



Epistemic justice beyond the child abuse Royal Commission: Implications for criminal justice and victims' services

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A brief overview of study method

- Semi-structured interviews with 26 adult survivors of child sexual abuse who made submissions to the Royal Commission
- Interview questions sought to understand participant's reasons for engaging with the Royal Commission, their views on the processes of making submissions, and how they have been impacted by their experiences with the Royal Commission
- Thematic analysis of transcribed interviews to identify and collate themes in participant's responses
- All research activities and interaction with participants (including analysis of the data they contributed) were designed with consideration of the principles of Trauma Informed Practice
- Theoretical framework: psycho-social trauma theory and critical social theory/political philosophy

Some unsurprising findings

When people felt safe, valued, believed, and supported by the Royal Commission, making a submission was one of the most powerfully healing experiences of their lives.

Why? How did this work?

Abuse/trauma messages	Healing messages
No-one will believe you	We believe you
What happened wasn't a big deal	What happened was terrible, not your fault, and we can see how it has hurt you
You don't matter	You matter, what happened to you matters, and we care about you
Abusers are more credible and important than you	We see and recognise the wrongdoing of abusers and those who concealed their actions
You are alone, and different from other people	You are not alone, you have a community where you fit and belong
There is something wrong with you	You are innocent, a good person, and you have a future

Dignity violations – “You don’t matter”

(Hicks, 2009)

[As a victim of child sexual abuse] you're just treated like you don't matter as a person. You are irrelevant, you are inconsequential, 'so what' about you, you know? It makes your presence, your lack of presence, your pain, your joys, your failings, your whatever- that nothing, none of it matters. (Alison)

Dignity honoured

[The Commissioner] turned her chair towards me and just listened. She just looked at me and listened. And I wasn't interrupted and there was no objection and there was no, "Can we stop that there?" It was just these people who were part of our normal government system, and our normal judicial system, and who represent all of us, all of us in Australia, and who are doing this on behalf of the Australian government. It was like, I am sitting here and they are listening to me. They're listening to my story and they're acknowledging me. And I can't tell you, I just cannot tell you how, for me, what a pivotal moment that was. I felt like I could have worn a cloak out there that said "I matter" on the back of it. (Alison)

Epistemic injustice and epistemic harm

(Fricker, 2007)

And of course, you know, I'm not a very good witness, because I've got mental health issues. I used to be a drug addict. You know. All of that stuff. (Jodie)

They just say, "Well you were young, this is just fantasy." The next line of defence is, "You're crazy, you're making this up." ... "Oh well, you've had mental health issues so you're not a credible witness." (Marylin)

Epistemic justice (and dignity and recognition)

It was such an official thing and it's nationwide. To be able to actually sit there and tell somebody what happened to you as a child and have them accept it. They weren't looking down on me. They weren't putting me down. They weren't saying like, "Come off it. You're exaggerating." Or anything like that. I was able to sit there and tell them actual factual information about what was done to me as a three-year-old child out of home care where I should have been safe. (Sonia)

What conditions facilitate this healing?

- Safety
- Feeling seen, heard, believed and valued
- A sense of meaningful contribution to society
- Attuned support
- Status afforded the survivor testimony
- Status of the witness

I told my story and it's recorded, and it's like I've told my story to society. It's like I've told my story to the authorities. I'm just not a nobody or keeping it a secret or living in silence. I've told my story to the highest authorities and that's an important thing to me. (Ryan)

Parallel processes compound abuse messages

I just felt, in the end I think said, "I feel like I've been hit by a car, run over. I've managed to crawl over to the gutter. And that's pretty much all I can do." So, it was horrendous. It was like I'd trusted, yet again. I'd trusted in the Commission. And after trusting in people again I've had everything just wiped away. (Bettina)

Implications for future inquiries

Creating a safe place to tell:

- trustworthiness (embodied and communicated)
- attuned support (flexibility, choice, accessibility)
- belief and recognition
- value participants (and show them they are valued)
- appreciate participant's extension of hope
- understand parallel processes and the meaning-making impacts of responses to survivor testimony

Reflecting on implications

How can we create these conditions outside of a Royal Commission?

'Everyday' opportunities for meaningful public testimony:

- Participating in research
- Lived Experience Educator work
- Speaking to the media (this can be risky)

What are we missing in our therapeutic relationships with survivors?

**What could we change in our criminal justice system?
Could it be safer and less adversarial?**

The potential for healing

I have a very clear image of Commissioner Atkinson talking to me, and it's a bit like the father, if you like. A very generous, open father saying, "I understand what you've told me, and you are an acceptable person." That's what I heard. "I understand what happened to you, and I understand that you are an acceptable person. That you are okay." And that's what I walked away with. To me that was really quite profound because it meant that all the things that I'd been believing - that I wasn't an okay person, that I was second-rate, that I really was a blight on humanity - were being challenged. And he was the first person that actually really challenged them. And he was a person with status. A Royal Commissioner, that's a pretty, you know, in my mind that was a really high-status person telling me I'm okay. And that was really powerful for me. And so from that I took away the sense that, yes, I can move on from here, that I can do something. So I walked away feeling reassured. I walked away feeling of some value. And I walked away feeling that, as a human being, that I did have some potential that I could make my life better. (Larry)

References

Fricker, M., 2007. *Epistemic injustice: Power and the ethics of knowing*. Oxford University Press.

Hicks, D., 2011. *Dignity: The essential role it plays in resolving conflict*. Yale University Press.