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Remaking collective knowledge: An analysis of the complex and multiple effects of inquiries into historical institutional child abuse



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ABSTRACT

This article provides an overview and critical analysis of inquiries into historical institutional child abuse and examines their multiple functions and complex effects. The article takes a broadly international view but focuses primarily on Australia, the UK and Ireland, jurisdictions in which there have been major national inquiries. Drawing on sociological and other social science literature, it begins by considering the forms, functions, and purposes of inquiries. An overview of emergent concerns with institutional abuse in the 1980s and 1990s is then provided, followed by an examination of the response of many governments since that time in establishing inquiries. Key findings and recommendations are considered. The final sections of the article explore the evaluation of inquiries, both during their operation and in their aftermath. Policy change and legislative reform are discussed but the focus is on aspects often underplayed or overlooked, including an inquiry's credibility, its role in processes of knowledge production, and the part it plays in producing social and cultural shifts. In the context of growing numbers of inquiries across Western democracies, including the Australian Royal Commission into Institutional Responses to Child Sexual Abuse, it is argued that grasping the complexity of the inquiry mechanism, with its inherent tensions and its multiple effects, is crucial to evaluating inquiry outcomes.

1. Introduction

For over two decades, the abuse of children in institutional settings has been recognized as a major social problem in many countries. Widespread attention to the issue has arisen primarily via two interconnected routes. One is media exposure of severe and systemic forms of maltreatment and cover-ups by institutions and people in positions of authority. The other is through the organization and activism of victims and survivors (Sköld, 2016). In countries where inquiries form part of the political culture, calls for investigation of the matters raised are often framed as a demand for a public inquiry (Daly, 2014b; Sköld & Swain, 2015a). The acquiescence of governments typically occurs when the issue reaches a point of crisis and is too large, complex or controversial to be handled through the usual political mechanisms. Such was the case with the Australian Prime Minister's announcement late in 2012 of the inquiry that would become the Royal Commission into Institutional Responses to Child Sexual Abuse (hereafter, the Royal Commission).

A similar pattern is evident in other countries, although precipitating factors and the form and focus of inquiries differ, both within and across jurisdictions (Sköld & Swain, 2015a). In Ireland, the Commission to Inquire into Child Abuse (hereafter, the Ryan Commission) was established in 1999 to investigate the abuse of children in Irish residential 'care' settings. This was followed by several high-profile diocesan inquiries into child sexual abuse. In the Nordic countries and in other parts of Europe many inquiries

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have now investigated abuse and neglect in children's homes and foster care (Sköld, 2013, 2015). A number of inquiries have also taken place in Canada (Daly, 2014b). In the United Kingdom (UK), which like Australia and Canada has a long tradition of public inquiries, many inquiries into institutional child abuse have been conducted since the late 1980s (Corby, Doig, & Roberts, 2001), including large national inquiries initiated in the mid-2010s into institutional child abuse in Northern Ireland, Jersey, England and Wales, and Scotland.

To date, most of the national inquiries undertaken by governments have examined all forms of abuse and neglect, usually in the context of residential 'care', such as orphanages and children's homes. Daly (2014a) refers to these settings as 'total' institutions, given their isolation from the wider society. There have also been many, usually smaller, inquiries conducted by governments and religious organizations focusing on child sexual abuse and institutional responses in more 'open' community settings, notably religious organizations. With some exceptions, for example the Samson Committee in the Netherlands which examined sexual abuse in residential 'care' (Dekker & Grietens, 2015), this has been the general pattern. However, two major national inquiries established in the early to mid-2010s, departed somewhat from the trend established by previous inquiries. The Australian Royal Commission and the Independent Inquiry into Child Sexual Abuse, which covers England and Wales, are examining sexual abuse only but in both 'open' and 'closed' institutional contexts.¹

Public inquiries into institutional abuse are distinct from the other main mechanism for investigating significant forms of child maltreatment, the serious case review (Corby, 2003). While nomenclature differs across jurisdictions, the function of the serious case review is to examine what happened, investigate the actions of relevant agencies, and determine how child safety can be improved in the future (Sidebotham et al., 2016; Vincent, 2014). By contrast, public inquiries into historical institutional child abuse – the focus of this article – are typically concerned with multiple institutions, systemic failures, cover-ups, many victims, and allegations often spanning decades. The *publicness* of many of these inquiries also differs from most single incident reviews, reflecting community expectations of a transparent investigative process and a publicly available report (Corby, 2003).

While public inquiries have been an important feature of the child protection landscape since the 1970s (Corby, 2003), it has been from the 1990s that historical institutional abuse inquiries have gained prominence (Sköld, 2013; Swain, 2016). Concerns with past events and claims for recognition and redress are often the catalyst for an inquiry's establishment. However, most have a dual aim of determining 'what happened' (and considering appropriate forms of restitution), as well as making recommendations to improve policy and practice for children in the future. Key areas of policy and legislative reform recommended by inquiries and acted upon by governments have been pre-employment screening and mandatory reporting (McAlinden, 2013; Parkinson, 2015). Historical institutional abuse inquiries have, therefore, assumed an important role in recent years in child safety initiatives in a number of jurisdictions, including Australia, Ireland, and the UK.

This article situates the Australian Royal Commission in the wider context of inquiries internationally by providing an overview and critical analysis of their background, purpose, functions, and effects. Such inquiries are, as Sköld and Swain (2015b, p. 2) have noted, "a global, yet Western-oriented, phenomenon". While there is considerable variation in scope, focus, and inquiry type, examination of inquiries internationally reveals common features, key issues, and important trends. In the first section, sociological and other social science literature is drawn upon to demonstrate the complex functions of public inquiries in general and historical institutional child abuse inquiries in particular. This is an important exercise, for despite a pervasive view that the purposes of inquiries are self-evident, definitional problems abound (Inwood & Johns, 2014; Prasser, 2006; Sheriff, 1983).

The section that follows provides a contextual overview of the emerging concerns with institutional abuse in the 1980s and 1990s and the response of many governments since that time in establishing inquiries. While acknowledging the existence and importance of inquiries in many nations, the focus is primarily on Australia, the UK and Ireland, jurisdictions in which there have recently been, or currently are, major national child abuse inquiries. An overview of key findings and recommendations is then provided before turning to questions of evaluation. Recognizing the importance of policy change and legislative reform, these aspects are considered. However, the article focuses on underplayed or overlooked dimensions, in particular an inquiry's credibility, its role in processes of knowledge production, and the part it plays in producing social and cultural shifts. In the context of growing numbers of such inquiries internationally, it is argued that grasping the complexity of the inquiry mechanism, with its inherent tensions and manifold effects, is crucial to evaluating inquiry outcomes.

2. Public inquiries: history, form, and function

To understand the role of commissions of inquiry in preventing and better responding to institutional child abuse, it is necessary to consider the forms such inquiries take, as well as their history, processes, and purposes. Statutory public inquiries are a governmental, legal, and social institution (Ratushny, 2009). A unique and important instrument of governance, they are temporary ad hoc bodies appointed by government but usually independent of them (Inwood & Johns, 2014). The functions of inquiries are multiple and complex. In addition to developing policy and discharging legislative obligations, they are charged with establishing facts, identifying wrongdoing, and assigning blame. Their primary function, however, is widely acknowledged as learning lessons from past events to inform the future (Beer, 2011; Makarenko, 2007). Inquiries have advisory functions for government but typically address matters that cannot be adequately dealt with by the existing apparatus of the state. Large public inquiries, then, are usually only established in exceptional circumstances and are at the extreme end of what Sheriff (1983) terms non-routine bureaucracy.

¹ The Royal Commission's terms of reference allow examination of "other related matters". Physical and emotional abuse, therefore, can be considered but only if these forms of abuse occurred in the context of the sexual abuse.

Public inquiries have a long history in Western democracies, with scholars dating the first royal commission to the eleventh century in England (Gilligan, 2002; Inwood & Johns, 2014). The British public inquiry practice has informed the development of inquiry models elsewhere, particularly in political systems founded on the Westminster parliamentary tradition (Starr, 2014). While the use of inquiries by different governments and in different nations has been variable, inquiries have played an important policy role in many national contexts, for example in the establishment and refinement of the child welfare system in Australia (Swain, 2014) and in the formation of the welfare state in Sweden (Marier, 2017).

Historical context shapes the form, functions, and foci of an inquiry. They are, therefore, an important prism on societies over time. Inquiries reflect issues of contemporary concern and their reports can shape public discussion and national histories. Some inquiries also reflect transnational histories, for example, by documenting child migration schemes between Britain and Australia (e.g. Australian Senate Community Affairs References Committee, 2001; Hart, Lane, & Doherty, 2017) or through connections between investigations across jurisdictions (Sköld, 2015).

From high profile royal commissions and other types of independent statutory bodies to smaller committees and reviews, working parties and task forces, inquiries are common in the UK, Ireland, Canada, and Australia (Inwood & Johns, 2014; Prasser, 2006). Similar types of commissions are also undertaken in many other nations although their forms differ (Prasser & Tracey, 2014). In the United States of America (USA), presidential commissions, task forces, advisory panels, and congressional committees are among the various forms of inquiry mechanisms utilized (Kitts, 2014). However, unlike many other Western nations the USA does not have a strong public inquiry tradition and has not conducted a national investigation into historical institutional child abuse (McCaffrey, 2017). In that country, the issue has been dealt with primarily through investigative journalism and the courts. In the Nordic countries, where governmental commissions of inquiry form a key part of the political system, such inquiries have taken the form of research focused investigations (Swain, Wright, & Sköld, in press).

Where inquiries have a statutory base, the form they take, the functions they perform, and the authority they possess is determined by their legal authorization. For example, royal commissions are more powerful than non-statutory inquiries because they are governed by legislation that confers considerable power, for example, to subpoena witnesses and compel documents (Prasser, 2006). The authority and size of an inquiry is also determined by its specific remit, typically outlined in its terms of reference, which provides the focus for the investigation and sets limits on its scope. In the social science literature, much attention has been paid to defining and classifying inquiries and detailing their functions. While there is general agreement that their chief purpose is to determine *what happened* with a view to *learning lessons*, their defining features and functions are more contested. Prasser (2006), for example, argues that it is crucial to distinguish between public inquiries and other forms of investigation, such as parliamentary committees and reviews, by virtue of their *publicness*.

While some inquiries into institutional child abuse would fall within Prasser's definition, including the Australian Royal Commission, not all could be defined as *public* in the narrow sense of the term, at least insofar as they are independent from government. However, such categorization fails to capture the *publicness* of different types of inquiries which are subject to public scrutiny and release public reports. Employing this criterion for historical abuse inquiries is also problematic because it understates the important role that parliamentary inquiries (e.g. in Australia) and research based inquiries (e.g. in Denmark and Finland) have played in investigating child maltreatment in institutional settings (Swain et al., in press). Therefore a wider and more inclusive definition of public is employed here.

Scholarly analysis of inquiries has focused predominantly on their role in bringing about improvements in institutional and professional practice and on their function as an instrument of governance (Corby et al., 2001; Prasser, 2006). As such, they have largely been understood in an instrumental way, as a mechanism used by governments to deal with a crisis (Resodihardjo, 2006). Yet as argued here, the functions and significance of inquiries extend beyond policy making and crisis management.

Inquiries need to be understood in their wider public context (Rhodes, 1975). Their reports are public, used not only by governments but commented on in the media and by academics, and read by professionals and practitioners. Inquiries and their reports can shape the positions taken by particular interest groups (Ashforth, 1990) as well as those within the wider community. Inquiries also have significant ritualistic, symbolic, and pedagogical dimensions. They throw into sharp relief issues of major social concern and play an explicitly educative role for both government and society. They are emblematic of an open and transparent society "where the voices of the powerless are heard" and the powerful are held accountable (Burgess, 2009, p. 4; see also Niezen, 2013).

As Ashforth (1990, p. 4) has argued, inquiries are "theatres of power which do 'make policy' but which do much else beside". This includes, at times, serving a legitimizing function for governments by restoring authority and public confidence in the wake of a crisis or scandal (Ashforth, 1990; see also Winter, 2014). They also serve an important legitimizing function for victims and survivors and their experiences of abuse and its impacts. Inquiries, and the media reporting of their work, can play an important role in making an issue discussable (Resodihardjo, 2006; Rhodes, 1975), even "in the constitution of a whole new form of discourse" (Ashforth, 1990, p. 3). This has been important for the issue of institutional abuse generally and for child sexual abuse in particular, which in the absence of an inquiry or scandal, is rarely the subject of public discussion (Swain, 2015; Wright, 2016).

Related to the issue of making a subject discussable, inquiries have important functions in developing new ways of defining a problem (Resodihardjo, 2006) and generating new information (Pratt & Gilligan, 2004). The production of new knowledge often centres around *what happened* and the development of new understandings, as established historical narratives are rewritten (Sköld, 2015). The Australian Royal Commission and many other inquiries internationally have contributed to the reconfiguration of history, both in relation to received understandings of childhood and the once revered institutions that were charged with the care of children who could not be looked after by their families.

The Royal Commission also made a significant contribution to the field of child protection and safety through its large program of original empirical research (Wright, Swain, & McPhillips, 2017). With substantial resources provided by the Australian government,

it made a large investment in commissioned studies and internal research, thus creating whole new bodies of knowledge that will have their own legacy, beyond the suite of reforms that may arise through the implementation of recommendations made in the Royal Commission's reports.

3. Institutional child abuse: societal recognition

As a spate of inquiries internationally has now demonstrated, the maltreatment of children in institutions is not a new problem. Nor are inquiries into allegations of abuse in institutional settings a new phenomenon (Swain, 2014). Historical studies have shown that many reports of physical and sexual abuse of children were made to authorities throughout the nineteenth and twentieth centuries and that official inquiries were established to examine particular institutions and allegations (Daly, 2014b; Swain, 2014). Yet until the closing decades of the twentieth century, inquiries and reviews largely minimized and, importantly, individualized such incidents (Corby et al., 2001; Swain, 2014).

It was not until the 1980s that institutional abuse was 'discovered' (Corby et al., 2001), that is, conceptualized as a systemic problem that required a societal response. This was followed by concept diffusion in the 1990s (Daly, 2014a), which saw knowledge of the issue spread and gain public attention. Concern with institutional abuse arose within the wider context of increasing social recognition of abuse within the family (Corby et al., 2001). While the longer history of efforts to prevent child maltreatment include the child saving movement of the late nineteenth century (Scott & Swain, 2002), the more recent history begins with the naming of the physical abuse of children as a social problem in the USA in the early 1960s (Kempe, Silverman, Steele, Droegemueller, & Silver, 1962), followed by attention to child sexual abuse in the mid-to late 1970s (Finkelhor, 1979; Kempe, 1978).

Researchers in the USA were instrumental in bringing to public attention in the 1960s the problem of the so-called battered child syndrome (Kempe et al., 1962). Widespread societal recognition of physical abuse in Britain and other Anglophone countries, including Australia, developed more slowly (Powell & Scanlon, 2015). The Nordic countries were also influenced by Kempe and others but were perhaps more receptive, given their longer history of discussions of the corporal punishment of children and the earlier enactments of prohibitions against it than in Australia, Ireland, and the UK (Sköld, 2013). Acknowledgment of child sexual abuse in Europe also came somewhat later than in the USA, with countries that had strong Catholic cultures, like Ireland and France, slower to acknowledge child sexual abuse as a social problem than Protestant or secularized countries like England, Sweden, and the Netherlands (McAlinden, 2013).

A range of factors coalesced to create the conditions of possibility that enabled increasing recognition of all forms of child maltreatment in Western democracies in the mid-late twentieth century. While it is beyond the scope of this article to canvass the broad sweep of social changes involved, a number of key points are worth noting. Corby et al. (2001, p. 43) underscore the importance of an increasing "prizing of childhood" from the mid-twentieth century onwards. They suggest that this was fostered by the shift towards smaller families, growing affluence, dissemination of professional expertise, medical and technological advances and, to some extent, professional self-interest in social work and child protection (Corby et al., 2001).

Finkelhor (1979) identifies feminism and the child protection lobby as critical to societal recognition of child sexual abuse in the 1970s, while Powell and Scanlon (2015) point to the role of the media in publicizing child abuse scandals and raising public awareness (see also Wright, 2016). For all forms of abuse, research was fundamental, both to the processes of acknowledging it and then for efforts to prevent it (Myers, 2008; Starr & Wolfe, 1991). New understandings emerged of both the care needs of children and the deleterious effects of maltreatment. During the 1970s "the issue of child abuse exploded onto the professional, public and political agendas" (Parton, 2006, p. 29) and child protection services expanded (McGowan, 2005). This period saw the emergence of institutional responses for dealing with abuse and the development of treatment programs for offenders (James, 2000).

The 1970s and 1980s was also an era in which children's legal status and rights came to the fore, reflected, for example, in the introduction of new legislation (e.g. mandatory reporting), supplementing older nineteenth century laws designed to protect children. A resolution of the United Nations (UN) General Assembly proclaimed 1979 as the International Year of the Child and a decade later came the 1989 UN Convention on the Rights of the Child (Murphy-Berman & Weisz, 1996). These developments captured the mood of the time, but they also built on earlier efforts to enshrine children's rights in formal mechanisms, first with the League of Nations Declaration of the Rights of the Child in 1924 and later with the 1959 UN Declaration of the Rights of the Child (Cohen, 1990).

While these wider changes in conceptualizations of childhood and rights are an important part of the story, they do not fully explain the emergence of concerns with historical institutional abuse more specifically. Certainly, shifting values shaped not only attitudes towards the child in the present, but also prompted reflection on the past. Yet it is a broader shift in the political landscape of Western countries that leading scholars in the emerging interdisciplinary field of studies on inquiries, apologies, and redress, identify as a crucial (Sköld, 2013; Swain, 2014; McAlinden, 2013; see also Sköld & Swain, 2015a). They situate concerns with institutional abuse within a wider international trend of societal acknowledgment of past human rights violations through transitional justice mechanisms such as truth commissions and inquiries.²

The UN Convention on the Rights of the Child was a touchstone. This international treaty, which set out the civil, political, economic, social, health, and cultural rights of children, bound signatory nations to it by international law. Sköld and Swain (2015b) argue that the past treatment of children increasingly came to be seen through this lens. Ericsson (2015) suggests that the Convention was a precondition for the international wave of inquiries that were established in the 1990s and 2000s, and certainly the discourse of

² Although Daly (2014b), also an important scholar in this area, argues that multiple theorizations are required to grasp the complexity of this issue.

children's rights frames the terms of reference of many inquiries and is prominent in many inquiry reports.

An extensive catalogue could be developed of the manifold social and cultural factors that fostered increasing societal concern with institutional abuse. In addition to those noted above, several other dimensions of social change in the late twentieth century are noteworthy. These include the rejection of traditional social hierarchies, changing relations of authority, the weakening of institutions, and an increasing openness about private life (see, for example, [Borstelmann, 2012](#)). These cultural shifts facilitated and reflected the increased questioning of institutional power and the recognition of abusive authority ([Wright, 2011, 2016](#)). The expansion, popularization and dissemination of psychology, psychiatry, and psychotherapy, particularly when aligned with feminist discourses ([Swain, 2015](#)), provided the language and legitimacy for the recognition of emotional and psychological trauma arising from childhood abuse, the value of disclosure, and the therapeutic techniques to help address its impacts ([Wright, 2011](#)). Finally, the child sexual abuse crisis in the Catholic Church, which itself emerged in the wake of weakening traditional authority, was arguably the decisive factor in fostering outrage within the international community and in prompting governments to respond.

From the late 1980s onwards, people who experienced out-of-home residential 'care' as children ('care leavers') and other affected groups began to organize and advocate for recognition of the abuse to which they were subjected as children and for reparation for its deleterious and often long-lasting effects. It was within this context that the abuse of children in residential 'care' settings became the focus of media and political attention across a number of Western countries ([Corby et al., 2001](#); [Musgrove, 2013](#); [Sköld, 2013](#); [Sköld & Swain, 2015a](#)). Victims and survivors of clergy abuse also mobilized and sought redress, either through church initiated schemes or through civil litigation ([Daly, 2014b](#)).

Calls for inquiries and redress reflect a public that is more informed about child abuse as a social problem, including its nature and impact, and more active in demanding that *something be done*. The late twentieth century and into the present may be characterized as a period of activism in this area, one buttressed by a growing discourse of children's rights, as enshrined in the UN Convention on the Rights of the Child. It is also suggestive of a cohort of adults reflecting on their childhood experiences, who were less willing to unquestioningly defer to the authority of governments and social institutions. Clearly, there are a complex set of social conditions that need to be present and coalesce to spark a public inquiry. These wider societal characteristics are important to consider, both in understanding the dynamics of inquiries in countries where they have become part of the social landscape, but also in societies where these developments have not yet unfolded.

Apologies, financial redress, memorialization, and inquiries have been the main responses of governments and institutions to allegations of historical institutional child abuse ([Daly, 2014b](#); [McAlinden, 2013](#); [Niezen, 2013](#); [Sköld, 2013](#); [Sköld & Swain, 2015a](#)). In countries with political cultures that commonly employ inquiries to examine issues of major social importance, special interest groups, members of parliament, and the media often call for a public inquiry ([Beer, 2011](#)). The establishment of inquiries typically occurs when the issue reaches a point of crisis, commonly as a result of media scandals, and often supported by the public testimony of individuals alleging severe and systemic forms of abuse.

4. Inquiries: responding to institutional abuse

In the UK and other Commonwealth countries, as well as in parts of Northern, Western, and Central Europe, there have now been many commissions of inquiry investigating historical institutional child abuse ([Daly, 2014b](#); [McAlinden, 2013](#); [Sköld & Swain, 2015b](#)). Jurisdictions that have initiated inquiries or redress schemes include Austria, Australia, Belgium, Canada, Denmark, England, Finland, Germany, Ireland, the Netherlands, New Zealand, Northern Ireland, Norway, Iceland, Scotland, Sweden, Switzerland, and Wales ([Daly, 2014a](#); [McAlinden, 2013](#); [Sköld, 2013, 2015](#); [Sköld & Swain, 2015b](#)).

Yet this international trend is an uneven one. According to a 2017 report by the Children's Rights International Network, "no government in Eastern and Southeastern Europe has ever issued an official apology, conducted a public inquiry into rights abuses of children in institutional care or implemented redress schemes for survivors" ([Child Rights International Network, 2017, p. 4](#)). There are, therefore, historical, social, political, cultural, and jurisdictional differences shaping the international inquiry trend.

While some inquiries into institutional child abuse were undertaken in the 1980s, the wave of investigations that form part of the recent trend identified by [Sköld \(2013, 2015\)](#) emerged in the 1990s. The South African Truth and Reconciliation Commission was an important model for the testimonial based inquiries into the abuse of children in out-of-home 'care' that were to follow ([Sköld, 2013, 2015](#); [Swain, 2014](#)). Several inquiries established during the closing decade of the twentieth century set the agenda: the Canadian Royal Commission on Aboriginal Peoples, the Australian Human Rights and Equal Opportunity Commission's inquiry into the forced removal of Aboriginal children from their families and communities, and Ireland's Ryan Commission ([Sköld, 2015](#)).

The events that have been the catalyst for inquiries in different jurisdictions vary, but a common tipping point is media attention through investigative journalism and documentary films ([McAlinden, 2013](#); [Murphy, 2013](#); [Rytter & Rasmussen, 2015](#); [Sköld, 2016](#)). In Ireland, for example, a succession of documentaries detailed institutional and clerical abuse and the failure of the Catholic Church to protect children or respond adequately when abuse occurred ([Suffer Little Children, 1994](#); [Dear Daughter, 1996](#); [States of Fear, 1999](#); [Suing the Pope, 2002](#); [Cardinal Secrets, 2002](#)). Along with activism and testimony, these programs played a major role in "breaking the silence" on institutional child abuse ([Keenan, 2013, p. 20](#)). In 1999 a state apology was issued, a redress scheme set up and the Ryan Commission (previously the Laffoy Commission) was established to examine physical, sexual, and emotional abuse and neglect in Irish residential 'care' settings ([McAlinden, 2013](#)). Inquiries focusing specifically on clerical child sexual abuse in a number of Irish dioceses followed, including Ferns (2003–2005) Dublin (2006–2009) and Cloyne (2009–2011), which individually and collectively had a major public impact ([McAlinden, 2013](#); [Murphy, 2013](#); [Wright, Swain, & Sköld, 2017](#)).

Media coverage also prompted inquiries in Scandinavia. Commissions of inquiry in Norway established in the early to mid 2000s, the first in 2001, took place amid much attention to historical abuse and debate about financial redress ([Ericsson, 2015](#)). In Sweden

and Finland, inquiries into child abuse and neglect in children’s residential ‘care’ institutions and foster homes were set up following the broadcast of documentaries in those countries, with the film titles in both languages translated as “stolen childhood” (Sköld, 2015, p. 23). Similarly, Denmark’s first inquiry in 2010 followed a documentary on the Godhavn boys’ home, which aired allegations of neglect, severe abuse, and medical experiments (Rytter & Rasmussen, 2015), which the inquiry subsequently examined.

Sköld (2015) notes that a common feature of the Nordic inquiries is that they are victim-centred, typically drawing on interview narratives as the primary method of investigation. In some inquiries, the testimony gathered has been supplemented by documentary material and archival research (Sköld, 2016). The form of these investigations contrasts with the more legalistic inquiries favoured in Commonwealth countries and in Ireland, where formal public hearings have been an important part of the investigatory process. Many of these large statutory inquiries, including the Australian Royal Commission, are underpinned by legislation that confers considerable legal powers, including the capacity to compel witnesses and documents. Yet, while the form differs, they may also be described as victim-centred, with the testimony of survivors central to the inquiry process, for example, through confidential sessions, confidential committees, and witness statements.

The focus of most government inquiries into historical institutional child abuse has been abuse in residential ‘care’ – usually examining all forms of abuse and neglect. However, some recent major national inquiries, notably the Australian Royal Commission and the Independent Inquiry into Child Sexual Abuse in England and Wales (hereafter the Westminster Inquiry) have taken a different focus. In both cases the scope was broader than most previous inquiries in relation to institutions examined (they included community settings such as schools, churches, and voluntary organizations, as well as the more typical focus on residential ‘care’ settings) but the types of abuse examined was limited to child sexual abuse only. This reflects, as Daly (2014a, p. 6) has noted, a shift away from “large residential care facilities for children” and an “increased focus on sexual victimization of children in non-family settings”.

Table 1: Select list of governmental historical institutional child abuse inquiries.

Inquiry	Period of operation	Jurisdiction	Types of abuse	Institutional settings
Commission to Inquire into Child Abuse	2000–2009	Republic of Ireland	All forms of abuse and neglect	Institutional residential care settings
County Commission into Abuse and Neglect in Residential Homes in Bergen	2001–2003	Bergen, Norway	All forms of abuse and neglect	Institutional residential care settings
Swedish Commission to Inquire into Child Abuse and Neglect in Institutions and Foster Homes	2006–2011	Sweden	All forms of abuse and neglect	Institutional residential care settings
Godhavn Inquiry	2010–2011	Denmark	All forms of abuse and medical experiments	Institutional residential care settings
Historical Institutional Abuse Inquiry	2014–2017	Northern Ireland	All forms of abuse and neglect	Institutional residential care settings (excluding schools)
Royal Commission into Institutional Response to Child Sexual Abuse	2013–2017	Australia	Child sexual abuse and related matters	All institutional settings
Scottish Child Abuse Inquiry	2015 –	Scotland	Physical and sexual abuse, associated psychological and emotional abuse	Institutional residential care, including foster care, schools, secure units
Independent Jersey Care Inquiry	2013–2017	States of Jersey	All forms of abuse and neglect	Residential care settings including foster care
Independent Inquiry into Child Sexual Abuse	2015 –	England and Wales	Sexual abuse	All institutional settings

*This table contains only a select number of governmental inquiries internationally which have examined historical institutional child abuse. For more a more detailed list, see Sköld (2013) and for summaries of inquiries see Wright, Swain, Sköld (2017).

Sköld (2015, p. 17) suggests that there have been national and international “chains of inquiry”, where smaller inquiries often lead to larger ones, and in the context of growing media attention, political pressure mounts to establish an inquiry when comparable or neighbouring jurisdictions have done so. Sköld (2015) has documented this pattern in Australia, the UK, and the Nordic countries, noting that the focus, conduct, and process of inquiries plays an important role in how subsequent inquiries are designed. This suggests an important transnational history of inquiries into institutional abuse which is yet to be fully explored.

Both Australia and the UK have a long history of inquiries into allegations of the abuse of children in institutions (Corby et al., 2001; Swain, 2014). Swain (2014) identified more than 80 in Australia since the nineteenth century. Yet, as in other countries, institutional abuse was not conceptualized as a systemic problem until the 1990s. Rather, it was usually depicted as individual cases

of malfeasance. During the same period in which recognition of institutional abuse emerged, the focus and operation of inquiries also shifted. Whereas earlier they relied on experts and statements from people in positions of authority, inquiries from the 1990s began to focus on the testimony of victims and survivors (Sköld, 2013; Swain, 2014). This marks a major turning point from the previous era, where the primary objective, as Swain has demonstrated, was to minimize the reputational damage of the institution by treating allegations as isolated incidents. As she argues:

The practices of individualising accusations of sexual abuse, discrediting witnesses and minimising reporting in the interests of public morality were successful only while inquiries looked to experts rather than victims for the answers to the problems they were addressing. The inquiries since the late 1980s, which have actively sought survivor testimony, have broken open such silences. (Swain, 2014, p. 9)

The testimony of victims and survivors is the defining feature of institutional abuse inquiries in the current era (Niezen, 2013; Sköld, 2013; Swain, 2014). The focus on individual narratives serves two primary purposes. One is to bear witness to people's suffering and acknowledge the abuse they experienced. The other is to learn lessons from past events to better understand the dynamics of institutional abuse to improve policy and practice in the future. This dual purpose reflects the overarching objectives of many child abuse inquiries: to provide justice for victims and survivors, and to learn lessons from past events to make institutions safer places for children in the future.

5. Findings and recommendations

Reports from inquiries into various forms of historical institutional child abuse since the 1990s cover three main areas: (1) the treatment of children in residential 'care' settings; (2) the policies and practices that resulted in the social and cultural dislocation of indigenous children, children from families living in poverty, and child migrants; and (3) the sexual abuse of children in a wide range of institutional settings, particularly churches but also schools, sports clubs, and voluntary organizations. Inquiries have played a critical role in documenting both individual experiences and in creating new histories of childhood. In Ireland, Canada, the UK, Australia, and many countries in Northern, Central, and Western Europe, inquiries have uncovered widespread and systemic childhood abuse, which as Sköld (2015) has noted, has transformed individual stories of suffering into national traumas.

The findings of successive inquiries across many countries paint a grim picture. As McCaffrey (2017) stated: "The sheer global scope of child abuse revealed by these public inquiries is breathtaking". Childhood in institutional 'care' has been revealed as a lonely, brutal, and traumatic experience for countless children, the impact of which is too often compounded by severe abuse and neglect (Musgrove, 2013; Penglase, 2007). The deleterious effects for many are life-long and intergenerational. A similarly tragic story has emerged for children who have been sexually victimized in a variety of institutional settings. As is now well established, child sexual abuse can have long-term impacts on mental and physical health, educational outcomes, and social and interpersonal functioning (Blakemore, Herbert, Arney, & Parkinson, 2017; Cashmore & Shackel, 2013).

Across different national contexts, there is a striking similarity in the findings of inquiries into child welfare and institutional responses to allegations of abuse (Sköld, 2013; Sköld & Swain, 2015a; Wright, Swain, Sköld, 2017). In residential 'care' facilities, inquiry after inquiry has found that care did not meet either the legal or professional standards of the day, that physical and sexual abuse was common, and that neglect and psychological and emotional abuse were pervasive. Labour exploitation, excessively harsh discipline, and inadequate educational provision are also recurrent themes. Inquiries into sexual abuse across the spectrum of institutional settings have demonstrated that the problem is widespread, indeed endemic in some contexts, like the Catholic Church, and that organizations have failed to protect children and have responded with gross inadequacy when instances of child sexual abuse do occur (for summaries of inquiries internationally, see Wright, Swain, Sköld, 2017).

Recommendations from inquiries into historical institutional child abuse fall under two broad categories. One pertains to measures aimed at alleviating the impact of past abuse; the other relates to how abuse can be prevented in the future. Recommendations for addressing past abuse typically include reparation through financial redress schemes, apologies, legislative reforms to remove time limitations for legal action, memorialization, improved records access, assistance with family tracing and reunions, and the provision of medical benefits, counselling, and various support services. Forward looking recommendations commonly include reforms to criminal law and reporting mechanisms, as well as a range of preventative measures aimed at improving child safety, including policy change such as mandatory reporting and pre-employment screening, improvements in staff training, better avenues for children to raise concerns when they feel unsafe or have been abused, the establishment of oversight agencies, as well as broader initiatives such as public awareness campaigns and further research.

At times, inquiry reports recommend a further, often more powerful, public inquiry to examine issues which emerged throughout the investigation that were unexpected, beyond the remit of the original inquiry, or could not be fully examined due to the limitations of the inquiry form. For example, an Australian parliamentary inquiry in the early 2000s into the past experiences of children in institutional 'care' recommended the establishment of a royal commission to examine criminal physical and sexual assaults of children and young people in institutions, the concealment of those crimes, and the protection of offenders. Based on submissions received and evidence obtained, it argued that statutory powers of a royal commission were required to investigate these issues unless institutions voluntarily opened both their files and their premises to a full investigation by authorities (Australian Senate Community Affairs References Committee, 2004). This recommendation was not acted upon. However, that report, together with other parliamentary inquiries and smaller state based investigations in Australia, was instrumental in building momentum and in contributing to an accumulation of evidence, which eventually led to the establishment of the Royal Commission into Institutional Responses to Child Sexual Abuse.

6. Assessing inquiries during their term of operation

Appraisals of inquiries often begin in the public arena following their announcement and the release of their terms of reference. While inquiries into historical institutional child abuse have been widely called for and welcomed by special interest groups, politicians, and the broader community, as with inquiries into other matters controversy often surrounds them. One of the first issues to provoke debate concerns the inquiry's remit, commonly evaluated as either too broad or too narrow, and sometimes as both (e.g. [Golding, 2017](#)).³ The Westminster Inquiry, the largest investigation into child sexual abuse ever undertaken in the UK, has been extensively criticized for being unwieldy. This is typically attributed to its wide-ranging terms of reference, which require it to investigate many large and complex institutions, from the BBC, hospitals and children's homes, to the police, armed forces, schools, religious groups, local authorities, and other organizations.

Many comparisons have been made between the UK's Westminster Inquiry and the Australian Royal Commission. Both were set up in the wake of national scandals about child sexual abuse – in the UK revelations about the prolific abuser, Jimmy Savile, were a catalyst, while in Australia allegations aired on national television by a senior police detective alleging cover-up in the Catholic Church proved the tipping point for what had been a growing campaign for a royal commission. Both inquiries were established with a similarly broad remit: to examine child sexual abuse and institutional failure, historically and in the present, with a view to providing justice for victims and improving child safety in the future. However, while Australia's Royal Commission was widely regarded as highly successful, the UK's Westminster Inquiry struggled. A comparative analysis suggests, however, that its difficulties cannot simply be attributed to its broad remit. Other aspects are clearly implicated, including structural societal factors, the operation of the inquiry, and the suitability of those who lead it.

The stability of Commissioners is an important marker of the overall effectiveness of an inquiry during its operation. Over its five-year term (2013–2017), the Royal Commission retained its six Commissioners and its lead counsel; it enjoyed wide public support and received minimal criticism from the media and special interest groups. By contrast, following its establishment in mid-2014, the Westminster Inquiry saw three chairs and its lead counsel all resign by the end of 2016 amid much public criticism from advocacy groups, politicians, and the media. This led to a major credibility crisis and a loss of public confidence in its capacity to fulfil its terms of reference. The Scottish Child Abuse Inquiry, albeit smaller and with a different focus (investigating all forms of abuse but in residential 'care' settings only), faced similar challenges, including the resignation of its chair and inquiry panel. As with the Westminster Inquiry, it has also been subject to intense public scrutiny from the media and special interest groups since its establishment in 2015.

Securing and retaining public confidence is an important component of a successful public inquiry. The extent to which this is achieved, however, is variable. For historical institutional child abuse inquiries, which depend upon the participation of affected individuals to give testimony, such confidence is crucial. The wide support of the community and key interest groups in Australia was critical to the Royal Commission securing and retaining legitimacy. Many thousands of people participated in the inquiry, both through public hearings and confidential private sessions in which people shared their experiences of abuse with a Commissioner. At the time of writing, it was estimated that over 8000 people will have participated in a private session by the time the inquiry concludes ([Royal Commission into Institutional Responses to Child Sexual Abuse, 2017a](#)). As the Westminster and Scottish inquiries are still underway, it is too soon to evaluate the impact of instability and adverse publicity in these cases. Other inquiries, however, suggest, that these problems are not necessarily terminal, and that changes to inquiry personnel can help stabilize the inquiry and restore public confidence.

The Ryan Commission in Ireland, for example, saw the resignation of its first chair under controversial circumstances related to difficulties between the Commission and the Government ([Keenan, 2013](#)). While it was not without criticism, it nonetheless became one of the most significant inquiries into child abuse globally ([Sköld, 2016](#)). It developed a model for listening to victim and survivor testimony that shaped approaches in many subsequent inquiries internationally. It also produced a landmark report that along with several other investigations into clerical sexual abuse helped re-write the history of Irish child welfare, challenged church-state relations, and set in train legislative reform and cultural change that has been instrumental to addressing child safety in Ireland ([McGregor, 2014](#); [Murphy, 2013](#)).

7. The implementation of recommendations

The implementation of recommendations is a key indicator of an inquiry's effectiveness, particularly in the policy domain. Although space prohibits a comprehensive assessment, key issues are illustrated by looking at Ireland and Australia, turning first to the latter. In 2009 a review inquiry was established ([Australian Senate Community Affairs References Committee, 2009](#)) to assess the implementation of recommendations from two parliamentary inquiries, one examining child migration schemes ([Australian Senate Community Affairs References Committee, 2001](#)) and the other institutional 'care' of children ([Australian Senate Community Affairs References Committee, 2004](#)) throughout the twentieth century. The review inquiry found that while some progress had been made, results were mixed. Many recommendations had not been fully implemented, including a state apology and the establishment of national redress measures. The review inquiry itself made recommendations, many of which reiterated those in the earlier reports ([Australian Senate Community Affairs References Committee, 2009](#)).

³ As [Arvidsson \(2015\)](#) has illustrated with the Swedish case, there may be consensus in relation to the inquiry itself, but controversy following its completion regarding the implementation of recommendations, for example, financial redress.

A subsequent evaluation was undertaken in 2015 as part of a research project contracted by the Australian Royal Commission and conducted by the Parenting Research Centre (PRC). Both the review inquiry ([Australian Senate Community Affairs References Committee, 2009](#)) and the two original inquiries ([Australian Senate Community Affairs References Committee, 2001, 2004](#)) were included in the PRC study of the implementation of select recommendations from 67 Australian inquiries relevant to the Royal Commission ([Parenting Research Centre, 2015, p. xiv](#)). An important finding of the PRC review was that recommendations regarding redress schemes had still not been implemented. The report noted that it had been the view of the Commonwealth Government that reparation was the responsibility of relevant institutions and should be managed by the states and territories rather than the federal government ([Parenting Research Centre, 2015](#)).

Before considering other findings of the PRC study it is worth noting that the Royal Commission took the unusual step of making final recommendations on redress mid-way through its term. It was a priority, their report noted, that redress and civil litigation be considered as early as possible to provide certainty for governments and institutions and justice for victims and survivors ([Royal Commission into Institutional Responses to Child Sexual Abuse, 2015a](#)). The recommendation of redress, made first through the Australian Senate inquiries in the early to mid-2000s is now being acted upon, at least for victims and survivors of institutional child sexual abuse. In November 2016, the Australian government announced that a Commonwealth redress scheme would be established by 2018 ([Attorney-General for Australia, 2016](#)). That this recommendation was actioned when made by the Royal Commission, but not when made by the earlier two parliamentary inquiries, invites consideration of the extent to which outcomes are related to the size, power, and prominence of an inquiry.

A comprehensive evaluation of the Royal Commission will of course only be possible in time. However, the PRC review offers useful points for consideration. As it lists implementation of recommendations by jurisdiction rather than inquiry it is not possible to draw upon it for assessments at the inquiry level. Further, it examined only select recommendations and groups together different inquiry types (i.e. those examining ‘historical’ and ‘contemporary’ child abuse, different types of abuse, affected groups, and different inquiry forms, including large statutory inquiries and smaller reviews and reports), so it provides only indicative data. Nevertheless, it offers key insights into implementation.

The PRC review found that the majority (64%) of recommendations it examined were implemented either in full (48%) or in part (16%). The implementation status of some recommendations was undetermined (14%), while about one fifth (21%) were not implemented. Of those not implemented, the PRC review cites 39% as either “in progress or under consideration” ([Parenting Research Centre, 2015, p. xiv](#)). Overall, that evaluation does suggest that Australian abuse inquiries have led to measurable and concrete outcomes.

Importantly, the PRC review reveals that recommendations from earlier inquiries have higher rates of implementation than those of inquiries conducted more recently ([Parenting Research Centre, 2015](#)). This raises a key issue regarding evaluation – that of timing. Put simply, implementation often takes time and always depends on a variety of factors, not the least of which is political will, which may have no bearing on the quality of recommendations or the inquiry from which they emerged. Consideration of a landmark Australian inquiry, the 1997 Human Rights and Equal Opportunity’s National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families ([Human Rights and Equal Opportunity Commission, 1997](#)), also known as the Stolen Generations inquiry, is instructive.

A key recommendation from that report, a national apology, was rejected by the conservative government of the day. However, the apology was made by the subsequent Labor government in 2008, more than a decade after the inquiry had handed down its report. Similarly, recommendations for support packages and national apologies to care leavers and former child migrants, made in the parliamentary inquiries in the early 2000s ([Australian Senate Community Affairs References Committee, 2001, 2004](#)), were not acted upon until reiterated in the 2009 review inquiry ([Swain, 2016](#)) and, crucially, after a change in government. Implementation can, therefore, not only take many years but can be affected by party political factors, including their ideological positions.

The other important issue to emerge from the PRC review is differences in implementation rates based on recommendation type. It found that recommendations most likely to be implemented related to *systems*, with those most likely to be fully or partially implemented pertaining to legislation. With regard to the subject of the recommendation, pre-employment screening was most often implemented in full ([Parenting Research Centre, 2015](#)). As with their report on redress and civil litigation, the Royal Commission made final recommendations on pre-employment screening in 2015 ([Royal Commission into Institutional Responses to Child Sexual Abuse, 2015b](#)). At the time of writing, state governments across Australia were in the process of implementing legislative amendments to bring regulations into line with Royal Commission recommendations.

The PRC study found that recommendations least likely to be implemented were those related to staff training in child protection ([Parenting Research Centre, 2015](#)). Reasons provided by governments for partial or non-implementation were varied, but key themes include that recommendations had implications for existing policy that could not easily be resolved, and that the recommendations were beyond the government’s jurisdiction. Resourcing issues were commonly cited, and concerns that recommendations were no longer relevant were also mentioned. Overall, four main factors emerged as barriers to implementation: practical constraints; organizational culture; structural constraints; and recommendations being too narrow or prescriptive ([Parenting Research Centre, 2015](#)).

Moving from Australia to Ireland, it is instructive to consider the implementation of recommendations from the Ryan Report ([Commission to Inquire into Child Abuse, 2009](#)). Following its publication in 2009, an Implementation Plan was prepared and the Irish government committed to the full enactment of its 99 Actions ([Department of Children and Youth Affairs, 2014](#)). Progress was overseen by a Monitoring Group, which in late 2014 published its fourth and final report. It noted that 94 of the 99 Actions had been implemented, and in some cases reform had exceeded those outlined in the Plan. It further noted the major reform program that had been undertaken in Irish welfare and child protection, including the establishment in 2011 of the Department of Children and Youth

Affairs to integrate previously dispersed government functions with the aim of improving supports and services for this population group. This was followed in 2014 by the establishment of the Child and Family Agency ([Department of Children and Youth Affairs, 2014](#)).

In Ireland, important legislative change arose from the Ryan Report and the various inquiries into clerical child sexual abuse that followed. The introduction of the *Criminal Justice (Withholding of Information on Offences Against Children and Vulnerable Persons) Act 2012*, for example, has mandated the reporting to the police by any person, including the clergy, with knowledge of a sexual offence committed against a child, whether the alleged victim is still a child or not ([Parkinson, 2015](#)). Inquiry reports also played an important role in garnering support for a constitutional referendum in 2012, which enshrined the rights of the child in the Irish Constitution ([Buckley & Buckley, 2015](#)). A growing body of interdisciplinary research on historical institutional child abuse inquiries is beginning to document a raft of legislative and policy reforms internationally. However, there remains limited systematic evaluation of policy impact, either at the inquiry or jurisdictional level, nor nationally or internationally. This is, therefore, an important area for further research.

8. Evaluating inquiries

Assessing whether an inquiry achieves its objectives is more complex than it may seem. Success is typically measured by the implementation of recommendations and concomitant legislative and policy reform. However, these processes are often protracted, sometimes taking many years, and tracking the enactment of legal measures, regulatory change, new guidelines, and reform in policy and practice presents considerable methodological challenges. Moreover, the assessment process itself typically depends on the willingness of governments to initiate and resource, or is subject to the priorities of researchers and funding bodies. To further complicate this issue, while implementation of an inquiry's recommendations is clearly a key outcome, this measure alone does not fully capture an inquiry's manifold effects.

A comprehensive evaluation of inquiries entails recognition and appraisal not only of their impact on policy but also of their wider "intrinsic effects" ([Hoole, 2014, p. 347](#)). For historical institutional child abuse inquiries, this includes how an inquiry can set a national agenda for child safety, bring the perspectives of marginalized and victimized groups into public discussion, and serve an educative function for governments and society more generally. Inquiries also provide opportunities for recognition of systemic wrongdoing, acknowledgement of the suffering inflicted upon children, and for public accountability for perpetrators and organizations. These factors are important in fostering community understandings of an issue. While such outcomes may be difficult to measure, they comprise an important facet of public inquiries ([Hoole, 2014](#)), not only for individuals directly affected, but also for the wider community. Consideration of the broader impact of historical institutional child abuse inquiries is therefore crucial, and this necessitates assessment of their effects beyond the policy and regulatory fields to also encompass shifts in norms, values, and culture.

In much public and academic discourse, the failure of governments to implement recommendations is commonly cited as evidence that inquiry reports *went nowhere*. This is one reason that the value of inquiries is contested, dismissed as a mechanism by which governments can appear to be *doing something* while the inquiry becomes a proxy for action ([Burgess, 2011](#)). An associated criticism, particularly in countries that favour large legalistic inquiries, is that cost outweighs benefits. Indeed, there has been much discussion in the academic literature, in political discourse and in the broader public sphere of the value of state expenditure in this area (e.g. [Australian Law Reform Commission, 2009](#); [Solicitors Journal, 2016](#); [SUII Public Inquiries Workshop, 2017](#)), particularly when benefits are not clearly articulated or when inquiries are not met with broad public support.

Certainly, the collective investment made by governments across the Anglosphere and in some parts of Europe in inquiries into historical institutional child abuse over the last two decades is now substantial. The Ryan Commission in Ireland is estimated to have cost over €100 million, the Westminster Inquiry has a budget of approximately £20 million per year, and expenditure on the Australian Royal Commission will exceed \$500 million AUD ([Wright, Swain, Sköld, 2017](#)). In the UK there has been considerable debate over cost, but comparatively little in Australia, reflecting perhaps the differing public perceptions of the respective value of those inquiries.

Justifications made by governments for such large investments focus on the important role of inquiries in both providing justice for victims and in improving child safety. Yet questions of resource allocation abound. In the UK, former Lord Chief Justice Woolf suggested that funding for the Westminster Inquiry would strain justice resources ([Solicitors Journal, 2016](#)). Similar concerns have been raised in relation to contemporary child protection, with some suggesting that the legalistic inquiry mechanism, with its reliance on lawyers, unnecessarily inflates the cost of inquiries, while child protection services remain desperately under-resourced ([SUII Public Inquiries Workshop, 2017](#)). The perennial issue of how to most effectively allocate finite resources is, however, one not easily resolved.

Evaluation of inquiries should, however, be broad enough to capture their complex and manifold effects. As [Prasser \(1985, p. 7\)](#) has noted: "The impact of inquiries may primarily be in bringing to public consciousness issues previously ignored or regarded as unpalatable". While this is an important point for inquiries generally, it is especially pertinent for those examining child sexual abuse and systemic maltreatment more broadly. Indeed, inquiries have been an important vehicle for bringing these subjects into public discussion. Coverage by traditional media has played a vital role ([Stanley & Manthorpe, 2004](#)) but use of new media by inquiry teams, activists and the general public is also increasingly important. The Royal Commission in Australia has certainly shifted normative discourse around child sexual abuse; it has helped make this subject discussable.

Assessments that focus only on the implementation of recommendations fail to capture how inquiries and their reports foster new societal understandings, for example, of the prevalence and impacts of child sexual abuse, which in turn shapes wider social attitudes. The educative effects of inquiries are important. Indeed, public inquiries have a valuable pedagogical role in the remaking of

collective knowledge. This may happen throughout an inquiry's term, particularly with large inquiries that are extensively covered by the media. While the extent of influence will inevitably vary, all inquiries that produce publicly available reports have an enduring legacy through the generation and diffusion of new knowledge.

As Rhodes (1975, p. 149) argues: "The question is, therefore, what the significance of such reports is, not simply in terms of the reactions of civil servants and ministers poring over them in their offices, but in this wider public context". Individual inquiries may be evaluated in isolation but a further point to consider is the effect of successive inquiry reports. McCaffrey (2017) describes them as "a new genre of civic literature that serves a social purpose". He suggests that they are "more than mere historical descriptive narratives; they are an embryonic literature of social action and accountability — they name names, point fingers at the guilty, touch the untouchables".

Indeed, the role of inquiries in generating new knowledge and understandings and bringing issues of child abuse, particularly child sexual abuse, into public discussion is a powerful effect of such investigations. This has been strikingly evident throughout the term of the Royal Commission. As its Interim Report acknowledged: "The national conversation has changed and Australians are discussing this issue as never before" (Royal Commission into Institutional Responses to Child Sexual Abuse, 2014, p. 63). This is not to suggest that inquiry outcomes should not be measured primarily in relation to the principal concerns of redress and policy change to improve child safety. However, a fuller appreciation of the complexity of the social, cultural, political, and policy effects of inquiries is necessary to understand their overall significance, wide-ranging impact, and enduring legacy.

Yet it is important also to note that while inquiries open new discursive spaces and new sites of knowledge production, they can also close others as boundaries are drawn in relation to an inquiry's remit. Salter (2016) argues that the focus of recent inquiries into child sexual abuse in institutional contexts has left little room for discussion of intra-familial sexual abuse. Another concern is that truth commissions and inquiries may draw "temporal boundaries" by confining abuse to the past (Musgrove, 2015, p. 154; see also Bevernage, 2010). Within and across inquiries distinctions are also made between the types of victimization suffered. One of the few criticisms made of the Australian Royal Commission by care leaver groups is that its focus on sexual abuse minimizes the suffering of people who were physically or emotionally abused in institutional 'care' settings as children (Golding, 2017). Inquiries thus have a range of impacts that arise from the demarcation of the limits of investigation, some unintended and others unavoidable, including implications for eligibility for redress schemes.

Despite these limitations, however, inquiries have played a vital role in raising public awareness about the abuse of children in institutional settings, both in the past and the present. The Australian Royal Commission has overcome, to some extent, the problem of relegating abuse to a past era by publicly examining abuse that occurred in more recent times. It has also investigated emotional and physical abuse to the extent that it can, that is, when it is 'related' to child sexual abuse, as stipulated by its terms of reference.

The longer-term outcomes of the Royal Commission will be evaluated in time. However, even the most successful inquiries have their limitations. A range of factors influence the extent to which inquiries can be a springboard for meaningful social and institutional change, both in relation to reparations for victims and survivors, and with regard to reform of the social landscape affecting child safety in the future. Political will is crucial, but there also needs to be shifts in attitudes and behaviours for which education and wider social change is required. Sufficient state funding is needed across a range of domains and oversight and monitoring is crucial (Mathews, 2017). Evaluating inquiries entails recognition of these factors but also being cognizant of the wide range of other effects that inquiries may have on policy, practice, and on society more generally.

9. Concluding comments

Public inquiries into historical institutional child abuse reflect the institutionalization of children's rights within national political systems. In many countries, the announcement of a public inquiry has become a key government response to allegations of *past* systemic abuse and organizational failure. Yet this investigative mechanism also has clearly articulated *future* oriented objectives, which aim to make institutional settings safer places for children. Beyond these primary purposes, such inquiries also have a much broader set of functions and outcomes and their effects are varied and wide ranging.

Outcomes of inquiries include concrete and measurable impacts such as the implementation of locally specific recommendations, legislative reform, change in organizational policy and practice, and criminal prosecutions. The Australian Royal Commission, for example, referred over 2000 matters to authorities including the police (Royal Commission into Institutional Responses to Child Sexual Abuse, 2017b). While these are important measures, the complexity of the inquiry mechanism and its manifold functions and effects calls out for yet broader evaluation.

The social importance of bearing witness to the suffering of victims and survivors, raising public awareness, educating the community, holding institutions and individuals to account, changing the historical record, and giving voice to individuals and groups who have been marginalized or silenced should not be under-estimated. The impact of these wider effects is not easily quantified. Yet they serve vitally important purposes in fostering societal and cultural change, which is necessary both for the acknowledgement of past abuse and to help prevent and better respond to abuse that occurs in the future.

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