



SCHOOL OF LAW AND SOCIAL JUSTICE

**INTERNATIONAL CRIMINOLOGICAL RESEARCH UNIT (ICRU):
RESEARCH SEMINAR**

WEDNESDAY 15th MARCH 2017: 4pm – 5.30pm (Rendall Building – SR10)

Professor Suzanne Ost

Lancaster University Law School, University of Lancaster

*To Know or not to Know: Should the Existence of Photographs of Their Abuse
be Disclosed to Now-Adult Victims of Child Sexual Abuse?*

This paper considers the question of whether unaware crime victims have rights or interests in knowing and not knowing information pertaining to the crime(s) committed against them. The specific focus is whether the existence of abusive images (AI) should be disclosed to now-adult victims of child sexual abuse who feature in them. Because rights to know and not to know such information about oneself have not been addressed in the victimology or criminological literature, we (my co-author Alisdair Gillespie and I) turn to literature in another academic discipline - health care ethics and law - to inform our analysis. Through engaging with the debate on the right to know and not to know information concerning one's genetic status, we develop a conceptualisation of the issues regarding unknowing AI victims. We do not find a rights-based conceptualisation to be helpful in this context, contending that it would be more productive to look to AI victims' interests. We argue that the interests at stake are grounded in autonomy and/or spatial privacy, and that in order to find a way to resolve the disclosure dilemma, these interests must be considered alongside the consequentialist concern that disclosing the existence of AI could well cause now-adult victims further harm.

Suzanne Ost is Professor of Law at Lancaster University Law School, University of Lancaster.