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Improving the Likelihood of Positive Outcomes for Survivors of Sexual Violence, Considering Intersections Between Justice, Gender, and Trauma

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ABSTRACT

This paper explores the complex impacts of childhood abuse on survivors, emphasising how these experiences shape both individual and societal outcomes. It acknowledges the extensive and enduring effects of abuse, which extend beyond immediate physical and psychological harm to broader social and economic repercussions. The paper critically examines the difficulties of holding perpetrators accountable within the criminal justice system, where low reporting rates, high attrition, and re-traumatization are significant challenges. Using a gendered lens, the analysis situates these issues within a broader social, cultural, and historical context, highlighting how abuse, particularly sexual abuse, is perceived and managed. A key focus is on the issue of disclosure, essential for survivors to access support and justice. However, disclosure is often hindered by fears of disbelief, stigma, and retaliation, which are exacerbated by socioeconomic factors. Even when support systems are available, low conviction rates and ongoing re-victimisation significantly impede justice and healing, undermining the criminal justice system and support structures. The paper also discusses the wider implications of childhood abuse for public health, social services, and education. The trauma affects not only survivors' mental and physical health but also their ability to engage fully in society, impacting relationships, employment, and educational outcomes. These personal challenges lead to broader societal costs, including increased demand for healthcare and lost productivity. The paper advocates for an integrated approach that improves prevention, enhances safeguarding, and develops effective support systems, addressing both the immediate needs of survivors and systemic barriers to recovery and justice.

1 | Introduction

This paper examines the multifaceted impacts of childhood abuse on survivors, aiming to enhance understanding of how these experiences shape outcomes for individuals and society. It acknowledges the profound and long-lasting effects of abuse, which extend beyond the immediate physical and psychological harm to include broader social and economic consequences. The paper highlights the complexities of holding perpetrators accountable within the criminal justice system, where

challenges such as low reporting rates, high attrition, and re-traumatization during legal processes are prevalent. The analysis is situated within a broader social, cultural, and historical framework, using a gendered lens to explore how abuse, particularly sexual abuse, is perceived and addressed within legal and societal contexts.

Central to this exploration is the issue of disclosure, which is a critical step for survivors in accessing support and achieving justice. Disclosure is not only pivotal for recovery but also

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represents a significant barrier for many survivors due to factors such as fear of not being believed, stigma, and potential retaliation. Socioeconomic conditions and individual circumstances often exacerbate these barriers, making it difficult for survivors to seek help. Even when appropriate support mechanisms are in place, low conviction rates and high levels of re-victimisation and re-traumatization continue to impede justice and healing, undermining the effectiveness of the criminal justice system and the support structures designed to assist survivors.

The paper also delves into the broader implications of childhood abuse for public health, social services, and education systems. The trauma caused by such abuse has far-reaching consequences, affecting not only the mental and physical health of survivors but also their ability to engage fully in society. The personal costs of abuse, such as difficulties in forming relationships, maintaining employment, and achieving educational goals, are matched by significant economic costs to society, including increased demand for healthcare services and lost productivity.

There are compelling moral, social, and economic imperatives to improve prevention, enhance safeguarding measures for children and vulnerable adults, and develop more effective support systems for adult survivors of childhood abuse. This paper calls for a more integrated approach that addresses not only the immediate needs of survivors but also the systemic issues within the legal and social service frameworks that hinder recovery and justice. By understanding and addressing these intersecting challenges, we can work towards creating a safer and more supportive environment for all individuals affected by childhood abuse.

2 | Definitions

The following definitions are provided to ensure clarity and consistency in discussing the topics addressed in this paper. They serve as a foundational framework for understanding key concepts such as ‘domestic abuse’, ‘gendered violence’, and ‘trauma’, as well as the broader social and cultural terms like ‘intersectionality’ and ‘patriarchy’. By establishing these definitions, the paper aims to present a nuanced exploration of the impacts of childhood abuse and the various contextual factors that influence survivors’ experiences and access to justice and support.

Domestic Abuse: Includes a range of harmful behaviours such as physical assault, coercive control, emotional abuse, and sexual violence. It encompasses all forms of intimate partner and intrafamilial abuse, affecting individuals regardless of gender, though men and women may experience it differently (ONS 2019).

Sexual Violence: Refers to any sexual act or attempt to obtain a sexual act through violence or coercion, including rape, sexual assault, and unwanted sexual contact. It is distinct from non-sexual abuse and is legally recognised as a severe violation of personal autonomy (Lovett and Kelly 2009).

Gendered Violence: Violence directed at individuals based on their gender identity, often encompassing domestic and sexual violence, predominantly affecting women and girls but also impacting men and boys. This term highlights the influence of gender norms and power imbalances (Hudson and Den Boer 2002).

Trauma: Defined as a deeply distressing or disturbing experience resulting from abuse and other adverse experiences, which can lead to long-term psychological and physical effects, such as complex post-traumatic stress, depression, and anxiety (Christ et al. 2019).

Abuse Survivor: An individual who has experienced and managed the consequences of abuse, demonstrating resilience and recovery. This term acknowledges the ongoing journey and work of healing (Spiegel et al. 2022).

Intersectionality: The interconnected nature of social categorizations such as race, gender, disability, and socioeconomic status, creating overlapping systems of discrimination and disadvantage (Aboagye and Kühner 2022).

Patriarchy: A social system in which men hold primary power, resulting in systemic inequalities and power imbalances between genders. Understanding this concept is key to addressing structural barriers to justice and support (Orloff 1996).

Heteronormativity: The assumption that heterosexuality is the default or normal sexual orientation, marginalising non-heteronormative identities and shaping societal responses to abuse, particularly for lesbian, gay, bisexual, transgender, and queer or questioning (LGBTQ+) individuals (Ellison 2003).

3 | Study Design and Methodology

This paper is an exploratory review and critical analysis of literature applying grounded theory to allow concepts to emerge through critical analysis (Bechhofer and Paterson 2000; Blaxter, Hughes, and Tight 2002; Bordens and Barrington Abbot 2008; Browne and Keeley 2010; Clarke and Dawson 1999; Cottrell 2003; Dale and Davies 1994; Dixon, Bouma, and Atkinson 1987; Bunsvold 2011; Evans and Mathur 2005; Kelley et al. 2003; Lakin 2011; WritePass Journal 2013). Both emergent and applied analysis were necessary as this is an emerging area with cross-disciplinary sources (Perrotta and Williamson 2018; Piety, Hickey, and Bishop 2014). Whilst aiming to be comprehensive this review is not intended to be exhaustive.

Papers were identified by snowballing using academic repositories, mainly ATHENS and Google Scholar, and topic-specific and professional sources (Collin-Vézina et al. 2015; Helm 2005; Ingram et al. 2006; Lewis and Klettke 2012; Paranjape, Rossiter, and Pantano 2006; Sawrikar and Katz 2017). It was compiled using a synthesis matrix, recommended for objective analysis of different sub-topics and arguments (Ingram et al. 2006; Saunders, Lewis, and Thornhill 2015).

A cluster analysis was used to identify the primary and secondary categories forming the structure of this paper.

Primary categories:

- Legal processes, attrition, evidence, and trauma (13.53%)
- Abuse, vulnerability and predatory behaviour, and access to justice (11.84%)

Secondary categories:

- Survivors as stakeholders in law (6.28%)
- Evidence in child sexual abuse and rape (5.07%)
- Attrition (4.59%)
- Children with disabilities (4.59%)
- Disclosure and barriers (4.59%)
- Impact of trauma on brain development (4.59%)

3.1 | Sexual Violence and UK Law

Beginning in the 1970s, the way criminal justice services in England and Wales and in Scotland addressed rape, sexual assault and abuse were challenged. During a period of more than 30 years the laws began reflecting individual autonomy including recognising rape within marriage and male rape (Lovett and Kelly 2009). Similar changes were also happening in the USA (Davis 2005).

In the 1970s, the first rape crisis centres opened. Challenge and change continued in 1985 when the Women's National Commission successfully resulted in the Home Office calling for an improvement of rape investigations and forensic facilities. There were more with the introduction of the sex offenders register in 1995 and the Sexual Offences Act in 2003.

Criminal law processes are those usually initiated by the government in the public interest, where breaches of specific laws have negative impacts on society. Criminal processes begin with a police investigation to collect evidence. The Crown Prosecution Service (CPS) evaluates evidence and public interest before recommending a case goes to trial in court. A court case aims to achieve a verdict against the accused plaintiff, with a guilty verdict resulting in punishment (In Brief 2016; Slater and Gordon Ltd. 2018).

Civil law processes can be initiated by a private individual, where the negative impact is personal rather than or as well as social. Parties can be represented by a law firm. Abuse is usually a tort claim because of personal injury, and some firms offer a no win no fee option, being paid from financial redress awarded; redress often includes legal fees as well as compensation. A civil case can be brought after a criminal case, even without a guilty verdict (In Brief 2016; Slater and Gordon Ltd. 2018).

A key driver of research to improve understanding of abuse and trauma is to inform prevention, protecting children and vulnerable adults, and improving outcomes for survivors, including through criminal and civil justice (Berrick, Skivenes, and Roscoe 2022; Collin-Vézina et al. 2015). Understanding and addressing repeat victimisation is another driver, as those who

experience abuse in childhood are at higher risk of domestic and sexual violence as adults too (Collin-Vézina, Daigneault, and Hébert 2013; Kruttschnitt, Ward, and Sheble 1987; ONS 2017).

Child abuse is defined as any act that results in actual or potential harm to a child, including physical, emotional, and sexual abuse, as well as neglect (Norman et al. 2012). Trauma, in this context, refers to the deeply distressing or disturbing experiences resulting from such abuse, which can lead to a range of mental health issues, including depression and anxiety (Christ et al. 2019). An abuse survivor is defined as an individual who has experienced and coped with the consequences of abuse, demonstrating resilience and ongoing recovery (Spiegel et al. 2022).

The Office for National Statistics (ONS) has characterised child abuse as “an appalling crime against some of the most vulnerable in society”. According to its statistics, one in five adults aged 18 to 74 years (8.5 million people, one in four women, and one in six men) experienced at least one form of abuse before the age of 16. These figures exclude cases of neglect, which are estimated to affect at least 481,000 people (ONS 2019). The long-term effects of childhood maltreatment can be profound, impacting not only mental health but also physical health and the ability to function effectively in personal and professional roles (McKay et al. 2021). Statistics do not fully capture the extent of childhood abuse, as it is a largely hidden crime, with only one in seven adult survivors having disclosed their experiences to a statutory or voluntary service (ONS 2019). Additionally, adult survivors of childhood abuse are at an increased risk of experiencing various forms of domestic abuse as adults, including physical, emotional, and sexual violence. Specifically, 52% of adult survivors report experiencing domestic abuse in comparison to 13% of the general population (ONS 2020). For the purposes of this article, ‘domestic abuse’ encompasses a range of harmful behaviours such as physical assault, coercive control, emotional abuse, and sexual violence.

There is separate legislation for non-sexual and sexual child abuse, and as (binary) gender is recognised both within the law and within crime and victim data, this paper includes exploration of gendered contexts.

3.2 | A Gendered Lens

This paper refers to domestic and sexual violence to encompass all forms of intimate partner and family abuse and violence, sexual abuse and violence, childhood abuse, and emotional and physical abuse and neglect in childhood. These terms are not gender specific, but a large proportion of recorded violent crime is perpetrated by young men, especially those who are not married and have low social status (Hudson and Den Boer 2002). Male violence and female victimisation are recurring concepts across literatures concerned with intersectionality the wider frame of equality and society including racism, poverty and socioeconomic, heteronormativity, rights and roles, and permitted behaviours (Aboagye and Kühner 2022; Alexander et al. 2004; Bywaters et al. 2016; Easton 2014; Ellison 2003; Knefel and Lueger-Schuster 2013; Rousseau 2004; Hudson and Den Boer 2002; Sadasivam 1997; Sawrikar and Katz 2017). It is also established that women and girls experience more abuse than

men and boys; one in four compared to one in six on average for England and Wales (ONS 2020).

Gender relations have a profound impact on societal structures and welfare, influencing the division of labour, norms around compulsory heterosexuality, and the shaping of concepts such as femininity, masculinity, parenting, and citizenship (Orloff 1996). These distinctions are not new. Rousseau argued that the establishment of property and family units led to distinct gender roles, with women becoming sedentary domestic caregivers whilst men continued to roam and procure resources (Rousseau 2004). This historical framework set the stage for systemic gender inequalities, including economic disenfranchisement. The gender pay gap, a persistent issue, has been well documented for over a century. Companies often report on pay demographics, yet documented disparities have remained entrenched for over 150 years; in some cases, where men and women were paid equally, wages were reduced rather than increased (Mill 1885). Moreover, the normalisation of women being subjected to abuse and the heightened risk associated with disclosure are longstanding challenges. In 1896, Harriet Taylor observed that many women endured mistreatment from their husbands in silence, fearing that disclosure would lead to further harm (Mill 1896). These historical and economic factors contribute to the continued marginalisation of women and underscore the barriers they face in achieving equality and justice within patriarchal structures.

3.3 | Patriarchy, Heteronormativity, and Family

Inherent societal and cultural gender biases, historically entrenched in social structures, have long imposed disproportionate burdens on women, manifesting in poorer health outcomes and diminished well-being, particularly during economic adjustments (Sadasivam 1997). Although these traditional disadvantages persist, there have been significant shifts in recent decades. For instance, in many modern contexts, such as higher education and professional fields, women have made notable progress. Women now outnumber men in various domains, including medical and law schools in North America, suggesting a reconfiguration of traditional gender roles and access to opportunities (Goldin 2014; Jacobs 1996; Stoet and Geary 2018).

Despite these advancements, the lingering effects of patriarchy and heteronormativity continue to shape societal expectations and family dynamics. The pressure for heterosexual marriage remains pervasive, often commoditizing women by linking their social value to marital status rather than recognising their individual agency (Collins 1998; Ferguson 2004). This structure is rooted in the historical family unit, traditionally controlled by the male ‘head of household’, who manages resources and decision-making power (Sadasivam 1997; Okin 1989). Although modern trends challenge these norms, the dual influence of social and domestic patriarchy continues to perpetuate ideals about the ‘good, marriageable woman’, limiting women’s autonomy and reinforcing conventional roles (Hochschild and Machung 2012; Risman 2004).

Whilst acknowledging these constraints, it is also crucial to recognise contemporary progress. Educational and professional

advancements indicate that women are increasingly overcoming historical barriers. However, systemic challenges remain, including wage gaps and underrepresentation in leadership roles (Blau and Kahn 2017; Cech and Blair-Loy 2010). A nuanced analysis must therefore account for both the progress made and the enduring challenges, reflecting the dynamic interplay between historical legacies and modern advancements in gender equality.

3.4 | ‘The Good Woman’

The concept of ‘the good woman’ underpins the commoditization of women and girls within patriarchal systems, significantly influencing their roles in marriage and family structures. Historically, this has restricted the choices women can make regarding their bodies, reproductive health, and social participation, often relegating them to positions of economic dependency. Although preferences for male children and their implications for reproductive decisions are prevalent in some cultures and regions, these practises are shaped by a variety of economic, social, and cultural factors. For instance, policies such as China’s ‘One Child’ policy led to skewed sex ratios and higher termination rates of female fetuses (Hesketh and Zhu 2006). However, it is essential to recognise that such preferences are not universally applicable and must be understood within specific contexts (Das Gupta et al. 2003; Guilмото 2009).

In several societies, the preference for male children is driven by economic incentives, such as the expectation that sons will provide for parents in old age or carry on the family name. This has led to gender-selective practises in regions where economic security is tied to the presence of male offspring. However, these trends vary widely and do not reflect global attitudes or practises. For example, in parts of South Asia, economic modernization and changing social norms have begun to challenge these traditional preferences, with increasing recognition of the value of daughters (Chung and Das Gupta 2007; Kaur 2013). Similarly, in many regions, there has been a shift towards greater gender equality and a growing emphasis on valuing both daughters and sons equally (Jayachandran 2015).

The societal consequences of skewed sex ratios are significant and multifaceted. Research has shown a correlation between imbalanced sex ratios and increased rates of violence, crime, and social instability (Hudson and Den Boer 2002). These outcomes, however, are not solely determined by demographic imbalances; they are influenced by economic development, social norms, and legal frameworks. For instance, in communities where women’s access to education and employment is limited, the economic and social constraints faced by women can exacerbate the risks associated with leaving abusive relationships (Blau and Kahn 2017; Cech and Blair-Loy 2010).

A crucial factor often overlooked in discussions of domestic violence is the lack of economic opportunities and social support systems available to women, particularly those in abusive situations. Many women are unable to leave abusive relationships due to financial dependency, lack of access to education, and limited employment opportunities (Dugan, Nagin, and Rosenfeld 2003;

Farmer and Tiefenthaler 2003). Women with children face additional barriers, as they require childcare and housing support to safely exit these situations. The absence of adequate social services, such as shelters and support networks, further compounds these challenges, leaving many women trapped in cycles of abuse with no viable escape routes (Kim and Gray 2008; Lutz 2002).

These economic and social constraints are pivotal to understanding why many women do not leave abusive environments. The physical barriers, such as locked doors, are only one aspect of the issue. More fundamentally, the lack of financial independence and insufficient support services create systemic obstacles that prevent women from escaping abusive situations. Effective interventions must address these economic and institutional factors, providing not only immediate safety but also long-term support through education, job training, and accessible childcare (Kaukinen 2004; Raphael 2000).

To truly support victims and survivors and promote gender equity, it is essential to develop a nuanced understanding of these dynamics, informed by cultural and contextual factors. Recognising the interplay between economic dependency, social expectations, and institutional barriers can help inform policies and interventions that empower women, enabling them to break free from abusive situations and build stable, independent lives.

3.5 | Global Gender Inequalities

Gender inequality intersects with other forms of discrimination, compounding disadvantages for marginalised groups. As Holzer and Neumark (2000) note, significant labour market discrimination persists against minorities and women, affecting their ability to attain human capital. This ‘societal discrimination’ creates systemic barriers that limit opportunities and reinforce economic and social inequalities. Discrimination against women is pervasive globally, as “there is probably no society in which women do not experience some gender inequality, meaning subordinate status or inferior treatment in political, legal, social, or economic matters” (Hudson and Den Boer 2002: 5). This intersectionality exacerbates vulnerability, as gender discrimination compounds with other marginalised identities, such as race, sexual orientation, and disability.

Domestic and sexual violence are widespread issues, influenced by complex social and psychological factors. Whilst these crimes are often gendered, they also reflect broader patterns of violence in society. Hudson and Den Boer (2002) found that there is a strong correlation between gender relations and overall levels of violence, not just violence against women but societal violence in general. They highlight that young, unmarried, low-status males perpetrate a disproportionate amount of violent crime globally, often driven by feelings of frustration, inadequacy, or a perceived lack of social and economic power. These findings are supported by Htun and Weldon (2012), who demonstrate that violence against women is a global problem, with high rates of sexual assault, intimate partner violence, and other forms of abuse occurring across diverse cultural and geographic contexts.

Understanding domestic and sexual violence requires an exploration of the socio-cultural and economic factors that correlate to these behaviours and their justification. For instance, economic stress and unemployment can increase the likelihood of domestic violence, as individuals may use violence as a means to assert control or express frustration in situations where they feel powerless (Anderson 1997; Jewkes, Flood, and Lang 2015). Cultural norms around masculinity and the social acceptability of violence further perpetuate these behaviours. In many societies, traditional beliefs about male dominance and female subordination justify the use of violence to maintain control within the household (Heise 1998).

Men and boys can also be victims of abuse and violence, but societal expectations around masculinity often discourage them from disclosing their experiences. Misogyny, homophobia, and the stigmatisation of vulnerability play a role in silencing male victims and preventing them from seeking help (Blakemore et al. 2017). This silence perpetuates the cycle of abuse, as unaddressed trauma can lead to further psychological distress and maladaptive coping mechanisms.

Individuals who do not conform to traditional gender roles or are part of minoritized groups face additional challenges in accessing appropriate support and justice. Those who are transgender, non-binary, or from racial and ethnic minorities more frequently encounter systemic discrimination, which limits their ability to seek help and reinforces their marginalisation (Seelman 2015; Crenshaw 1991). For example, transgender individuals experience higher rates of violence, particularly from (self-identifying cis, heterosexual) males, due to societal stigma and the perceived threat they pose to normative gender expectations (Stotzer 2009).

To effectively address the root causes of domestic and sexual violence, it is crucial to consider these complex interdependencies. Prevention strategies must be inclusive and culturally sensitive, addressing the diverse needs of different populations. This involves creating supportive environments that empower individuals to challenge harmful norms, access resources, and seek justice without fear of retribution or discrimination (Heise 1998; Jewkes, Flood, and Lang 2015). By integrating a deeper understanding of the motivations and societal factors behind these crimes and the ways in which they are rationalised and justified, we can develop more effective interventions that promote safety and equality for all individuals.

3.6 | The Intersection of Disability and Abuse

Individuals with disabilities disproportionately experience abuse, experiencing it at rates significantly higher than those without disabilities. Research indicates that those with disabilities are up to four times more likely to experience various forms of abuse, including physical, emotional, and sexual abuse, correlating with factors such as perceived vulnerability, dependency on caregivers, and social isolation (Balogh et al. 2001; Flynn 2020; Jones et al. 2017, 2019). These vulnerabilities can be exacerbated by power imbalances in caregiving relationships, where abusers may exploit their authority to manipulate or control victims (Hughes et al. 2012).

Perpetrators are often thought to target individuals with disabilities because they are seen as less capable of resisting or reporting abuse. This is compounded by systemic barriers, such as inadequate training for professionals in recognising abuse signs and a lack of accessible reporting mechanisms (Jones et al. 2019). Furthermore, societal attitudes that view disability as a ‘tragedy’ or condition warranting pity can reduce the perceived seriousness of abuse against disabled individuals, thereby perpetuating a culture of tolerance towards such behaviour (Flynn 2020; Vinck 2021).

The historical context of institutionalisation, where many individuals with disabilities were subjected to neglect and abuse, contributes to ongoing mistrust of professionals and reluctance to report abuse (Ferguson 2007; Palusci et al. 2017). This historical backdrop underscores the importance of addressing both the individual and systemic factors that contribute to the heightened vulnerability of this population.

Communication barriers present a significant challenge for individuals with disabilities, including those who are deaf or have speech impairments. Without access to registered interpreters or appropriate communication aids, these individuals may struggle to disclose abuse or seek help. The reliance on personal interpreters, who may not be impartial or trained in trauma-informed practises, can pose additional risks, especially if the interpreter is a family member involved in the abuse (Jones et al. 2019). Addressing these barriers requires a concerted effort to provide accessible reporting channels and trauma-informed training for interpreters and professionals (NAPAC 2021a, 2021b).

The motivations behind and rationalisation for the abuse of individuals with disabilities are often linked to societal devaluation of their lives and autonomy. Perpetrators may rationalise their actions by viewing victims as less deserving of protection or incapable of understanding their rights. This dehumanisation can lead to various forms of abuse being justified under the guise of providing ‘discipline’ or ‘care’ (Hughes et al. 2012). Moreover, economic stress and the burden associated with caregiving can contribute to abusive behaviour, as caregivers may feel overwhelmed and inadequately supported (Green 2007).

Addressing these issues requires a comprehensive approach that includes raising awareness about the unique experiences of individuals with disabilities, grooming and exploitation tactics of perpetrators, improving professional training, and promoting societal attitudes that value and protect their rights. Efforts must also focus on empowering individuals with disabilities through education and accessible support services, enabling them to advocate for themselves and report abuse safely and effectively (Jones et al. 2019; Palusci et al. 2017).

3.7 | Criminal Law and Trauma

3.7.1 | Low Conviction Rates

Criminal convictions for rape, sexual assault and abuse are low. In the year ending March 2019, there were 227,500 child abuse offences known to be reported to the police, and only 4% (9100) resulted in a charge or summons, and of these 79% (7189)

resulted in a conviction. That is, 3% of reported offences resulting in a conviction (ONS 2020).

The Hydrant Programme (formerly Operation Hydrant) is a national coordination effort established in the UK in 2014 to support investigations of non-recent child abuse cases, particularly those involving public figures or institutional settings. It serves as a central hub for sharing information and best practises amongst police forces across England, Scotland, and Northern Ireland. Originally set up to coordinate efforts in handling complex cases involving prominent individuals and institutions, Hydrant expanded its scope to ensure a cohesive national response across the vulnerability sector including child sexual abuse and exploitation.

A specialist police hub for non-recent child abuse cases, Hydrant facilitates communication and collaboration amongst individual police forces and acts as a liaison between them and the Independent Inquiry into Child Sexual Abuse (IICSA). Whilst the investigations are conducted independently by the respective police forces, Hydrant supports these efforts by providing strategic coordination, publishing reports, and offering guidance for victims on navigating the criminal law processes (Operation Hydrant 2018). This coordinated approach ensures that resources are more effectively utilised.

The legal framework governing non-recent child abuse cases presents significant challenges for victims seeking justice and compensation. The Criminal Injuries Compensation Authority (CICA) offers financial redress to survivors, but the process is complicated by statutory limitations and evidentiary requirements. Claims must typically be submitted within 2 years of the incident, although exceptions can be made for non-recent abuse cases if justified by substantial evidence (CICA 2021). These legal hurdles often complicate access to compensation, as many victims struggle to provide the necessary proof due to the historical nature of their cases. Furthermore, the inclusion of survivor perspectives in policy development remains limited, and despite some progress, the criminal justice system's responsiveness to these complex cases is still evolving. This context highlights the need for more nuanced statutory laws that accommodate the unique challenges faced by survivors of non-recent abuse, ensuring that justice and relief are more accessible to those affected.

CICA guidance was reviewed in 2020, because of improvements in understanding the nature and impacts of non-recent sexual abuse and the nature of the specialist support required for victims (CICA 2021). The review analysed three years of data, and of the 75,000 cases this included, 25% (around 13,000 cases) were submitted later than 2 years after the incident, and 87% (10,660) of these related to sexual assault. The flexibility and discretion is evident by 72% of these submitted later than 2 years, around 7675 cases, having received an award.

This review found that victims of abuse still experience difficulties applying for compensation, including the necessity of reporting to the police, and especially fear of invasive and intimidating investigations (CICA 2021). There is evidence of a commitment to improving understanding of the trauma not only of the abuse but of reporting and pursuing criminal processes too, such as from the establishment and involvement of All-Party

This shows that survivors themselves are beginning to be included in the development and review of the policies and practices that effect the criminal justice system, which, as abuse is a criminal matter and issue of public interest and safety, is benefitting wider society by sharing insights and learning that can contribute to preventing more abuse and other violent through the successful prosecution of more perpetrators.

3.7.2 | High Attrition Rates

Attrition occurs when a case is discontinued before there is a conviction or similarly recognised legal resolution (Lovett and Kelly 2009). Across criminal and civil cases involving sexual and domestic violence and abuse, including child abuse and non-recent child abuse, there are significant rates of attrition where the process is discontinued before a concluding judgement is made (Bunting 2008; Brown, Hamilton, and O'Neill 2007; Christensen 2016; Christensen, Sharman, and Powell 2015; Daly and Bouhours 2010; Eastwood, Kift, and Grace 2006; Harwood 2020; Hester and Lilley 2017a, 2017b; Hohl and Stanko 2015; Krahenbuhl and Dent 2021; Lovett and Kelly 2009). This trend has been noted for many decades, in many countries, and even where survivors have been involved in shaping legal policies and procedures (as in the UK) the attrition rates remain high.

Attrition in criminal cases involving abuse typically occurs at three key stages. Firstly, during the police investigation stage, a decision may be made not to proceed due to insufficient evidence. Secondly, the CPS may decide not to continue with a case because of a lack of evidence or a determination that pursuing the case is not in the public interest. Both these stages may be referred to as no further action (NFA) by police or CPS. The third stage, often overlooked, is when the victim chooses to withdraw the complaint or refuses to appear in court, a decision influenced by fear of facing the accused, re-traumatization, or external pressure from family or community (Hester and Lilley 2017a, 2017b). Research indicates that victim withdrawal is one of the most significant contributors to attrition, with estimates suggesting that in over 25% of cases, the victim's decision not to support the prosecution is the primary reason for discontinuation (Hohl and Stanko 2015). This highlights the need for more comprehensive support systems to encourage victims to participate in the judicial process, as well as improved legal protections to reduce the risk of re-traumatization and coercion. When children disclose abuse, and a criminal process is initiated, there are a multitude of issues and barriers, that can factor in attrition. These issues include a lack of appropriate facilities for children, evidence being collected in an insensitive or intrusive manner, legal language and, especially, the long wait for trials to begin (often close to 2 years), the risk of seeing the accused perpetrator, and cross-examination and (publicly) not being believed (Eastwood, Kift, and Grace 2006).

In England and Wales there has been an increasing rate of rapes being reported, as expected with the broadening of legal definitions especially in the 1990s, but a low and falling rate of

convictions (Lovett and Kelly 2009). So, a low reporting rate is not the cause of a low conviction rate, and more survivors of sexual assault and rape disclosing to authorities is not resulting in more perpetrators being held accountable. Scotland and England and Wales had the lowest conviction rates in Europe in 2006 (Lovett and Kelly 2009).

It is noted that the work of Lovett and Kelly (2009) of rape prosecution and attrition across Europe is valuable, but the data are not presented in a clear or concise way, and illegibility makes it inappropriate to include their statistics and other data-centric findings because the maths cannot be adequately verified. This does not prevent the work being important to include, as the overarching rates for reporting, prosecuting and attrition are clear. It also contextualises why the legal processes for rape and sexual assault offences are important to study, and that the quantitative data from the criminal prosecution services alone does not provide sufficient information to explain attrition.

Low rates of reporting, high attrition, and low conviction rates contribute to further under-reporting of abuse and rape. With such a low likelihood of a conviction, there is little incentive for victims to continue the process, especially if the likelihood of revictimization is high. Unlikely to be reported, unlikely to be prosecuted, and unlikely to be convicted, the criminal justice system presents little deterrent to perpetrators who are unlikely to be held accountable (Eastwood, Kift, and Grace 2006).

In cases of child abuse and rape, the rates of attrition are also high. A study in Australia found that across 659 child sexual abuse cases the most attrition occurred during the initial investigation and during the prosecution because of a lack of evidence. A lack of evidence includes when a child does not disclose, or when there is insufficient medical evidence or a lack of witnesses (Christensen 2016).

3.7.3 | Evidence

In cases of child sexual abuse, especially non-recent cases, there is often a lack of forensic and medical evidence (Herman 2010; Lewis, Klettke, and Day 2014; Lewis and Klettke 2012; Palusci et al. 1999; Walker et al. 2021). Whilst criminal and civil justice processes often require medical and forensic evidence for prosecutions to begin it is not consistently correlated with convictions (Lewis and Klettke 2012; Lewis, Klettke, and Day 2014; Patterson and Campbell 2009; Palusci et al. 1999).

The role of medical evidence is ambiguous because it is both rarely collected and when collected does not always provide substantive forensic proof (Lewis and Klettke 2012; Lundrigan, Dharni, and Agudelo 2020; Herman 2010; Walker et al. 2021). Children especially heal quickly, and the body has often healed before physical symptoms can be observed or samples taken, though there is an implied positive role of medical evidence in cases of penetrative sexual abuse and rape experienced by older children (Patterson and Campbell 2009).

Other physical evidence is also significant in securing prosecution and conviction, especially if the perpetrator used a weapon and if the assault happened outside, such as in a park

(Lundrigan, Dhami, and Agudelo 2020). However, this reflects misconceptions and stereotypes of sexual assault and rape being conducted by violent strangers, whereas most instances of assault and rape of children and adults are perpetrated by someone known to the victim and often in the victim's home (Walker et al. 2021).

Evidence of behaviour change is significant and more highly correlated with positive convictions than medical evidence (Herman 2010; Lewis, Klettke, and Day 2014; Palusci et al. 1999; Walker et al. 2021). Behaviour change and other psychological evidence from the child (or adult survivor of abuse in childhood), multiple disclosures from one victim and/or disclosures by multiple victims about the same perpetrator/s, and evidence from social service records are more likely than physical evidence in cases of non-recent (more than one year) child sexual abuse and rape (Corby 1987; Walker et al. 2021).

The disclosures of victims and survivors, their experiences, and the psychological impacts these have, are therefore of principal importance and value to the criminal and civil justice processes, wider societal safety, and domestic and international human rights.

3.8 | Revictimization, Re-Traumatization, and Vicarious Trauma

The psychological impact of abuse and rape is both useful evidence and a barrier to disclosing and pursuing legal processes. Not disclosing to a service or not reporting to the police is the first and earliest attrition in legal processes (Christensen 2016; Eastwood, Kift, and Grace 2006; Kantor, Knefel, and Lueger-Schuster 2017). After an initial disclosure a victim may remove themselves from the process. In an analysed sample, of the 26% of cases that ended in the early stages of criminal justice process, 38% (the largest set) were attributed to the victim deciding to discontinue (Lovett and Kelly 2009).

The trauma itself, and having to describe the traumatic events in detail, sometimes multiple times to different professionals, is a barrier for many victims because it risks revictimization and re-traumatization (Graham-Kevan et al. 2015; Kantor, Knefel, and Lueger-Schuster 2017; Sweeney et al. 2016, 2018).

Legal processes can be difficult for survivors and professionals. It may be possible to reduce revictimization and re-traumatization and increase conviction if the relationship between abuse in childhood and experiences of disclosure, social and legal actions (and inactions) and any victimisation in adulthood are also considered and better understood (Collin-Vézina et al. 2015; Smart 2000). Professionals, even those without direct personal experience of abuse, struggle with vicarious trauma and other negative effects (Barrington and Shakespeare-Finch 2013).

Support for victims, survivors, other witnesses and for professional within and beyond the legal professions can reduce attrition and increase conviction rates. However, those with mental or physical health needs, including disability, those from minority communities within a society (including ethnic, cultural, gender, and sexual identities) are underrepresented in reporting

data, and are less likely to have cases with that result in convictions (Walker et al. 2021). That is, the trauma of abuse and rape is such that victims require specialist support to pursue legal processes, but a victim with any pre-existing mental health condition at the time of the assault is less likely to achieve justice. This opens a significant question about abuse, vulnerability and predatory behaviour, and access to justice.

4 | Conclusions and Recommendations

Childhood abuse has profound and far-reaching impacts, both short-term and long-term, that transcend gender and socioeconomic status. However, the nature and severity of these impacts are significantly shaped by factors such as socioeconomic status, gender, and intersecting identities. Survivors may experience a range of psychological and physiological traumas, which are often compounded by negative personal and social outcomes. These include challenges in accessing justice, healthcare, and education—each of which is crucial for effective healing and recovery (Norman et al. 2012).

Research and practise evaluations, combined with the personal testimonies of survivors, are essential for developing effective prevention strategies and improving outcomes for those affected by childhood abuse. This is not merely a moral obligation but a social and economic imperative. Policies and interventions must be informed by a deep understanding of the systemic barriers that prevent survivors from accessing support and justice, as well as by the diverse needs of individuals across different social and cultural contexts.

It is critical to adopt a multi-layered approach that integrates insights from legal frameworks, public health, and social services to enhance the support systems available to survivors. This requires not only addressing immediate needs but also considering long-term strategies to prevent re-traumatization and revictimization. For instance, reforms aimed at reducing attrition rates in criminal cases and improving support for those navigating complex legal and healthcare systems are vital (Hester and Lilley 2017a, 2017b; Hohl and Stanko 2015).

Moreover, understanding how historical and contemporary social changes influence the treatment of abuse in law and society is fundamental to developing more effective interventions. This knowledge can guide the evolution of policies that are responsive to the changing dynamics of abuse and recovery, ensuring that survivors are supported in ways that are both effective and empowering.

Addressing these challenges is not only necessary to improve individual outcomes but also to reduce the broader societal costs associated with childhood abuse. The cumulative impact of adverse childhood experiences on justice, health, and educational systems can create an economic burden that rivals or even exceeds other public health issues (Zarse et al. 2019). Therefore, there is a strong economic rationale for investing in comprehensive support and prevention strategies.

Future research should prioritise two key areas to address existing gaps in the literature. First, there is a need for studies

exploring the outcomes survivors seek from civil law processes, as this remains an under-examined aspect of their recovery journey. Second, longitudinal research is needed to understand the long-term outcomes that survivors desire for themselves, including how they define and achieve personal success and well-being in the aftermath of abuse. These studies would provide valuable insights for shaping policies and interventions that truly reflect the needs and aspirations of survivors, thus supporting more effective and sustainable recovery pathways.

Data Availability Statement

Due to the nature of this research, participants of this study did not agree for their data to be shared publicly, so supporting data are not available.

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