales	Retrospective police-data study	Sexual-violence characteristics and police outcomes	Showed how case and victim/suspect characteristics can become associated with police outcomes, reinforcing the need to guard against rape-myth-based heuristics.
Smith et al. [6]	England and Wales; four police forces	Large multi-method study: ethnography, video review, focus groups and interviews	Systemic procedural injustice in rape investigations	Identified variation, insensitive treatment, cynical attitudes and rape-myth influence as systemic rather than merely individual-officer problems.
Machisa et al. [7]	South Africa; national	Cross-sectional case-file study; 3,952 reported rape cases	Case attrition and factors associated with progression	Documented attrition at police, prosecution and pre-trial stages; arrest, forensic evidence and aggravating circumstances predicted progression/conviction.
Machisa et al. [7]	South Africa; national	Comparative analysis within 3,952-case national sample	Multiple- versus single-perpetrator rape case management	Highlighted differences in case circumstances, policing and attrition and the importance of consistent investigative standards across case types.
Swemmer [8]	South Africa	Qualitative analysis of rape trial transcripts	Sexual-history evidence, rape myths and adjudication	Found problematic reliance on sexual-history evidence and gender stereotypes by prosecutors and judicial officers, linking courtroom practice to justice attrition.
Carroll [18]	Sweden	Qualitative criminal-justice professional interviews	Victim-centred alternatives within a high-attrition system	Showed that justice cannot be reduced to prosecution/conviction rates; legal counsel and victim-centred practices may deliver procedural value even when cases do not proceed.
Syahbur, Martha, & Rizqia [24]	Indonesia	Empirical-doctinal legal study; interviews with legal officials/judges	Secondary victimization in sexual-violence court proceedings	Identified victim-blaming and limited trauma understanding among justice actors; emphasized legal assistance and judicial control of degrading questioning.
Handy [20]	Sri Lanka	Doctrinal and policy analysis	Legal empowerment for SGBV victim-survivors	Argued that legal literacy must be paired with capacity-building of justice actors and institutional-level empowerment to make rights usable.
Qaisrani & Liaquat [28]	Pakistan	Policy and legal analysis informed by stakeholder discussion	Women’s access to justice for violence, especially IPV	Identified implementation gaps, governance weaknesses and institutional barriers despite formal legal advances.
UNDP Lao PDR / GDA [15]	Lao PDR; Vientiane and Oudomxay	Mixed-method access-to-justice study	Awareness, direct/indirect barriers and support-service effectiveness	Linked legal literacy, geography, ethnicity and service availability to justice accessibility, highlighting intersectional barriers.
UNDP Bangladesh / BWJA [16]	Bangladesh	Justice-sector actor study	Gaps across GBV justice pathways	Mapped barriers across criminal-justice stages and emphasized institutional roles, coordination and gender-responsive capacity.
IDLO & Global Women’s Institute [14]	Afghanistan, Honduras, Papua New Guinea, Philippines, South Sudan, Tunisia	Six-country comparative case-study research	Survivor-centred justice in complex situations	Showed that effective justice models must be context-responsive, survivor-centred and anchored in human-rights obligations across plural and crisis-affected systems.
OECD [13]	26 countries	Comparative governance survey and policy synthesis	GBV access to justice and accountability	Identified financial, structural and social barriers, limited performance evaluation, and underuse of problem-solving/specialized justice approaches.
OECD [29]	Middle East and North Africa	Comparative governance/policy review	Victim/survivor-centred access to justice and accountability	Highlighted complex parallel legal needs, discriminatory norms, economic barriers, legal aid and digital-access opportunities and limits.
UNFPA Pakistan [17]	Pakistan	Public-sector GBV services access/uptake assessment	Barriers to use of formal GBV services	Documented gaps in utilization, awareness and institutional reach; women-friendly mechanisms alone did not resolve structural service barriers.
Hollomotz, Burch, & Bashall [25]	England and Wales	Qualitative research report on disabled adult victim-survivors	Formal support needs after sexual violence	Demonstrated disability-specific accessibility, communication and service barriers, reinforcing the need for reasonable adjustments across justice pathways.
Law Commission [22]	England and Wales	Law-reform review; consultation and comparative analysis	Evidence in sexual-offence prosecutions	Recommended evidence-rule reform, legal advice/representation, specialist courts and mandatory training while maintaining fair-trial safeguards.
Tanner [23]	Scotland; comparative references to Ireland, England/Wales, New Zealand and Europe	Independent sexual-offences review	Investigation and prosecution of sexual offences	Identified shared cross-jurisdictional reform priorities around specialist practice, victim experience, evidence and institutional review.
UK Government Rape Review (2023 progress)	England and Wales	Government implementation/progress evaluation	End-to-end rape investigation and prosecution reform	Reported national operating model, closer police-prosecutor working, support-service expansion and suspect-focused investigation as system-level reforms.
UNDP Pakistan [30]	Pakistan; KP and Balochistan emphasis	Rule-of-law programme evidence and implementation account	GBV justice response, forensics and institutional capacity	Reported persistent low conviction, non-reporting, delay, weak forensic processes and sensitization needs alongside integrated justice investments.

Source	Jurisdiction	Design / source type	Primary focus	Contribution to synthesis
UN Women et al. [31]	Global	High-Level Group evidence and policy report	Justice for women	Framed women's justice problems as legal capability, institutional accountability and service-delivery failures rather than absence of law alone.

Table 3. Stage-specific barriers, consequences and safeguards across the access-to-justice pathway

Justice stage	Recurring barriers	Likely consequences	Priority safeguards / reforms
Pre-reporting / disclosure	Stigma; retaliation; dependency; legal illiteracy; inaccessible or unsafe reporting	No complaint; delayed evidence; continued exposure to violence	Legal empowerment; multiple safe reporting channels; legal aid; outreach; disability/language access
Police intake / investigation	Disbelief; rape myths; victim-focused scrutiny; repeat questioning; weak forensic/digital strategy	Secondary victimization; disengagement; evidentiary gaps	Procedural justice; suspect-focused investigation; specialist teams; evidence plans; supervisory review
Prosecutorial decision	Opaque thresholds; late advice; inconsistent application; weak explanation	Declination after preventable evidence loss; perceived arbitrariness	Early but bounded prosecutor advice; reasoned decisions; specialist review; right-to-review where appropriate
Protection / pre-trial	Safety gaps; support tied to prosecution; poor case updates; delay	Withdrawal, retraumatization, intimidation, unmet needs	Risk management; independent advocacy; service continuity; communication standards; delay escalation
Trial	Myth-based reasoning; irrelevant sexual history; intimidation; privacy intrusion	Secondary victimization; impaired testimony; unfair prejudice	Judicial gatekeeping; special measures; legal advice; specialist training; relevance/proportionality tests
Case closure / remedy	Poor explanation; no review; abrupt service exit; no institutional learning	Loss of trust; unmet recovery needs; repeated system failure	Outcome communication; review routes; continuing services; audit of attrition and survivor experience

Table 4. Comparative normative and governance benchmarks used in the policy analysis

Benchmark	Core access-to-justice requirement	Operational implication
CEDAW General Recommendation No. 33 (2015)	Justiciability, availability, accessibility, quality, accountability and remedies	Treat access as a system capability, not merely a legal entitlement
CEDAW General Recommendation No. 35 (2017)	Due diligence to prevent, investigate, prosecute and provide reparation for GBV	Connect criminal justice to equality and state responsibility
Istanbul Convention [10]	Prompt investigation; protection orders; victim rights; limits on irrelevant sexual-history evidence; child-sensitive safeguards	Integrate prosecution and protection while preserving procedural rights
UN Essential Services Package (2015/2017)	Coordinated health, social, police and justice services; governance and implementation standards	Measure service continuity and cross-sector coordination
UNODC Judiciary Handbook [11]	Gender-sensitive adjudication, stereotype awareness, support/protection, reduced secondary victimization	Embed judicial competence and courtroom safeguards
OECD GBV Governance Framework [13]	Victim/survivor-centred governance, legal needs, integrated services, accountability and evaluation	Link policy reform to measurable whole-of-government performance

Table 5. SAJCF implementation scorecard: measurable indicators and corresponding rights safeguards

SAJCF domain	Illustrative indicators	Rights / quality safeguard
Reachability	% of survivors offered clear rights information and referral; time to legal-assistance contact; accessibility audit completion	Do not condition reporting or services on immediate full disclosure
Procedural dignity	Survivor procedural-justice feedback; complaints about disbelief/degrading treatment; repeat-interview burden	Respectful treatment must remain belief-neutral and compatible with objective investigation
Evidence integrity	% of cases with documented evidence plan; proportionate digital/records requests; supervisor audit of victim-versus-suspect focus	No formal corroboration requirement; preserve relevance, necessity and disclosure duties
Protection continuity	Time to risk assessment; completed support referrals; special-measure assessment; services continuing after case closure	Protection should be needs/risk based, not contingent on conviction probability
Prosecutorial accountability	Time to advice/charging decision; reasons communicated; review completion and outcome	Maintain independent evidentiary/public-interest decision-making
Timeliness & communication	Median stage durations; overdue-case escalation; named case owner; scheduled updates delivered	Do not sacrifice investigation quality to arbitrary speed targets
Institutional learning	Specialist competency coverage; bias/attrition audits; cross-agency performance review; corrective-action closure	Use data to improve systems, not to pressure individual outcomes or create quotas

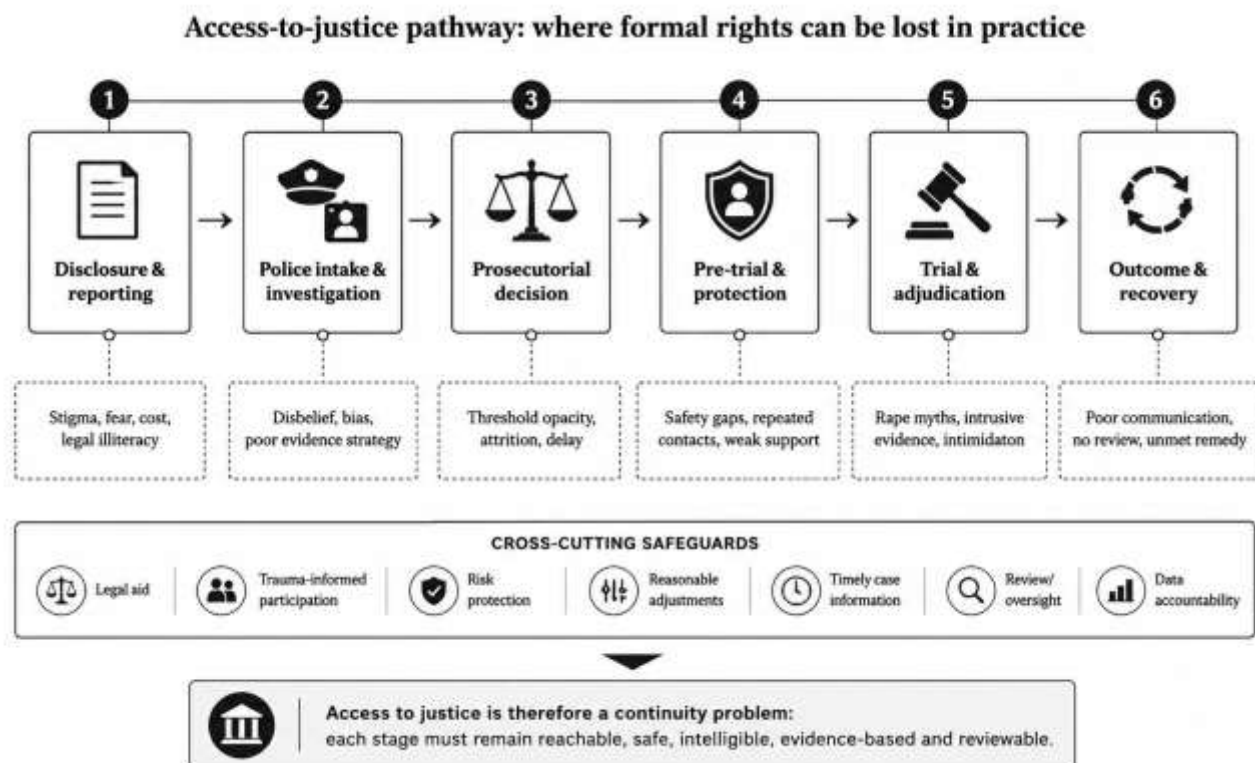


Figure 1. Access-to-justice pathway and recurrent barrier points identified across the evidence base.

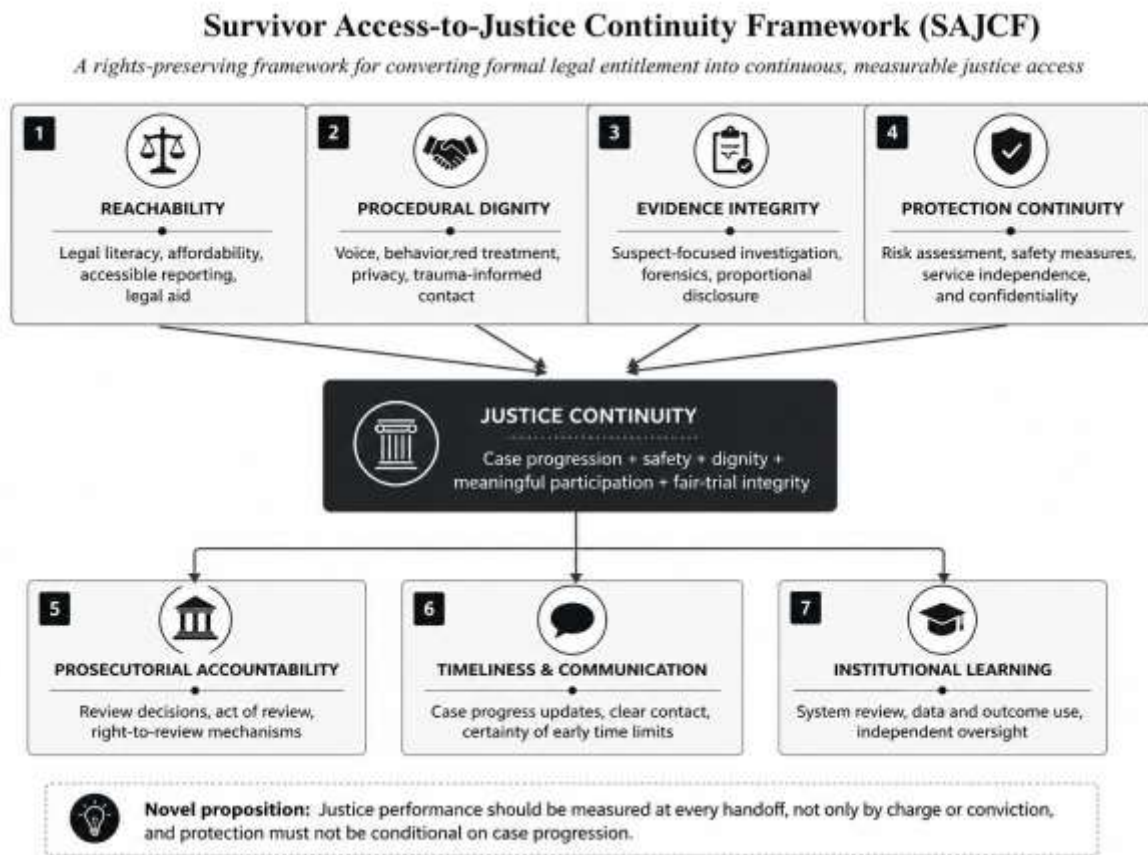


Figure 2. Survivor Access-to-Justice Continuity Framework (SAJCF): seven interdependent domains for rights-preserving institutional reform.

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