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STRUCTURES OF SUPPRESSION: A CRIMINOLOGICAL AND ANTHROPOLOGICAL EXAMINATION OF VIOLENCE AND CONTROL WITHIN KINSHIP SYSTEMS

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ABSTRACT

Kinship violence is a highly important but very little understood area of criminology and anthropology. Modern legal systems are based on visibility, which is formal reporting, documentation, and evidencing harm to acknowledge it. But still, a significant portion of violence in households and intimate circles are not articulated, normalized, or suppressed structurally (World Health Organization, 2021; UN Women, 2021). The idea of structures of suppression has been developed in this paper to describe the ways in which the cultural norms, relational dependency and institutional designs collaborate to reproduce the recognition, articulation and response to violence in the kinship systems.

Based on the dark figure of crime (OECD, 2023), the victimization theory and anthropological approaches to knowledge on kinship and social conditioning (Bourdieu, 1977), the paper claims that non-disclosure is not an accident but a systemic outcome. The perception of harm and the possibility of reporting are influenced by the power hierarchy, economic dependence and normative expectations (Foucault, 1977; World Bank, 2019).

The interdisciplinary analysis of the paper reveals how the systems of forensic and legal institutions based on physical evidence and discrete incidences find it challenging to reflect relational, continuous, and non-visible types of violence (UNODC, 2023). The article ends with a suggestion of victim-centered, culturally sensitive, and pattern-sensitive changes that would be able to close the gap between lived experiences and institutional acknowledgment.

Keywords

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Kinship systems; Structures of suppression; Victimization; Non-disclosure; Coercive control; Socio-legal frameworks; Cultural norms; Forensic limitations

INTRODUCTION

“The most common way people give up their power is by thinking they don’t have any.”

-Alice Walker

The contemporary criminal justice systems work based on the concept of visibility: the damages are transformed into crimes as they are reported, documented, and put to work. Although this architecture is fundamental to due process, it also implicitly circumvents a huge realm of violence that runs through the fabric of kinship systems, where violence is relational, enduring, and should be normalized (OECD, 2023). In families and close-knit circles, violence can hardly be seen as a single instance; it manifests itself in the form of coercion, control, emotional manipulation, and dependency, which cannot easily be classified within the limits of the law (World Bank, 2019).

According to anthropological studies, kinship is not just a system of relations but a normative order that is organized in terms of ranking, compulsory and respect (Bourdieu, 1977). Loyalty, honour and obedience are expected and influence communication and limits disclosure. The non-disclosure in those situations is not mere silence but it is a socially constructed phenomenon that maintains the status and family unity (UN Women, 2020). Victims might not recognize their experiences as violence, or can be tactical not to disclose because of fear of retaliation, economic dependency, or because of dependents (WHO, 2021).

This gap is filled with criminological scholarship by the dark figure of crime, which highlights the fact that the official statistics have an unbiased underestimation of victimization (OECD, 2023). But, the phenomenon in the kinship systems is more profound: it concerns the creation of the invisibility in the form of the cultural norms, power of relations, and institutional boundaries. Evidence that is physical and timely is privileged by legal systems, whereas harm caused by kinship is usually diffuse, late, and psychological in nature (UNODC, 2023).

In this paper, I also have introduced the so-called structures of suppression to give an explanation of how these forces cohere. The concept changes the focus of analysis to the systems which regulate recognition instead of particular reporting decisions. The paper seeks to challenge the simplification of the meaning of violence by incorporating criminological, anthropological, and socio-legal

perspectives and proposing a redefinition of violence that takes into consideration the relational aspect and doubts the visibility-based definition of justice.

LITERATURE REVIEW

The dark figure of crime continues to be the focus of comprehending underreporting, which draws attention to the differences between the actual victimization and crime (OECD, 2023). This was a measurement problem in early work, and it is now placed in the context of social and institutional factors, which influence reporting behavior, by contemporary research. Victimology recognizes obstacles of fear of revenge, financial reliance, stigma, and mistrust towards authorities (WHO, 2021). These non-reporting are individualized in many cases as long as they are influential.

Kinship as a system of regulation is re-examined within anthropological scholarship as a way of understanding the issue. Social controls are norms of honour, shame, and duty and regulate expression and disclosure (Amnesty International, 2022). In this context, violence can be accepted or redefined as discipline or care, as a part of married duty. Silence is a social action, which is upheld by the expectations and sanctions.

Feminist and socio-legal studies also show how domestic spaces traditionally were viewed as personal spaces, where state and law could not intervene and be questioned (UN Women, 2021). In the presence of laws, even legally, the higher burden of evidence and the procedures favor cases of physical evidence and immediate reporting, and sidelines psychological and coercive harms (UNODC, 2023). This generates a scale of recognizability whereby some harms are systematically brought down to a discounted state.

The size of the problem is highlighted in recent policy literature. Globally, it is estimated that out of every three women one in three is subjected to physical or sexual violence in some point of their lives, mostly by their intimate partners (WHO, 2021). However, the reporting rates are low especially where there is a convergence of social stigma and institutional barriers (World Bank, 2019). The cross-national studies show that the dependency, normalization, and institutional inaccessibility decrease disclosure (UN Women, 2020).

Although such developments have been made, a vacuum still exists in the ways of incorporating the criminological measurement, anthropological interpretation, and legal analysis into one unit. The paper fills this gap by conceptualizing suppression as a systemic phenomenon, which functions on cultural norms and relational dependencies, as well as institutional designs. It goes beyond the issue of why

victims do not report to consider ways in which systems create an environment in which reporting is unlikely or expensive.

THEORETICAL FRAMEWORK

The paper contributes to the interdisciplinary approach of criminology and anthropology, as well as social-legal theory, to understand violence in the context of kinship. The dark figure of crime criminologically predicts the boundaries of the official statistics (OECD, 2023). The victimization theory highlights the fact that the nature of experiences of harm is determined by power relation, social positioning and resource accessibility which determine the exposure to violence as well as ability to seek redress.

Anthropology adds structural knowledge to kinship in terms of hierarchy, obligation and reciprocity that are structured into networks (Bourdieu, 1977). These systems control behavior and meaning-making, deciding on what is considered to be acceptable behavior and what is deviant. In this sense, silence is created with the help of norms, the culturally approved reaction that maintains the order of the relations and reputation (Amnesty International, 2022).

As a socio-legal analysis points out, law is reactive, and evidence-dependent. It favors discrete occurrences, corroboration and material evidence. Such orientation is not very good at capturing continuous, relational, and unseen harms, e.g. coercive control or psychological abuse (UNODC, 2023). As a result, a gap arises between experiences in law and legalized experiences.

Based on the works of Michel Foucault, who views power as diffuse and embedded in social relations, and Pierre Bourdieu, who views habitus as the conceptualization of structures of suppression, the paper is a conceptual framework that views the structures of suppression as the overlapping of cultural norms, relational dependencies, and institutional thresholds that govern visibility. These structures define what is referred to as harm, the person who is legible as a victim and the claims that are actionable.

The framework, analytically speaking, does not view suppression as only disruptive, but makes certain subjectivities (e.g. dutiful child, compliant spouse), solidifies hierarchies, and is in conformity with institutional logics that prefer evidentiary clarity. This view allows an individual blame to transform to system-wide diagnosis, which offers grounds of changes, where patterns, context and relational dynamics exist.

THEORISING VIOLENCE IN THE CONTEXT OF KINSHIP

Relational, cumulative and context-dependent, violence in kinship systems is context-dependent. It is not rooted in just one interaction as in the case of a public or stranger-based crime but is instead within the context of continuing interaction that is influenced by intimacy, dependency, and a common past (World Bank, 2019). This embedding makes recognition and classification, difficult. The economic restriction, surveillance, isolation, emotional degradation, and other forms of actions can be acquitted as care, discipline, and marital expectation (UN Women, 2020).

One of them is harm recognition. Victims might not recognize the patterns of coercion as violence, especially in cases where the socialization promotes obedience and perseverance (WHO, 2021). The line between care and control is eased and the harm is re-told in terms of narratives that are available to the culture - duty, sacrifice, or family unity. Such an interpretive frame decreases the disclosure and outside intervention.

The kinship systems are also organized in terms of hierarchies of power such as gender, age and power roles, which justify control (Bourdieu, 1977). Power, access to resources and social legitimacy is skewed, limiting resistance. Violence is therefore not an aberration but it can become a structural aspect of relationships and it has been upheld by normal practices.

Criminologically, this violence is problematic to incident-based models. It tends to be patterned, as opposed to episodic and involves longitudinal wisdom. Forensically, most harms have few physical consequences and when reported late (UNODC, 2023). All these features generate under-recognition in the legal systems.

To make sense of violence in this field, it is necessary to go beyond legal conceptualizations in favor of a processual perspective which is able to capture control and dependency trajectories. It also involves acceptance that harm is a co-construction within context where cultural norms, relational relationships and institutional expectations construct the experience and expression of the same. This reframing is necessary to shape the policy and practice to the realities of kinship-based violence.

FORMS OF SUPPRESSION IN THE KINSHIP SITUATIONS

The mechanisms of the structures of suppression work towards interlocking to control the visibility and response. To begin with, cultural conditioning creates norms pertaining to privacy, honour and loyalty. There is the placement of families as sacrosanct units and disclosure is presented as betrayal

(UN Women, 2020). The norms result in the anticipatory compliance whereby people self-censor in order to evade the social sanction.

Second, agency is bound by dependency structures. Lack of economic independence, household duties, and societal aspects of belonging to a particular family restricts the possibility of escape (World Bank, 2019). In the areas where welfare supports are weak, the dependence is increased and disclosure is also a materially risky activity. Third, power hierarchies - gendered and generational legitimate the authority and legitimize asymmetry (Bourdieu, 1977). Authority persons can determine reality, what is recognized as harm.

Fourth, normalization of harm comes about via repetition. The coercive practices have become the order of the day, making them less perceived as serious (WHO, 2021). Victims can end up blaming themselves or re-construe abuse as a requisite or a necessity over time. Fifth, the institutional thresholds strengthen repression. A need to report timely, corroborate, and use physical evidence facilitates and disallows specific cases (UNODC, 2023).

These mechanisms are the dynamically interacting mechanisms. Hierarchy is legitimized by cultural norms; dependency promotes no disclosure; and only a part of the claims is justified by institutional thresholds. What follows is a self-perpetuating system whereby violence continues to thrive in a low-profile manner.

Suppression can be understood as structural changes intervention through the intervention of just awareness to system redesigning to expand recognition criteria, minimize reliance on physical evidence and develop safe and low-threshold reporting channels. It prefigures too the necessity to uncouple protection and disclosure, so that there is support available even in cases where the possibility of making formal complaints cannot be achieved.

FORENSIC/EVIDENTIARY PROBLEMS

Forensic systems are streamlined to physical, time-sensitive injuries of evidence, biological and preserved scenes. The violence that is based on kinship tends to differ with this template. Psychological abuse, coercive control, and economic restriction cause little physical evidence, but have a significant impact (WHO, 2021). This generates a disjuncture of evidences and experiences.

The fear, dependency and normalization are the reasons why delayed reporting is popular. Delay causes a loss in evidence, which will make reconstruction and corroboration difficult (UNODC, 2023). Domestic spaces are not fixed spaces, everyday practices may remove or efface traces, and common

spaces create a blur between everyday communication and violence. There is also a lack of corroboration caused by the lack of independent witnesses.

Testimonial evidence takes the center stage but it is subject to a lot of scrutiny, in terms of consistency and expediency. Trauma, however, may impact on memory encoding and recall which results in fragmented or developing narratives. In the absence of trauma-informed interpretation, these aspects can be interpreted as unreliability. As well, offenders can resort to gaslighting and narrative control, having an impact on victim narratives.

New methods like pattern evidence, digital evidence (messages, financial records) and expert testimony on coercive control are partial solutions, and are not implemented equally. Even the non-physical harm documentation tools are not yet highly developed, and the overall cross-disciplinary collaboration between clinicians, social workers and investigators is not always well developed.

To solve these issues, it is necessary to expand the evidentiary frameworks to incorporate patterns over time, indicators in the context, and expert interpretation. It also includes the need to have accessible reporting avenues early on which maintain the evidence and assist the victims without necessarily having to file a formal complaint. Without these reforms, there will still be under-detection and under-validation of violence embedded in kinship relations in the forensic systems.

INTERNATIONAL FRAMEWORKS

Violence in the kinship systems has become an international issue that has given rise to various international legal and policy frameworks of addressing gender-based and relational violence. Yet, although these frameworks have normative standards, they have a disproportionate impact on dealing with forms of structural suppression of violence.

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (1979) by the United Nations is one of the guiding tools that require the states to abolish discrimination and safeguard women against violence including in the family units. General Recommendation No. 19 and No. 35 also shed more light on the fact that gender-based violence is a discrimination type that should be tackled at the legal and institutional level (CEDAW Committee, 2017).

In the same vein, the Declaration on the Elimination of Violence Against Women (1993) explicitly acknowledges violence in the family such as physical, sexual and psychological abuse, thus putting the traditional approach of domestic violence as a family-based issue into question (United Nations, 1993).

The Istanbul Convention on prevention, protection, prosecution, and integrated policies by the Council of Europe (2011) is a representation of the most comprehensive framework at the regional level. It is important to note that it brings about the notion of coercive control and places the responsibility of the state to take action on the non-physical types of violence.

Regarding criminal justice, the United Nations Office on Drugs and Crime (UNODC) has come up with principles on victim support and access to justice, which emphasize the victim-sensitive approach and minimized evidentiary restrictions (UNODC, 2023). These principles acknowledge that the conventional legal norms do not tend to reflect relational and invisible harm.

The World Health Organization (WHO, 2021) also adds to this with the concepts of public health systems that bring violence into a conceptualization of a systemic problem, which is conceptually affected by social determinants, such as family structures and power hierarchies.

Even with these developments, there are still implementation gaps because of cultural resistance and lack of resources and institutional constraints (UN Women, 2021). Most structures are based on official reporting and legalization that might not be in touch with the reality of oppression in kinship structures.

Therefore, the influence of international frameworks in the context of cultural adaptation and incorporating culturally informed and victim-centric solutions tailored to the specific situation is that the frameworks offer a normative base, but it requires the integration of underlying suppression frameworks.

SOCIO-LEGAL LIMITATIONS

Legal systems, though needed to be accountable to, are designed to be based on formal complaints, specific offenses and beyond reasonable doubt. These characteristics unintentionally can rule out the violence based on kinship. First, complaint-dependence puts the pressure on victims who are at a risk both socially and materially when having to disclose (WHO, 2021). In situations where there is a limitation to disclosure, there is no case that is involved in the system.

Second, the burden of proof favors evidence which is tangible and up to date. Non-physical harms and delayed reports have a hard time to conform to these thresholds (UNODC, 2023). Third, law tends to see incidents as isolated cases, but the cumulative and patterned nature of kinship violence. This discrepancy rips up stories and clouds paths of domination.

The domestic spheres traditionally have been considered as personal and intervention is not allowed. Despite the increased definitions in the face of reforms (e.g. coercive control is now being recognized in certain locations), there are still gaps in implementation because of resource limitations, lack of training and the cultural bias (UN Women, 2021). Victim withdrawal is usually a logical reaction to the relations that are still going on- makes prosecutors even less successful.

Suppression can be replicated through institutional responses as well. Rudeness in dealing with it, time wastage and bureaucracy discourage interaction. Protective orders and support services are not equally available, and most especially in marginalized situations (World Bank, 2019). There is still a lack of cross-sector coordination which makes it less effective.

Pattern sensitive legal standards, a less dependent role on immediate physical evidence, and trauma-informed procedures are all needed to reform. It also demands that services and prosecution are decoupled in that the victims can gain protection without having to take legal action. Through regulation of legal procedures with the actualities of kinship harm, systems will decrease the structural obstacles and increase recognition.

CASE STUDIES

CASE STUDY 1 (UNITED STATES): NON-PHYSICAL ABUSE AND COERCIVE CONTROL IN RELATIONSHIPS

In the US, the growing awareness of coercive control sheds light on the shortcomings of the conventional legal and forensic systems in dealing with non-physical types of violence in intimate relationships. According to reports by the National Domestic Violence Hotline (2020), a considerable percentage of survivors report patterns of control, such as isolation, financial restriction, and psychological control, without having to be subjected to physical violence.

Such types of abuse are frequently not reported since they cannot be classified under some law. The victims might fail to recognize their experiences as criminal especially in cases where there are no things that are visible injuries. Moreover, offenders tend to have a disguise of normalcy when around people thus making it difficult to identify.

Most jurisdictions have traditionally emphasized physical violence in their legal system, and have not adequately filled in the gaps of coercive control. Even though these patterns have also started to be recognized by some states, problems with enforcement still persist. Forensically, lack of physical

evidence can be a problem in proving allegations and is mostly dependent on the testimony of the victim.

Emotionally, financially or in fear of children, victims may continue to stay in abusive relationships, perpetrating suppression. Controlling behavior in relations is further normalized which contributes to the lack of recognition.

This case demonstrates that the role of violence in kinship systems in perpetuating itself via non-physical means that cannot be detected by the traditional legal and forensic systems, the necessity to broaden the conceptualizations of harm.

CASE STUDY 2 (UNITED KINGDOM): DOMESTIC ABUSE UNDERREPORTING AND INSTITUTIONAL BARRIERS

Domestic abuse has been grossly underreported in the United Kingdom with sound legal systems. The Office for National Statistics (ONS, 2022) states that a significant percentage of victims are not involved in the formal reporting systems even in cases of services to assist them.

Studies have found out that the victims do not report because they fear being retaliated, they do not have trust in the authorities and are worried about child custody and financial security. Domestic abuse is still framed by cultural views that deem domestic abuse a personal issue and thus behavior is still influenced especially in some communities.

Introduction of the Domestic Abuse Act (2021) was a great step in law development as it identified the presence of coercive and controlling behavior. Nevertheless, in practice difficulties remain in implementation. In most cases, the law enforcement agencies are challenged to get adequate evidence especially when it comes to cases of psychological abuse.

Forensically, the fact that no one was injured and that the prosecution has to rely on the testimony of the victim makes prosecution more difficult. Moreover, victims can retract complaints because of the constant relations with the perpetrators, which even constrain the results of law.

This case shows that legal recognition itself is inadequate unless there is a focus on the social and institutional forces derailing in the background that facilitate suppression in the kinship systems.

CASE STUDY 3 (INDIA): HONOUR-BASED VIOLENCE AND CONTROL IN FAMILY SYSTEMS THROUGH KINSHIP

Honour-based violence in India offers a good example of how kinship systems can also serve to act as a controlling structure where violence is rationalized, controlled and even repressed to ensure that the family image is not tarnished. This is usually characterized by acts of coercion, forced confinement, assault or even murder of people especially women who do not subscribe to the accepted social principles in terms of marriage, caste or even relationship.

Reports and discussed cases in the Supreme Court of India in *Shakti Vahini v. Union of India* (2018) indicate that honors crimes are often not planned by individuals but organized as a family or community unit, often including informal groups, such as Khap Panchayats. These organizations have a strong influence on the kinship behavior that strengthens conformity by imposing threats and violence.

In such violence victims do not report the abuse before it gets out of control because they are under a lot of family pressure, emotional ties and they fear to be socially isolated. In most instances, people lack the economic and social autonomy of their families and are, therefore, unable to fight back or get assistance. According to the reports by Human Rights Watch (2023), institutional indifference or slow response to protection by survivors who do seek to escape such environments contribute to suppression even further.

Honour-based violence is a significant challenge in terms of forensic and legal aspects. There is usually the destruction or alteration of evidence and witnesses (who are usually family members) are not willing to testify. The crimes can be distorted and represented as suicides or accidents and this may hinder the investigation and prosecution.

The case demonstrates the role of the structures of suppression in their collective enforcement, the legitimization of culture, and gaps in the institution, which make violence inherent to the kinship systems and hard to uncover. It highlights the necessity to identify family as both a defensive and a possible location of both organized control and coercion.

COMPARATIVE ANALYSIS

In a range of contexts domestic abuse, trafficking, and marginalized communities, shared structures of suppression show the generality of suppression structures. Intimacy and dependency define non-

disclosure in homes, coercion and isolation in trafficking, structural inequality and institutional mistrust in marginalized groups (UNODC, 2023; ILO, 2022).

Regardless of the contextual variations, such common factors as limited agency, communication control, normalization of harm, and institutional inaccessibility (WHO, 2021; UN Women, 2020) can be identified. These factors play off to inhibit the recognition and reaction. As an example, coercive control in intimate relationships is analogous to surveillance and restriction in trafficking but with a difference in the degree and not the nature.

The problem of legal and forensic issues appears to intersect, as well: gaps in evidence, time delays, and the use of testimony. Cross-national evidence reveals that despite a strong legal framework, even in the countries with strong legal frameworks, its use is low because of social and procedural impediments (OECD, 2023). On the other hand, resource constraints and discrimination intensify the barriers in a context where there are weaker institutions.

This overlap substantiates the argument of systemic suppression as opposed to accidental. It is brought about by the convergence of cultural norms, relationships, and designs of institutions that give precedence to some types of evidence and recognition. The necessity of combined reforms, legal, forensic, and social in response to common mechanisms and adaptation to local conditions thus supports the need to use comparative analysis.

RECOMMENDATIONS

Several reforms at multiple levels are necessary. First, the patterns of behavior (e.g., coercive control) should be acknowledged by legal frameworks, and the contextual and expert evidence should be accepted, which would lead to decreasing the use of physical evidence (UNODC, 2023). Second, create low-threshold reporting channels low-threshold reporting channels confidentially help line with third-party reporting and online portals that allow reporting without any legal obligation (WHO, 2021). Third, invest in the police, prosecutor, and judges to train to be trauma-informed to interpret testimony and evidence (UN Women, 2021). Fourth, broaden forensic toolkits comprising of records of patterns of digital communications, financial transactions and logs of behavior- and standardize procedures to record non-physical damage.

Fifth, separate the support services and prosecution. Shelters, counseling and financial aid should be available without the need to take legal action which makes seeking help less expensive (World Bank,

2019). Sixth, enhance inter-agency collaboration between the health services, social work and law enforcement to provide continuity of care and evidence maintenance.

Seventh, instigate community-based campaigns that question norms that justify silence and domination, and protect against retaliation. Lastly, focus on the data systems to record underreported harms, using surveys and administrative linkages, enhancing the design of policies (OECD, 2023).

All these steps can contribute to the minimization of structural impediments, improve awareness, and bring the institutional responses in line with the facts of the kinship-based violence.

CONCLUSION

The limits of justice that focuses on visibility are revealed in violence in the kinship systems. This paper illustrates that non-disclosure is not just a personal decision but a system generated phenomenon that is caused by cultural norms, relationship dependence and institutional thresholds by foregrounding structures of suppression. These edifices form recognition, restrict articulation, and which harms come to be made legal.

The analysis shows that there has always been a discrepancy between the lived experience and institutional acknowledgment especially when non-physical, patterned harms are concerned. Relational violence is ineffective to be captured in the forensic and legal systems, which are optimized to discrete incidents that are evidence-rich. This gap will persist in generating invisibility and restricting accountability, unless there is a change.

There is a need to move towards pattern sensitive, context sensitive and victim centric approaches that incorporates criminological, anthropological and socio-legal understanding. These methods should expand evidentiary thresholds, reduce facilitation barriers and acceptance of the impact of culture and power on harm.

A solution to the issue of kinship-based violence requires ultimately system redesign as well as awareness, which means redesigning the ways that institutions define, identify and respond to harm. Justice systems can only make an approximation of what they are supposed to govern by involving the visible and the unarticulated.

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