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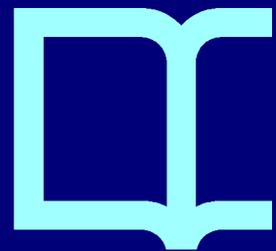
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Victims of child sexual abuse: understanding their need for justice

Abstract

This study examined, via 23 in-depth interviews, how victims express their expectations concerning the criminal justice system (CJS), focusing on adults who suffered sexual abuse as children. Previous research has rarely studied how sexual assault victims and, particularly, victims of child sexual abuse, perceive CJS. In this study the perceptions of both victims who had contact with the CJS and those who had not reported the crime were examined. We found that victims' expectations are highly focused on the verdict imposing a prison sentence, but the demand for punishment can be viewed as a symbolic subrogation of a desire for justice, largely associated with the need for recognition and validation, which the CJS is able to satisfy only in a very limited way. These conclusions might lead one to consider the potential of restorative justice processes, particularly in cases of family victimization, as a complementary way to give to the victims of child sexual abuse the sense of justice being done.

Key words: victimology, child sexual abuse, qualitative study, victims' needs, victim's feelings, criminal justice system, restorative justice

Introduction

Understanding the needs of victims of crime is a contribution that victimology research can make to improve the criminal justice system (CJS), implement alternative forms of justice, such as restorative justice, or assess the quality of the justice service. One of the basic needs of those suffering from the effects of a criminal offence is the desire for justice.

Research can help us understand what lies behind this need, which specific expectations are involved and to what extent society and institutions can meet these expectations.

The notion that the CJS is an expression of the punitive power of the State and that it only serves aims associated with an abstract idea of justice or the social goal of preventing future offences, is now becoming outdated, or at least qualified, with acceptance of the fact that it can also meet the need for justice on the part of the victims of crime. Additionally, in the last decades, the plight of victims has received increased attention at a legal and institutional level in most countries. The Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, links “doing justice” with victims’ rights and their respectful treatment (Section 34 of the Preamble). It also acknowledges that child victims should be regarded as “full bearers” of the rights set out in the Directive and require special protection, in accordance with the principle of the children’s best interests (Section 14).

This study aimed to examine, via in-depth interviews, how adult victims express their expectations concerning the CJS, focusing on those who suffered sexual abuse as children. Previous research has provided information to give us an understanding of this particular type of victims’ idea of justice. With this study, we hope to make a contribution that will help assess the extent to which the CJS can meet the needs of these victims. We furthermore hope to determine whether this can help their recovery or if the desire for justice, resulting from their traumatic experience, is simply a sublimation of socially repressed instincts or an expression of powerlessness and, therefore, to a large degree, represents a desire that is destined to remain unfulfilled.

To this end, we have first reviewed existing literature, then set forth the methodology and results of the study and, finally, reached some conclusions analysing the victims' discourse, making comparisons with other studies' findings and offering some recommendations.

A review of the literature

There is limited research on how children develop expectations of delivery of justice by the CJS. Therefore we initially gathered information by examining research on adult victims in general and on sexual assault victims in particular.

Justice as a human need

There are indications that, behind the recognition of a victim's right to justice, lies a basic human need. Nevertheless, published studies do not provide a clear view of the basis of this need. It is not expressly included in Maslow's (1943) hierarchy of basic human needs, although some authors have more recently cautioned that Maslow's famed classification is not exhaustive, and that the obtaining of justice can be regarded as a basic need. For some, it would be linked to the need for safety. In a systematic review of 33 empirical studies on the needs of victims of crime, Ten Boom and Kuijpers (2012) concluded that the victims of violent and serious crimes (including sexual and domestic ones) express needs associated with safety, which appear linked with justice and, specifically, with a judicial decision. This kind of expectation normally includes the need for punishment, for perception of the community's condemnation of the offence and for the obtaining of material or immaterial redress.

Basis for the need for justice can also be found in Lerner's (1980) theory and his affirmation that, above and beyond individual differences, belief in justice is something

natural and inevitable in human beings, which goes beyond the mere need for control and predictability. Thus, in the face of an offence viewed as a threat to this minimum necessary confidence in the justice of the world, there is a need for a social response that is given value as a means of re-establishing trust. The progress of civilisation entails leaving behind vindictive responses and refining punitive reactions and even an effort to avoid punitive aspects. Nevertheless, faced with deeds capable of destabilising the fundamental bases of trust and that are viewed as unjust, there is an expectation on the part of victims and society as a whole of compensatory or restorative action (Tamarit, 2013). The different expected responses to injustice have in common the search for restoration of the moral balance upset by the crime, that the offender suffer in proportion to the harm caused and that the victims may receive redress (Gromet, Okimoto, Wenzel and Darley, 2012).

These needs for justice have found their most conventional voice in retributive and preventive justice, but have also been channelled towards more innovative theoretical formulations or more refined mechanisms, as suggested by the ideas of restorative, therapeutic or procedural justice. However, Holder (2013) and Daly (2017) have called into question that researchers have placed too much emphasis on achieving therapeutic outcomes for victims instead of putting the focus “on the prior moral and political matters of what victims as citizens should expect in seeking justice”. From this consideration Daly proposes the term victims’ interests, no more victims’ needs, defining what victims as citizens can reasonably expect from offenders and from the state. According to her view, the five elements of victims’ justice interests are participation, voice, validation, vindication and offender accountability-taking responsibility.

Expectations of the CJS.

Several studies have revealed that victims often have elevated expectations of the CJS, especially regarding the extent to which their input will influence the process. This entails negative consequences for the victims when they see that those expectations are not met. A study by Erez and Tontodonato (1992) concluded that victims' satisfaction with the CJS as a whole is strongly influenced by their satisfaction with the sentence passed. This study was not particularly focused on victims of sexual crimes, but it revealed that those who have been victimised by relatives are not easily satisfied by sentences. Research has often validated the assumption that, from the point of view of victims, the quality of the outcome is linked to retributive justice. In this context, punishment is an effective means of overcoming the disruption in the moral balance produced by the crime. In a study of a sample of victims of sexual assault and physical assault, Felson and Paré (2008) concluded that a higher level of satisfaction with the court process was associated with punitive outcomes, such as arrest of the offender or longer incarceration.

In another study, (Orth 2003) examined sentencing expectations in a sample of 174 adult victims of sexual and non-sexual assault, on a scale based on a list of 18 items. The criminal punishment goals most highly valued by victims were those of retaliation, recognition of their status as victim, confirmation of social values, and the safety of the victim and that of society. Using this same sample, the author analysed the extent to which punishment of the perpetrator impacted upon victims' vengeful feelings (Orth, 2004), gauging their perception of the severity of the punishment imposed upon their aggressor. According to these findings, complemented by a longitudinal study of 31 victims, the severity of the punishment provides a meaningful pointer to a reduction in the desire for revenge, albeit not in a pronounced way. Additionally, given the intra-individual and inter-individual

stability of the results, punishment of the perpetrator entails only partial and transitory satisfaction of victims' desire for vengeance, leading to a warning that this result does not provide support for demands for increased sentencing.

Beyond punishment, other studies have pointed out that feelings of justice are to a large extent associated to recognition. According to McGlynn, Westmarland and Downes (2017), a sense of recognition, conceived as “the shared perception of something as existing or true”, is fundamental to survivors' senses of justice. Recognition is not only admission of guilt by the perpetrator, but also the declaration that harm and victimisation occurred, being family members or other bystanders actors in the recognition process. As Herman (2005) revealed, what generally mattered most for victims of domestic abuse was validation from those closest to them. However, such a declaration must be highlighted, according to the above mentioned authors, by perpetrators facing more meaningful consequences to better underline the significance of the harm caused. This dimension of justice has been conceptualized by Daly (2017) as validation, conceived as affirming that the victim is believed and is not blamed for what happened: “it reflects a victim's desire to be believed and to shift the weight of accusation from their shoulders to others (family members, a wider social group or legal officials)”.

Vengeance and posttraumatic stress disorder.

Vengeance is classed amongst the negative social reactions to victimisation, associated with rage, fear and depression and the symptoms of posttraumatic stress disorder. The reasons for revenge are associated with the wish for protection against a threat, recovery of self-esteem and the reestablishment of the balance of profit and loss or of power.

According to Kirchhoff, Strack and Wagner (2013), the desire for revenge is influenced by the severity of the offence and the victims' differing basic needs, predominantly that of respect. Orth (2002) revealed that vengeful feelings are affected by the victims' perception of the severity of the punishment, and are thus diminished when they believe that the perpetrator has received a punitive response in line with their expectations of justice, although punishment does not necessarily entail positive psychological changes for the victims. Furthermore, social psychology studies on vengeful attitudes have shown that they are not to be found in everyone and, when they do occur, it is not the compensatory suffering of the perpetrator that gives satisfaction to those seeking vengeance but rather the perception that the former has understood the reasons for the response (Gollwitzer and Denzler, 2009; Gollwitzer, Meder and Schmitt, 2011).

According to a number of studies, the desire for vengeance and the feeling of injustice appear to be positively associated with the symptoms of posttraumatic stress disorder (Sonis *et al.*, 2009). This is in line with the idea that reducing the symptoms and psychological adjustment moderate the desire for vengeance and promote forgiveness (Eaton and Struthers, 2006). A study by Kunst (2011) has led to qualification of Orth's conclusions, in regarding the symptoms of posttraumatic stress as mediating factors influencing the relationship between perception of the severity of the punishment and vengeful feelings. Additionally, one line of research has associated vengeance with the phenomenon of embitterment, causing some people to display negative posttraumatic development that makes them reluctant to pursue treatment (Gäblerand and Maercker, 2011).

Satisfaction with the CJS by victims of sexual crimes

One of the most complex issues is associated with the existence of individual differences between victims' reactions to a crime, which are manifested in their attitude towards the CJS. As Fohring (2014) has revealed, some refuse to become involved in it due to a coping strategy by means of which they try to avoid being perceived as victims and thereby confirm their beliefs in the world, themselves and others. Particularly, the above results fit with the tendency of victims of sexual crimes to display greater dissatisfaction with the CJS, in comparison with victims of other kinds of crimes, as noted by Felson and Paré (2008). The negative experiences mentioned by these victims include the lack of sensitivity on the part of the police, or not having been listened to or taken into account, in cases when the victimiser was someone known to the victim (although this is not the case with the courts) and when victims regard the judicial response as excessively benevolent.

Child sexual abuse victims in the CJS: feelings and sense of justice

Most of the research commented upon until now has been carried out on adult and general victims. Less well understood is how children develop expectations of justice before the CJS. Research on child victimisation has noted that the characteristics of the psychological impact upon children include a feeling of betrayal and injustice, particularly when the victimisation is by a family member and sexual in nature (Finkelhor and Browne, 1985; Pereda, 2010). These feelings tend to be accompanied by an attack on their self-esteem and their cognitive mindset, entailing self-blame and disassociation. They can also involve attempts to protect their parents or other persons in their environment, even when these are responsible (by act or omission) for the abuse (Gal, 2006). The desire for vengeance is often mixed with a wish to receive apologies and recognition from their most immediate social environment. The need for "social validation" is crucial in the process of overcoming trauma

and cannot therefore be isolated from the way in which children's needs for justice are conceived of and interpreted. Insofar as procedural aspects are concerned, some studies have highlighted the fact that children attach more importance than adults to the treatment received from professionals, but less to participation or the outcome (Hicks and Lawrence, 1993). It is also noted that they appreciate the presence of their parents, although this should be questioned in cases of victimisation within the family. Restorative justice have been considered as a valid option for child victims as far as conventional justice does not adequately protect them from secondary victimization and positive experiences can restore their faith in others and contribute to their emotional growth (Daly, 2006; Gavrielides, 2008; Gal, 2011 and Pereda, 2015).

Studies that use either victim-based in-depth interviews or focus groups have been helpful in identifying the perceptions of the CJS among those who were victims of child sexual abuse. By means of in-depth interviews with 31 adult victims of sexual offences who had had contact with the CJS, Regehr, Alaggia, Lambert and Saini (2008) found that they had a negative experience, despite the fact that many were appreciative of the treatment they received from the judicial authorities and civil servants. This was in great part due to the fact that victims' expectations of the outcome of the criminal process were not in line with reality, such that they felt psychological stress when they perceived that the punitive response was insufficient. The authors recommended not generalising the results to encompass other victims of sexual offences. They argued that any improvements in the treatment of victims may effectively offset secondary victimisation, although there is a need for victims and professionals to be aware of the intrinsic features of the CJS, including victims' lack of control over the decisions to be taken and uncertainty regarding the sensitivity with which

they will be treated by different professionals and, most especially, over the result, which can expose them to reliving feelings such as loss of control or betrayal of trust.

As regards qualitative studies on child victims, Charlesworth and Rodwell (1997) highlighted their value in evaluating abuse prevention programmes. Some of these studies have taken a chiefly psychological approach to focus on the issue of disclosure (Schönbucher, Maier, Mohler-Kuo, Schnyder and Landolt, 2012), to understand the factors affecting the decision of victims to inform other people in their environment or institutions of the abuse. According to some authors, in-depth interviews can be a valuable tool, sometimes designed as a complement to quantitative research which allows for a more direct and in-depth approach to victims' subjective experiences (Crisma, Bascellia, Pacib and Romitola, 2004).

Less frequent have been studies analysing the sense of justice on the part of victims of child sexual abuse using a qualitative methodology. Jülich (2006) interviewed a sample of adults who had been abused as children. All of them had been abused by a family member or someone close to them, and almost all over a long period of time. The victims associated their notion of justice with the concepts of responsibility and validation. Responsibility was associated with a need for recognition and an apology from the aggressor and with validation by the system and members of the family group who had had a passive or negligent attitude towards the abuse or incredulity at the complaint. Victims showed little confidence that their expectations could be met through the traditional CJS, although they also had scant trust in restorative justice processes. In a study conducted with a sample of 22 survivors of domestic abuse (most of them victims of child sexual abuse) Herman (2005) found that justice, from the perspective of the informants, was neither restorative nor retributive in the conventional sense. Their vision of justice combined retributive and restorative elements in the service of

healing a damaged relationship, not between the victim and the offender but between the victim and his human environment.

Mistrust in the CJS is something that appears in a number of studies. Victims have a negative perception of the justice system and fear of the stigma that it may cause them, which inhibits them from filing a complaint (Kelly and Regan, 2001; Lievore, 2003). Another problem is the sensation of being paid little attention and of not being allowed to provide explanations beyond confirming or denying the questions asked, which further increases their mistrust (Jülich, 2006).

Additionally, there is abundant evidence on the peculiarities of victimisation at the hands of family members. Emotional proximity and/or cohabitation reduce the possibilities of disclosing the offence and also of reporting it (Ruback, 1993; Arata, 1998; Hanson, Resnick, Saunders, Kilpatrick and Best, 1999), in that the CJS is not regarded as appropriate or effective in resolving conflicts between family members (Tjaden and Thoennes, 2000; Lievore, 2003; Boateng and Lee, 2014). Furthermore, those victims who do decide to resort to the CJS do so to a great extent because of a need to explain their version of events, obtain answers from the abusers and confront them, feel validated and acknowledged as legitimate and real victims by the abuser and by other persons in their closest circle, see how the abuser displays regret at his behaviour or receive help and support to mitigate their loneliness and sense of guilt on indirect murder victims. Aspects mentioned above, such as frustration of expectations of justice stemming from a lack of communication or a perception of inactivity or lack of interest on the part of the CJS, have been shown also by qualitative studies on victims of non-sexual crimes or indirect murder victims, such as that by Stretesky, Shelley, Hogan and Unnithan (2010).

Method

The goal of this study was to gain an understanding on the expectations and needs of the victims of child sexual abuse from the CJS, as well as their view of what is its purpose and operation. It also aimed to understand how this view is affected by any experiences the victims may have had of the CJS, examining the perceptions of both victims who had officially filed a complaint reporting the crime and those who had not done so. By including victims that had not reported the crimes, we aimed to explore their perceptions of the CJS and their motives for not reporting the abuse.

The study was carried out in Barcelona (Catalonia, Spain). Twenty three adults victims of child sexual abuse were interviewed (20 women and 3 men), aged between 17 and 50 years ($M=32.26$ and $TD=10.47$) at the time of the interviews. They were contacted via a victim support centre specialised in this kind of abuse. Of them, 19 were receiving psychological treatment and 4 had been discharged when they participated in the study. The country of origin of 82.6% of the participants was Spain (see Table 1).

Table 1
Socio-demographic characteristics of interviewees

Variable	Total	
	n	%
Gender		
Female	20	87.0
Male	3	13.0
Age		
Under 18	1	4.3
18-19	3	13.0
20-24	3	13.0
25-34	9	39.1
35-44	4	17.0
45 or more	3	13.0
Country of origin		
Spain	19	82.6
Others	4	17.4

Table 2 shows the characteristics of the sexual abuse suffered by the interviewees. The average age at which abuse commenced was 8.13 years ($TD = 3.76$), with the most frequent category being that of 6-11 years old. With regard to duration, abuse was generally repeated and, in 30.4% of such cases, lasted more than four years. In some cases, no information was available on the commencement or duration of the abuse, because victims had difficulties in placing the events. Abusers were always male and the abuse was mainly at the hands of a family member (91.3%). Of the 23 victims, in ten cases a formal complaint had been filed. In one of these cases the files disappeared from the court office due to the involvement of a family member.

Table 2: *Characteristics of child sexual abuse (n= 23)*

Variable	Total	
	n	%
Age at commencement of abuse		
0-5	6	26.1
6-11	10	43.5
12-16	4	17.4
Unknown	3	13.0
Duration of abuse (in years)		
Less than 1 or sporadic	6	26.1
1-2	2	8.7
3-4	3	13.0
5 or more	7	30.4
Unknown	5	21.7
Gender of abuser		
Male	23	100.0
Female	0	0.0
Relationship with abuser		
Father	7	30.4
Uncle	2	8.7
Grandfather	1	4.3
Brother	3	13.0
Cousin	5	21.7
Stepfather or mother's partner	1	4.3
Unspecified family member	2	8.7
No family relationship	2	8.7
Complaint		
No	14	60.9

Yes	9	39.1
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The information-gathering technique employed was the semi-structured interview, according to a self-developed schedule. The script included open questions to gather information on the factors affecting the decision on whether to file the complaint reporting the crime, what are they expectations regarding justice being done, the relationship with the CJS, the general view thereof and the support received. To organise the interviews, the researchers met with professionals from the treatment Centre, who then contacted potential participants to provide them with a brief explanation of the study's goals. Once the victims had given their verbal consent, the interview date was agreed with them. Interviews were held between December 2014 and April 2015. After a more detailed explanation of the goals and the possible risks and benefits of the study, interviewees were asked for their written consent, to authorise the recording. Written consent was also obtained from the legal representatives of the underage victim. The steps of the proceeding were agreed with the professionals of the treatment centre and at the end the results were delivered to them. Confidentiality and voluntariness have been assured. In this way ethical safeguards of the *European Science Foundation* (2011) and of the *Universitat Oberta de Catalunya* (2015) were respected.

The interviews were recorded and subsequently transcribed. A qualitative analysis was performed on the written material, based on the inductive content analysis approach proposed by Mayring (2014). The categories were reviewed after 50% of the material had been analysed and it was decided to create categories with a higher abstraction level. Categorisation was initially carried out by a member of the research team and subsequently reviewed by two collaborators. The degree of inter coder agreement was established, obtaining a Kappa value of $k= 0.916$. In the case of disagreement (4.18% of coding), a review

was performed and a consensual agreement reached. With the final coding, a data file was drawn up and the analysis was performed with the program SPSS 15.0, using crosstabs and frequencies in order to make operational the content of the interviews.

Certain limitations were identified. The most important of these concerns the characteristics of the sample. All of the victims had received psychological treatment, and the majority of them (19) were currently undergoing therapy when they were interviewed. Additionally, in only three cases from the whole sample had a final guilty judgement been reached, and in two cases, at the moment of the interview, there was a provisional guilty verdict, with the final judgement still pending. Also relevant is the possibility that biases can occur as a result of the sensitivity of the topic, which might lead the respondents to give socially desirable responses. The consequences of the retrospective nature of the study and the trauma effects, which can affect the memory, are a further consideration to be taken into account. Finally, we have to point out the fact that qualitative research implies a lack of generalisation. However only an in-depth examination of the victims let us capture their actual experience and thoughts.

Results

Victims' expectations of the CJS

Given the study's goal, victims (both complainants and non-complainants) were asked what they believed the CJS could offer, and how they thought it could impact upon their wellbeing or give them a feeling of justice being done. After analysing the victims' responses, three main expectations emerged. Firstly, the prevention of future abuse against themselves or others. Secondly, retribution for the harm caused and, finally, recognition of the crimes and of the aggressors' guilt (Table 3). Other aspects mentioned spontaneously but less frequently

were: receiving attention, support and protection; a feeling of closure generally linked to a verdict or sentence; and the assumption of responsibility or raised awareness on the part of the abuser and being able to confronting him or her. These latter needs do not always appear to be associated with the CJS.

Table 3
Victims' expectations of the CJS(n=23)

Expectations and needs	Total	
	N	%
Prevention of future abuse (of self or others)	16	69.6
Redress for harm caused	15	65.2
Recognition of events(validation of victim's version)	14	60.9
Confrontation with abuser	8	34.8
Attention and protections	6	26.1
Feeling of closure	4	17.4
Raising abuser's awareness	3	13.0

Prevention of future abuses or a guarantee of non-repetition was one of the most generalised expectations, be this with regard to themselves or other potential victims. Generally, this need was associated with the desire for peace of mind and relief. The victim perceived the possibility of achieving this goal via the judicial system as a personal success or something that can restore a certain sense of control.

P1: And then because you also feel you've done something for the cause, for others who might be potential victims. I really do think it's crucial. [...]...you also prevent this person from approaching you in the future. It gives you security, or if they approach you they know there will be consequences, because they've already been tried for this.

P2: If they had tried the case and convicted him, it would have helped. It would have helped me because I would have known that what I said worked, it would have been a load off my mind knowing that he would be behind bars, that he couldn't hurt anyone else.

This reveals an expectation linked with the special preventive effect (positive or negative) of criminal justice, and with the need for safety. Fear of recidivism appears in the interviewees' discourse, mixed in some cases with allusions to expectations of the perpetrator's rehabilitation.

P14: ... *the damage has been done, and so I think that the goal of justice is that this person doesn't do what he did again, to either the victim or anyone else. Then, I also have the view that the offenders must be helped, rather than punished (...). My idea of justice is that that person, whatever the measure taken, an attempt should be made to rehabilitate him. I think that it would also be good for the victim to see this process of rehabilitation of the offender, because you say to yourself, "OK, you did it to me, but there's no chance that you'll be doing it to anyone else," and that gives you greater peace of mind.*

Nonetheless, in some informants the feeling of justice appeared associated with redress for the harm caused and the need to overcome the sensation of impunity that many victims have.

P20: *If they don't pay for what they've done, it's like, wow, they cause harm and nothing happens, you know? It's like it's okay. So, because of that, because you'll feel better saying: "Now you're going to pay for what you've done".*

To a large extent, the craving for retribution did not appear to have a purely punitive rationale, but was instead closely associated with the need for recognition and non-recurrence, as shown below and in other previous quotes.

P4: *For me, the most important, on the one hand, is that they acknowledge that it happened to me... and see him locked up, see that he's paying for what he's done and all that. And restrict him so he can't do it anymore, especially that, he won't be able to do it*

again, because in my case the damage is already done, but I think about my cousins and if the same happens to them or the girl he's got now who's just a baby.

P19: Someone like that's got to be punished. Let him pay for it! Eh? Karma's come back at him but... not in the way it should have. Despite everything, I didn't want anything bad to happen to him, for him to die or anything. Just that he paid for and was aware of what he had done. And, perhaps, that he could go on with his life if he stopped doing these things, in other words, got better, because I feel that it's an illness.

Recognition was an important need for most victims, who hoped that the sentence would serve that purpose. According to their discourse, an intervention of the judicial system should help them by giving their story credibility, validating their suffering, absolving them of blame, and unmasking the offender to their surrounding environment. Victims expected that the involvement of the CJS would validate their truth to others, although some responses showed a predominant need for validation on a personal level. This expectation appeared more frequently amongst victims who had suffered from disbelief and blame from their immediate environment.

P1: But, in my case, it's like a utopia for me because I would really like to (to report), I feel it would really help me repair the damage, because it proves us right to that social group who, in part, rejects you because you've said something unpleasant and that hurts other people, and they think you're probably making it up and then, in the case of my dad, it was of great help to me, to restore my honour.

P11: I believe that when it comes to seeing the trial, the sentencing and seeing you've won. You've been able to show you were right, and the fact of proving yourself right, you also believe it.

Some victims indicated that the mere fact of making the complaint and the start of criminal proceedings helped them, to a great extent, achieve their goal of unmasking their abuser before their surrounding environment.

P19: *Yes, because the fact of doing this it is to bring to light something that was hidden and, at least in my case, it meant that his entire family realised what he was.*

Nevertheless, victims tended to view not reaching a guilty verdict as a failure, as they saw it as amounting to them not being believed, and it was hard for them to understand that the reason for this may be the lack of evidence.

P20: *Then it could help you in that way, dealing with other people. It's like you haven't been lying, he's paying for something that you said he did and the justice system has proved you right because he really did it. And if they don't pay for it, it's like they don't believe you.*

Absolution from guilt is a need closely linked to the notion of justice, as guilt is a feeling that has been with them for a long time

P9: *So, if justice really helped and moved forward, it's highly possible that it would help with recovery, knowing that someone is to blame. And that's the most important thing for you to know, so if the justice system helps you, you say: "Shit, if they accused him and he's to blame and they found him guilty and he's in prison, then it's because he did what he did to me. That means I did nothing wrong, it wasn't my fault".*

With regard to whether the abuser's punishment can help with their recovery, some victims showed this expectation, whilst others believed it had no effect. This gives rise to the idea of therapeutic justice as a desire that is to a great extent unachievable, which contrasts with the reality of a punitive justice that is only able to meet victims' needs in the short term.

P8: *I think that the only positive aspect it might have, the only one, with all the negative effects it might have, like a time delay, the only thing would be the sentence, if it was a really fair sentence. If there really was justice in the proceedings and there was a guilty verdict.*

P7: *In the short term? Yes [it does have an influence on recovery], but it has nothing to do with it in the long term: "Hey, look, they've found him guilty, great, I feel good!", but afterwards... the memory of everything I've been through, it's ridiculous.*

P18: *Nobody can, no conviction, even if they sentence that person to two million years, can give you back some things he took away from you.*

Confrontation with the abuser was a need expressed by a third of interviewees, although they did not see this as something that the CJS could contribute. In some cases the victims expressed a need to ask the abuser why they did it.

P2: *I want to get him out of my head, rid myself of him and get on with my life. If my granddad was still alive I'd really want to, I'd like to talk to him, to confront him with it. Why did he do it to me? Why me?*

In other cases, what they wanted was for the offender to accept responsibility for his actions or to apologies.

P15: *So... if he's going to be legally punished, how? Prison? No. Financially? No, that wouldn't be an answer for me. One answer might be for him to recant, to apologise to me, but that's something I'd have to do in private. I don't think that the justice system should become involved in such cases. And this happened many years ago; if I was still being abused, then yes.*

Another need expressed by some informants was that of receiving attention and protection, which they associated with being cared for, supported, defended and informed.

P13: Although it's true the specific action of justice being done could be prison or in some cases the death penalty or whatever, but it's the fact that someone is there for you, defending you. I think that feeling's priceless and, deep down, it's what most of us who've suffered from this are seeking.

Some victims said that the CJS could also provide them with a sense of closure, generally associated with the issuing of a guilty verdict.

P22: I don't know, that feeling, that powerlessness, not being able to do anything... when the sentence comes it's like: "Finally, at least that's something! At last I know something". It's like it's over, if it doesn't happen again it's over.

That is why the slowness of the process causes, in addition to despondency, annoyance, as it gets in the way of recovery and the feeling of closure.

P21: Well, it depends. From my experience, for example, in my case it's going very slowly and that's really hard. Because you want to be rid of it, the sooner the better, because it's like you're carrying a heavy backpack and making no progress.

We found some differences between complainants and not complainant informants as far as victims' expectations of justice are associated with their confidence in the CJS. In those who did not file a complaint reporting the crime, mistrust appears as a significant obstacle. Mistrust is based on victims' fear of being doubted by the police or other judicial figures, that the abuser will not be arrested immediately or of having to deal with a long and unpleasant process. With regard to those victims who have had contact with the CJS, their experience

reveals which are the points of risk of secondary victimisation and how a bad experience helps create and increase a sense of injustice.

Discussion and conclusions

The study provided confirmation of a deep-seated desire for justice in victims of child sexual abuse, although it is expressed in most cases from a pessimistic view about the possibility of being satisfied. Expectations of the CJS were centred to a large extent on the outcome of the process, something that is in line with studies that have established that the verdict, and particularly the perception of its fair or unfair nature is a key factor in the victim's experience (Regehr *et al.*, 2008, among others). Secondly, aspects associated with the justice of the procedure, help to increase or moderate the secondary victimisation that victims of child sexual abuse experience when coming into contact with the CJS.

Victims' expectations of the CJS' involvement were highly focused on the verdict imposing a prison sentence. Their discourse revealed a demand for justice, largely associated with punishment of the offender and retribution for the harm suffered, in line with the results of other studies (Felson and Paré, 2008; Boateng and Lee, 2014). Also arising frequently were thoughts of the compensatory suffering that the offender should experience. However, at the same time, they also expressed other needs, associated with the hope that a guilty verdict may bring them emotional relief, with the idea of justice linked with expectations of recognition, validation or closure appearing. These needs appeared to be more positively valued than the mere punishment of the abuser, or both aspects become almost inextricably intertwined. The importance of recognition pointed out by previous research (Herman 2005; Daly 2017) has been thus confirmed, although in our study the characteristics of the sample

can explain the existing link between recognition and offender accountability. Furthermore, one of the main expectations expressed was the prevention of future abuse against themselves and, particularly, with regard to potential future victims, something that coincides with the results of Wolitzky-Taylor et al. (2011). Fear of recidivism and scant confidence in rehabilitation can explain why this expectation appears associated in some victims with a wish for a long prison term.

Special attention should be paid to the need for recognition and validation. In many cases, interviewees suffered from the disbelief of their lack of social support, including parents and others very close to them, and so they expected the CJS to validate their truth before these people and even before themselves. An official declaration of the truth means that their suffering has been recognised and a guilty verdict for the abuser has the effect of absolving them of guilt, a key need, especially for those victims who have blamed themselves or been blamed by intimate or family setting. On this point, the results are in line with the findings of other countries (Herman 2005; Jülich, 2006; Koss and Achilles, 2008; McGlynn, Westmarland and Gooden, 2012). The victims' demand for punishment can thus be viewed as a symbolic subrogation of a desire for justice largely associated with the need for recognition and validation. So, the demand for justice stems not only from the basic need for safety, mostly related to the expected prevention of revictimization, but also from that for esteem, in the double sense of self-esteem and recognition from their family environment.

Given the small number of interviewed victims whose cases had concluded with a guilty verdict, we cannot know the extent to which we are dealing with needs destined never to be fully satisfied. This is particularly important with regard to punitive needs, since some of the responses analysed seem to indicate that any punishment imposed upon the perpetrator

would be insufficient to compensate for the suffering they have caused. The statements of some victims are in line with the results of other studies on the punishment of the offender, which gives them a feeling of satisfaction only in the short term (Orth, 2004). What is more, when it comes to evaluating the stated punitive demands, we should bear in mind the bias arising from the fact that a significant proportion of the sample of victims are undergoing psychological treatment, such that the pain they are still suffering exacerbates the desire for punishment, in light of the results of those studies demonstrating the link between vengeful feelings and the symptoms of posttraumatic stress. This would imply, rather than a conclusion emphasising the potential therapeutic effects of a guilty verdict in terms of “therapeutic justice”, support for the theory that psychological treatment of victims may reduce their emotional distress and hence the desire for punishment. This points to a need for further research.

This study has allowed us to ascertain how victims’ expectations of justice are associated with their confidence in the CJS. Mistrust found in non-complainants is in line with the results other studies (Hattem, 2000). Moreover, the generally negative assessment of interviewees, both complainants and not-complainants, should not come as a surprise if it is borne in mind that other studies have indicated that the victims of sexual offences are less satisfied with the judicial process than other victims (Felson and Paré, 2008).

Assumption of responsibility for events by the abuser and being made aware of the damage inflicted was another need of victims, which is linked to the need for absolution from blame and the fact that, in most cases, they experienced abuse at the hands of a family member. In any case, generally speaking, victims did not regard this as something that can be provided by the conventional justice system. This is why those who stated that, for their

recovery process, they needed the assumption of responsibility by the abuser and did not wish him to be imprisoned did not resort to the CJS, but instead believed that it is a process that they should carry out for themselves.

Restorative justice was not explicitly mentioned in the interviews, because it is rather unknown by victims in Spain. Regarding the potential of restorative processes, especially those practices that seek the involvement of family members in the restorative dialogue and incorporate the community element, such as those based on the conferencing or family group conferencing model, the study did not provide conclusive results. The informants in our study mostly did not express themselves in conventional terms or restorative justice (according to Herman's findings, 2005) and further research is needed to provide empirical evidence of whether such practices can facilitate processes of recognition, assumption of responsibility and involvement of the victims' surrounding environment. It is important to ascertain to what extent restorative processes can act efficiently by providing justice to victims in cases in which the victim decides not to make a formal complaint or in which the judicial system cannot become involved, as the offence has exceeded the statute of limitations, as is frequently the case with this type of offence, whose disclosure often comes very late. In those countries of civil law tradition, where a more legalistic approach prevails, the law should be reformed, if it is necessary, in order to permit the CJS sufficient flexibility to favour restorative processes when continuing with criminal proceedings would be inefficient and detrimental to the victim. However, restorative practices could probably not be expected to deal effectively with the majority of those victims of sexual abuse that have strong punitive feelings linked to deep emotional wounds. Lastly, the results provide backing for legal reform establishing that the calculation of the statute of limitations on an offence begins when the

victim comes of age. In favour of this is the fact that one needs to consider that there may be dissociation, posttraumatic stress disorder or a great emotional impact over a long period of time. The possibility that this effect lasts for many years leads on to the discussion as to a possible extension to the statute of limitations on the offence.

In addition to the above recommendations, the study further confirms the importance of properly implement the provisions of EU Directive 29/2012, according to which victims should be given support irrespective of whether they have reported the crime. Victims must receive a guarantee of free psychological help, such that the question of whether to report the crime should be assessed after tackling the emotional suffering and empowering the victim, offering legal advice so that they themselves or, as the case may be, their legal guardians or the prosecutor's office take the decision that is in their best interests. Furthermore, it is important that victims are made aware of their rights and understand how the criminal justice process works. More especially, victims must be properly informed so that they comprehend the potential risk of a case being shelved due to lack of evidence and are able to disassociate a possible not guilty verdict from their feelings of credibility and guilt. Other significant steps could be the bolstering of abuser rehabilitation programmes and dissemination of their results, so that society and victims alike can be made aware of them, and informing the different CJS actors and professionals of the potential advantages of restorative justice processes for those victims interested in taking part in them.

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