

Battered Women and Access to Justice: The Hybrid Jurisdiction of Domestic and Family Violence Courts

In line with General Recommendation No. 33 of the UN CEDAW Committee (UN, 2015), the Judiciary must ensure that the prescriptions are in accordance with the interests of the victims to improve the response of criminal justice to instances of domestic violence, following the new paradigms of justice. In accordance, the objective of this article is a critical analysis of the absence of respect for implementation of Law n. 11,340/2006 ("Maria da Penha Law"), specifically in relation to the civil and criminal jurisdiction of domestic and family violence against Women's Courts. Based on various theoretical references, case law research in the Superior Court of Justice, and analysis of federal and state legislation, we conclude that there was a lack of consensus regarding the application of Article 14 of Law no. 11,340/2006 ("Maria da Penha Law"). This lack of consensus could be an important factor contributing to the continuity of access to justice and impeding domestic violence in Brazil.

KEYWORDS: *Access to justice; Maria da Penha Law; Hybrid jurisdiction.*