

The Change Toolkit

Chapter 9. Effective storytelling and use of case studies

This chapter presents a summary of Rachel Ball's recent report on storytelling in systemic work. Rachel was awarded the Victoria Law Foundation's Community Legal Centre Fellowship in 2012. Her Fellowship report, *'When I Tell My Story, I'm in Charge: Ethical and Effective Storytelling in Advocacy'* was published in 2013.

Why should CLCs include storytelling in advocacy work?

Storytelling is a powerful way to draw attention to unfair laws and a crucial component of effective systemic work. A personal story can add life to a complex issue, create a platform for public discussion and inspire people to confront injustice. Telling stories has a unique potential to build understanding and empathy in relation to difficult problems. In addition, it can empower the individual affected and their community, recognise their expertise and promote their agency.

CLCs that use direct testimony and case studies to illustrate a need for change make it possible for the voices of marginalised clients and communities to be heard in public debate. A compelling story has the capacity to overcome prejudice, undermine preconceptions and shift attitudes toward vulnerable groups who are routinely dehumanised, stigmatised or ignored.

Case studies and direct testimony

There is more than one way to tell a client's story. Direct testimony and case studies can be seen as two different approaches that sit on

the same continuum, where the level of client and community participation increases as CLC control decreases.¹ Each form has its own merits and is a valuable tool in systemic work.

Written case studies of client experiences are one way to communicate the impact of unfair laws, policies or practices on people's everyday lives. Sometimes, clients or communities will not be willing or able to tell their own story for personal or practical reasons. In these instances, clients may instead consent to the use of de-identified case studies to ensure that their experiences may still contribute to building a case for change.

Direct testimony has its own special value. A client's story may be written or recorded; or, the client may wish to tell it in person at public events, to parliamentary inquiries, in meetings with decision makers or to the media. If clients and communities are eager and able to participate in campaign work, their testimony can add force and authenticity to the overall

¹ See Rachel Ball, 'When I Tell My Story, I'm in Charge: Ethical and Effective Storytelling in Advocacy', Victoria Law Foundation Community Legal Centre Fellowship Report 2012-2013, November 2013, 6.

campaign message. Those affected may also find it more empowering and transformative to tell their stories in their own words, rather than have them told second-hand.

How can CLCs incorporate storytelling and case studies to advocate for change?

There is no 'best' way to tell stories and use case studies in advocacy work. A common form of storytelling in this context is to include stories in written submissions to parliamentary inquiries or as part of reports to bring the issue to life. Many CLCs compile case study banks for this purpose. Increasingly, video or audio recordings are being used to capture the power of stories and allow direct client participation. In some cases, clients or community members may be willing to speak in person at formal hearings, public events or meetings with decision-makers. The direct contact with those affected makes it more difficult for others to simply ignore the problem. In addition, working with media is an effective way to widely publicise a story and a broader campaign. However, it is important to support clients who speak to the media due to the risks of misreporting or otherwise inadequate coverage.

Ethical considerations

It is important for CLCs to be aware of and sensitive to the possible ethical issues that may arise when a client's story is used in systemic work. The ethical considerations listed below are intended to assist centres to identify and mitigate the risks so as to *enable* the use of stories in a responsible and principled manner.²

² See Rachel Ball, 'When I Tell My Story, I'm in Charge: Ethical and Effective Storytelling in Advocacy', *Victoria Law Foundation Community Legal Centre Fellowship Report 2012-2013*, November

Individual harm

When a person shares their story as part of a public campaign, it can have an undesirable and unpredictable effect on individuals, or their families, friends and communities. Those involved may become the target for discrimination or backlash. Alternatively, they may be disappointed and disillusioned if telling their story does not produce the anticipated impact. Further, the process of recounting their experience can reawaken traumatic memories and cause distress.

CLCs can manage these possible risks to the individual through a commitment to complete disclosure and free and informed consent.

Privileging voices

By its nature, a story captures a particular voice and perspective and overlooks or excludes others. This can distort and oversimplify the reality of the problem, censor key issues, misrepresent individuals and communities, perpetuate incorrect assumptions and confuse priorities.

It is important to retain the authenticity of a story, despite the temptation to reframe it to maximise efficacy. One way that CLCs can avoid this issue is to ensure that stories incorporated into a broad campaign are still presented in their context.

Appropriating power

CLC lawyers and staff must take care not to dominate and control the process of telling of a client's story. The effect may be to cast the client as a victim and an object of pity, rather than as a subject in control of how to share

2013, 20-5. Ball outlines the four ethical considerations presented here in her report.

their experience. This can compromise ownership of the story, which may ultimately disempower clients and communities.

A commitment to free and informed consent partly addresses the issue of power dynamics. Reflective practice and efforts to promote client participation can also alleviate these concerns.

Legal and professional obligations

There are certain legal and professional risks and obligations associated with storytelling in systemic advocacy work. These include the application of privacy laws, the existence of a duty of confidentiality or confidentiality clauses in settlement agreements, legal professional privilege, liability for defamation, and publication of information that relates to pending or current court proceedings.

To control these risks, CLCs should make sure that the client's consent is obtained prior to the release of their story, and take care not to harm the reputation of third parties or prejudice issues before the court in doing so.

Principles to guide ethical and effective storytelling

Here are five ways to minimise the risks and maximise the benefits of telling stories in advocacy work:

1. Obtain consent

The nature and form of the consent will depend on the approach to telling the story and the client's circumstances. A recent report shows that most CLCs seek consent to use de-identified case studies as a matter of best practice.³

³ See Rachel Ball, 'When I Tell My Story, I'm in Charge: Ethical and Effective Storytelling in Advocacy', *Victoria Law Foundation*

As always, consent must be fully informed. The client should understand how and why their story will be told and be aware of the possible risks, benefits and outcomes. Consent must also be freely given. This can be difficult to ascertain, as a client's sense of gratitude and vulnerabilities may impair the quality of their consent. In this respect, it is important to consider the client's circumstances before you approach them to contribute their stories. *Written* consent is a practical way to clarify and record the substance and nature of what is agreed.

2. Prioritise individual and community participation

Stories carry more weight when they are told first-hand. Sometimes, direct participation will not be possible. In these instances, case studies will be the best if not only way to share significant client experiences. However, CLCs should endeavour to support and promote client and community participation to complement other campaign techniques where appropriate.

3. Collaboration

CLCs can work with community groups and networks to articulate core problems, identify powerful stories and storytellers, attract media attention and strengthen relationships beyond their client base. Further, cooperation between CLCs and non-legal groups helps to guard against the issues surrounding consent and prospective or current court proceedings that arise in lawyer-client relationships.

Community Legal Centre Fellowship Report 2012-2013, November 2013, 26.

4. Tell stories as part of a broader campaign and in context, rather than as a stand-alone account.

This will enhance their potential to mobilise public support and contribute to change.

5. Think about how you craft the story.

The power of a story depends on *how* it is told. Despite who tells the story, the details are essential to attract attention and captivate audiences. For example, direct quotes can make a story persuasive and authentic, even if it is told second-hand.

Where can I learn more?

Rachel Ball, 'When I Tell My Story, I'm in Charge: Ethical and Effective Storytelling in Advocacy', Victoria Law Foundation Community Legal Centre Fellowship Report 2012-2013, November 2013,
[http://www.victorialawfoundation.org.au/images/stories/files/CLC%20final%20report%2012-13%20 Final_web.pdf](http://www.victorialawfoundation.org.au/images/stories/files/CLC%20final%20report%2012-13%20Final_web.pdf)

Acknowledgments

This chapter has been downloaded from <http://www.thechangetoolkit.org.au>. We recommend checking back to see if the content has been updated.

The Change Toolkit was prepared by the Federation of Community Legal Centres. The Federation is the peak body for community legal centres across Victoria.

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