

Policy brief

Statute of limitations & access to justice

Removing legal barriers to justice for
survivors of violence against children

June 2026



POLICY BRIEF

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Removing Legal Barriers to Justice for Survivors of Violence Against Children

Target Audience: Ministers of Justice, Legislators, Judicial Actors, Human Rights Institutions, Development Partners, and Media

Scope: Survivor-Centered Justice Reform and Legal Accountability

CONTEXT

Across many jurisdictions, restrictive statutes of limitations continue to prevent survivors of violence against children from accessing justice. Survivors frequently disclose abuse years or decades after harm occurs due to trauma, fear, stigma, coercion, institutional failures, and psychological barriers associated with childhood violence and abuse. Yet many legal systems continue to impose rigid reporting timelines that deny survivors legal recourse once limitation periods expire.

As governments prepare commitments ahead of the 2nd Ministerial Conference on Ending Violence Against Children, legal reform presents a critical opportunity to strengthen survivor-centered justice systems and align national legislation with trauma-informed and child rights-based approaches.

Findings from national pledge mapping across priority countries reveal growing recognition of survivor justice gaps, but uneven progress toward meaningful legal reform. While some countries have initiated legislative reviews and reforms addressing child sexual abuse and delayed disclosure, many survivors continue facing systemic legal barriers that undermine accountability and access to justice.

This brief aligns with:

- The United Nations Convention on the Rights of the Child (UNCRC)

- General Comment No. 13 on the Right of the Child to Freedom from All Forms of Violence
- General Comment No. 25 on Children's Rights in the Digital Environment
- The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
- Sustainable Development Goals 5, 10, and 16
- INSPIRE Strategies for Ending Violence Against Children
- International principles on trauma-informed justice and survivor-centered accountability

KEY FINDINGS

Out of the Shadows Index findings and National pledge mapping across priority countries reveals growing recognition of survivor justice gaps, but uneven legal reform efforts. Key findings include:

- Significant variation in statutes of limitations laws across jurisdictions
- Limited survivor-informed legal reform processes
- Barriers to reporting linked to trauma, stigma, institutional mistrust, and fear of retaliation
- Insufficient long-term survivor support systems
- Weak legal aid, forensic, and psychosocial support services for survivors
- Persistent judicial backlogs and delays in child abuse investigations and prosecutions

Research consistently demonstrates that delayed disclosure is a common and well-documented reality among survivors of childhood violence and abuse.

THE CHALLENGE

The path to justice remains globally constrained by outdated legal frameworks, institutional delays, and under-resourced justice systems.

Restrictive statutes of limitations frequently fail to account for the long-term psychological impacts of childhood trauma and delayed disclosure. Survivors are

often legally excluded from accessing justice precisely at the stage when they are emotionally, psychologically, or socially able to report abuse.

While some legal protections exist on paper, implementation gaps continue to undermine accountability in practice. Chronic underinvestment in judicial systems, forensic infrastructure, survivor services, and specialized personnel contributes to extensive delays in investigations, evidence processing, and case resolution.

Key structural barriers continue to undermine survivor access to justice:

Restrictive Legal Timeframes

Arbitrary reporting deadlines continue to prevent survivors from pursuing accountability after delayed disclosure.

Weak Trauma-Informed Justice Systems

Many judicial and law enforcement systems remain poorly equipped to respond sensitively and effectively to survivors of childhood abuse.

Institutional Concealment and Impunity

Schools, faith-based settings, residential care facilities, sports organizations, and state entities prioritize organizational reputation over child safety and actively shield perpetrators. The misuse of non-disclosure agreements (NDAs), internal informal "settlements," failure to enforce mandatory reporting, and the quiet transfer of known abusers allow institutional impunity to thrive and directly compound survivor trauma.

Weak Trauma-Informed and Forensic Judicial Systems

Limited investment in forensic processing, child protection units, and survivor support services contributes to case backlogs and weakened prosecutions.

Limited Survivor Support Mechanisms

Many survivors lack access to legal aid, psychosocial support, safe reporting pathways, and long-term recovery services.

STRATEGIC RECOMMENDATIONS

For Governments and Justice Ministries

1. Reform or remove restrictive statutes of limitations for violence against children and child sexual abuse cases.
2. Embed trauma-informed and survivor-centered approaches within judicial, prosecutorial, and law enforcement systems.
3. Establish survivor-centered reporting pathways, witness protection systems, and long-term support services.
4. Increase investment in forensic infrastructure, specialized judicial personnel, and child protection units to reduce delays in investigations and prosecutions.
5. Strengthen accountability mechanisms addressing institutional concealment and systemic failures to report abuse.

For Legislators and Human Rights Institutions

6. Review and harmonize legal frameworks to align with international child rights and survivor justice standards.
7. Ensure survivors are meaningfully consulted throughout legal reform and accountability processes.
8. Strengthen oversight and independent monitoring mechanisms addressing violence against children and access to justice.
9. Promote legal reforms recognizing delayed disclosure as a trauma-related reality among survivors of childhood abuse.

For Donors and Development Partners

10. Support survivor legal aid, psychosocial care, and long-term recovery services.
11. Invest in comparative legal reform research, evidence generation, and survivor-centered justice innovation.
12. Strengthen survivor-led justice initiatives, advocacy networks, and legal empowerment programmes.

13. Support capacity building for trauma-informed judicial and investigative systems.

THE MOMENT TO ACT

As governments prepare new ministerial commitments, the opportunity to strengthen survivor-centered justice systems has never been more urgent.

Key priorities for immediate action include:

- Justice delayed should not become justice denied.
- Restrictive statutes of limitations must not prevent survivors from accessing accountability and healing.
- Delayed disclosure should be recognized as a documented trauma response, not a barrier to justice.
- Survivor participation must be integrated into legal reform and accountability processes.
- Governments must strengthen investment in forensic systems, judicial capacity, and survivor support services.
- Institutional concealment and systemic impunity must be addressed through enforceable accountability mechanisms.
- Trauma-informed and child rights-based approaches should guide all justice system reforms addressing violence against children.

Trauma does not operate on legal timelines. Trauma has no expiry date. Neither should justice.

Protecting survivors' access to justice is not optional. It is a legal, moral, and human rights imperative

Source: National Pledge Mapping, Survivor Consultations, and Out of The Shadows Index