



## Episode 48 – Restorative Justice and Healing after Sexual Assault

Written and hosted by Lisa Dawn Hamilton

Interview with: Marlee Liss

Music and audio by Jeremy Dahl

Note: This is the script used to create the episode with references added. It has typos. It is not a transcript, but the audio sticks pretty close to the writing.

### Intro

Welcome to Do We Know Things? A podcast where we examine things we think we know about sex.

Content warning: This podcast will include discussions of sexual violence and dealing with the legal system.

Hi everyone! I am Dr. Lisa Dawn Hamilton, professor of psychology and sex educator. Today on Do We Know Things, restorative justice as a way to heal from sexual assault.

Listen. We all know there's a problem with the way the criminal justice system handles sexual assault cases. It's not exactly... a secret. We've seen the high profile cases where the accused assaulter walks free. We've heard how sexual assault survivors have a hard time with the police, lawyers and judges taking their cases seriously or treating them decently. We've had friends, or maybe even ourselves, not bother to report sexual assault because of the trauma involved in trying to get justice.

Our system is so all-or-nothing, guilty or not guilty, our assailant either goes to jail or is just free to assault again... with nothing in between. It's a bit... overwhelming. And it all makes you wonder if maybe, just maybe, there might be a better way to heal. And that's where restorative justice comes in.

I don't remember when I first learned about the existence of restorative justice, but I have had a vague awareness of these practices being used within some Indigenous communities around the world. Within the Canadian criminal-legal system, I also knew there were restorative options available for Indigenous people and for youth in some cases. That was about the extent of my knowledge until I heard the story of my guest today, Marlee Liss.

Marlee is the first person in Canada and the U.S. to experience a restorative justice resolution for sexual assault within the legal system. Restorative Justice is sometimes practiced within communities to address sexual violence, but not within the legal system. Hearing Marlee's story, which she will share on this episode started a process of learning and unlearning for me that is still ongoing.

I did a previous episode on restorative justice and sexual assault in the summer of 2020. It's episode 16 called "[Rethinking Justice for Sexual Assault](#)." In that episode, David Castro-Harris of [Amplify RJ](#) covers the basics of Restorative Justice and Mia Hunte, a circle keeper for [Hidden Water NYC](#), which specifically focuses on child sexual abuse talks about the benefits of restorative practices after abuse. I will link to that episode in the show notes.

Since that episode, I have heard a lot of push back about the use of restorative justice, and in particular for using it in cases of sexual assault. I invited Marlee, who is now an advocate for restorative justice, to help me tackle some of these objections and misunderstandings. On this episode, we will hear Marlee's story and why she thinks restorative justice is a better way to deal with sexual violence. We talk about how the legal system fails survivors of sexual violence, the benefits of restorative justice, and why perpetrators aren't just 'getting off easy.'

That's coming up on Do We Know Things!

But first!

In Canada, we have the Victims Bill of Rights, which grants victims the right to information, right to protection, right to participation, and the right to seek restitution. Each category of rights comes with more specifics. Under the right to information, it states we have "the right to information about available victim services and programs, including restorative justice programs"; <https://www.victimsfirst.gc.ca/serv/vrc-dvc.html> The caveat is that you have to request the information. It is not just shared with you. I find that odd. Are people even told of the victim's bill of rights when they report a crime? How can you ask about something you have no idea about?

Like, Marlee I want more people to know about non-traditional routes to justice, such as restorative justice, so I am sharing this info about the Victims Bill of Rights so more people know they can request info about different options. But, as we will hear from Marlee's experience, being the victim of a crime doesn't mean you have any control over what happens once the criminal proceedings begin.

Here is my discussion with Marlee Liss.

### **Interview with Marlee Liss**

Lisa Dawn Hamilton: Welcome Marlee!

Marlee Liss: Thank you. Thanks for having me.

LDH: I want to start with my story about when I first encountered you and how you've influenced my life, but before I do that, can you tell us a bit about who you are and all of the amazing things that you do.

ML: Yes, thank you. So, I am Marlee. I am a queer, Jewish femme human. I am really focused on sensual reclamation on an embodied and systemic level. So, on an embodied level, I do that

through my coaching work, which uses a lot of somatic sex education and social work and trauma informed movement approaches to invite in healing and reclamation after sexual trauma or a lifetime of shame. And then on a more systemic level, that looks like my advocacy work around restorative justice for sexual violence, which we'll be talking a whole lot about today. Also, through my speaking and yeah, I've been really privileged to have been able to share my story and voice with the world a lot and to connect with some amazing humans. I have been able to do consulting for the National Action Plan to End Gender-Based Violence, for the US Military Sexual Assault Response Team, for different universities, and just so many people that I never imagined connecting and sharing with, so it's been it's been a journey and I'm really grateful to be here today sharing.

LD: That's so amazing! I only knew about some of those things, so that's just mind-blowing. Um, so I wanted to tell the story of when I first encountered you. Um, so this was at Converge Con which is, uh was, an annual conference that happened in Vancouver a few years in a row. And I could never attend because it didn't work with my academic schedule, but because of COVID, ConvergeCon 2020 went online. And so, it was April 2020, and I attended your presentation talking about your experiences accessing restorative justice through the legal system in response to experiencing sexual assault. And I'm a sex educator and a sex researcher, and I have been doing conflict resolution training at the Justice Institute in BC, um, and at the time it had been- I think I started in 2017- and I had been hearing about restorative justice and I was interested in it, but I didn't know very much about it. Hearing your story and the healing that you experienced through your restorative justice process totally blew my mind and it was exactly what I would have wanted in that kind of a situation as well. And yeah, it just blew my mind that you were able to access this process and that it went so well for you and so I would love if you could share your story of going through the restorative justice process.

ML: Yeah, thank you. It's very meaningful to hear the ways that this story has impacted people, so I appreciate it. I'll start with that back in 2016. I experienced sexual assault from a stranger, and it was incredibly horrible and sent me into like a really deep depression and experience of PTSD for a long time. And at that time, I only knew the options of the punitive system in which we report and hope for a court case and quote the "winning outcome" is that this person gets incarcerated. And the only other alternative I knew to that was nothing. So, I really felt that those were my options: I either report and walk the punitive path or nothing at all, and I could not fathom nothing at all, so that is why I chose to report. At the time, I knew nothing about restorative justice, which is a big reason that I share about this again and again- is so that we at least all know about alternatives to the punitive system. So, I reported and at that point, started going through a three-year process - a three-year court case. So, I went to a preliminary trial which is basically where they see if there's enough evidence to go to the full-out criminal trial and that was a horrible experience. I would honestly say that every step of the criminal justice path was confirming the sense of powerlessness that I felt through that trauma rather than challenging it.

LDH: Absolutely.

ML: I was constantly being silenced and no there was no space for consent. It was all on the premise that because you reported after this assault three years ago you have consented to every

single step of this process to every single question you will be asked, all of these things. So, it was a really horrible experience. It was definitely re-traumatizing, and it just never made sense to me on so many levels. On a practical level, I was like “how is this... how is this going to bring about change? How is this going to address the harm? How is this going to create more public safety?” Like it just didn’t make sense to me on that level. And it also didn’t make sense to me on the level of individualism and how we could all turn towards one person and say this one person is bad, we need to lock them up and put them away... and in the process of doing that completely neglect to address all of the moving parts of rape culture that have contributed to that one person’s actions. So, it just felt like so much was being missed to me.

And on a more personal healing level, I was like ‘this is horribly re-traumatizing’ and it’s so incredibly dehumanizing for everyone and so incredibly inauthentic and none of my own needs for healing are being met here. So, by the time I was subpoenaed for the criminal trial, it had been three years and I considered dropping the charges. I said to a friend, like, “I don’t want to do this anymore; it doesn’t make sense to me.” And she was like “okay, well, what would you actually want?” And I said, “you know, if it was my dream world, we wouldn’t handle this in a courtroom. We’d sit down like human beings. And we’d like cry and feel feelings and I’d get to ask the questions that had been haunting me for years, and I’d be able to make some sense of it all. Like he would apologize, he would actually potentially change, like go through some therapeutic transformative process where he actually changes” and all of this felt so delusional to me. I was like “this is so far away from how we’re taught justice looks”, so I never validated it. And she said to me “if that’s your vision, make it happen”. And it’s just what I needed to hear and so, it lit this fire for me.

And I started researching and that’s when I found restorative justice. And I was amazed that this thing that I was wanting was a real thing and it was grounded in a lineage. Like Indigenous, Jewish, Mennonite communities have been doing this outside the courts for a long time. It had a name. So I actually posted in my Instagram story saying “does anyone know anything about restorative justice?” And this is how I got connected with my lawyer, Jeff Carolin, who was incredible. And the two of us met up and we called a meeting with the two crown attorneys (also in the states would be called prosecutors) and I said I want restorative justice. And there was kind of these two narratives in the room and one of the crown attorneys was saying ‘no! rape is bad, bad is prison, this is how we do things, like what’s wrong with you that you don’t want that.’

LDH: Wow.

ML: And- yeah- and the other one was saying, ‘you know, as someone who’s been working in the system for 20 years, I know we need to do something different. What we’re doing isn’t working.’ Like most rapists get acquitted, victims are being re-traumatized, barely anyone is actually reporting. When people are incarcerated, they’re so likely to reoffend, so she kind of was like on my side, I guess. And we left the room that day and they actually battled it out for my case for like over a month. We had no idea. And at that time, I was like ‘I’m either dropping the charges or this restorative process is happening’. So, eventually I got a call about two months later from my lawyer and he said the one prosecutor who was really on our side, like, she fought for this and this is happening and your assailant is beginning therapy right away. He went to therapy for seven months and then eventually you’ll meet in a restorative justice circle. And that was a profoundly healing moment. It feels like it was the first time since the assault that my

voice was actually being heard and my needs were actually being tended to and cared for, so that was huge.

And by the time we got to the circle, he had been doing therapy that whole time and it was just... it was still really hard, I'll never minimize that. I think in a dream world we don't have to talk about the best way to deal with sexual violence because there is no sexual violence. But in contrast to the punitive system, the moment we shifted into the restorative justice path, it was incredibly healing and caring and human. There was space for me to have emotions. There was, like, space for me to have triggers and safeguards put in place to make the process feel more safe. Like, it was just I think the level of care that all survivors deserve.

So yeah, the circle ended up lasting eight hours and there were mediators there and they asked us just one question which was "what brought you here today?" And we went around in a circle three times. My mom was there. My sister was there. My assailant, one of his friends was there, and it was just- it just blew my freaking mind. It's the best way to put it, like the realest way to put it, is it just exceeded my expectations in terms of the level of healing and closure that was possible. And I feel like the beginning of the circle was very much getting all the pain and hurt out, just like putting it on the table and me talking about how this impacted me so deeply asking those questions I needed to and then when it was his turn to speak and he did take accountability and really sit in that room with full presence and he said "I'm sorry I sexually assaulted you. There's nothing I can do to take it back, but I hope that being here today can help."

And that moment was so important for me. I think that a lot of people are like 'well those are just words.' And I'm like, okay maybe, but like shift your attention on to the survivor for a moment. Like that moment was imperative to my healing, and I like just freaking bawled my eyes out. Like such a deep sense of relief and from that moment in the circle it kind of felt like things pivoted at that point and it became more about the future and what's possible now and what is he committed to now in terms of consensual language and how he treats women in the world and how he plays a role in helping to end rape culture. And it was hopeful, like it ended on this beautiful hopeful 'holy crap, we did it' kind of note.

And I left that room, and I was like 'wow, we need to be loud about this. We need to tell the world about this' because I didn't know about it and most people I tell, don't know about it. So, that's when I decided to go to the media and two months later, six articles came out on the same day and Forbes, Huffpost, Buzzfeed, like some big platforms. Then I started hearing from hundreds and then thousands of survivors from all over the world and really have been sharing this story and doing this work around sensual reclamation and systemic change ever since.

LDH: That is such an incredible story, and I was tearing up- I've heard this story multiple times and I was still tearing up hearing about the experience in the circle. It's just- it's something that so many survivors will never get and like you said the criminal justice system or criminal legal system is often re-traumatizing and harms everybody involved in that process and often especially the survivors.

ML: Yeah, yeah, I think that it's so normalized for the justice system to be seen as an obstacle to our healing instead of a catalyst in our healing, um, and that that just makes me so sad that we see it that way. We're like, I'm either gonna have a process of justice or one of healing.

LDH: Right. Yeah, yeah, that's so heartbreaking that that's the breakdown, and I just think about the stories I've heard over the years of people who have tried to go through the legal system after sexual assault. And I have never heard a good story. It's always been negative. I also had a friend who worked at a rape crisis center and was someone who went to court with people or went to the police with people and just... survivors are treated so poorly within that system. And I think even the fact that you had to fight to get restorative justice and that the crown prosecutor- this is the thing I think people don't understand is that- it's the crown's case, right, it's not technically your case. And so, they get to make the decisions, which I think I also didn't fully understand that before hearing your story as well.

ML: Right, yeah you're not even deemed the victim. You're a 'witness' in a crime done to the state, and it really, it's so inhumane like from the moment you enter the criminal justice process, they have to respond to you with emotional neutrality because if they show you compassion there's an implication that they believe you and if they believe you, then there's a bias and it's not innocent until proven guilty. So, they actually have to be like kind of cold to you in this moment of, like, such vulnerable shock and pain and trauma.

LDH: That is so distressing. And again, so common. And most of the people I know when, including myself, when assaulted did nothing. Because I was aware of the way the system works and I was like 'I am not going to be a part of this'. And so, it's so wonderful to hear that it can be different and that something positive can come out of it and that can be a healing process as opposed to a re-traumatizing and horrible one.

ML: There's a really great analogy in the book [Until We Reckon](#) by Danielle Sered, which I super recommend. Um, it's all about restorative justice, and she says that the criminal justice system is almost like a hot dog stand in the desert. And it's like you're starving, you've been wandering for like days and days and days and days and you're just like- all there is this, like, really old sketchy looking hot dog stand, but you're starving so you have a choice in that moment to either be like 'I don't want to eat that' like that's expired meat, or you keep going. And she's like these alternatives are kind of like, you turn yourself around and you're like 'oh, there's a restaurant right there' And I think that like- that is what restorative justice felt like to me. I was like 'wow, I either get nothing or I get some really harmful crap' and restorative justice was like 'oh there are other options, there are alternatives' and there needs to be alternatives.

LDH: Absolutely. And since I first heard your story I really dove into trying to learn as much as I possibly could about restorative justice and I participated in something that your mom was involved with through Amplify RJ or Amplify Restorative Justice. And then I ended up taking all of the Amplify RJ trainings through them and just learning how to infuse restorative practices into all aspects of my life. It's changing my approach to teaching and grading and just how I interact with other humans. And it just makes so much sense to my brain. Like this is just how I want to be in the world and this is how I want things like crimes to be dealt with- and so to me it makes sense. And since learning about your story, I've been talking to anyone who will listen also about restorative justice and in that process, I've also gotten a lot of pushback and a lot of skepticism from people. And so, I was wondering if I could run by some of the pushback that I've gotten from people as I'm trying to be like 'restorative justice is the best thing ever'?

ML: Absolutely. And I can definitely relate.

LDH: I can imagine, yes. You are the public face of this, and I can imagine you get a lot of pushback. So, my first one that I came up with or the ones that I hear a lot is people say ‘well, I can understand restorative justice for some things, like stealing, but it could never work for sexual violence. It would just be too traumatizing for the survivor.’

ML: Yeah yeah, I definitely have heard this as well. And I definitely see this reflected in the programs available because there are a lot of restorative justice agencies who will say ‘we'll do this for everything except sexual violence’. Like, that absolutely does exist. And I think that part of the beauty of restorative justice is we're shifting the focus on to addressing the harm caused, and right now we're taught to say to shift our focus to the person who caused harm and to say how do we adequately punish them. But in doing so, we completely neglect the survivor. We don't even hear their experience or what they need. And so, part of restorative justice is shifting our focus back to the person who was harmed and saying ‘hey, what do you actually need?’ So, I think just de-centering ourselves in that way is like part of an answer to that myth- is like even if a bystander is like ‘I would kill the guy who did that’ it's like, ‘okay, you can feel that’ and ‘have you asked the survivor what they need? Are you at the center of this right now? Should you be at the center of this right now?’

So, that's one thing I'd say. And then the other I'd say is like really identifying the needs of a survivor. And so many studies have shown that survivors needs are incredibly compatible with restorative justice and that usually includes a process of accountability reassurance that this won't happen again, and also, a coherent narrative. Meaning- we're able to make some sense of what happened during that incident and be able to have a little bit of a ‘why’. Like- ‘oh, this is what happened that night’ or over time. So, for me, restorative justice was incredibly compatible with my needs. That process was for me, it wasn't a justice process that was going on no matter what I had to say about it- it was actually happening for me. That justice process was happening as a catalyst for me to have my needs met and I think that the fact that we can't fathom that and that we're like ‘justice is always to the detriment of someone's healing’. Like, there's so much that needs to shift in that.

LDH: Absolutely and I do think it depends on the survivor too. Because there's absolutely going to be survivors who would not want to do this process. To me, as I've said repeatedly already, I'm like, ‘yes this is what I would have wanted’ but I understand that, of course, it's not for everyone and we do need to center the survivors. Of course. The other thing, which is related to the first point, is that this people believe that restorative justice is just letting perpetrators off easily and they need to be punished.

ML: Yeah, so my personal thoughts on this are ‘what is our end goal?’ Because, if my end goal is to punish this one guy, I'm going to take certain steps and if my end goal is to help, like, is to play a role in ending sexual violence in this world, I'm gonna take very different steps. And I don't think that punishment has been shown to help decrease sexual violence. I remember like Cara, the prosecutor who fought for this to end with restorative justice, saying that this is one of the only crimes that has not decreased in the past 20 years. Like, it's still happening. So, we know that what we're doing is ineffective. There is no great evidence that the court system and

putting someone into prison has been an effective way to end sexual violence in our world. That hasn't been shown. So, my thoughts on that are like 'what actually is effective in making sure that someone doesn't do this again? And restorative justice has been shown to enhance public safety. I think a lot of people expect the opposite they're like 'oh, you're just letting these guys walk free. Like, what the hell? That's ridiculous!' I get that narrative a lot. And if we simplify it down, because it is hard to talk about all of this, I'll acknowledge that it is hard to say 'hey, do you think we should put a rapist here?' Like, it's so emotionally loaded for us that it's really hard to think about. But, if we think about something more digestible like a kid on a playground pushing someone else, do we think the kid is gonna be less likely to push someone if we put him in a timeout every day for the next week? Or if we actually sit him down and we're like 'hey what's going on?' What could be supportive here? Some extra education around how we treat others, some extra communication skills, maybe some therapeutic support, some emotional support around what feelings and experiences might be driving that behavior of violence. Like, it's such a different approach.

And one more thing I'll say about that is it's also been shown that the biggest drivers of violence, so what causes someone to be violent, is shame isolation and exposure to violence. And when we think about prison, those are the exact ingredients. So, we're literally, like, plopping someone in a stew that's proven to make them more violent. Whereas, like, education, community resources, support, and therapeutic intervention are definitely shown to decrease behaviors of violence. So, on a very practical level it just also makes more sense to me.

LDH: Absolutely. I also think too, if people knew that restorative justice was an option, versus, doing nothing, like you said, because again, if you want quote-unquote 'punishment' most people- nothing is happening at all, at all. And so, you know if for someone who is, you know, 'I want something to happen' minded, you know, this is at least an option, versus, nothing.

ML: Yeah. I want to add to, like, restorative justice is compatible with all of your emotions, and I think that when people want punishment, what they actually, some people, do have that want. And like, that's real. And I think that sometimes it is also just like craving space to express anger and rage and restorative justice is not opposed to that. There's space for all emotions. If you're going through the court process you have to swallow that rage. You have to be the quote 'perfect victim' who's like not crying hysterically but also not stoic. Like, you have to really put on your turtleneck, like I literally was instructed to wear a turtleneck, and show up and display a certain amount of emotion- not too much not too little- whereas, in that restorative justice room I could be like 'I'm pissed off! I'm devastated!' And there's space for that.

LDH: And he can hear that and he can understand the impact that. He's had, and I think that's important too- in terms of creating change.

ML: It's really important. And another piece of that as well, is like, the moment a public defender comes in, and my assailant shared this, the moment he was introduced to a lawyer, which is like right after he was charged, the lawyer said 'don't tell me your story, I don't want to know. From now on, this is your story. This is what you say.'

LDH: Wow.

ML: So imagine, we followed through with that route. He never ever reflects or connects with or tells the story of what actually happened. He eventually, if it was a quote ‘win case’ ends up in prison where it’s shown that people who commit sexual violence are more likely to be beaten and even killed if they speak up about what they did, so he continues to never ever ever speak or tell that story and so there’s literally zero reflection, accountability, education that can happen.

LDH: Just mind-boggling that we would do it any other way. Or that we do it that way. I guess the other, I think, misconception or thing that I hear about restorative justice is that essentially, it’s forcing perpetrators to apologize. That you know, possibly, they don’t actually feel remorse. It doesn’t actually change anything- they’re just putting on a show.

ML: Yeah, so something that’s important to acknowledge is that restorative justice can look many different ways. Mine was a process of therapy and then meeting in a circle but that can look other ways as well. And I think the fact that he was in therapy for about seven months is, right away, discounting that idea that he’s putting on a show.

LDH: Right.

ML: Anyone who’s been to therapy knows that it’s not easy to like really face yourself, to really look inside yourself, to really like face some of the things you’ve done or experienced in your life. And I feel terrible that I forgot the name of this person it’s like- Tabitha something –[Tabitha Mpamira-Kaguri] but she has an amazing Ted talk called [Trauma Not Transformed is Trauma Transferred](#) and it’s exactly that. It’s like, he’s either gonna face that and really do that deep work of like unlearning patriarchal conditioning and learning whatever intergenerational messages have led him to a point of justifying that behavior, unlearning all the messages that rape culture has taught him throughout life, unlearning whatever traumas have made him come to that point of being able to justify that violence-. He’s like actually having to face all that and then show up and sit there with my mom and with me and face the impact.

Whereas in the prison route, he gets, like we just said, like he gets to turn away from it all, right away. Right away. And actually, most, when he shared this, like a lot of people in that in that circumstance just right away identify as a victim of the system and in some ways, I understand that because it’s such a dehumanizing system. But there’s no there’s no space to take that accountability and I feel like I’ve spent a lot of time judging myself for holding such expectations of possibility. And I’ve definitely been, you know, called naive and things like this, but I just want to live in a world where transformation is something that we believe in.

And I do believe that there’s people who are not capable of that and that this process wouldn’t work for like sociopathic/ psychopathic, like, there are people that I’m like ‘yeah, probably, you know, probably wouldn’t work’. And I don’t want to live in a world where we like give up on each other so quickly. And I think that if a trauma is something that can change my life, and that happens so much with survivors, like we become activists- it becomes our work, it becomes our mission, it becomes our purpose and we like, you know, we’re changed by that experience- I believe that the same thing can be true for the person who caused that harm. That it can be the catalyst for them to change. And there’s so many beautiful stories like that- of people who, you know, committed murder, like going on to deliver workshops on ending domestic violence. Like, that is possible and I don’t want that to be such a ridiculous notion. Yeah.

LDH: I agree. Are there any other misunderstandings or misconceptions about restorative justice that you would like to tackle? Or that you want people to be thinking about that we haven't covered yet today?

ML: I think I think the biggest thing I say about it and, I love that you brought this in too, is in saying like 'you have done all these restorative justice trainings and it's changing the way you teach it's changing the way you move through the world.' And I think that if we only think about restorative justice for really complex topics like rape and murder, it's really hard for us to fathom. If we've, if we carry a punitive mindset in every other area of our life, and then someone's like 'what about restorative justice for this murder case', we're like, 'what?' Like it's really hard for us to fathom. But if we break it down and bring it into our own lives and our day-to-day and we're just like 'wow, what do I actually believe to be an effective approach to responding to harm?' I think we start to connect to it on a much more personal level.

Thinking about like schooling for kids is a great example. Like, we see restorative justice approaches being brought into a lot of schools, which is amazing. Like, this idea that instead of detention, we're gonna do those, kind of, like, therapeutic intervention-based approaches where there's education and there's support. And really ending that harm. So, I just think that weaving it into our own personal lives is a really important part of this all.

Thinking about like how we engage on social media, I see this a lot in cancel culture, I really feel that cancel culture is like the punitive system internalized and just expressed on social media. And that comes with this huge world view and belief system. And I think that that's why these topics are so complex, is like we're asking people to move beyond the binary thinking of good guy/bad guy. And there's a lot in that and there's so many things I want to say but, like, even the court system is also founded upon patriarchal catholic white supremacists beliefs and it's just that is really influencing the way that we move through the world and deem things good or bad- worthy of heaven or hell, worthy of freedom or prison- like it's all so connected. And so, I think just taking a moment to actually feel into our own lives and relationships and be like 'well, what do I actually believe and can I just play around with this idea of nuanced humanity? Can I play around with this idea that someone can be worthy of compassion and they can be a hurt person who's experienced a lot of violence in their life and they can also be someone who's causing harm and like all of that can coexist at once?'

LDH: Absolutely. I think that is a great way to end it thank you so much for sharing your story and being here. Where can people find you on the internet?

ML: Yeah, so Instagram is like one of my favorite playgrounds my Instagram handle is [@marleeliss](https://www.instagram.com/marleeliss) m-a-r-l-e-e-l-i-s-s and if you go to the link in my bio, there you'll be able to find my website, my speaking offerings my coaching services, my own podcast which is called [\*The Sensual Revolution\*](#) and my website is also [marleeliss.com](http://marleeliss.com). So yeah, those are the best ways. I also always say too, like, I am very open to dialogue and I know that these are sometimes complex, sometimes challenging, sometimes inspiring, beautiful, enraging topics and my inbox my DMs are open. I'm happy to hear from people and to talk about all of this, so feel free to reach out as well.

LDH: Thank you so much for your generosity and thanks for being here.

ML: Thank you so much for having me.

## **Interview Reflections**

One of my favourite lines from the interview is “rape culture is not addressed by throwing one person in jail.” It seems so obvious, yet, within the broader culture, there is this idea that there are just a few “bad guys” harming people and if we just round them up, sexual violence will be solved forever. It ignores that objectification, dehumanization, and other contributions to sexual violence are deeply engrained in the culture. Helping people unlearn those beliefs and reshaping the cultural narratives is what will lead to change, not locking up the tiny percentage of rapists that are actually convicted.

I also think it is important to emphasize that this type of solution will not work for all people who have been victimized or for all perpetrators. A perpetrator has to be ready to take accountability for their actions. If they are not willing to do that, it can’t be done. Marlee’s assailant did 7 months of therapy before coming to the circle. He was clearly ready to apologize . Not all people who cause harm are willing to admit to the harm they caused.

## **Conclusion**

My big takeaways from talking to Marlee and just existing in the world are that the criminal-legal system often doesn’t work for victims and often causes additional harm. For cases of sexual assault, where there are often no witnesses, it often boils down to who the police, judge, and jury think is more credible. So many people are committing sexual assaults and so few are ever held accountable for their actions. To me, it sounds like the assailant in Marlee’s case did not “get off easy.” He had to learn and reflect and acknowledge that he had done a horrible thing. And his apology helped Marlee heal. If we want to be survivor centred, we need to actually put survivors at the centre when deciding what happens.

I would love to see a world in which people who commit sexual violence get to understand the harm caused by their actions and take accountability. Where people get to tell their story and be seen as full humans and not just as victim and perpetrator.

That’s all for this episode. If you have any feedback or peer review of this episode, I am always excited to hear from you. You can send me a voice memo recorded on your phone or just a written email to [doweknowthings@gmail.com](mailto:doweknowthings@gmail.com).

You can find a script for this episode with references and extra info on the website at [doweknowthings.com](http://doweknowthings.com).

## **Acknowledgements**

All music and sounds – Jeremy Dahl – Check him out at palebluedot.ca

Script Assistance by Matt Tunnacliffe

I am Lisa Dawn Hamilton. You can find me on Twitter and Instagram @doweknowthings and you can email me at [doweknowthings@gmail.com](mailto:doweknowthings@gmail.com)

Do We Know Things? is released every second Monday and you can find it anywhere you get your podcasts.

Of course, I would love it if you could subscribe and rate and review the podcast on iTunes. Thanks for listening. I will talk to you next time on Do We Know Things?