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RESEARCH PROCESS AND ORIENTATION OF RESEARCH STUDY

1.1   INTRODUCTION

Sexual abuse against children can be considered one of the most atrocious acts that a human being can inflict upon another person. The only person that totally understands the real impact of this phenomenon is the victim him-/herself. The sexual abuse of children is not merely a social problem in South Africa; it is criminal behaviour. Child sexual abuse is not easy to prosecute (Venter, 2004). It is often difficult to determine whether this form of abuse has occurred, as sexual abuse often occurs in privacy, away from potential eyewitnesses (Chetty, 2006:24). More often than not, the perpetrator is also a member of the victim's family. Sexual abuse is also difficult to prove, because abusers of children rarely leave physical evidence of their crime. Instead of bruises or physical scars, child sexual abusers usually leave their victims wracked with varying degrees of psychological and emotional trauma (Carstens, 2002:108).

Intervention in sexual abuse cases has several important purposes (Berlinger, 2003:12):

- To assess risk to children and to establish a safe family environment.
- To identify sex offenders, to hold them accountable and/or to protect the community.
- To treat the psychological consequences of abuse experiences.
- To promote healthy development that will reduce risk for long-term negative outcomes.

After a suspicion of child sexual abuse comes to light, an investigation into the allegation is conducted to determine whether sexual abuse occurred or not. If abuse is substantiated, a criminal case is filed and an arrest made if the name and whereabouts of the perpetrator is known (Coetzee, 2004; Swart, 2003). The first step in the investigation is to conduct a comprehensive interview with the child in

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order to gather details of the alleged offence. A person can be arrested on a single statement of a child alleging sexual abuse (Lock, 2006).

Conducting interviews with child sexual abuse witnesses is one of the most demanding interview situations due to the sensitivity of the topic, the reticence of the victims and the potential conflict between evidentiary and therapeutic goals (Spencer & Flin, 1990:276). Children, like adults, can have problems remembering and giving accurate accounts of events (Bruck & Ceci, 2004:231; Loftus, 2006). The importance of a legally defensible interview procedure or protocol can therefore not be overemphasised.

It is not a new phenomenon for a child to be referred to a social worker for an assessment to determine whether abuse took place. This often results in the parent's decision to file a criminal case, or the South African Police Service (SAPS) deciding whether a *prima facie* case can be proved. A criminal case will be opened after the statement of the child has been taken (Majokweni, 2002:11; South African Law Commission, 2002:4). The researcher worked as a social worker in the South African Police Service where her main task was to investigate allegations of child sexual abuse. After disclosure, a thorough interviewing process must take place to enable the social worker to determine whether or not sexual abuse occurred. The researcher has investigated many allegations of possible child sexual abuse during the past four years in private practice. She advised parents, social workers and the SAPS on aspects in the children's statements which could contribute to a *prima facie* case.

Several international guidelines on the interviewing of children exist, e.g. *The National Institute of Child Health and Human Development (NICHD) Investigative Protocol* (Orbach, Hershkowitz, Lamb, Sternberg, Esplin & Horowitz, 2000:733; Cronch, Viljoen & Hansen, 2006:202) and *Memorandum of Good Practice* (Home Office, 1992:2) and its updated version *Achieving Best Evidence* (Bull, 2003a:3). However, in the South African context no such protocol or guidelines exist.

Each child is unique and therefore effective interviews should be tailored to the child's unique needs and circumstances. Professionals from a range of disciplines

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and with varying training and experience levels are confronted with child sexual abuse in their work. There is currently no existing interview protocol guiding the social worker in forensic interviewing (Carstens, 2004). According to the South African Law Commission (2002:3) as stated in their executive summary:

> …all public structures responsible for formal intervention in sexual offence cases, and non-government bodies which are mandated to perform this task, must deliver services which are prompt, sensitive, effective, dependable, fully co-ordinate and integrated and carefully designed to avoid secondary trauma.

It is thus imperative that the social work profession be equipped with guidelines to deliver a service regarding forensic interviewing that is researched, culturally sensitive, effective and legally defensible.

Based on reports from child protective agencies, there are approximately 150 000 to 200 000 new cases of child sexual abuse investigated in the United States of America each year (Wood, Orsak, Murphy & Cross, 1996:81). Research conducted by Homeyer (1999:1) in the United Stated of America concluded that one out of every four girls and one out of every seven boys in her study were sexually abused in some way or another. Further conclusions by Homeyer (1999:1) indicated that approximately 33% of incest victims were abused for the first time before the age of 6 years.

The researcher is of the opinion that these statistics are not unique to the United Stated of America and that the situation in South Africa is probably the same or even worse. According to research conducted by Van Wyk (2002:6) more girls than boys are sexually abused, and girls tend to report these crimes more frequently than boys. According to the South African Police Service there were 32 000 rape and attempted rape cases filed between January 2000 and June 2001 (Simmons, 2001:1).

It is the aim of this study to focus on children in the middle childhood. Middle childhood starts at the age of 6 up to 11 years (Berger, 2003:299). Middle childhood is a time of growth of physical and intellectual abilities, expansion of interest,

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mastery of even wider and more diverse circles outside the home and the growth of sexual and personal identity (Turner & Helms, 1987:231; Lieberman, 1979:32).

During the researcher's M.A. studies, she has determined that the average age of children that are sexually abused in the Vaal Triangle (Vereeniging, Vanderbijlpark and Meyerton Magistrate Districts) is between 9 and 11 years (Fouché, 2001:27). During the four years in the researcher's private practice, more children in the middle childhood have been referred for assessment than any other age group (Case register, 2003-2007).

It is commonly believed that a child will disclose sexual abuse at the first possible opportunity. However, studies of adult survivors of child sexual abuse indicate a great tendency on the part of child victims not to disclose the abuse (De Voe & Faller, 1999:217; Hershkowitz, Orbach, Lamb, Sternberg & Horowitz, 2006:753). Children may initially disclose abuse to family members, most often their mothers (Sauzier, 1989:458), or may disclose for the first time during formal investigation, which is carried out because of suspicion of abuse.

Denial has according to Sorenson and Snow (1991:3) and Goodman-Brown, Edelstein, Goodman, Jones and Gordon (2003:527) been identified as a frequent response when the child is feeling too threatened, frightened, or insecure to acknowledge the abuse (Malloy, Lyon, Jodi & Quas, 2007:163). This, among other reasons, lead to many children suffering in criminal court; trying to explain why they took up to six years to disclose. These children are very resistant to disclose and it takes an experienced interviewer with sound knowledge of the dynamics of child sexual abuse, child developmental issues, non-leading play-related communication techniques and a defensible interview protocol to lead the child to a disclosure that can be substantiated.

The accuracy of children's reports depends largely upon the ability of the interviewer to ask questions in a non-threatening manner, in a language that children can comprehend, and about concepts they can understand (Kuehnle, 1996:138). The purpose of a clinical or therapeutic interview is to provide treatment for the patient, whereas that of a forensic or investigative interview is to

establish the facts of the incident under investigation (Müller, 2001:8; Fouché, 2006:206). The purpose of the forensic interview is according to Müller (2001:8) "… to obtain a truthful account from the child in a manner which will best serve the interests of the child while at the same time being legally acceptable".

Parents, teachers and concerned community members suspecting child abuse, report children on a daily basis to the South African Police Service or a welfare organisations, who on their turn refer the children to social workers with specialised knowledge and training for an investigation (Fouché, 2006:207). State prosecutors, uncertain about proving a *prima facie* case, will also refer the child to a specialist for forensic interviewing. The social worker needs to be familiar with a proper and legally sound interview protocol to ensure that no contamination will take place during the investigation. Unfortunately a researched interview protocol for children in the middle childhood does not exist in South Africa. It is therefore the aim of this study to develop an interview protocol that will facilitate legally sound disclosure.

As this study aims at developing a forensic interview protocol, and not therapeutic intervention, the researcher did not make use of a specific theoretical approach.

1.2 PROBLEM FORMULATION

A new awareness of the rights of children was developed at the United Nations Convention on the Rights of the Child to which South Africa was a signatory and which was ratified in 1995. Three of these rights for children can be highlighted (Human, 2000:156):

- The best interest of the child.
- Regard for a child's dignity.
- A child's right to voice an opinion in any situation and procedure in which the child is involved.

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The Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996), Section 28, acknowledges that a child's rights have to be protected. Section 28 (1)(d) states that every child has the right "to be protected from maltreatment, neglect, abuse or degradation".

Crimes against children and women have elicited a strong response from South Africans and have led to a greater effort in the combating of these hideous crimes by the South African Police Service and the National Crime Prevention Strategy (NCPS) of 1996 (Inter-departmental strategy team, 1996). Improving the quality of service to children and women was the third of the five policing priorities for 1998 – 2000 (SAPS, 1998:21; SAPS, 1999a:16). The following statement was included in the *Policing Priorities and Objectives* (SAPS, 1998):

> One of the greatest threats to the future of this country is the continuing humiliation of women and children through acts of violence and abuse. Rape, domestic violence and child abuse require special attention because of their prevalence and negative effects and impact on the rights of women and children.

According to Scott (2001:9), South African statistics show that one in every three girls, and on in every five boys will be sexually abused before the age of 13 years. In conjunction with this, Scott (2001:9) indicated that in South Africa a child is sexually abused every eight minutes and a child is raped every 24 minutes. The increase in child sexual abuse is reflected in the number of cases that have been reported to the South African Police Service. Since its formation in 1986, the Family Violence, Child Protection and Sexual Offence Units (FCS) – previously known as the Child Protection Unit – have dealt with more than 140 000 cases of crimes against children (September & Loffell, 1998:4).

The increase in reporting of child sexual abuse can be attributed to different organisations which promote children's rights. Some of these organisations are the IMC (Inter-Ministerial Committee on Young People at Risk), NCCAN (National Committee on Child Abuse and Neglect) and SASPCAN (South African Society for the Prevention of Child Abuse and Neglect) (September & Loffell, 1998:1-5).

In cases of physical abuse, the legal system will commonly rule on insufficient explanations of primary caregivers when compared to the medical reports (Venter, 2004). In the majority of child sexual abuse cases, the victim and the perpetrator are the only eyewitnesses. Typically, there is an absence of medical evidence, and admission by the perpetrator is unusual (Kuehnle, 1996:1). In many cases the child's statement becomes the critical factor for determining whether sexual abuse has occurred. When abused, victims of child sexual abuse must give a verbal statement of events regardless of the outcome of the medical examinations. It is the experience of the researcher that in many cases of child sexual abuse, no medical evidence can be found, and children must give a verbal statement of the abuse and indicate who the perpetrators are. The combination of often confusing behaviour exhibited by victims and the prejudices held by the general public, can lead to doubt that the child has been truthful. Prosecutors attempt to provide alternative explanations for unusual behaviour exhibited by alleged victims of child sexual abuse. Prosecutors may obtain expert testimony from social workers and psychologists who have experience in dealing with sexually abused children (Venter, 2004; Van Drunick, 2003). The testimony of a social worker may be crucial in prosecution, because of the fact that the victim may never be believed without explanatory testimony from a social science expert.

The Domestic Violence Act, 1998 (Act No. 116 of 1998) and the Prevention of Family Violence Act, 1993 (Act No. 133 of 1993) state that all incidents of child abuse must be reported to police officials, child commissioners or social workers. Due to the dynamics of child sexual abuse and the consequences when opening a criminal case, many parents report their children to a social worker or other professional for so-called "therapy" or "assessment" before a criminal case is filed. It is not necessary for a criminal case to be filed after each allegation (De Villiers, 2004), and it is the opinion of Coetzee (2003) that a social worker can investigate and must determine if he/she has sufficient information to refer the case to the South African Police Service. The social worker then conducts an interview to advise the parents on further handling of the matter. The researcher was one of 21 social workers, working in the South African Police Service, whose main task was the facilitation of disclosure, interviewing victims and evaluating the

allegations, which resulted in the writing of court reports and occasionally testifying in criminal courts.

The researcher developed play-related communication techniques over a period of four years and it resulted in M.A. studies where it has been applied by means of a translator to children of African cultures (Fouché, 2001:73). This M.A. study has already produced play-related communication techniques to facilitate initial disclosure of possible child sexual abuse.

Currently the researcher is in private practice where the majority of cases handled are child sexual abuse investigations. These play techniques as described above are utilised on a daily basis to facilitate a disclosure of possible child sexual abuse. A limitation regarding a comprehensive interview protocol exists (Van der Linde, 2004; Makhubu, 2004; Kirchner, 2003; Louw, 2004) and it is the purpose of this study to develop and evaluate an interview protocol.

Spencer and Flin (1990:276-277) state that the quality or reliability of a child's evidence depends largely on the interviewing skills of the interviewer. For the child to give a complete, relevant, unbiased and accurate account, the interviews must be conducted with considerable expertise and sensitivity.

Many professionals still believe that it is unlikely for suggestive questioning to produce false allegations of abuse (Carstens, 2004; Makhubu, 2003). It is imperative for any professional to follow a structured interview protocol to limit the likelihood that a true allegation will be mistakenly regarded as false because of poor questioning. If false information is suggested to a truly abused child, the child's story may start to sound incredible, or simply inconsistent. Child sexual abuse cases will have to be carefully scrutinised for signs of contamination by pre-trial influences. A candidate for such influence is the professional who first heard the child's disclosure. It is supposed by a Vereeniging magistrate (Willemse, 2001) that, due to suggestive questioning of children and the absence of a structured forensic interview protocol, the statement taken by the South African Police Service is not reliable if the child was interviewed by a professional who asked leading questions beforehand.

It is the experience of the researcher that abused children often find it difficult to discuss abuse. Anything dealing with nakedness and genital touch is potentially embarrassing; even more so if the child recognised that the touching was wrong. Sexual abuse is often treated as a secret. Abusers frequently warn or threaten their victims not to tell (Sorenson & Snow, 1991:3), and even without warnings, the secrecy surrounding the abuse teaches the child not to tell. Sexual abusers are often violent towards the child and the child's mother, reinforcing a reluctance to disclose. Perpetrators also seduce their victims, making the child reluctant to tell for a different reason. If the child or his/her family has positive feelings towards the abuser – most likely if he is a family member or a friend of the family – he/she will be reluctant to get him into trouble and to hurt others who love him. Fear, loyalty and embarrassment are disincentives to disclosure (De Voe & Faller, 1999:226). Even if a child is motivated to disclose, cognitive immaturity may make it difficult to do so. Young children often provide more information when asked recognition questions than when simply asked to tell "what happened". Children have limited understanding of what details are important, and limited ability to estimate time or number.

The solution to children's difficulties with disclosing abuse may seem simple: The interviewer can ask very direct questions in order to elicit a report, and if the child refuses to disclose, apply pressure on the child. However, pressure has some obvious problems:

- One does not know before the interviews which children have been abused. Pressure on a non-abused child may lead to a false allegation.
- Pressure may taint truly abused children's reports and make them look incredible or inconsistent.
- The helping professional may experience pressure when interviewing children in an unstructured way, which involves leading and suggestive questioning. It can lead to the wrong handling of the situation (Sorenson & Snow, 1991:5; De Voe & Faller, 1999:217; Müller, 2001:14; Ongena & Dijkstra, 2007:145).

Professionals from a range of disciplines and with varying levels and types of training confront child sexual abuse in their work. Due to disclosure being gradually folding (which may be accompanied by embarrassment, shame, or fear) interviewing strategies need to be flexible. Multiple interviews and a flexible protocol may be necessary to fully assess if anything has happened to a child (De Voe & Faller, 1999:225). In South Africa there is not an existing structured forensic interview protocol to guide professionals. Interview protocols used in England, *The Memorandum of Good Practice* (Home Office, 1992:3) and in the United States of America, *The National Institute of Child Health and Human Development (NICHD) Investigative Protocol (*Orbach *et al.,* 2000:733; Cronch *et al.*, 2006:202; Hershkowitz *et al.,* 2006:766*)* are available, but have not been developed and evaluated in the South African context. These protocols also have a limitation with regard to the facilitating of the initial disclosure (Bull, 2003) and accommodating children from different age groups. It means that the people interviewing the child often experience a problem to obtain the initial disclosure before they can continue with the interviewing process.

It is therefore important for professionals involved with victims who have allegedly been sexually abused, to follow a structured forensic interview protocol that contains all the prerequisites to facilitate the disclosure in a non-leading way, as it can have serious consequences for a person who is accused. It can have serious implications if a professional follow a protocol that may be highly suggestive; it can result in an innocent person being arrested and spending time in jail. The influence of suggestive questioning can also cause the case to be lost (Willemse, 2001) due to defence lawyers arguing that the child was not interviewed properly and therefore the information in the statement is not a true reflection of what has happened.

The impact of poorly conducted forensic evaluations can be profound. Social workers' negligent use of concepts and techniques or irresponsible use of data can cause great harm. Whether a sexually abused child is left unprotected with an abusive parent, or whether a parent is falsely accused of abuse and the parent-child relationship is permanently destroyed – either cost is too high.

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The explosion of cases involving allegations of sexual abuse exceeds the resources available to deal with the problem. Many professionals lack specific training in this area and the legal profession is often confronted with an array of self-identified experts who have emerged to fill the void. Unfortunately, these professionals often use inadequate evaluation techniques or fail to evaluate the child within the context of the family. If conclusions are drawn on the basis of inadequate or insufficient information, children may be harmed, parent-child relationships seriously damaged and cases contaminated. The best way to protect children is to conduct investigations in a responsible manner; in a way that may lead to the discovery of what really happened by means of a legally sound interview protocol.

The research problem is that there is an absence of a forensic interview protocol, which is legally defensible, which accommodates different developmental issues, is non-leading and includes play-related communication techniques to facilitate disclosure. According to the South African Law Commission (2002:3) as stated in their executive summary, "… it is recommended that all persons who work in the field of serving victims of sexual offences… should undergo an accredited training course and that standards or codes of good practice be developed in order to ensure quality service."

Due to the absence of an interview protocol, the increase in cases being reported to welfare organisations and the expectations of the legal system for legally sound practices of professionals, it is imperative to develop an interview protocol (Makhubu, 2004; Schoeman, 2004).

1.3   PURPOSE, GOAL AND OBJECTIVES OF THE RESEARCH STUDY

1.3.1   The purpose of research

The purpose of this study was to develop an interview protocol, which can be implemented by social workers during their daily confrontation with child sexual abuse victims. In order to achieve this, the researcher needed to utilise

exploratory research regarding existing literature on middle childhood development, linguistic issues when working with children, child sexual abuse and current interview protocols utilised in other countries. Bless and Higson-Smith (1995:42) state: "The goal of exploratory research is to gain insight into a situation, phenomenon, community or person." Exploratory research aims to make a beginning study; gaining information about a topic and the implications thereof, where little is known (Babbie, 2001:10).

The research will have a descriptive nature, as the interview protocol was described. Descriptive research presents a picture of the specific details of a situation, social setting or relationship, and focus on the "how" and "why" questions (Neumann, 2000:22).

1.3.2   Goal of the study

A goal can be defined as "an aim or desired result" (*The Oxford Dictionary, Thesaurus and Wordpower Guide*, 2001:546). According to Fouché and De Vos (2005:106) a goal can be seen as "the end toward which effort or ambition is directed". A goal is thus what you ultimately want to achieve with a specific effort or ambition, while an objective denotes the more concrete, measurable and more speedily attainable conception of such end toward which effort or ambition is directed.

The goal of this study was:

To develop, implement and evaluate a legally defensible interview protocol for social workers to facilitate disclosure of child sexual abuse for children in the middle childhood years.

1.3.3 Objectives of the study

An objective is the steps one has to take, one by one, realistically at grass roots level, within a certain period of time, in order to attain the ultimate goal (Fouché & De Vos, 2005:105). To set objectives, means to plan in an organised way.

The following objectives were set in order to achieve the goal of the study:

- To develop a theoretical framework regarding:
  - child development in the middle childhood;
  - dynamics in interviewing children;
  - a sound knowledge base regarding child sexual abuse;
  - the facilitation of disclosure of child sexual abuse; and
  - forensic interviewing of children.
- To develop a forensic interview protocol for social workers to facilitate a disclosure of child sexual abuse victims in the middle childhood.
- To develop a checklist, containing all the fundamentals included in the seven-phase forensic interview protocol, in order to evaluate interviews conducted in both the experimental and comparison groups.
- To implement the forensic interview protocol with ten girls in the middle childhood who were allegedly sexually abused and evaluate by means of the self-developed checklist.
- To evaluate an independent social worker's interviews with ten girls in the middle childhood who were allegedly sexually abused, by means of the self-developed checklist.
- To evaluate the protocol.
- To make recommendations for further utilisation of the protocol by social workers.

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1.4   HYPOTHESIS FOR THE STUDY

A proposition is defined by Dubin in De Vos (2002a:35) as a truth statement about a theoretical model. A proposition needs to be tested against reality before it can be accepted as a valid theory or part of a valid theory. When a researcher empirically tests or evaluates such a proposition, it becomes a hypothesis. Mouton (1996:119) also states that when a researcher first formulates a statement, without knowing whether there is any empirical warrant, accepting it as reasonably valid or even true, it is called a hypothesis.

The hypothesis for this study was as follows:

If this interview protocol will be applied in cases of alleged sexual abuse against children of the middle childhood, it would facilitate the disclosure in a more legally acceptable and defensible manner.

1.5   RESEARCH APPROACH

For this study a quantitative research approach was followed.

A quantitative study can be defined as an inquiry into a social or human problem, based on testing a theory consisting out of variables, measured with numbers and analysed with statistical procedures in order to determine whether the predictive generalisations of the theory hold true (Fouché & Delport, 2002:79).

The quantitative approach is more highly formalised, as well as more explicitly controlled than the qualitative approach, with a range that is defined more exactly and relatively close to the physical sciences (Mouton & Marais, 1990:155-160; Vermeulen, 1998:13). Data collection methods for researchers working from a quantitative approach can be categorised into questionnaires, checklists, indexes and scales. A checklist consists of a list of items and a checkmark is made after each individual item (Delport, 2005:159).

A self-developed checklist as measuring instrument was used. It measured fundamentals representing a legally defensible and acceptable interview protocol (Appendix 5).

1.6   TYPE OF RESEARCH

The type of research in this study is applied research. Applied research addresses immediate problems that are encountered by professionals in practice. The purpose of applied research is to resolve these problems. Applied research is thus aimed at the practice and entails the use of existing knowledge from research or personal experience to develop and enhance service, processes and methods (Neuman, 1997:22). This study intended to utilise existing knowledge to address the problems which social workers experience in the field of child sexual abuse regarding guidelines for effective forensic interviewing.

Intervention research is introduced as a new view of applied research in social work. Intervention research consists of the development of a programme, the application of the programme (intervention) and the evaluation of the effectiveness of the intervention (De Vos, 2005:394). Developmental and evaluation research are combined. Schilling (1997:174) defines intervention research as follows: "Intervention is an action undertaken by a social worker or other helping agent, usually in consideration with a client or other affected party, to enhance or maintain the functioning and well-being of an individual, family, group, community or population".

1.7   RESEARCH DESIGN AND METHODOLOGY

According to Mouton (2001:55) a research design is like a route planner. It is a set of guidelines and instructions on how to reach the goal that the researcher has set and how he/she intends to conduct the research. It can be seen as a detailed plan, blueprint or strategy by which data is collected and analysed, questions are answered or hypotheses are tested (Fouché, 2002:271). The researcher sees the

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research design as the plan, structure and strategy of the study and the investigation. Babbie (2001:107) holds that the term "research design" basically has two connotations namely: alternative logical arrangements to be selected and the act of designing the study in its broadest sense.

The quasi-experimental design was applied. The comparison group post-test-only has a built-in capacity for comparison of the results of two groups, equivalent to the experimental and control groups in true experiments. In the comparison group post-test-only design, one group is the experimental group, which will be exposed to the independent variable X (newly developed interview protocol) (Leedy, 1985:211; Kerlinger & Lee, 2000:537). The other group, the comparison group, is not exposed to X (newly developed interview protocol). Sampling is purposive and not random (Fouché & De Vos, 2002:145). In this study, both the experimental group and the comparison group were evaluated by means of the checklist to determine whether the newly developed interview protocol (X) facilitates disclosure in a legally defensible manner by means of adhering to specific fundamentals (O_1).

- Experimental group: X (seven-phase forensic Interview protocol) and O_1 (fundamentals imperative for a legally defensible forensic interview were assessed by means of a self-developed checklist).
- Comparison group: O_1 (fundamentals imperative for a legally defensible forensic interview were assessed by means of a self-developed checklist).

The following was covered in the quantitative approach: The legally defensible interview protocol was developed to address immediate problems in the community. To evaluate the protocol, the researcher measured the intervention through a self-developed checklist after each interview to determine if the interview protocol followed by the researcher included the indicators that facilitates legally sound disclosure.

- A seven-phase forensic interview protocol was developed after a thorough literature study, consultations with experts and extensive experience of the researcher.

- A self-developed checklist, as measuring instrument measured all the fundamentals represented from a legally defensible interview protocol.

- The seven-phase forensic interview protocol was applied with the experimental group, which consisted of ten girls in the middle childhood referred to the researcher by local welfare organisations due to allegations of child sexual abuse, and evaluated by means of the checklist (See paragraph 1.12 for reasons why only 10 children in each group were selected).

- A comparison group, conducted by an independent social worker from the Teddy Bear clinic in Johannesburg who has the same experience as the researcher in interviewing victims of child sexual abuse and expert testimony, was exposed to a different interview protocol as used by the independent social worker and evaluated against the same checklist. The comparison group consisted of children of exactly the same ages and gender as the experimental group reported for possible allegations of child sexual abuse. The results were compared to measure the effectiveness of the developed protocol.

- All interviews were audio-recorded, and the self-developed checklist was completed in order to evaluate whether the social worker's interview was legally defensible

The independent variable (X) was not applied during interviews in the comparison group.

The 119 fundamentals included in the self-developed checklist were clustered into the following 23 groups (De Voe & Faller, 2002:6; Holliday, 2003:729; Lamb, Sternberg & Esplin, 2000:1586; Orbach, *et al., 2000:*733-752):

- Rapport-building and facilitation of initial disclosure.
- Ground rules.
- Distinguish between truth and lie before the abused-focused questioning starts.
- Conduct a morality check.
- Truth-and-lie check after abused-focused questioning.

- Use clear and age-appropriate language.

- Invite free narrative.

- Questioning format.

- Determine the number of times the alleged abuse happened.

- Use pictures to explore alleged abuse.

- Determine the identity of the perpetrator.

- Explore explicit accounts of sexual abuse.

- Determine context explanation.

- Emotional content.

- Explore the existence of internalisations.

- Observing and following up on nonverbal behaviour.

- Investigate multiple hypotheses.

- The use of anatomical dolls.

- Test for consistency.

- The interviewer's conduct.

- Practical arrangements.

- Global check.

- Closure of interview.

The following variables occurred:

- Knowledge of the researcher and the social worker from the comparison group.

- Disclosure process of each child in either the experimental or comparison group.

- The nature of the abuse that took place differed and had an influence on the type of details that were disclosed.

- The developmental level of children differed, which resulted in some children being more verbal than others.

- Personalities of different children. Introverted children found it more difficult to communicate.

- Personalities of interviewers differ.

- Threats posed to the children influenced the disclosure process.

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- Influence from parents.

- Trauma experienced by the children.

Due to the utilisation of an intervention research study, the process of the knowledge development and the six phases of the design and development model according to Rothman and Thomas (1994:5) and De Vos (2002b:394-418) will be discussed. Although phase models, like intervention research, are performed in a stepwise sequence, it cannot be viewed as patterns of one phase following the other rigidly.

The model of Rothman and Thomas (1994:5) is a phase model and consists of six phases:

- Problem analysis and project planning.

- Information gathering and synthesis.

- Design of the protocol.

- Early development and pilot testing.

- Evaluation and advanced development.

- Dissemination.

1.7.1   Phase one: Problem analysis and project planning

Problem analysis and project planning constitute the first phase of intervention research and involve the identification and analysis of key problems in collaboration with the relevant stakeholders (De Vos, 2002b:397).

Hasting (1979:119) quotes the following definition of social problems: "Social problems are conditions of society that have negative effects on large numbers of people; a social problem is a condition that has been defined by significant groups as a deviation from some social standard, or breakdown of social organisation".

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1.7.1.1   Identifying and involving clients through various processes

Part of the researcher's task during six of her ten years in the South African Police Service was to conduct forensic interviews with victims of child sexual abuse. The researcher has been in private practice for four years and received referrals from welfare organisations in the Vaal Triangle, Gauteng, in order to conduct forensic interviews with possible victims of child sexual abuse.

The child respondents in this study were those referred by Nederduitse Gereformeerde (NG) Welfare Vereeniging and Child Welfare Vereeniging. A social worker, employed by the Teddy Bear Clinic has conducted interviews with ten respondents from the comparison group.

1.7.1.2   Gaining entry into and co-operation from all relevant stakeholders

It is the opinion of De Vos (2005:396) that successful intervention researchers have a collaborative relationship with representatives of the setting by involving them in identifying problems, planning the project and implementing selected interventions. Although the researcher knows many professionals who work at welfare organisations in the Vaal Triangle, it was accepted that entry into their "working environment" would not be so easy. Due to the researcher's working relationship with the social workers at these organisations, they gave their commitment to full co-operation and willingness to participate.

Access to children who are reported to social workers has been gained through written permission from the office heads of each organisation. The office heads did the selection and referral. The social worker who has been selected to conduct the interviews for the comparison group gave her full co-operation (Appendix 1 & 2).

1.7.1.3 Identifying concerns of the population

The researcher had to try to understand what the most important issues for the population are. Professionals from a range of disciplines and with varying levels and types of training are confronted by child sexual abuse in their work. Professionals from the legal system are concerned about the subjectivity of professionals, which results in the use of leading questions.

Discussions with numerous legal professionals, social workers, psychologists and members of the South African Police Service regarding the absence of a legally defensible interview protocol took place (Venter, 2004; Willemse, 2001; Lock, 2004; Makhubu, 2004; Van der Linde, 2004; Kirchner, 2003; Oberholzer, 2003). The researcher has also been conducting workshops for the past five years, and during discussions and practical sessions it became evident that social workers are not aware of what is expected from them during a forensic interview. From the researcher's experience during forensic investigations, it is clear that an interview protocol that is legally defensible is imperative.

In order to identify concerns regarding this problem, initial interviews were conducted with key informants, including clients, managers of social welfare agencies, the caseworkers and the parents of the subjects.

1.7.1.4 Analysing concerns and problems identified

The nature of the difference between the ideal and the true stand of the problem had to be analysed. Questions were stated to determine who experiences the problem and why previous interventions to address the problem were not successful. The data had to be screened and analysed with the purpose of identifying emerging general themes and key focus areas for the broader knowledge development phase (De Vos, 2005:397).

The problem of the absence of a structured interview protocol exists not only in social work, but also in the legal system where the South African Police Service

also experiences a need for a structured legally defensible interview protocol. Although structured interview protocols exist in other countries (refer to paragraph 1.2) they have not been tested and applied within the South African context.

1.7.1.5   *Analysing the broad areas of concern to guide the development of data collection instruments*

During this step the concerns of the population that is experiencing the problem was analysed. They were confronted with the following questions and scenarios:

- Should there be different interview protocols for children in different developmental levels?
- Is a legally defensible interview protocol the main focus in practice? Problems they anticipate regarding how to follow a time-consuming interview protocol.
- During data collection different perspectives were involved and the possibility of conflict existed and had to be defused.

1.7.1.6   *Setting goals and objectives*

The goal and objectives were formulated. Refer to paragraph 1.3.3.

1.7.2   **Phase two: Information gathering and synthesis**

When an intervention research project is planned, it is crucial to determine what other research has been done to address the problem (De Vos, 2002:405). This process involves the application of knowledge development research methods for gathering, processing and synthesising data. A knowledge development (KD) study was conducted to gain an understanding of the current state of forensic interviewing of allegedly sexually abused children. As a facet of intervention research, KD has its own objectives, methods and outcomes, and may be linked to

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or may be conducted as a separate research process with its own aims and methods. In this study, KD was linked to design and development. The findings of the KD process are intended to provide an understanding of the current situation of forensic interviewing and evaluation of information. Information gathered from the first phase was used to develop the themes, questions and patterns for the KD process (Fouché & De Vos, 2005:109).

The literature study is important for the clear formulation of the problem and for the execution of the planning and actual implementation (Fouché & De Vos, 2005:109). A thorough literature study on child development, dynamics in interviewing children, the phenomenon of child sexual abuse and existing interview practices was completed and guided the researcher during development of a preliminary intervention.

Information gathered from the literature study, consultation with experts and the researcher's experience over the past six years were utilised to draft the interview protocol.

1.7.2.1 *Utilising existing resources of information*

The literature study includes the study of selected empirical research and practice reports. A national and international computerised database is vital in locating information. It is imperative that intervention researchers must study literature outside their own field of study. Integration of different views out of the different disciplines in the human sciences is one of the aims of intervention research (Fouché & De Vos, 2005:109).

Due to the researcher's MA studies, various literatures on child sexual abuse were obtained. From the current literature study it is clear that numerous linguistic information exist concerning forensic interviewing and evaluation of information. None of this was tested in the South African context. Current literature on the subject of interviewing children and prerequisites regarding such a protocol were explored. The researcher explored various internationally interview protocols

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namely: *The National Institute of Child Health and Human Development (NICHD) Investigative Protocol (*Orbach *et al.,* 2000:733; Cronch, *et al.,* 2006:202) and *Memorandum of Good Practice* (Home Office, 1992:2) and its updated version *Achieving Best Evidence* (Bull, 2003a:3), the five phases of forensic interviewing suggested by Jones (1992:30), the *Step-Wise interview protocol* developed by Yuille (Poole & Lamb, 1998:95) and the extended forensic evaluation model developed by Carnes (2005).

Discussions and observations of social workers during discussions in workshops and training sessions were also taken into consideration during the development of the seven-phase forensic interview protocol.

1.7.2.2   *Study of natural examples*

According to De Vos (2002b:406) an useful source of information is observing how community members faced with the problem have attempted to address it. Consultations with experts in the field of interviewing sexually abused children were conducted to obtain their opinion regarding existing practices. Experts from the legal field were also interviewed to get their opinions and recommendations regarding the proposed study. Experts consulted with were:

- Mrs. Engela van der Linde, social worker in private practice currently specialising in forensic assessment of sexually abused children;

- Mrs. Elsabe Louw, senior social worker, formerly from Child Welfare Vereeniging.

- Mrs. Sarie Schoeman, head social worker at Child Welfare Vereeniging.

- Mrs. Petra Oberholzer, supervisor at the Department of Social development, Sebokeng (probation department);

- Mrs. Karien Alberts, social worker at the Department of Social Services, Sebokeng.

- Mrs. Lindi Makhubu, social worker in private practice, conducting forensic assessment of sexually abused children and also head of a place of safety;

- Mr. Ettienne Venter, regional court prosecutor at the Sebokeng sexual offences court;

- Mrs. Retha Willems, regional court magistrate at Vereeniging Court;

- Inspectors Lindi Lock, Johan Swart and Engela Coetzee, investigative officers at the former Family Violence, Child Protection and Sexual Offences Unit; and

- Mrs. Louise Kirchner, educational psychologist in private practice specialising with the forensic assessment of sexually abused children.

- Advocate Renate Carstens, admitted advocate of the High Court, Johannesburg and former social worker specialising in the investigation of allegations of child sexual abuse.

- Mrs. Ronel Coetzee, senior control prosecutor at Vereeniging Magistrate's court.

Current interview protocols utilised in other countries have been explored to determine whether parts of it could be included in the suggested interview protocol.

1.7.3 Phase three: Design of the protocol and self-developed checklist

According to Thomas (1989:584) and De Vos (2002:400) the problem analysis, information gathering and synthesis phases will precede the design of this protocol. The findings and the outcomes of the knowledge development phase provided the contextual basis for the design and development of the protocol. The design phase may be conceptualised as problem-solving for seeking effective tools to deal with the problem. The goal of this phase was to design the first draft of the protocol.

The proposed forensic interview protocol consisted of seven definite phases as discussed in chapter five. The self-developed checklist included 119 fundamental categorised into 23 clusters (Refer to paragraph 1.7 and chapter five). The Research Proposal and Ethics Committee formally approved the study (Appendix 4).

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Although the first step of phase one of the seven-phase forensic interview protocol included the facilitation of the initial disclosure, the development of this is not part of this research. The researcher has already covered this during her M.A. studies (Fouché, 2001:76).

In South Africa suspicions of child sexual abuse are often referred to welfare organisations for forensic assessment interviews by a concerned community member, parent or the South African Police Service. Due to lack of skills, knowledge and expertise many police officials struggle to obtain legally defensible information from children (Swart, 2003; Coetzee, 2003). An appointment would be scheduled with the parent or caregiver after which an assessment process would start.

The newly developed interview protocol was applied (intervention phase) from the moment the child started to disclose alleged sexual abuse (e.g. when the child indicated that someone gave her a bad touch and/or secret touch). If disclosure started in the first session, the interview protocol was followed. If disclosure has not occurred by the third session, a fourth session took place, which was a more direct session. A maximum of four sessions took place to accommodate shy, scared or threatened children.

Each session started with a semi-structured questionnaire (Fouché, 2001:57) and the child was invited to draw a picture for the researcher's wall. Each session, irrespective of whether disclosure took place or not, was ended with an empowerment technique in order to send the child home on a positive note. Each session was approximately 60 minutes, depending on the child's unique process and attention span.

The independent social worker received referrals from organisations in Johannesburg and conducted her interviews according to her own interview protocol at the Teddy Bear Clinic in Johannesburg.

1.7.4   Phase four: Early development and pilot testing

Thomas (1989:584-587) defines development as the process by which an innovative intervention is implemented and used on a trial basis, developmentally tested for its adequacy, and refined and redesigned as necessary. This step involved the process through which the intervention could be implemented and tested on an *ad hoc* basis.

1.7.4.1   *Developing a prototype or preliminary intervention*

Early development and pilot testing constitute the fourth phase of intervention research. During this phase, a preliminary design of the intervention (protocol) and measuring instrument (checklist) was finalised for the main investigation. The self-developed checklist was compiled after a thorough literature study, consultations with experts and researcher's own experience in this field. The checklist was finalised with the assistance and guidance from two staticians of the Department of Statistics of the University of Pretoria (Refer to chapter six).

1.7.4.2   *Conducting a pilot test of protocol and checklist*

The drafted interview protocol was applied as a pilot test when interviewing three girls reported to the researcher's private practice during November 2005 and January 2006. After exposure to the protocol (X) a self-developed checklist was completed to measure whether legally defensible fundamentals were adhere to. Initially the checklist consisted of 20 clusters, but after the pilot study, the researcher sub-divided three of the clusters into two for statistical purposes, resulting in 23 clusters.

1.7.4.3   *Applying design criteria*

The following questions were considered:

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- Is the checklist effective?

- Is the checklist repeatable, i.e. will it be able to repeatedly measure the same item under the exact conditions?

- Does the checklist have linearity i.e. will it still work properly and hold true results over time?

- Is the checklist easy to use and understand?

- Is it practical?

- Is it adaptable to various contexts, e.g. different cultures?

The results of the pilot test were considered and the checklist and intervention were prepared for the main investigation. (Refer to chapter six).

1.7.5 Phase five: Evaluation and advanced development

This phase involved selecting an experimental design, collecting and analysing data, replicating the intervention under field conditions, and refining the intervention. Feedback and recommendations were evaluated, adapted and refined. The newly developed protocol was implemented and presented to the respondents. The results are discussed in chapter six.

1.7.5.1 Collecting and analysing data

Quantitative data was collected:

- **Checklists**

  A checklist is a type of questionnaire consisting of a series of items (Delport, 2002:184). A researcher can develop a checklist if a suitable one is not available. For the purpose of this study the researcher developed a checklist, consisting of fundamentals representing a legally defensible interview protocol. A blank checklist was completed after each disclosure interview with the ten children in the experimental group. Blank checklists

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were also completed after the disclosure interviews with ten children from the comparison group.

- **Experimental group**

  The checklist was completed by the researcher after the disclosure interview with each child. The researcher conducted interviews with the experimental group. The children were referred by the organisations as mentioned in paragraph 1.7.1.1. The criteria for referral are described in paragraph 1.9.4.1.

- **Comparison group**

  The interviews with respondents in the comparison group were conducted by a social worker from the Teddy Bear Clinic in Johannesburg. This social worker has extensive experience in forensic assessment interviews in the field of child sexual abuse and did undergo specialised training. She represents the majority of social workers in South Africa, confronted with child sexual abuse on a daily basis and who conduct interviews as they deem fit. The researcher's aim was to compare whether the newly proposed protocol is indeed a new intervention in the field of social work in South Africa. Through the self-developed checklist as measuring instrument the researcher aimed to evaluate whether the social worker in the comparison group adhered to fundamentals representing a legally defensible interview protocol.

After the researcher has completed the checklist and checked for consistency, the data were submitted to the Department of Statistics of the University of Pretoria to do the quantitative data analysis. Data analysis in the quantitative paradigm entails that the analyst breaks down data into constituent parts to obtain answers to research questions (De Vos, Fouché & Venter, 2002:223). The data analysis and interpretation were compared and explained through graphics and statistics in chapter six. The aim of the data analysis was to determine whether the newly developed checklist was indeed a new intervention to the field of social work.

1.7.5.2 *Refining the intervention*

The data from the checklist would be utilised to refine the protocol after the study and the results would be distributed to social workers in practice in South Africa.

1.7.6 Phase six: Dissemination

This step does not form part of this research.

1.8 DESCRIPTION OF THE RESEARCH POPULATION, DELINEATION OF THE SAMPLE AND SAMPLING METHOD

The research population or universe refers to all potential subjects who possess the attributes in which the researcher is interested (Strydom, 1994:67).

1.8.1 Universum

Mouton (1996:134) defines universum as: "… the complete set of elements and their characteristics about which a conclusion is to be drawn on the basis of a sample." The universum refers thus to all potential respondents that can be part of the research. The universum of this research is: **All children in South Africa who are alleged to have been sexually abused.**

1.8.2 Population

A population is the totality of persons, events, organisation of units, case records or other sampling units with which the research problem is concerned (Strydom & Venter, 2002:199; Strydom, 2005:192-194). McBurney (2001:248) explains that a research population can be defined as the sampling frame. The research population of this study consists of all the children in the middle childhood years

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who have been reported to Child Welfare Vereeniging and NG Welsyn Vereeniging due to allegations of child sexual abuse during the period February 2006 and April 2007. sit iets in van klein populasie

1.8.3   Delineation of the sample

A sample is explained by Huysamen (1993:38) and Bless and Higson-Smith (1995:86) as a small portion of the total set of objects, events or persons, which together comprise the subject of the study. Strydom and Delport (2002:334) state: "In interviewing where the emphasis is placed on collecting individual, detailed and in-depth information, the qualitative rather than the quantitative elements of the information are important." The *New Dictionary for Social Work* (1995:55) defines a sample as the number of units which are representative of the total number of units in the population concerned. A sample is the element of the population in which the researcher is interested for inclusion in the study.

1.8.4   Sampling method

The researcher made use of non-probability sampling. Non-probability sampling refers to any procedure in which elements have unequal chances of being included (Vermeulen, 1998:54). The researcher will make use of purposive sampling.

According to Strydom and Venter (2002:207) purposive sampling is based entirely on the judgement of the researcher, in that a sample is composed of elements which contain the most characteristic, representative of typical attributes of the population. Purposive sampling involves selecting specific units of interest (Vermeulen, 1998:55). This type of sampling is based entirely on the judgement of the researcher. For the purpose of this research it is imperative that the respondents will be selected purposely to ensure that the intervention will measure what it intends to evaluate.

Twenty children have been purposely selected by social workers from the mentioned organisations. These children were selected according to the criteria as explained in paragraph 1.9.4.1.

1.8.4.1 Participants for the experimental group

The head of office from Child Welfare Vereeniging and NG Welsyn Vereeniging were given the following criteria for referring children:

- Female.
- 7-12 years old.
- Afrikaans and/or English speaking.
- Reported to offices for possible sexual abuse.
- Time of reporting between February 2006 and April 2007
- Children without any developmental difficulties like ADHD or speech problems
- Children who have not been assessed before

1.8.4.2 Participants for the comparison group

The participants involved in the comparison group were those reported to the independent social worker's office and also to the organisations mentioned above, and interviewed by the social worker as part of her daily task. The social worker that has been selected, works with sexual abuse victims on a daily basis at the Teddy Bear Clinic in Johannesburg. The children who were part of this research have been reported to the Teddy Bear Clinic, Johannesburg primarily due to the need for an investigative interview into alleged sexual abuse. The social worker selected children according to the following criteria:

- Female.
- 7-12 years old.

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- Afrikaans and/or English speaking.

- Reported to offices for possible sexual abuse.

- Time of reporting between July 2006 and July 2007.

- Children without any developmental difficulties like ADHD or speech problems

- Children who have not been assessed before

1.9   ETHICAL ISSUES

Despite the existence of ethical guidelines and committees, which may support the researcher in her decision-making, the final responsibility for ethical conduct rests with the researcher. Ethical guidelines also serve as standards and as the basis on which each researcher ought to evaluate his/her own conduct (Strydom, 2002:63). According to Babbie (2001:470): "Anyone involved in research needs to be aware of the general agreements about what is proper and improper in scientific research."

Both the researcher and social worker from the comparison group are registered under the Social Work Act, 1978 (Act No. 110 of 1978) with the South African Council for Social Service Professions and with SAASWIP, the organisation for social workers in private practice, and adheres to the ethical rules set by these two bodies.

For the purpose of this research the following ethical issues were identified (Strydom, 2002:62-75; Babbie, 2001:470-471; Huysamen, 1993:189-191):

1.9.1   The right to experimenter responsibility

Every participant could expect that the researcher would behave responsibly. The researcher had to be sensitive to human dignity and his/her intentions in respect of the research had to be above question (Vermeulen, 1998:17). It is the

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researcher's responsibility to protect respondents against any harm during the research process by informing them about the potential harm and by identifying vulnerable respondents. Participants could be harmed in either a physical and/or emotional manner. The researcher gave the participants the assurance that they would not be harmed in any way by their participation in the research.

The respondents who were involved in this study were those who were primarily referred after a suspicion of child sexual abuse came to light. An investigative interview was imperative in order to make a case decision. Normal working procedures were followed, namely: It is the child's right to know the truth about what will happen after the interviews and his or her right to be present when feedback is given to the caregiver.

1.9.2 Informed consent

All adequate information on the goal of the investigation, the research procedure to be followed during the investigation and the credentials of the researcher were rendered to the subjects, so that the subjects would wilfully participate in the investigation and make a reasoned decision about their participation (Bailey, 1986:409). Signed consent from the parents was obtained (Appendix 3). The child subjects were also informed about the research. They were informed that they could withdraw from the research at any time (Appendix 3).

It was anticipated that it could be traumatic for the respondents to talk about the alleged sexual abuse. The manner in which the researcher and the social worker conducted their interviews was sensitive, understanding and non-judgemental. No force or intimidation to give detailed information was applied if the child did not want to talk about it. They were sensitive regarding their facial expressions, tone of voice and understanding of the child's unique process. Signed consent in order to make audio-recordings was also obtained.

1.9.3   The right to privacy / anonymity / confidentiality

Over and above the rights to privacy and anonymity, the right of the confidentiality of personal information should also be honoured (Vermeulen, 1998:17). It was imperative that the researcher be reminded of the importance of safeguarding the privacy and identity of respondents and that information was handled confidentially at all times (Strydom, 2002:67; Bailey, 1986:413). Every participant was represented by a symbol during the study, and the researcher ensured that it would not be possible to identify the subjects. Audio-recording was handled confidentially and, with the written consent of respondents, given to examiners for evaluation of the research.

1.9.4   Actions and competence of researcher

Researchers are ethically obliged to ensure that they are competent and adequately skilled to undertake the proposed investigation. The researcher worked for ten years in the South African Police Service where she investigated more than 360 allegations of child sexual abuse. She is currently in private practice where she extensively investigates allegations of child sexual abuse. The researcher also trains professionals all over South Africa in the assessment of sexually abused children and forensic interviewing of victims of child sexual abuse. The researcher has acted as expert witness in criminal child sexual abuse cases in the Vereeniging and Sebokeng regional courts. She is up to date with the recent literature on the topic of interviewing children and is regarded by her colleagues as an expert in forensic assessments. The researcher is familiar with research methodology. The researcher receives supervision on a two-monthly basis and completed a master's degree on the topic of assessment of sexually abused children.

Due to the fact that the researcher has been conducting interviews with sexually abused children for the past ten years and the researcher's experience regarding training of social workers all over South Africa over a period of two years, it can be

assumed that the researcher has the necessary knowledge, skills and attitude to conduct this research.

1.9.5   The right to equivalence

Despite individual differences in status and abilities, all people are equivalent. In research involving people, both the experimental group and the control group should be dealt with equally (Vermeulen, 1998:17). Although the researcher did not have control over the process that the other social worker followed in her protocol, the researcher ensured that the participants were treated with dignity and that factors as described in paragraph 1.9.7 were covered. Both the researcher and the social worker are registered with the South African Council for Social Service Professions and follow the ethical codes prescribed by the Council.

1.9.6   Release and publication of the findings

Subjects would be informed on the findings of this study in an objective and responsible manner after completion of the research report. The findings of the study would be introduced to social workers in writing. Ethical responsibility rests upon the researcher to present a study that fulfils all ethical requirements.

1.9.7   Recovery of respondents

It is the researcher's procedure in her practice to not let the child client who is interviewed on allegations of sexual abuse leave the office depressed, sad and uninformed. The researcher informs the child on issues which will be discussed with the parent or caregiver. The researcher also conducts empowerment exercises after each interview to equip the child client with skills which he/she may make use of at home e.g. a relaxation exercise, breathing exercises and aggression relieving.

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The children from both the experimental and comparison group were referred for therapeutic intervention to either a private practitioner or the local hospital's social worker, for services free of charge as discussed and arranged. Those children who had to give evidence in court would undergo court preparation.

The researcher ensured that the independent social worker followed the same procedure as described above.

1.10 DEFINITION OF KEY CONCEPTS

1.10.1 Child sexual abuse

The following definition is used by Trepper and Barret (1989:XVI) to describe child sexual abuse and incest:

Any sexual contact, defined as:

- touching, with the intention to arouse the child's sexually, or to provide sexual arousal for the offending adult (relative).
- kissing, in a prolonged manner, or by one whose purpose is similar to touching.
- fondling of genitals or other parts of the body in a sexual manner.
- overt sexual contact, such as oral-genital contact, manual stimulation of genitals, or intercourse.

According to Faller (1991:87) child sexual abuse is defined as:

> … physical contact between persons at different stages of development (usually an adult and a child) for the purpose of the sexual gratification of the mature person. While the encounter may have other functions aside from sexual, as an exercise of power of one person over another or an interaction which is humiliating to both parties involved, it is first of all a sexual act.

For the purpose of this research child sexual abuse can be defined as any intent to stimulate a child sexually, or when an adult uses a child to stimulate and satisfy

his/her sexual needs. This behaviour does not necessarily mean physical contact, but can be done through showing the child pornographic material or through "dirty" talk.

1.10.2 Forensic interviewing

According to Müller (2001:8) the purpose of a forensic interview is to establish the facts of the incident under investigation.

The goal of a forensic interview is to obtain a statement from a child, in a developmentally sensitive, unbiased and truth-seeking manner, which will support accurate and fair decision-making in the criminal justice and child welfare systems (Practice Notes, 2002). Although information obtained from this interview may be useful for making treatment decisions, this interview is not part of a treatment process.

An interview is defined according to the *South African Oxford School Dictionary* (1998:224) as "… a formal meeting with someone to ask him or her questions or to obtain information."

Forensic interviews are testing hypotheses rather than confirming hypotheses, and forensic interviews should be child-centred rather than adult-centred (Fouché, 2006:206).

A forensic interview for the purpose of this study, according to the researcher, is a structured process with specific goals and objectives that is utilised when an allegation of child sexual abuse is investigated.

1.10.3 Disclosure

The *Oxford Dictionary, Thesaurus and Wordpower Guide* (2001:348) defines "disclose" as follows: "make (secret or new information) known."

Some scholars see disclosure as a distinct event in which a child makes a straightforward report of sexual abuse (De Voe & Faller, 1999:218). Disclosure of child sexual abuse is conceptualised by Sorenson and Snow (1991:3) as a process of incremental revelations that may include denial or recantation.

For the purpose of this research a disclosure is defined as a process of revealing a verbal statement about sexual abuse that has taken place. The disclosure can occur over a period, where factors such as the child's personality, threats posed upon the child and the rapport between the child and the interviewer are taken into consideration.

1.10.4 Interview protocol

According to Kuehnle (1996:110) interview protocols attempt to improve the validity of professional judgements by incorporating relevant social science knowledge.

An interview protocol facilitates internal consistency (Vieth, 1999:1), uniformity and covers the entire process of involvement with a client, from the first instruction received to the closure of the case (Carstens, 2002:81).

The researcher sees an interview protocol as structures, guidelines and checkpoints which interviewers use to orientate them throughout the interviewing process.

1.11   PROBLEMS EXPERIENCED DURING THE STUDY

The following problems were experienced during the study:

- Finding a social worker with the same years of experience as the researcher who was prepared to conduct and audio-record ten interviews with alleged victims of child sexual abuse who disclosed the abuse.

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- A lot of time and effort went into ensuring that the children from both the experimental and comparison groups were of the same age, gender and language group.

- Designing a workable checklist which is repeatable, has linearity and can be analysed statistically.

- Developing the different categories in the checklist in order to accommodate the dynamics in the interviewing process.

- Finding a qualified professional to independently code 50% of all the interviews.

- Initially the researcher planned to use video-recordings or to observe behind the two-way mirror, but due to logistical constraints it could not be done and it was decided to use audio-recordings.

- Parents of some of the selected children indicated that they did not want to participate in the research and therefore new respondents had to be selected, prolonging the duration of the research.

- Several children selected for the research, did not disclose and the researcher and the social worker from the comparison group had to select other respondents.

1.12   LIMITATIONS OF THE STUDY

The following limitations were identified:

- For quantitative data analysis, the relatively small number (20) of respondents who participated in this research, proved to be a limitation. As a sole researcher, the research was subject to time and logistical constraints.

- All children were referred for a comprehensive forensic investigation process. This process consists of three to four assessment sessions to facilitate the initial disclosure by means of play related communication techniques, corroborating interviews with all relevant role players, a comprehensive evaluation process and the writing of a detailed court report. Therefore the investigative interviewing process could take up to 4-6 weeks to complete with

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one child. It has happened in a number of instances that the whole process of the investigative process has been done with a child only to find that the child did not disclose, or recanted, or the parents failed to bring the child for the final interview.

- In some instances the parents refused to give permission for the research.

- Although a great deal more cases of alleged sexual abuse were reported in the Vaal Triangle, referrals were only received from two welfare agencies.

- The social worker who conducted interviews with the comparison group were also hard pressed to find children that meet the criteria. One of the constraints was that referrals were made to different social workers thus limiting the actually number of children referred to the selected social worker.

- The number of 10 children per group was thus realistic taking into consideration abovementioned factors.

- Due to the small number of children involved in this study is can thus be concluded that the results should not be generalised, but rather be viewed as suggestive of nature. Despite the small number of participants involved in this study, this research nevertheless reflects some interesting trends and is a step forward opening up the field for further research.

- As it is the practice in South Africa, the researcher did the coding herself. However, a sample of 50% of the interviews was independently coded by another qualified professional to measure agreement and address reliability.

- The fact that the interviews were not video-recorded, resulted in four of the fundamentals on the self-developed checklist not being evaluated, namely "follow-up on non-verbal behaviour'; the SOLER skills, "nodding", and "avoiding of suggestive actions".

- The study excluded children from other races, boys, children with attention deficiency problems or developmental difficulties. This could be addressed during follow-up research.

- The protocol does not include guidelines to address children who recant allegations. This should be covered in follow-up research.

1.13 CONTENTS OF THE RESEARCH REPORT

The research study will be divided into the following chapters:

CHAPTER 1: Research process and orientation of the research study

CHAPTER 2: Sexual abuse and the impact on the child in the middle childhood

CHAPTER 3: Developmental factors when working with middle childhood children in the field of child sexual abuse

CHAPTER 4: Facilitation of disclosure and interviewing victims of child sexual abuse

CHAPTER 5: A forensic interview protocol for social workers

CHAPTER 6: The empirical process

CHAPTER 7: Summarised conclusions and recommendations

2

SEXUAL ABUSE AND THE IMPACT ON THE CHILD IN THE MIDDLE CHILDHOOD

2.1 INTRODUCTION

Child sexual abuse is not new to contemporary society. However, it remains a pressing social concern (Bromberg & Johnson, 2001:343; Fouché, 2001:15) and when it comes to light, the people directly involved are staggered. The sexual abuse of children is undoubtedly a traumatic experience (Van Rensburg & Barnard, 2005:1). It is prevalent all over the world, across cultural and societal boundaries (Laror, 2004:439; Back, Jackson, Fitzsgerald, Shaffer, Salstrom & Osman, 2003:1259; Tang, 2002:24), and has a remarkably injurious impact on human development (Ney, 1995:6; Berlinger, 2003:14).

In order to work in the field of child sexual abuse as a professional and more specifically as a forensic interviewer, it is imperative to have sound knowledge on the phenomenon of child sexual abuse (Carstens, 2006). Therefore, the purpose of this chapter is to address the nature and influence of child sexual abuse with specific reference to the forensic investigation process. The term "forensic interviewer" would be used, referring to the social worker conducting forensic assessment interviews.

2.2 DEFINING A CHILD

In South Africa the legal subjectivity of a natural person starts at birth (Davel, 2000:2). A child is defined as a person below the age of 18 years, Article 13(3); Child Care Act, 1983 (Act No. 74 of 1983) as amended; Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996).

In the context of this research, when referring to the child victim of sexual abuse, the researcher refers to persons under the age of 18 years with whom forensic interviewing mostly takes place.

2.3   CONSTITUTIONAL PROTECTION

Few professionals and laypersons would disagree that children have the right to be heard, the right to privacy and the right to be represented legally, or that children are persons and not property (Kruger & Spies, 2006:157). According to the current draft of the new Children's Bill (B70B-2003), it is required in terms of Section 6(2) that all proceedings, actions or decisions in a matter concerning a child must:

- respect, protect, promote and fulfil the child's rights as set out in the Bill of Rights;
- respect the child fairly and equitably;
- protect the child from unfair discrimination on any ground;
- recognise a child's need for development and to engage in play and other recreational activities appropriate to the child's age; and
- recognise a child's disability and create an enabling environment to respond to the special needs such a child has (Kruger & Spies, 2006:157).

The state has a constitutional duty to create legislative and policy protection of rights, and in this context the rights of children (Bekink & Brand, 2000:188). Examples of legislative effort to meet this obligation are the Child Care Act, 1983 (Act No. 74 of 1983), the new Children's Act, 2005 (Act No. 38 of 2005), the Domestic Violence Act, 1998 (Act No. 116 of 1998) and the Sexual Offences Act, 1957 (Act No. 23 of 1957) (Bekink & Brand, 2000:189).

Section 7 of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996) describes the Bill of Rights as "a cornerstone of democracy in South Africa, which enshrines the rights of all people in our country and affirms the democratic values of human dignity, equality and freedom".

Section 28 of the Bill of Rights in the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996), states:

(1) Every child has the right -
   a) to a name and a nationality from birth;
   b) to family care or parental care, or to appropriate alternative care when removed from the family environment;
   c) to basic nutrition, shelter, basic healthcare services and social services;
   d) to be protected from maltreatment, neglect, abuse or degration…

By being sexually abused, children's human dignity is seriously violated (Kruger & Spies, 2006:170). The Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996), among other things, states that all children have the right to be protected from abuse [Section 28(1)(d)], and also the right to receive social worker services [Section 28(1)(c)]. The Children's Act, 2005 (Act No. 38 of 2005) which will take effect on 1 January 2007, prescribes specific strategies for child protection. In Section 106(4)(c) it is stated that designated child protection services should carry out investigation and assessments in cases of suspected abuse, neglect or abandonment of children. A structured forensic interview protocol for social workers is thus imperative. It is the opinion of the researcher that the alleged sexually abused child has the right to be protected from not only abuse and neglect, but also from unprofessional services. The child has the right to receive social work services from professionals and, specifically with regard to forensic interviewing, people who have the necessary knowledge, skills and objective attitude regarding child sexual abuse (Dutschke, 2007:11).

The term child sexual abuse will henceforth be defined.

2.4   CHILD SEXUAL ABUSE

In order to understand what child sexual abuse entails, it is necessary to define this phenomenon. Various definitions have existed over centuries and will be discussed.

2.4.1 Defining child sexual abuse

Definitions of sexual abuse vary across a number of dimensions. According to Collings (1995:323) these dimensions include:

- the age range that is used to define childhood;
- the range of behaviour that is regarded as being sexual;
- the criteria for defining behaviour as abusive; and
- the victim-perpetrator relationships which are regarded as being potentially abusive.

Professionals differ on the definition of child sexual abuse. In some definitions of child sexual abuse, the focus is on the developmentally immature child who does not fully comprehend sexual activities and is unable to give informed consent (Le Roux & Engelbrecht, 2000:344), while other definitions focus on the adults' advantage of authority and power over the child (Diaz & Manigat, 1999:141).

Sexual abuse is seen by Faller (1988:12) as any act for the sexual gratification of the perpetrator. The perpetrator must be at a more advanced developmental stage. Some researchers require a five-year age difference before operationally defining behaviour as abusive (Babiker & Herbert, 1998:232). When the perpetrator is a peer, emphasis is on whether the sexual activities are unwanted, exploitative, or can otherwise be distinguished from normal sexual curiosity (Fouché, 2001:17). It is also important to distinguish whether sexual behaviour that may be arousing for the perpetrator without being sexual to the victim is defined as child sexual abuse. The term "sexualised attention" has been used to define the grey area between clearly abusive and acceptable behaviour (Babiker & Herbert, 1998:232).

The frequently quoted definition of Jones (1992:1) states: "… the involvement of dependent, developmentally immature children and adolescents in sexual activities that they do not fully comprehend, and are unable to give informed consent to and that violate the social taboos of family roles."

The *New Dictionary of Social Work* (1995:8) defines child abuse as follows: "Phenomenon that children are the victims of parents, guardians, caregivers, or other persons who wilfully cause them physical, psychological and emotional damage and may also sexually abuse them or allow others to abuse them sexually."

The definition of the National Centre on Child Abuse and Neglect is quoted by Crosson-Tower (1999:118) as "… any childhood sexual experience that interferes with or has the potential for interfering with a child's healthy development."

Sexual abuse is also defined as any activity with a child before the age of legal consent that is for the sexual gratification of an adult or a substantially older child (Johnson, 2004:462; Diaz & Manigat, 1999:141).

A definition provided by Ackard and Neumark-Sztainer (2002:456) states that the term "child sexual abuse" is an unwelcome sexual experience, which does not include incidents where penetration took place and where the deed was classified as rape. It is thus evident that the term "child sexual abuse" does not include the act of rape.

From these definitions the researcher concludes that child sexual abuse may be defined as any physical or non-physical contact between a child and another person, where the contact is of a sexual nature, and where the exploitation implies an inequality of power between the child and the abuser on the basis of age, physical size and/or the nature of the emotional relationship. The child although involved, is not developmentally mature enough to understand the meaning of the sexual interaction; and although involved, the child cannot give informed consent.

For the purposes of this research, the term "child sexual abuse" will refer to any behaviour and/or acts that have a sexual connotation, including rape and non-contact sexual acts like exposure to pornography and computer-facilitated sexual exploitation.

It is important that professionals who conduct forensic interviews are aware that the sexual victimisation of children does not only take place between one perpetrator and one child, but that it can occur in different circumstances. Hereafter, the different circumstances in which child sexual abuse may take place will be discussed.

2.4.2   Circumstances of child sexual abuse

Sexual acts with children can occur in a variety of circumstances:

2.4.2.1   *Dyadic sexual abuse*

A dyadic relationship is a situation involving one victim and one offender and is found the most common in child sexual abuse cases (La Fontaine, 1993:223).

2.4.2.2   *Solo sex rings and syndicated (organised) sex rings*

Organised abuse involves a number of children and adults, some of who may belong to the same family (Creighton, 1993:234). This is a well-structured organisation which recruits children for purposes of pornography and/or prostitution (La Fontaine, 1993:223). Solo sex rings are characterised by the involvement of multiple children in sexual activities with one adult, usually male (Collings, 2004:34; La Fontaine, 1993:223). It also often gives rise to multiple adults/multiple children and ultimately to syndicated sex rings.

Sex rings are generally organised by paedophiles (persons whose primary sexual orientation is to children). Victims are bribed or seduced into becoming part of the ring, although the paedophile may also employ existing members of the ring as recruiters (Collings, 2004:34).

2.4.2.3   Sexual exploitation and child pornography

The organised sexual exploitation of children is a worldwide phenomenon (Ireland, 1993:263) where children are used as child brides, for trafficking across national borders and child pornography with one main aim: the sexual gratification of adults.   Child pornography is child sexual abuse on film or photograph (Hames, 1993:276), which include pictures of naked children.   It can involve only one child, a group of children together engaging in sexual activity, or children and adults in sexual activity.   It is important to note that even pictures that are not pornographic, and are not illegally obscene, e.g. a naked child in a nappy advertisement, can be very arousing to a paedophile.

2.4.2.4   Satanic ritual abuse

Satanic ritual abuse is the "extreme physical, psycho-emotional, sexual and spiritual torture of an individual – often a child – by an organised cult, which worships and serves Satan" (Jonker, 2001:34).   Satanists want total dominance over their victims and often inflict unusually brutal, sadistic and humiliating types of sexual abuse (Jonker, 2001:30).

2.4.2.5   Computer-facilitated child sexual exploitation

Computer-facilitated child sexual exploitation has become a pervasive crime (Allinch & Kreston, 2001).   The Internet and cell phones offer new avenues to paedophiles and other sexual predators for enticing victims (Bezuidenhout & Campher, 2006:23).   Computer-facilitated child sexual exploitation is characterised by the following three primary activities (Maree & Van der Merwe, 1999:61; Haupt, 2001:21):

- On-line arrangements for the exchange, sale or purchase of child pornography.

- Arrangements between adults seeking sexual access to children and adults willing to provide and/or trade children for sexual purposes.

- Adults who are seeking sexual contact with children establish "friendships" with children on-line. These friendships then lead to face-to-face meetings and ultimately to sexual exploitation of the child. Examples of exploitation of a child include when a perpetrator may establish contact with the child over the Internet, send the child a piece of clothing and ask the child to put it on and send a picture to him (Astrowsky & Kreston, 2001).

It is the opinion of the researcher that forensic interviewers must be aware that sexual abuse of children does not always only involve one perpetrator and one child. Their interview protocol must also include questions to determine who were present when the sexual abuse occurred, whether "anything else" happened than were disclosed, if "anyone else" has also done the same, and if the child knows anyone who has also been victimised.

2.4.3 Types of sexual abuse

From the literature, it is clear that child sexual abuse occurs in different ways and in different areas. This implies that there are different types of sexual abuse (Homeyer, 1999:2; Faller, 1988:12; Swanepoel, 1994:60). Sexual abuse takes place in two different areas: in the family (familial sexual abuse/incest) and outside the family (non-familial sexual abuse) (Spies, 2006:3).

Child sexual abuse can be a sexual activity through sexual contact with the child, which is also called touching sexual abuse. It can also be a sexual activity without sexual contact with the child or known as non-touching sexual abuse, but with sexual intention, which would then constitute sexual abuse (Carstens, 2002:23). The nature of the sexual contact may either be direct contact or indirect contact.

The following table illustrates the two types of sexual abuse:

Table 2.1:   Types of sexual abuse

DIRECT	INDIRECT
• Touching the child's intimate parts (genitals, buttocks, breasts). • Inducing the child to touch his/her intimate parts. • Rubbing genitals against the victim's body or clothing. • Placing finger(s) in child's vagina or anus. • Penetration – anal, vaginal or oral (digital penetration). • Offender inducing child to place finger(s) in offender's vagina or anus. • Placing an instrument in child's vagina or anus. • Inducing the child to place an instrument in offender's vagina or anus. • Tongue kissing. • Breast sucking, kissing, licking, biting. • Cunnilingus (licking, kissing, sucking, biting the vagina or placing the tongue in the vaginal opening). • Fellatio (licking, kissing, sucking, biting the penis). • Anilingus (licking, kissing the anal opening). • Vaginal and anal intercourse with animals.	• Making sexual comments to the child. • Exposing intimate parts to the child, sometimes accompanied by masturbation. • Forcing the child to view sexual anatomy. • Showing the child pornographic materials such as pictures, books, movies, graphic sex pictures or messages on cell phone. • Using a child in the production of pornography. • Encouraging two children to have sex together. • Exposing the child to pornographic materials. • Inducing the child to undress and/or masturbate self. • Voyeurism (peeping). • Sexual exploitation over the Internet or cell phone. • Forcing or encouraging a child to do sexual acts with animals or any object.

(Bromberg & Johnson, 2001:343; Johnson, 2004:462; Jones, 1992:1-2;

Faller, 1988:12-16).

Non-physical contact does not imply that no emotional harm was done to the child (Fouché, 2001:18).   The child is still not emotionally or physically ready for the situation or the sexual nature of the actions.

The researcher is of the opinion that forensic interviewers must be aware that perpetrators may use indirect methods to sexually abuse children. If the interviewer does not accommodate this during his/her interview protocol, the outcome of the investigation where indirect methods were used would be that no sexual abuse occurred, which may have serious implications for the child concerned. The interviewer must thus not only focus on touching behaviour, but his/her interview protocol must make provision for play-related communication techniques which may facilitate a disclosure of contact and non-contact sexual abuse.

2.5   LEGAL DEFINITIONS

The general terms used to describe acts against children are "child sexual abuse", "sexual molestation" and "child molestation" (Pienaar, 2000:20). It must be stated that crimes such as sexual molestation, child sexual abuse and child molestation do not exist as such. Legal definitions of child sexual abuse vary from country to country. In South Africa the law offers specific protection for children (Lawrence & Janse van Rensburg, 2006:127). In this regard reference can be made to common-law and statutory law.

2.5.1   Common-law crimes

There are a number of offences relating to children which an abuser may be charged with, namely: common assault, assault with intent to cause grievous bodily harm, assault with intent to murder and culpable homicide, or murder in the event of the child having died as a result of abuse (Lawrence & Janse van Rensburg, 2006:129-132). With reference to sexual abuse, the common-law crimes of indecent assault, rape and incest are relevant (Lawrence & Janse van Rensburg, 2006:129-132) and will be discussed for the purposes of this study.

2.5.1.1 Rape

The definition for rape before 16 December 2007, consisted of a male having unlawful and intentional sexual intercourse with a female without her consent (Snyman, 2002:445). After a thorough investigation into the sexual offences by the South African Law Commission (*Report on Sexual Offences*, 2002:37) and the release of *Discussion Paper 85,* followed by *Discussion Paper 102* (Majokweni, 2002:13) the Sexual Offences Act has changed with effect from 16 December 2007.

According to the Sexual Offences and Related Matters Amendment Act, 2007 (Act No. 32 of 2007) the new definition, which is gender neutral, reads as follows

> Any person ("A"), who unlawfully and intentionally commits an act of sexual penetration with a complainant ("B") without the consent of the complainant ("B"), is guilty of the offence of rape.

Sexual penetration included any act which causes penetration to any extent whatsoever by:

a) the genital organs of one person into or beyond the genital organs, anus or mouth of another person;
b) any other part of the body of one person or any object, including any part of the body of an animal, into or beyond the genital organs or anus of another person; or
c) the genital organs of an animal, into or beyond the mouth of another person.

The researcher is of the opinion that it is not the task of the social worker conducting forensic interviews to classify the child's account as rape, indecent assault or incest. The interviewer should rather describe the sexual behaviour from the child's point of view as the child has verbalised it. It is the task of the investigation officer and the state prosecutor to charge the alleged perpetrator, and the duty of the court to make a finding with regard to the verdict of the case.

2.5.1.2   Sexual assault

The definition for Sexual assault (before 16 December 2007 known as indecent assault) according to the Sexual Offences and Related Matters Amendment Act, 2007 (Act No. 32 of 2007) reads as follows:

> Any person ("A") who unlawfully and intentionally sexually violates a complainant "("B") without the consent of ("B") is guilty of the offence of sexual assault.

2.5.1.3   "Sodomy"

Sodomy used to be defined as unlawful and intentional sexual intercourse *per anum* between human males (Pienaar, 2000:20). In the *National Coalition for Gay and Lesbian Equality v The Minister of Justice* [1988(2) SACR 577 (CC)] the Constitutional Court declared that the crime of sodomy is unconstitutional (Lawrence & Janse van Rensburg, 2006:132) as the nature of the crime is inconsistent with the constitutional rights related to equality, dignity and privacy. Non-consensual intercourse *per anum* will be according to the Sexual Offences and Related Matters Amendment Act, 2007 (Act No. 32 of 2007) considered as rape.

2.5.1.4   Incest

Incest consists of the unlawful and intentional sexual intercourse between a male and female person who are prohibited from marrying each other, because they are related within prohibited degrees of consanguinity, affinity or adoptive relationship (Snyman, 2002:355; Lawrence & Janse van Rensburg, 2006:132).
Section 20(4) of the Child Care Act, 1983 (Act No. 74 of 1983) prohibits an adoptive parent from marrying his/her adopted child, and sexual intercourse between them will therefore constitute incest. Four types of incest are discussed by Spies (2006:5-10), namely: father-daughter incest, sibling incest, mother-son incest, and incest involving extended family members.

2.6 REPORTING OF CRIMES AGAINST CHILDREN

2.6.1 Obligation to report crimes against children

The Prevention of Family Violence Act, 1993 (Act No. 133 of 1993), especially Section 4, states the obligation to report ill treatment of children to police officials, commissioners of children's courts, or social workers. According to policy re-enforced by the Department of Social Services professionals must report all cases of child sexual abuse to their regional offices, which will be reflected on the National Child Protection Register (Alberts, 2007). However this does not force community members like neighbours to report abuse. The Sexual Offences and Related Matters Amendment Act, 2007 (Act No. 32 of 2007) which took effect on 16 December 2007 created a duty to report sexual offences committed with or against children or persons who are mentally disabled.

It is the experience of the researcher that many social workers and psychologists working in private practice in the Vaal Triangle, Gauteng, are hesitant to take on cases of child sexual abuse as they fear testifying in a criminal court. There is also confusion when a case of child sexual abuse must be reported to the South African Police Service. According to a regional court prosecutor of the sexual offences in Sebokeng (Venter, 2006), professionals must report all cases of child abuse and neglect either to a welfare organisation or by means of an affidavit at a local police station.

2.7 INCIDENCE AND PREVALENCE OF CHILD SEXUAL ABUSE

2.7.1 International statistics

Research shows that sexual abuse of children has only been addressed in the United Kingdom and United States of America since 1980 (Gillham, 1991:8). In South Africa the need to establish a unit within the South African Police Service to prevent and combat crimes against children was identified in 1986 (Pienaar, 2000:19). Currently it is the belief among professionals (Le Roux & Engelbrecht,

2000:344) that the number of child abuse and neglect cases reported to authorities and welfare organisations underestimates the actual cases.

According to reports from child protective service agencies in the United States of America, 78 188 children were sexually abused in 2003, at the rate of 1.2 per 1 000 children (Cronch *et al.,* 2006:196). Another study in the United States of America (Diaz & Manigat, 1999:141) revealed that approximately half of all children who are sexually abused are between the ages of 6 and 12 years, with the median age for girls at the time of the abuse 9 years and 6 months.

Research conducted by Jones and Finkelhor (2001:4) found that there has been a decrease in reported and substantiated cases of child sexual abuse. However, the reasons for the decline are not clear and could be due to the decrease of actual incidents of child sexual abuse, a change in reporting behaviour and/or policy and programme changes within child protection services (Jones & Finkelhor, 2001:4).

It is indicated by Bromberg and Johnson (2001:344) that 28% of women who were raped during childhood never disclosed their sexual victimisation to anyone prior to participation to their study. It was found by Finkelhor (1993:69) that boys were more reluctant to disclose instances of sexual victimisation than girls, presumably because of the stigma attached to such experiences. The researcher experienced in her practice that many adult survivors of child sexual abuse would only disclose the abuse when they seek help for marital problems.

There are several reasons why all instances of abuse are not recognised or reported (Johnson, 2004:462; La Fontaine, 1990:77):

- Young or handicapped children may not have adequate communication skills to report an event or provide details.
- A child may not recognise an action as improper.
- Children and adults may forget or repress unpleasant memories or co-operate with demands for secrecy.
- Countries with limited economic resources may not be able to manage all reports of suspected child sexual abuse or to collect and report data.

- Cultural issues pertaining to sexuality may hinder people to report abusive acts.
- Policy and programme changes within child protection services.

It is the opinion of the researcher that due to the poor conviction rates in the criminal courts (Venter, 2006) and the investigation process, more community members and even professionals do not report the offences.

The prevalence of child sexual abuse internationally has been discussed and hereafter the researcher will focus on statistics in South Africa and specifically in the Vaal Triangle in the Gauteng province.

2.7.2   South Africa: National, provincial and regional statistics

As in all contexts, it is difficult to obtain accurate figures on child abuse in South Africa due to conspiracy and the silence that surrounds violence against children (Vermeulen & Fouché, 2006:14).

According to Cawood (2004) it is estimated that in South Africa, one out of three girls and one out of five boys are abused before the age of 18.

Vermeulen and Fouché (2006:20) conducted a study of girls under the age of 18 years who had been sexually abused in South Africa. The perpetrator was in:
- 14.8% of cases the own parent;
- 8.3% of cases either a stepparent or the lover of a parent;
- 13.1% of cases another family member;
- 7.9% of cases a person in position of authority;
- 7.9 % of cases a stranger; and in
- 47.6% of cases the perpetrator was unknown. In these cases the professionals involved were not sure whether the person indicated by the child was indeed the perpetrator, or the child was too young to identify the offender (Vermeulen & Fouché, 2006:20).

National, provincial and regional statistics of sexual crimes in South Africa for the period 2001/2002 to 2004/2005 are indicated in table 2.2:

Table 2.2: Sexual crimes (adults and children) in South Africa for the period 2001/2002 to 2004/2005

CRIME CATEGORY	APRIL TO MARCH											
	2001/2002			2002/2003			2003/2004			2004/2005		
	RSA total	Gauteng	Vaalrand	RSA total	Gauteng	Vaalrand	RSA total	Gauteng	Vaalrand	RSA total	Gauteng	Vaalrand
Rape	54 293	12 576	1 694	52 425	12 091	1 657	52 733	11 926	1 594	55 114	11 923	1 653
Indecent assault	7 683	1 655	191	8 815	1 833	169	9 302	1 960	194	10 123	2 007	219
Abduction	3 132	902	152	4 210	1 448	199	4 044	1 560	199	3 880	1 325	144
Neglect and ill-treatment of children	2 648	499	48	4 798	1 033	91	6 504	1 560	95	5 568	1 325	84

(South African Police Service, 2005)

Reported sexual crimes committed against children for the period 1994 to 1998 are indicated below:

Table 2.3:   Crimes against children

CRIMES (children <18 yrs)	1994	1995	1996	1997	1998
Rape	7 559	10 037	13 859	14 723	15 732
Sodomy	491	660	839	841	739
Incest	156	221	253	224	185
Indecent assault	3 904	4 044	4 168	3 902	3 744
Act No. 23 of 1957 (Sexual Offences)	1 094	1 121	1 160	904	804
TOTAL	13 204	16 083	20 333	20 594	21 204

(Pienaar, 2000:22).

From the statistics above, the researcher concludes that despite all the educational talks and pro-active outreaches, a slight increase in reported sexual crimes against children is seen every year.

2.7.3   Vaalrand area

The researcher has been working with victims of child sexual abuse in the Vaalrand area for the last ten years. The Vaalrand area is one of seven areas in the province of Gauteng. Research at the former Family Violence, Sexual Offences and Child Protection unit (FCS) for the period May to December 1999 (see table 2.4) concluded that more sexual abuse crimes against girls than boys were reported. It also indicated that more cases of Black children are reported, followed by White, Coloured and Indian children (South African Police Service. 1999b). The average age of girls reported to the child protection unit during this period was 9 years (South African Police Service, 1999b). In her practice the researcher still experiences that the most reported cases are girls in the middle childhood.

Table 2.4   Reported cases of crimes against children in the Vaalrand area for the period May to December 1999

1999 MONTH	GIRLS				BOYS				TOTAL
	White	Black	Coloured	Indian	White	Black	Coloured	Indian	
May	6	41	0	0	1	1	0	0	49
June	1	48	0	0	0	3	0	0	52
July	2	37	0	0	1	0	0	0	40
August	4	73	1	0	1	3	0	0	82
September	11	64	2	0	9	0	0	0	86
October	16	69	7	0	1	2	0	0	95
November	8	53	5	0	3	3	1	1	74
December	5	68	0	0	4	1	0	0	78
TOTAL	53	453	15	0	20	13	1	1	556

(South African Police Service, 1999b).

Due to the fact that more cases of girls in the middle childhood are reported, the researcher decided to focus this study on girls in the middle childhood who can speak Afrikaans or English.

During the period June 2000 to February 2001, 134 rape cases of victims under the age of 21 years were analysed by the Vaalrand Crime Intelligence (South African Police Service, 2001) to determine when and where these crimes usually occur, and who is mostly responsible for these crimes. It was found that 50% of rape occurred from Friday to Sunday. In 78% of the cases physical force was used and 63% of the perpetrators were known to the victims (acquaintance 50%; family 7%; boyfriend 4%; ex-boyfriend 2%).

From the research above it is clear that the child mostly knows the offender. It is the opinion of the researcher that during prevention programmes children are taught not to talk to strangers or get into strangers' cars. However, they go home where the most horrendous crime could be committed in their "safe haven".

In order to conduct objective and effective forensic interviews, the professional concerned should be able to identify dynamics occurring in the specific case and therefore the dynamics of child sexual abuse will be discussed.

2.8   DYNAMICS IN THE FIELD OF CHILD SEXUAL ABUSE

The phenomenon of child sexual abuse is marked by many dynamics, which make work in this field challenging. Dynamics include the disclosure process, grooming of children, false allegations and the Stockholm syndrome.

2.8.1   Disclosure of child sexual abuse

Children are understandably reluctant to disclose information about abuse (Cronch, *et al.,* 2006*:*196). In a perfect world, when a child discloses sexual abuse, he/she would be believed, protected and assured that it was not his/her fault. The child would be given counselling and the perpetrator would be taken to task (Fouché, 2006:211). This, unfortunately, is not always the case as the researcher experienced that children are often not believed after disclosure of sexual abuse, but blamed for the consequences of the disclosure.

A study reported by Babiker and Herbert (1998:232) revealed that 44% of psychiatric patients had not revealed their abuse to anyone prior to undergoing therapy. Research conducted in the United States of America revealed that 29% of the girls in the study who were sexually abused, never told anyone about the incident (Diaz & Manigat, 1999:142). Research conducted by Sauzier (1989:455) with 156 sexually abused children reported to a family crisis programme, revealed that only 24% told someone within one week, 21% disclosed within one year, 17% disclosed after one year and 39% never disclosed. Children may disclose the fact that they have been sexually abused at many different points in their lives. Historically, it is probable that the majority of victims do not tell anyone about their experience (Jones, 1992:2). The researcher experienced that children are

understandably reluctant to disclose information, as it is a very private, embarrassing and shameful topic to discuss.

Research conducted by Keary and Fitzpatrick (1994:543) over a period of twelve months with 251 children referred to a child sexual abuse assessment unit for possible sexual abuse, revealed the following:

- There was a strong positive correlation between having previously told someone about sexual abuse and disclosure of such abuse during formal investigation.
- There was also a strong positive correlation between not having previously told someone and not disclosing during formal investigation.
- Children younger than 5 years old are least likely to disclose abuse during formal investigation, irrespective of whether they had previously told someone about abuse.

2.8.1.1   Factors which influence the disclosure process

Children may not tell about the alleged sexual abuse due to numerous reasons:

- **Age**
  Developmental factors, particularly cognitive limitations, may inhibit disclosure in young children (Keary & Fitzpatrick, 1994:546). Data were obtained from 218 alleged sexually abused victims in the United States of America whose cases had been referred to the District Attorney's Office (Goodman-Brown *et al.,* 2003:525). The aim of the research was to determine reasons for delay between victimisation and disclosure. The research confirmed that fear of negative consequences to others was more influential for older than younger children with regard to the length of time it took them to disclose. Hershkowitz, Horowitz and Lamb (2005:1210) conducted a study in Israel with 26 446 children between the ages 3 and 14 years. The aim was to identify characteristics of suspected child abuse victims which are associated with disclosure and non-disclosure during

formal investigations. They found that disclosure increased as children grew older. When questioned, 50 children between the ages of 3 and 6 years old; 67 children between the ages of 7 and 10 years old; and 74 children between 11 and 14 years old, disclosed abuse. It is the opinion of the researcher that school-aged children are more likely to disclose the abuse during a formal investigation, taking in consideration their home circumstances.

- **Gender**

  In the study by Goodman-Brown *et al.* (2003:525) gender was unrelated to time to disclosure. However, the researcher stated that because all boys in their sample had disclosed, it is not representative of the larger population of male child abuse victims. The research conducted by Hershkowitz *et al.* (2005:1203) showed that, in general, boys (62.9%) were slightly less likely than girls (66.8%) to make a disclosure when interviewed.

- **Relationship with the perpetrator**

  Many children do not disclose, because they want to protect the perpetrator (Hershkowitz, *et al.,* 2006:756). In their research Goodman-Brown *et al.* (2003:525) found that children whose abuse was intrafamilial took longer to disclose their abuse than did children whose abuse was extrafamilial. The research conducted by Hershkowitz *et al.* (2005:1203) found that children who were interviewed made dramatically varied allegations, depending on the relationship between the children and the suspects. Children were more likely to make allegations when the suspect was not a parent or parent figure. In a study done by Roesler and Wind (1994:336), 286 women described their disclosures of incest; 64% never disclosed their abuse until adulthood. Their reasons for not disclosing included feelings of loyalty to the offender. The researcher is of the opinion that if the father is the perpetrator, the child will most likely disclose the abuse if the mother is supporting the child, if the mother is not totally dependant on the perpetrator, and if the child has a strong bond with the mother.

- **Negative consequences to self and others**

  An important factor that may inhibit children's willingness to reveal abuse may be their fear for negative consequences for themselves (Alaggia & Turton, 2005:95; Potgieter, 2001:39) and family (Sauzier, 1989:468), specifically when they are yielding to requests for secrecy (Carstens & Fouché, 2006:6; Hershkowitz *et al.,* 2006:757), or due to threats posed to them. It is confirmed by Goodman-Brown *et al.* (2003:526) during their study that children will often weigh the consequences of their actions for themselves and others prior to disclosing. However, Goodman-Brown *et al.* (2003:527) also state that children often report the sexual abuse out of concern for others, such as fear that a sibling will also fall victim of the same abuse.

- **Children's perception of responsibility**

  Embarrassment and shame to disclose their involvement in a taboo topic, namely sex with an adult (Cronch *et al.,* 2006:196), and assuming some responsibility or blame for the happenings (Hershkowitz *et al.,* 2006:758) are commonly found in older children. It was also found by Goodman-Brown *et al.* (2003:527) that children would be less likely to disclose quickly if they felt responsible for the abuse. Older children were more likely to feel that they had some responsibility for the incidents and argued that they could have escaped or ended the abuse (Goodman-Brown *et al.,* 2003:528). In their research Roesler and Wind (1994:337) found that 33% of children stated that they never disclosed their victimisation due to shame and self-blame. According to Wieland (1997:39) children become accustomed to meet the needs of the perpetrators, who are mostly adults. It is the opinion of the researcher that if disclosure is made, the child has to take the responsibility for the effect of disclosure on him/her, the perpetrator and the family. With the decision not to disclose, the child takes the responsibility for being abused further.

2.8.1.2   Non-supportive disclosure

Non-supportive disclosure in child sexual abuse occurs when a confidant fails to take appropriate protective action, does not believe the child's account and/or blames the child for the abuse (Collings, 2005:13). A literature review (Bolen, 2002:41) indicated that approximately 25% of non-offending guardians react to disclosure in a non-supportive manner, 31% in a partially supportive manner, and only 44% in a fully supportive manner. Findings from two qualitative studies (Alaggia & Turton, 2005:95) revealed that mothers who were abused in non-physical ways, displayed less supportive responses towards incest victims than those that were victims of physical abuse. The last group was also more willing to separate from the perpetrator. The researcher experienced that denial often follows where disbelief in the child occurs. The child will be questioned by the mother or guardian to "make sure" that he/she is telling the truth, resulting in the child feeling guiltier about his/her contribution and maybe regretting the disclosure. However, the opposite also occurs, especially among mothers who feel guilty and blame themselves for not knowing about the abuse beforehand.

Elliot and Briere (1994:265) classified 399 allegedly sexually abused children between the ages of 8 and 15 into the following six groups:

- Disclosing: credible – Subjects who reported sexual abuse and whose report of abuse was considered credible.
- Disclosing: partial – Children whose statements were considered partially credible.
- Non-disclosing evidence – Individuals who at no time had made a disclosure of sexual abuse, but for whom there was external evidence.
- Non-disclosing recanted – Individuals who had previously given a disclosure of sexual abuse and later recanted their statements, and for whom there was external evidence of abuse.
- Non-abused – If there was no external evidence indicative of sexual abuse and if they either made a credible denial of sexual abuse or made a non-credible disclosure of abuse that was later recanted.

- Unclear – No determination regarding sexual abuse could be made. There was no external evidence of abuse in any of these cases and all subjects in this group gave a non-credible disclosure or denial of abuse.

Two important findings were made in the research above (Elliot & Briere, 1994:265):

- More supportive mothers were found with these children who had disclosed their abuse. Non-disclosing children are more likely to have mothers who do not believe them.
- A higher rate of developmentally delayed children and neglected children in the group classified as disclosing: partial. Children with cognitive handicaps and children from neglectful environments were more likely to be judged as having made less than completely credible statements (Elliot & Briere, 1994:265).

2.8.1.3   Disclosure process

Sorenson and Snow (1991:3) describe disclosure of sexual abuse as a process with definable phases and characteristics, and not as a single event. An understanding of how and under what circumstances a child discloses sexual abuse is critical. Certain characteristics are considered part of the disclosure process by Sorenson and Snow (1991:5). These characteristics are:

- Denial – Defined as the child's initial statement to any individual that she/he has not been sexually abused. This has been identified as a frequent response when the child is feeling too threatened, frightened or insecure to acknowledge the abuse.
- Recantation – Referring to the child's retraction of a previous allegation of abuse that was formally made and maintained over a period of time. This occurs when children are pressurised by family, the offender or court procedures.

- Reaffirmation – The child's reassertion of the validity of a previous statement of sexual abuse that has been recanted.

Two types of disclosure have been identified by Sorenson and Snow (1991:10):

- Accidental disclosure – Revealed by chance rather than a deliberate effort on the victim's part.
- Purposeful disclosure – When a child decides to tell an outsider.

Disclosure can be described as taking place in two parts:

- Tentative disclosure – Refers to the child's partial, vague acknowledgement of sexually abusive activity.
- Active disclosure – Indicates a personal admission by the child of having experienced a specific sexually abusive activity.

The occurrence of recantations, no matter how small, is still cause for exploration and concern (Ney, 1995:27). The London Child Witness Project conducted by the London Family Court Clinic received 221 referrals between 1988 and 1990. Of the 147 referrals which were evaluated, only 4 (less than 2%) recanted their original disclosure (Ney, 1995:27).

A study by Malloy, Lyon, Jodi and Quas (2007:162) randomly selected 257 files from all substantiated cases resulting in a dependency court filing between 1999 and 2000. Recantation was scored across formal and informal interviews. A 23.1% recantation rate was observed. They found that abuse victims who were more vulnerable to familial influences, like those abused by a parent figure and who lacked support from the non-offending caregiver, were more likely to recant.

It is the researcher's experience that children who recant, tend to portray avoiding behaviour during interviews. They become very defensive about the alleged perpetrator. They tend to:

- tell only good things about the alleged perpetrator and cannot identify any negative or annoying feature of the alleged perpetrator;

- minimalise the perpetrator's behaviour;

- take responsibility for the happenings;

- blame themselves for misinterpreting the behaviour of the perpetrator; and

- just want their lives to go back to normal, especially those that were removed from their parents.

On the basis of the literature and the researcher's experience, it is apparent that a child will not inevitably disclose immediately after the abuse took place, or that a retraction of a sexual abuse allegation means either that the allegation was true or that it was false. Nonetheless, it is a sign that something is wrong in the child's life, be it sexual abuse, dysfunction within the child's family, or something amiss in the child's life outside the home. A complete investigation must be conducted to determine the nature of and motive for the recantation. It is important that the interviewer does not try to facilitate a disclosure in the first session, as it is evident that many children do not disclose in the first interview. Building a trusting relationship which is appropriate for the age of the child is thus imperative.

2.8.1.4   *Child abuse accommodation syndrome*

The child abuse accommodation syndrome (Summit, 1983:229) is described by Paine and Hansen (2002) as a stage-based model. The child abuse accommodation syndrome has five components, namely: secrecy; helplessness; entrapment and accommodation; delayed unconvincing disclosure; and retraction. The researcher is of the opinion that once professionals understand this process, they will find forensic interviewing more understandable.

- **Secrecy**
  Due to sexual abuse occurring mostly when the child and adult is alone, irrespective of how the child is warned to maintain the secret, secrecy inherently conveys to the child that the abuse is something bad and

dangerous. The message that the child receives is: "Maintaining a lie to keep the secret is the ultimate virtue, while telling the truth would be the greatest sin" (Summit, 1983:231).

- **Helplessness**

  The expectation of others that children will self-protect and immediately disclose, "ignores the basic subordination and helplessness of children within authoritarian relationships" (Summit, 1983:232).

- **Entrapment and accommodation**

  Faced with a seemingly inescapable situation in which the child feels helpless, learning to accommodate to the sexual abuse is the only healthy alternative available (Summit, 1983:234).

- **Delayed unconvincing disclosure**

  Many victims of ongoing abuse never disclose their victimisation (Summit, 1983:235) and when they eventually do, the delayed and conflicted manner in which victims disclose casts doubt on their credibility.

- **Retraction**

  During the aftermath of disclosure, the child's anticipated fears regarding disclosure often become reality. Faced with other's disbelief, lack of support and the upheaval following disclosure, the child may retract the allegation of abuse in an attempt to undo the damage and restore equilibrium (Summit, 1983:235).

2.8.2   The grooming process

The process of grooming involves techniques designed to lower the inhibitions of victims in order to exploit them sexually (Brown, 2001). Sexual abuse within or outside a family context often starts with a grooming process (Carstens & Fouché, 2006:3; Potgieter, 2001:37), which leads to a particular type of sexual relationship between the perpetrator and the victim. According to Potgieter (2001:37) the child

victim is left powerless and due to the grooming process, may react in one of the following ways during forensic interviewing (Wieland, 1997:35):

- Bowing the head.
- Bowing the shoulders.
- Shying away from the questions.

From experience with both victims and perpetrators, the researcher concludes that the perpetrator is misusing a child's vulnerability and willingness to please. The child feels guilty for being him-/herself, resulting in doubting the self, which also causes powerlessness.

It is important that professionals know how a perpetrator selects his/her victim.

2.8.2.1   *Perpetrator's selection of victims and modus operandi*

Research was conducted with a group of perpetrators, aged 41 years on average, who were in treatment, special hospitals, on probation, or in jail when interviewed (Elliot, Browne & Kilcoyne,1995:279). The findings were as follows (Elliot *et al.,* 1995:275):

Of the group of perpetrators:
- 48% were married;
- 93 % had child victims only;
- 58% targeted girls only;
- 57% attempted or completed intercourse; and
- 8% had murdered a child.

The children targeted:
- were pretty (42%);
- young or small (17%);

- innocent and trusting (13%); and
- children who lacked confidence and self-esteem (49%).

Primarily they found the children:
- in public places frequented by children (35%); or
- in the child's home (33%).

The abuse took place:
- in the perpetrator's home (61%); and
- the child's home (49%).

To gain trust, the perpetrators used:
- play (53%);
- babysitting (48%);
- bribes (46%); and
- affection, understanding and love (30%).

Sexual abuse began with:
- genital touching and kissing (40%);
- asking the child to undress or lie down (32%); or
- sex talk (28%).

The perpetrators described techniques used to maintain the relationship and to disinhibit the child through the use of:
- drugs;
- alcohol; or
- pornography.

In a study of 72 adult male inmates incarcerated for child sexual abuse, subjects identified a preference for abusing their own children and/or choosing "passive, troubled, lonely children from single-parent or broken homes" (Budin & Johnson, 1989:79). It also happens frequently that the perpetrator would also establish a

trusting relationship with the victim's family (Elliot & Briere, 1994:275), allowing the perpetrator easier access to and control of the child.

During a study reported by Lang and Frenzel (1988), interviews with 52 incest and 50 paedophilic offenders under sentence were conducted with regard to verbal and nonverbal strategies used to sexually seduce children. Sixty one percent (61%) of incest offenders and 58% of paedophilic offenders confided that they felt powerful and in control when sexually abusing children. In each group, one third of the perpetrators relied on some element of gratuitous violence, e.g. grabbing, shoving, pushing or spanking to force compliance from unwilling children. The subjects either pretended or believed that the children enjoyed sexual activity with them and exhibited stereotypical thinking about sex with children (Lang & Frenzel, 1988).

Research conducted by Lecrerc, Proulx and Mckibben (2005:189) included 23 men, both English and French speaking, who had committed at least one official sexual offence against a child or a teen. The *Modus Operandi Questionnaire* was used for this study showing the following results (Lecrerc *et al.,* 2005:189):

- Almost all of the offenders spent a lot of time with their victims and gave them a lot of attention (95.6%).
- More than half of the subjects made the victims feel special and verbalised their affection, telling them personal things, treating them like adults, tricking them into feeling safe with the offenders, playing with them and doing things that the children enjoyed.
- All offenders had paid non-sexual attention to their victims.
- 95.6% of them had touched their victims non-sexually.
- 82.6% of subjects increasingly touched their victims sexually from one time to the next.

Strategies employed to gain the compliance of victims are reported by Paine and Hansen (2002) and include:

- withdrawal and inducements of attention, material goods and privileges;

- misrepresentations of society's morals and standards and/or the abusive acts; and

- externalisation of responsibility for the abuse onto the victim.

Items that may be used by perpetrators during grooming of the child include the following (Brown, 2001; Lecrerc *et al.,* 2005:188):

- Adult and child pornography – Used to lower a victim's inhibitions about sex and nudity.

- Adult or child erotica – The same use as pornography.

- Photographs of children in underwear or suggestive poses – Used as initial grooming device.

- Photography equipment – Many molesters first take regular photos of victims to get them used to being in front of the camera.

- Toys, like Barbie[TM] dolls and Pokemon[TM] cards may be used to gain credibility and build rapport with a child victim.

- Alcohol and drugs.

Due to the taboo regarding child sexual abuse, it is the opinion of the researcher that much is still unknown regarding the manner in which children are selected and groomed. The researcher is the co-facilitator at local correctional services where a sexual offender programme is offered to offenders on parole or under correctional services. It is the opinion of the researcher after three years of experience with sexual offenders against children, that they would hardly tell the whole truth due to the stigmatisation and fear of rejection of another adult.

The researcher concludes that perpetrators find vulnerable children on playgrounds, at family events and near the perpetrator's home. They claim to prefer seduction and gaining trust over coercion by becoming the children's friends, playing games with them and offering them gifts ranging from money and toys to beer and cigarettes, which result in the children feeling responsible for the acts due to compliance.

2.8.2.2 Phases in the grooming process

There are definite phases in a grooming process. According to Carstens and Fouché (2006:4) the following seven phases could be identified from experience with more than 800 sexually abused children:

- Building trust.
- Favouritism.
- Alienation.
- Secrecy.
- Boundary violation.
- Evaluation/testing.
- Investment.

In practice the researcher experienced that the chemistry necessary for abuse to occur within the family starts early; long before the child is actually sexually abused. In intrafamilial sexual abuse, various family patterns occur. It may happen that the child and future abuser are emotionally close. Gradually the abuser sexualises the contact between them (grooming), yet misusing the child. In other situations the abuser's relationship with the child may be hostile or rejecting months or years before the sexual aggression starts.

The researcher's experience with children from rural areas in South Africa indicated a type of "grab and rape" (Fouché, 2001:43) occurrence. This form of abuse is not preceded by a grooming process. Children report that the perpetrator would call them into a "shack" (hut), separate room or long grass. The perpetrator would then grab them, rip their clothes off, rape them and threaten them with death or punishment if they disclose, and then chase them away. Many of these children could not even identify the house where it happened and are scared to disclose due to the consequences and threats. These victims are discovered due to accidental disclosure, e.g. blood stains on their underwear, infection and pregnancies.

In order to be objective, it is imperative to evaluate every allegation with caution and be aware that false allegations, although rare, do occur.

2.8.3   False allegations

Historically, it has been said that young children are incapable of lying, because this act requires a level of cognitive sophistication beyond the capability of the young child (Ceci & Bruck, 1995:262). A strong opinion against the possibility of a child lying about sexual abuse was expressed by Faller (1984:473). It is further stressed (Faller, 1984:473) that an allegation of incest has serious implications not only for the child, but also for the mother and the father, resulting in the victims rather denying the occurrence of it, than lying about it. Studies of false allegations show that such allegations are relatively rare.

Research conducted by Jones and McGraw (1987:27) reviewed the disposition of 576 reported cases of child sexual abuse in the city of Denver in one year. Another study by Everson and Boat (1989:230) found that false allegations were more likely to occur when reports came from adolescents (8% were judged to be false). Of the reports by children younger than 6 years, only 2% were judged to be false. Eight percent (8%) of the allegations in their sample were fictitious. Of these, 6% originated with adults and only 2% came from children. Research reported by Street (1997:7) revealed that the rate of fictitious allegations of child abuse is approximately 8%, but in the context of child custody, it may be as high as 50%.

Many cases of alleged sexual abuse are labelled by investigative agencies as "unfounded" or "unsubstantiated" (Fouché, 2006:209) and therefore mistakenly confused with false reports (Ceci & Bruck, 1995:30). According to Ney (1995:22) reports of sexual abuse classified as "unfounded" or "unsubstantiated" differ from allegations considered to be false. A false allegation would be one of the following (Ney, 1995:23):

- An allegation that is completely untrue; that is one in which none of the alleged events occurred.

- An allegation in which an innocent person has been accused, but the allegation is otherwise valid. This is a case in which an abused child discloses his/her abuse, but accuses someone other than the actual perpetrator.

- An allegation that contains a mixture of true and false features, i.e. the child describes some events that actually occurred and adds others that did not.

It is the opinion of the researcher that due to the complexity of the topic of child sexual abuse and all the dynamics involved, it is extremely difficult to straightforwardly say that a child is making up an allegation. Many factors play a role, e.g. developmental factors, the child's process, the child's unique disclosure process, threats or bribes, maternal support and relationship with the offender. Professionals will thus evaluate a child, and many professionals only have two options: substantiated allegations or false allegations. Although it may be extremely difficult to identify a false allegation, it helps if a professional has an understanding of the different subtypes of false allegations.

Mikkelsen, Gutheil and Emens (1992:556) proposed four specific subtypes of false allegations, namely:

- Those arising out of custody disputes.
- Those stemming from the accuser's psychological disturbances.
- Those resulting from conscious manipulation by a child or adult.
- Those caused by professional errors.

From experience the researcher concludes that any false allegations which are evaluated can be categorised under one of the above-mentioned subtypes.

2.8.3.1 Different possibilities when allegations are made

It is the opinion of the researcher that when an allegation is investigated, professionals must steer away from only categorising the allegation as false or true. It is recommended by Bernet (1993:903) that the following possibilities be considered when allegations of sexual abuse are made:

- The allegations are true.
- Misinterpretation and suggestion.
- Misinterpreted physical condition.
- Parental delusion and indoctrination.
- Interviewer suggestion.
- Fantasy and delusion.
- Miscommunication between child and first rapport.
- Innocent lying.
- Deliberate lying.
- Overstimulation.

After assessment, the following different outcomes can be considered (Fouché, 2006:11):

- The case in question is a false allegation.
- Suspicions exist, but cannot be confirmed.
- Insufficient evidence available to draw a conclusion.
- A correlation exists between the child's statements and behavioural indicators and those of other victims of child sexual abuse in this age group, hence sexual abuse is a possibility.

It is the opinion of the researcher that professionals classify allegations as false due to lack of evidence or lack of knowledge and skills to conduct a proper investigation.

2.8.3.2 Perpetrator substitution

Perpetrator substitution occurs when the child may have been sexually abused, but implicates the wrong person as the perpetrator, thus making a false allegation (Bernet, 1993:904). It is the opinion of Carstens (2004) that it is not that difficult to determine whether the child has been sexually abused, but the challenge is to identify the right perpetrator. The researcher has experienced that when the child has been removed with no maternal support, perpetrator substitution may occur.

2.8.3.3 Custody and access disputes

If a mistake is made and an accusation of child sexual abuse is judged to be false, two people are hurt: the child and the accused. The accused and his family are likely to suffer emotional and physical trauma and the relationship between the child and the parent may suffer tremendous damage (Fouché, 2006:217).

In a study conducted by Thoennes and Tjaden (1990:151), empirical data obtained from 12 domestic relations courts throughout the United States of America concluded that only a small proportion of contested custody and visitation cases involved sexual abuse allegations. The personalities of 72 falsely accusing parents and 103 falsely accused parents were compared to a control group of 67 custody parents, who were involved in custody disputes, but without allegations of sexual abuse. The falsely accusing parents were much more likely than were the other two groups to have a personality disorder such as being histrionic, borderline passive-aggressive or paranoid. Only one-fourth was seen as normal (Thoennes & Tjaden, 1990:151). In comparison most of the individuals in the custody control group and in the falsely accused group were seen as normal.

A study by Faller (1991:86) examined the reports of 136 children of divorced families who were referred to a project on abuse and neglect. It was determined that 65% of the cases were true accounts of abuse and concluded that sexual abuse did not occur in the remaining 35% of the cases. Faller (1991:86)

determined that in 14% of the cases false allegations arose in circumstances surrounding the divorce.

It is important for the professional who conducts the forensic interview to understand why the allegations would arise in the context of a custody dispute. Burkhart, (2000) and Ceci and Bruck (1995:32) suggest the following reasons why actual abuse would be exposed at that time:

- The dynamics of interfamilial sexual abuse are such that the non-abusive parent typically refuses to face the fact of abuse while the family is together. Once separation occurs, however, that parent becomes more objective and starts to realise what has been going on.

- A sexually abused child is often intimidated into silence by threats, including the abuser's warning that no one will believe him/her. The child may feel free to disclose once the abuser, and hence the threats, are gone. The child may also feel at that time that the non-abusive parent will now be receptive to disclosure and he/she will be believed.

- Children often feel obliged to endure their role in the family dynamics due to a heightened sense of responsibility to keep the family together. This pressure dissipates once the family splits.

- Although the child is harmed by the sexual abuse, he/she may still feel torn by loyalty toward his abuser. When the child is separated from the abuser, his/her emotional conflict is less looming.

The researcher suggests the following reasons why valid allegations of sexual abuse may not surface until the time of a divorce:

- A sexually abused child may be afraid to disclose while the family is still together. A child who has been threatened with the break-up of the family may tell once this has already happened. It is more difficult for the abusing parent to persuade the child to keep the secret once he/she is not living with the child.

- A child may become terrified at the prospect of spending time alone with the abuser and therefore will tell in order to avoid a visit.

- Increased distrust between parents often results in willingness to suspect sexual abuse.

From experience the researcher concludes that false allegations may arise from custody and visitation battles, but also adds that many parents who initiate a false allegation are identified through their overeager attitude with no sympathy for the consequences of the case for their child.

2.8.3.4 *The parental alienation syndrome*

The parental alienation syndrome involves one parent alienating the child from the other parent. This is typical in the context of a child custody dispute (Gardner, 1998:2) in which the child identifies with the vilifying parent and communicates absolute hatred towards the other parent. McInnes (2003:3) distinguishes between parental alienation and parental alienation syndrome.

Parental alienation is when the separated parent disrupts and denigrates a child's relationship with the other parent by giving expression to his/her own hostility towards the other parent (McInnes, 2003:3; Gardner, 1998:2). Despite the alienation, the child maintains positive feelings towards the other parent (McInnes, 2003:4; Fields & Ragland, 2003).

The parental alienation syndrome causes children to become preoccupied with unjustified, unsubstantiated or exaggerated disapproval and criticism of one of the parents, which lead to an impaired relationship with the target parent (Bekker, Van Zyl, Wakeford & Labuschagne, 2004:26; Fields & Ragland, 2003). Mothers are reported to contribute to the development of parental alienation syndrome more than fathers, mostly because they are often the primary caregivers and the child will naturally try to maintain that psychological bond (Bekker *et al.,* 2004:29).

The researcher experienced that accusations stemming from the parental alienation syndrome do occur, but an experienced professional who is aware of this phenomenon could handle it successfully.

2.8.3.5 Psychological disturbances

The term *folie à deux,* which was coined by Lastage and Falret in (Ney, 1995:34*)* refers to "contagious insanity or the psychosis of association". The mother who is obsessed with hatred towards the father may bring the child to the point of having paranoid delusions about the father. A *folie à deux* relationship may evolve in which the child acquires the mother's paranoid delusions (Fouché, 2006:21). The following criteria are listed by (Ney, 1995:34*)* to identify *folie à deux*:

- The intimate association of two people.
- Similar general delusional content of the partners' psychosis.
- The acceptance, support and sharing of a partner's delusional ideas.

The projection-prone mother readily projects her own sexual fantasies onto the spouse and child, while exploiting ambiguous physical or behavioural symptoms in the child as evidence for molestation (Green, 1991:449).

It is the experience of the researcher that children who display the following behaviour must be handled with caution, as the possibility of false allegations should be investigated:

- Use of terminology that is inappropriate for the child's age, e.g. "he penetrated me", "he sexually molested me"; "he had sexual intercourse with me".
- More interested in the consequences for the perpetrator.
- Do not display emotional content applicable to the topic in discussion.
- Cannot give a detailed account of alleged abuse.
- Cannot give explicit account of the context of the abuse.

- Not consistent over a period.
- The child does not tell the happenings from the frame of reference of children of that age.

2.8.4   Stockholm syndrome

The Stockholm syndrome is used to describe the bond between a hostage taker and his/her hostage. The victim displays a sense of loyalty towards the hostage taker and turn against those who try to rescue him/her (Bates, Pugh & Thompson, 1997:115). Research conducted by Julich (2005:107) identified that the emotional bond between survivors of child sexual abuse and the people who perpetrated the abuse against them is similar to that of the powerful bi-directional relationship central to Stockholm syndrome. This impacts on the victim's ability to criminally report offenders.

In order to identify and work effectively with victims of child sexual abuse, the professionals involved should have thorough knowledge of the indicators of child sexual abuse, which will be addressed hereafter.

2.9   INDICATORS OF CHILD SEXUAL ABUSE

The indicators of possible sexual abuse could be divided into three broad groups, namely: physical signs, psychological/behavioural signs and sexual signs. It is imperative for professionals to also be aware of familial indicators.

2.9.1   Physical and medical indicators of child sexual abuse

Medical indicators that child sexual abuse has occurred, include (Faller, 1993; Johnson, 2004:465):

- pregnancy in a child;

- venereal diseases and human immunodeficiency virus (HIV) if it was not contracted from mother to child;

- semen in the vagina of a child;

- torn or missing hymen or other vaginal injury or scarring;

- injury to the penis or scrotum; and

- damaged tissue in the anal area.

It is the opinion of the researcher that although social workers are not experts in the field of medicine, it is important to know certain factors regarding normal and abnormal anatomy with regard to child sexual abuse.

2.9.1.1 *The medical examination – J88*

The medical examination of the sexually abused child, and particularly the presence or absence of positive physical signs of abuse, carries substantial weight in the investigation into possible abuse (Venter, 2006). However, it forms one part of the puzzle of the sexual abuse investigation (Fouché, 2006:213).

The findings of these examinations are summarised on form J88, a prescribed form that medical examiners are compelled to complete once they have examined the victim of an assault (Gräbe, 2000:17). On this form the medical practitioner has to identify the person by name, describe the nature of the injuries and indicate whether the injuries are of a physical or sexual nature. The form provides a sketch of the human body for the doctor to indicate where the injuries are located. Finally, the J88 is studied by the prosecutor and may be used in the court if it contains information regarding a torn hymen or scarring of the genitalia or anus (Venter, 2006).

2.9.1.2   Normal versus abnormal anatomy

Standards for what constitutes normal anatomy and consequences of trauma are still being debated, and medical professionals are no longer limited to the presence or absence of a hymen as the indicator of possible sexual abuse (Johnson, 2004:464). Physicians are able to describe the effects of different kinds of sexual activity and subtle findings can be documented using magnification such as a colposcope or otoscope (Faller, 1993).

Research has found that physical findings that were considered abnormal in the past, such as dents and bumps on the hymen (Bereneson, Chacko, Wieman, Mishaw, Friedrich & Grady, 2002:228), can now sometimes be considered normal. According to Ingram, Everett and Ingram (2001:1109) the transverse diameter of the hymen is significantly increased in girls who have been sexually abused, compared to those who have not been abused. There is, however, a significant overlap between the two groups to obviate its diagnostic utility. Findings of female genital examination are affected by the age of the child (Vogeltanz, Wilsnack, Harris, Wilsnack, Wonderlich & Kristjanson, 1999:579) and the examination technique used. The hymen shape may also vary in the knee-chest and frog-leg positions (Johnson, 2004:465).

It may therefore happen that a child would claim that she has been raped or that finger penetration occurred, and due to the type of medical examination the findings would indicate that nothing had happened. It is the opinion of the researcher that no statement of abuse by a child should ever need to be tested by having a doctor examine the child's genitalia (Gräbe, 2000:18). The medical examination is only one part of the puzzle of sexual abuse and it can usually only indicate the likelihood of abuse. It very seldom happens that an accurate diagnosis can be made by means of a medical examination as to exactly what took place in terms of the abuse (Babiker & Herbert, 1998:232; Du Plessis, 2000:34).

Although the medical examination of the abused child is very important for the well-being of the child, it has little predictive value in confirming the occurrence of

sexual abuse (Gräbe, 2000:17). Research conducted by De Jong and Rose (1991:506) studied the child sexual abuse criminal court cases for a one-month period to determine the frequency and significance of physical evidence with cases where the court proved penetration. They studied 115 cases in which 76% of the perpetrators were convicted. They found that in only 23% of all the cases that led to convictions, there were physical signs shown on examination of the victim (De Jong & Rose,1991:507). During research between 1985 and 1987, 500 girls were evaluated as victims of sexual abuse, and during the same period, 30 perpetrators confessed to charges of sexual abuse involving 31 of these girls (Muram, 1989:212). On the medical examinations of the girls, the findings were as follows:

- In 29% of the cases the findings of the medical examination were completely normal.
- In 26% of the cases, there were non-specific findings which could have been caused by abuse, infection, irritation and scratching.
- In only 45% of the cases abnormalities could be detected that were consistent with sexual abuse.
- In 18% of the cases the perpetrator confessed vaginal penetration and in this subgroup 61% revealed specific findings.

The above findings illustrate that the superficial wounds heal quickly. It is also clear from this study that many sexually abused children, even those who suffered vaginal penetration, may not show any signs of physical injury (Muram, 1989:212).

A study which was conducted in the United States of America between 1985 and 1990, evaluated 2 384 children who were referred for a medical evaluation after they either disclosed sexual abuse, displayed behavioural changes, were exposed to an abusive environment, or because of possible medical conditions (Ticson, Velasquez & Bernier, 2001). Interviews with the children indicated that 68% of the girls and 70% of the boys reported severe abuse (penetration of vagina or anus).

- A total of 96.3% of all children referred for a medical examination showed age appropriate results.

- Of the children who reported abuse, 95.6% showed age appropriate results. .

- Of the children who were referred for evaluation due to behavioural changes, 99.8% showed age appropriate results.

- Of the 182 children referred for evaluation of medical conditions, 92% were found to be normal at the time of the examination.

- The remaining 8% (15 out of 182) that were found to be abnormal, were diagnosed with sexually transmitted diseases.

As discussed above and from experience, the researcher concludes that both legal and social professionals have relied too heavily on the medical examination in diagnosing sexual abuse of children. The forensic interviewer must not be dictated by the medical examination results, but should rather focus on the child's account of the events to determine what happened. The interviewer should also test different hypotheses by using a non-leading interview protocol.

2.9.2   Psychological and behavioural indicators of child sexual abuse

Technically speaking, child sexual abuse cannot be "diagnosed", because it is not a discrete clinical syndrome with accompanying consistent, predictable and deleterious effects (Bromberg & Johnson, 2001:346). Instead child sexual abuse may be viewed as a life event or series of life events that produce a broad range of outcomes in children (Spies, 2006:62).

Research has indicated that children who are sexually abused, face impaired cognitive, social, emotional and psychological development (Diaz & Manigat, 1999:142). The following psychological and behavioural indicators of childhood sexual abuse were identified:

- Poor academic performance (Patel & Andrew, 2001:265; Bromberg & Johnson, 2001:346).

- Psychological problems (Silovsky & Niec, 2002:190).

- Depression (Haj-Yahi & Tamish, 2001:1303; Pillay & Schoubben-Hesk, 2001:728; Meyerson, Long, Miranda & Marx, 2002:387).

- Dissociation (Macfie, Cicchetti & Toth, 2001:1255).

- Distress (Haj-Yahi & Tamish, 2001:1305).

- Emotional problems (Silovsky & Niec, 2002:192).

- Homeless, runaway behaviour (Rew, Taylor-Seehafer & Fitzgerald, 2001:230).

- Sleep disturbances (nightmares) or absence of sleep (Jones, 1992:6).

- Anxiety (Haj-Yahi & Tamish, 2001:1303; Pillay & Schoubben-Hesk, 2001:728).

- Feelings of hopelessness (Pillay & Schoubben-Hesk, 2001:728).

- Obsessive compulsive behaviour (Haj-Yahi & Tamish, 2001:1306).

- Paranoid ideation (Haj-Yahi & Tamish, 2001:1305).

- Psychotic behaviour (Diaz & Manigat, 1999:143).

- Post-traumatic stress disorder (Estes & Tidwell, 2002:39).

- Sexualised behaviour (Hall, Mathews & Pearce, 2002:290).

- Somatic problems (Price, Maddocks, Davies & Griffiths, 2002:165).

- Suicide or suicide attempts (Koplin & Agathen, 2002:716).

- Antisocial behaviour – Fear of people or a specific type or gender; arson and cruelty to animals (more characteristic of boy victims) (Diaz & Manigat, 1999:143).

- Multiple associated psychiatric disorders (Diaz & Manigat, 1999:143).

- Withdrawal and regressive behaviour (Jones, 1992:6).

- Lying and stealing (Jones, 1992:6).

It is the opinion of the researcher that while any such behaviour may well be associated with a child who has been sexually abused, it is more accurately defined as behavioural symptoms of general stress or trauma, rather than of sexual abuse *per se*. The researcher has experienced that some of these "indicators", such as nightmares, are normal for most children, both victimised and non-victimised children. It is therefore imperative that professionals intervening in interviews with alleged child sexual abuse victims, not only rely on behavioural

indicators reported by caregivers when concluding that a child has been sexually abused, but to conduct a thorough assessment, which will mainly consist of a forensic interview with the child concerned.

2.9.3   Sexualised behaviour as indicator of child sexual abuse

Exhibiting developmentally atypical sexual behaviour is a symptom consistently found more often in abused than non-abused children (Friedrich, Fisher, Dittner, Acton, Berlinger, Butler, Damon, Davies, Gray & Wright, 2001:38).   Sexualised behaviour by a child is a clear indication of something sexual in the child's history (Ney, 1995:25).   A study with 40 sexually abused and/or abusing young people older than 10 years (Farmer & Pollock, 2003:103) revealed that 13% of the children showed compulsive masturbation in public and 38% showed over-sexualised behaviour towards children and/or adults.   While it is not uncommon for young children to engage in sexual behaviour of an exploratory nature, some children who have had sexual experiences with older persons are easily aroused and readily orgasmic (Bromberg & Johnson, 2001:346; Righthand & Welch, 2004:15).   Some evidence suggests that boys experience eroticism more so than girls (Feiring, Taska & Lewis, 1999:118).

Sexual behaviour in children can be categorised into a number of face-valid domains (Brilleslijper-Kater, Friedrich & Corwin, 2004:1010).   These include boundary problems, exhibitionism, gender role behaviour, self-stimulation, sexual anxiety, sexual interest, sexual intrusiveness, sexual knowledge and voyeuristic behaviour (Brilleslijper-Kater *et al.,* 2004:1010).

2.9.3.1   Masturbation

Masturbation is indicative of possible sexual abuse if the child:
- masturbates to the point of injury;
- masturbates numerous times a day;
- cannot stop masturbating;

- inserts objects into her vagina or his/her anus;

- makes sounds while masturbating; and

- he/she engages in thrusting motions while masturbating.

Too frequently professionals believe that the only road to sexualised behaviour is that the child has been overtly sexually victimised (Johnson, 1995:2). The researcher is of the opinion that if this is the interviewer's basic assumption, it can result in a child feeling compelled to describe being sexually abused, or the child can feel bad that he/she was not abused. The researcher experiences often in her practice that parents and educators want to know what constitutes sexual play, as confusion exists on whether specific actions between two children are sexual abuse or sexual play.

2.9.4   Familial indicators

National statistics in the United States of America indicate that parents were the perpetrators of 45.3% cases of child sexual abuse, and other perpetrators were responsible for 24.9% of victims. Day care providers were perpetrators in 2.7% of cases (Johnson, 2004:466). In the Vaalrand, Gauteng 63% of abused children are abused by either a family member or an acquaintance (South African Police Service, 2001).

It is the opinion of the researcher that if the perpetrators are in the child's home, it is extremely difficult to train children to recognise and report abuse when the perpetrators are likely to be trusted caretakers, such as parents, priests, aid workers, hospital workers and educators.

Women who have been sexually abused may have problems with self-esteem. They may therefore be more likely to unwittingly bring supportive individuals who are potential abusers into their homes. Incarcerated perpetrators report that they seek children who are available, easily manipulated and have desirable physical attributes (Budhin & Johnson, 1989:77).

Factors related to high-risk parenting include parents who:

- minimise or deny their own involvement in the child's allegation;
- project anger onto others;
- accept no responsibility for their own behaviour;
- are domineering, insensitive, impulsive, explosive, angry or demeaning;
- display no empathy;
- maintain a narcissistic focus;
- have a history of antisocial behaviour;
- have an uncontrolled chemical dependency status;
- consistently display poor boundaries related to feelings towards or touching the child;
- have sexualised interactions with the child although no specific sexual abuse is seen;
- argue and are unable to control anger; and
- often create difficult situations with the therapeutic manager in the child's presence (Intebi, 2003:9-10).

Research at the HF Verwoerd Academic Hospital in Pretoria between August 1991 and July 1993 studied 44 reported cases of child sexual abuse, of which 18 cases were confirmed (Scheepers, 1994:92). The following were found regarding the family system in the cases where sexual abuse was proved:

- Ineffective problem-solving skills (88%).
- Poor communication (100%).
- Diffused roles in the family (72%).
- Limited emotional development (72%).
- Destructive conflict management (100%).
- Inconsistent discipline (100%).

It is evident that there are familial factors that may alert professionals on the occurrence of possible sexual abuse. However, due to the dynamics of child sexual abuse it is the opinion of the researcher that the absence of the above-

mentioned factors must not be used as motivation that sexual abuse has not occurred, or as motivation for terminating an investigation (Fouché, 2001:34).

Not only does the social worker need to have knowledge to understand the child victim, but in order to be objective he/she must also have an understanding of the adult sex offender.

2.10   SEX OFFENDERS AGAINST CHILDREN

Sex offenders against children frequently do not understand the inappropriateness of adult-child sexual contact, and are unable to interpret the meanings of the sexual behaviours (Gilgun, 1994:468). It is imperative for professionals to have knowledge on the different kinds of sex offenders, as this gives them a better understanding of the *modus operandi*.

2.10.1 Youth sex offenders

An increasing number of reported cases of child sexual offences are committed by children and youth (Van Niekerk, 2006:101). Research by Bromberg and Johnson (2001:345) found that approximately 40% of all reported child sexual victimisations, were perpetrated by individuals under 20 years of age, and children between the ages of 6 and 12 committed 13 to 18% of all substantiated cases of child sexual abuse. Similar results in research conducted in a South African prison with a sample of 48 respondents convicted for a sexual offence, revealed that 37% were between 15 and 18 years of age when they committed the offence (Delport & Vermeulen, 2004:42). Research by Kubik and Hecker (2005:43) reported that girls who had committed a sexual offence were more likely to endorse statements reflecting the belief that the offender in a sexually aggressive vignette was not responsible for initiating the sexual contact.

The researcher has experienced in her private practice that it happens more often that the perpetrators of alleged abuse are younger than 16 years old. It is thus

evident that there is an increase in children who commit sexual offences against other children.

2.10.2 Types of adult sex offenders

Sex offenders against children may be divided into three basic types with regard to their primary sexual orientation and level of socio-sexual development. According to Gilgun (1994:469), there are fixated offenders, naive offenders and regressed offenders. Two categories are added by Looman, Gauthier and Boer (2001:754), namely the exploitative paedophile and the aggressive (sadistic) perpetrator.

2.10.2.1 Fixated offender

A fixated offender has not developed past the point where he, as a child, found children attractive and desirable. Thus, he has become fixated at an early stage of psychosexual development (Hesselink-Louw & Olivier, 2001:16). A typical fixated offender has little activity with age mates, is single and is considered to be immature and uncomfortable around adults (Gilgun, 1994:469). Children become the preferred subject of the fixated offender's sexual interest.

2.10.2.2 Naive offender

The naive offender does not understand the true nature of the offence. Some do suffer from organic problems or senility and are unable to appreciate the impact of what they have done (Holmes & Holmes, 2002:120).

2.10.2.3 Regressed offender

Regressed offenders have been involved with adults in normal sexual relationships. Psychologically, this type of child offender sees the child as a

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pseudo-adult. These offenders are typically married or in a long-standing relationship. They often initiate a sexual act or series of acts with children, because of some precipitating cause, e.g. poor job performance review, a distant wife and social maladjustment. (Hesselink- & Olivier, 2001:18).

2.10.2.4 Exploitative paedophile

Exploitative paedophiles can be distinguished from the preceding types, because they primarily seek children to satisfy their sexual needs. Such an offender exploits the child's weaknesses in any way he can, is often unknown to the child, might use physical force and does not care about the physical or emotional well-being of the child. Exploitative paedophiles are highly impulsive, irritable and moody (Looman *et al.,* 2001:754).

2.10.2.5 Aggressive (sadistic) perpetrator

Aggressive (sadistic) perpetrators are drawn to children for both sexual and aggressive reasons. The aggressive perpetrator has a long history of antisocial behaviour, prefers victims of the same sex and assaults viciously and sadistically. This type of offender is responsible for most abductions and murders of children (Looman *et al.,* 2001:754).

2.10.3 Etiology of adult sex offenders

There is no "cookbook" recipe to explain the reasons why adults would be interested in sexual activities with children. It is commonly accepted among laypeople that child victims will offend when they grow up. However Araji and Finkelhor (1986:104) argue that because not all sexual abuse victims grow up to become sex offenders, sexual abuse is neither a necessary nor sufficient condition for becoming a sex offender.

In an attempt to provide multifactor explanations for child molesting behaviour, four types of theories (Araji & Finkelhor, 1986:93) have been grouped in a framework:

- Factor I: Emotional congruence.
- Factor II: Sexual arousal.
- Factor III: Blockage.
- Factor IV: Disinhibition.

2.10.3.1 Emotional congruence

The child has a special emotional meaning to the perpetrator. He finds children attractive because of lack of dominance. Immaturity and low self-esteem are characteristic of this type of sex offender (Araji & Finkelhor, 1986:94).

2.10.3.2 Sexual arousal

The perpetrator has a heightened arousal to children. Characteristics include: conditioning and modelling from early childhood experience; hormonal abnormalities; and socialisation through child pornography (Araji & Finkelhor, 1986:99).

2.10.3.3 Blockage

The perpetrator's normal tendency to meet his sexual and emotional needs in adult heterosexual relationships is blocked. He experiences difficulty relating to adult females and has inadequate social skills. He suffers from sexual anxiety, has unresolved oedipal dynamics, repressive norms about sexual behaviour and experience disturbances in adult sexual romantic relationships (Araji & Finkelhor, 1986:106).

2.10.3.4 Disinhibition

The person has poor impulse control, or suffers from an impulse disorder. He suffers from senility or mental retardation, and/or situational stress. (Araji & Finkelhor, 1986:111) Another characteristic of the perpetrator is often substance abuse.

It is evident that explaining sexual offending against children is not a clear-cut case, but actually a multifaceted phenomenon (Hesselink-Louw & Olivier, 2001:17).

It is the opinion of the researcher that professionals working with child victims of sexual abuse need to have a widespread knowledge on adult sex offenders against children in order to conduct objective forensic investigations.

2.10.4 Victim-perpetrator relationships

Effective practice with persons who have been sexually abused in childhood requires an understanding of child victims' relationships with perpetrators. Research conducted by Gilgun (1994:467) with 23 perpetrators of child sexual abuse indicated that perpetrators of child sexual abuse have a wide variety of types of relationships with child victims (Araji & Finkelhor, 1986:93). The following perpetrator-victim relationships were identified by Gilgun (1994:471-476) from the point of view of perpetrators:

- **Avengers**
  Avengers inflict pain on sexual body parts or inflict emotional pain. The objective is to harm the child or someone who loved the child, e.g. abusing the girl whom he perceives as his mother-in-law's favourite grandchild.

- **Takers**

  The perpetrator will approach the child victim as if the child is a commodity to be used and then be discarded. He would take what he wants with no concern as to how his actions affect the child, e.g. child rape.

- **Controllers**

  Perpetrators would sometimes control the activities of their victims by bargaining for sexual favours, e.g. if the stepdaughter would masturbate him, she will be allowed to play outside.

- **Conquerors**

  Perpetrators who approach their victims as conquerors use various roles like a "buddy", or "friend" to get the children to become sexually involved with them. A conqueror would seduce the child by, for example, pretending he is in love with the 13-year-old girl, doing age-appropriate activities with the child.

- **Playmates**

  They perceive themselves as peers of their child victims. Sex is only one of the "fun" things they do with their victims.

- **Lovers**

  These perpetrators appear to be in love with their victims and may view the child as equal partner and themselves as loving people. They may be hurt and confused when the children report these cases and testify against them.

- **Soul mates**

  They have identity confusion between the self and the child, and are drawn to and see themselves in their child victims.

2.10.5 Rehabilitation of adult sex offenders against children

Offending behaviour treatment programmes are designed to reduce re-offending. Reconviction does not represent re-offending *per* se, but has been accepted as an alternative outcome measure (Falshaw, Bates, Patel, Corbett & Frienship, 2003:207). In sex offender treatment approaches, attention pragmatically has focus on understanding the risks to re-offend (Metz & Sawyer, 2004:186). Apart from including victim empathy, development, improving relationships, social skills and altering cognitive distortions into treatment programmes, it is important that the topic of sexual dysfunctions and sex therapy must also be addressed (Williams & Fouché, 2005:13).

The researcher is of opinion that sex offenders are difficult to rehabilitate due to the cognitive distortions dominating them. However, they can master the management of their behaviour.

Sexual abuse has a tremendous impact on children. The trauma that the child experiences during this victimisation will hereafter be discussed.

2.11   IMPACT OF CHILD SEXUAL ABUSE

Intense long-term effects as a result of molestation are reported in literature on child sexual abuse (Van Rensburg & Barnard, 2005:1). It is therefore important that the impact of sexual abuse on children is investigated.

2.11.1 Trauma of child sexual abuse

Children who are sexually abused undergo pronounced interruptions in their development and in their view of themselves and the world, which result in significant emotional and behavioural changes indicative of the attempts to cope with these events (Fouché & Yssel, 2006:241). A study exploring which seventeen categories of child maltreatment South Africans evaluated as most

serious was conducted among 181 professionals, which included socials workers, human service workers, laypersons and members of the Child Protection Unit of the South African Police Service (Pierce & Bozalek, 2004:817). The respondents ranked sexual abuse and child prostitution as most serious. It is thus evident that, among professionals, child sexual abuse is regarded as the worst form of trauma which can be imposed on a child.

Research which targeted a college sample of child sexual abuse victims (Murthi & Espelage, 2005), classified the losses of the subjects on three scales, namely:

- loss of optimism;
- loss of self; and
- loss of childhood.

They concluded that multiple experiences of child sexual abuse would be associated with greater perceptions of loss across the three scales.

2.11.2 Four specific responses to trauma

The traumatic effects of sexual abuse are described by Bentovin, Bentovin, Vizard and Wiseman (1995:247-248) in terms of four specific responses to trauma namely:

- **Intrusion**

  The intrusion is unwanted, painful and distressing. Memories of events in the thoughts of the child are reflected in drawing, conversation and play.

- **Avoidance**

  The victim avoids thinking, speaking or being reminded about the abusive experience. The abuser, who demands secrecy, may reinforce such avoidance, or it can be reinforced by the disbelief of members of the child's family to whom the child may have tried to speak previously.

- **Arousal, fearfulness and tension**

  Arousal, fearfulness and tension associated with poor sleeping, poor eating and general problems of concentrating.

- **Post-traumatic state**

  This induces a powerful sense of hopelessness, helplessness or severe depression. It may be associated with anorectic responses or pervasive developmental difficulties, e.g. inability to walk or talk (Bentovin *et al.,* 1995:247-248).

According to Jones (1992:6) two-thirds of children who are sexually abused will show moderate or severe emotional or behavioural changes in the subsequent weeks after disclosure, compared to one-third who will display no or mild psychological disturbances. However, it may be that these children will show delayed responses or alternative escapes which will have effects in the long term (Jones, 1992:6).

Studies have shown that children who were victimised at the youngest age and involved for the longest period of time, and where the severity of the abuse was the greatest, are likely to show more severe psychological sequelae (Finkelhor & Brown, 1985:530). A sudden deterioration in performance may occur. However, it is imperative to note that some children may respond in a paradoxical way in school and become overachievers in their drive to overcome their personal secret.

2.11.3 Factors which influence the sexually abused child's reactions and recovery

Children's reactions to and recovery from sexual abuse vary, depending on the nature of the sexual assault and the response of their important others, especially the mother (Mash & Wolfe, 2005:383).

A range of variables influences the degree of trauma which the child experiences, namely (Furniss, 1991:7; Mayhall & Norgard, 1982:191; Homeyer, 1999:3; Bagley

& Thurston, 1996:51; Walker, 1990:344; Haj-Yahi & Tamish, 2001:1306; Molnar Buka & Kessler, 2001:755; Spies, 2006:49-51; Collings, 2005:13; Turner, Finkelhor & Ormrod, 2006:13):

- How sexual abuse evolves.
- Grooming process.
- Child's age.
- Developmental stage of the child.
- Age difference between the abuser and the abused child.
- Relationship of perpetrator to the child.
- Duration of sexual abuse.
- Frequency of sexual abuse.
- Amount of violent force used in sexual abuse.
- Level of threats and/or bribes.
- Nature of the abuse.
- Child's perception of life-threatening nature of the sexual abuse incident.
- Child's reaction to sexual abuse.
- Degree of shame or guilt evoked in the child for participating in sexual abuse.
- Parental reaction upon discovery of sexual abuse.
- Child support system after trauma.
- Presence or absence of protective parental figure.
- Degree of secrecy enforced by the perpetrator.
- Child's resilience.
- Non-supportive disclosure.

2.11.4 Psychological resilience

Psychological resilience can be defined as a person's ability to resist the negative impact of trauma (Van Rensburg & Barnard, 2005:2). It does not only involve individual genetic predispositions, but also an individual's temperament, personality and intelligence. It also includes characteristics such as social skills and self-esteem.

Research conducted by Fouché (2002:60) investigated the psychological resilience of eleven sexually abused adolescent girls placed in children's homes. These girls had been abused and sexually abused between the ages of 5 and 13 years by stepfathers, biological fathers, other relatives and friends (Fouché, 2002:65). The following strengths were identified in the process, namely: interviews with professional persons, social support, faith, recreational activities, temporary avoidance and positive thinking, as well as the use of fantasies (Fouché, 2002:68).

Another study was conducted with seven girls in the late middle childhood who had been sexually molested, as well as with their parents and caregivers (Van Rensburg & Barnard, 2005:5). Five girls were found to be more resilient than the other two. Five fundamental themes which influenced them to be more resilient were found:

- **Close family ties**

  Girls who had close relationships with their mothers or grandmothers were more resilient than those whose mothers were absent or where a poor relationship existed.

- **Internal locus of control**

  Children who were raised with the belief that "the world does not owe me anything" and the focus was on acceptance and responsibility, were more resilient.

- **Positive self-concept**

  The five resilient girls regarded themselves as loved by families and teachers. They also felt positive about their physical appearance and character traits. The less resilient girls regarded themselves as unworthy, physically unattractive and unloved.

- **Social support**

  Experience of social support by family, peers and teachers were found in the resilient children, as well as the confidence to confide in these people.

- **Personality factors**

  The psychologically resilient children possessed a temperament marked by a basic goodwill and extroversion. They had emotionally stable personalities and were realistic and mature individuals. The less resilient girls demonstrated withdrawn personalities, characterised by contrariness, aggression and a tendency to cry and to sulk. Tendency towards emotionally unstable behaviour and irritability were found (Van Rensburg & Barnard, 2005:8).

From these two studies it is evident that family and social support, positive self-concept, internal locus of control, someone to talk to and spirituality supportive disclosure are imperative to influence children to be more resilient and overcome the victimisation better.

2.11.5 Internal trauma of the child

Over the last decade, several models have been developed which assist professionals in understanding the dynamics and effects of sexual abuse. Wieland (1997:10) differentiates between internalisations resulting from:

- all abuse experiences where the abuse experiences consist of intrusions, self-related, threats and acts of abuse and non-protection;

- sexual abuse by someone close, where the abuse experiences of entanglement, juxtaposition and distorted family boundaries lead to the internalisations; and

- extreme sexual abuse where the messages during the abuse experience were perceived by the child as that sexualised behaviour brings attention and sensual pleasure or negative experiences, distorted messages and distortion of reality.

According to Wieland (1997:54) children internalise experiences of self and/or self in relation to others during childhood. Children will internalise certain messages to create an internal working model, which will finally become the base from which each child will respond to, or interact with the outer world (Potgieter, 2000:33).

This process is described by Bates *et al.* (1997:10) as the development of an internal map or mirror of the world due to external experiences, which will influence children's behaviour.

When children are sexually abused, they always internalise certain messages, which change their perception of their interaction with other people (Potgieter, 2000:38), and also assimilate negative messages about themselves (Wieland, 1997:71) namely:

- "I am damaged/I am powerless."
- "I am guilty/bad/an object to be used."
- "I am responsible for."
- "I feel chaotic."
- "I am betrayed by people close to me."
- "I have no boundaries."
- "When I am sexual, good things happen."

The researcher experienced that these messages became like invisible glasses, which make it impossible for the child to look objectively at him-/herself or to others and the world. During therapeutic sessions the researcher utilised play therapy techniques (Fouché, 2006:11) to increase children's awareness regarding these "invisible glasses", which influenced them to "see" clearly. The researcher found that once children became aware of this and start experimenting with alternative behaviour, these internalisations are challenged.

2.11.6 Traumagenic dynamics

A proposed framework for a systematic understanding of the effects of child sexual abuse was developed by Finkelhor and Browne (1985:530-539). They identified four trauma-causing factors during the abuse experience:

- Betrayal (the failure of caretaking; the demand for secrecy, misusing of authority and trust) resulting in behavioural manifestations like clinging behaviour, aggressive behaviour and mistrust in people close to them.

- Stigmatisation (the shame and guilt created by the meaning given to the abuse by the child and by other people) which leads to low self-esteem, confluence and self-destructive behaviour.

- Traumatic sexualisation (the arousal and confusion elicited by stimulation beyond the physical and emotional level of the child) ensuing sexual reactive behaviour, avoidance of relationships with the opposite sex and confusion about sex.

- Powerlessness (the experience of not being able to control what is happening to oneself) resulting in behaviour like nightmares, somatic complaints, eating and sleeping disorders and aggressive behaviour like bullying.

These factors were described to alter children's cognitive and emotional orientations to the world, thus creating trauma by distorting their self-concept, worldview and affective capacities.

Table 2.5:   Four traumagenic factors

DYNAMIC	PSYCHOLOGICAL IMPACT	BEHAVIOURAL MANIFESTATION
Betrayal • Trust and vulnerability manipulated. • Violation of expectation that others will provide care and protection. • Child's well-being disregarded. • Lack of support and protection from parents.	• Grief, depression. • Extreme dependency. • Impaired ability to judge trustworthiness of others. • Mistrust, particularly of men. • Anger, hostility.	• Clinging. • Vulnerability to subsequent abuse and exploitation. • Allowing own children to be victimised. • Isolation. • Discomfort in intimate relationships. • Marital problems. • Aggressive behaviour. • Delinquency.

Stigmatisation • Offender blames, denigrates victim. • Offender and others pressure child for secrecy. • Child infers attitudes of shame about activities. • Child has shocked reaction to disclosure. • Others blame child for events. • Victim's stereotyped as damaged goods.	• Guilt, shame. • Lowered self-esteem. • Sense of differentness from others.	• Isolation. • Drug or alcohol abuse. • Criminal involvement. • Self-mutilation. • Suicide.
Traumatic sexualisation • Child rewarded for sex. • Offender exchanges attention and affection for sex. • Offender transmits misconception about sexual behaviour and morality. • Conditioning of sexual activity with negative emotions.	• Increased salience of sexual issues. • Confusion about sexual identify. • Confusion about sexual norms. • Confusion of sex with love and care-getting. • Negative associations with sexual activities. and arousal sensations. • Aversion to sex or intimacy.	• Sexual preoccupations and compulsive sexual behaviours. • Precocious sexual activity. • Aggressive sexual behaviour. • Promiscuity. • Prostitution. • Sexual dysfunctions: flashbacks, difficulty, in arousal, orgasm. • Avoidance of or phobic reactions to sexual intimacy. • Inappropriate sexualisation of parenting.
Powerlessness • Body territory invaded against the child's wishes. • Vulnerability to invasion continues over time. • Offender uses force or trickery to involve child.	• Anxiety, fear. • Lowered sense of efficacy. • Perception of self as victim. • Need to control.	• Nightmares. • Phobias. • Somatic complaints, eating and sleeping disorders. • Depression. • Dissociation.

• Child feels unable to protect self and halt abuse. • Repeated experience of fear. • Child is unable to make others believe.	• Identification with the aggressor.	• Running away. • School problems, truancy. • Employment problems. • Vulnerability to subsequent victimisation. • Aggressive behaviour, bullying. • Delinquency. • Becoming an abuser.

(Finkelhor & Browne, 1985:530-537).

2.11.7   Post-traumatic stress disorder

A significant number of children develop post-traumatic stress disorder (PTSD) (Jones, 1992:6; James & Gilland, 2005:187) after they have been sexually exploited. To be identified as having PTSD, a person must meet certain conditions and symptoms as specified in the DSM-IV-TR (American Psychiatric Association, 2000:463-468).   This disorder consists of recollection phenomena, numbed emotional responsiveness, and signs and symptoms suggestive of hyperawareness and anxiety, with a tendency for everyday occurrences to act as reminders of the old trauma, resulting in an unpleasant flood of panic feelings.

Terr (1995:302) has delineated two categories of trauma that may lead to the development of PTSD: Type I trauma involving single, unexpected, sudden traumatic events (e.g. sexual assaults), and type II trauma, which is longstanding, involving repeated, possibly expected and predictable exposure to a traumatic event (James & Gilland, 2005:129; Babiker & Herbert, 1998:235).

It is the opinion of the researcher that all children who have been sexually abused must undergo intense therapeutic treatment.

2.12   TREATMENT OF SEXUALLY ABUSED CHILDREN

Children's reactions to and recovery from sexual abuse vary, depending on the nature of the sexual abuse and the response of their important others, especially the mother and the relationship with the perpetrator (Mash & Wolfe, 2005:411). The researcher is of the opinion that, due to the wide range of serious long- and short-term consequences of child sexual abuse and the need to prevent reactive abuse (abuse of other children by a victim of abuse), all children who are suspected of being sexually abused should be referred for assessment and treatment. Treatment of the child sexual abuse victim can be divided into three groups, namely: crisis intervention, short-term intervention and long-term intervention (Fouché & Yssel, 2006:246).

In their research on the characteristics, management and therapeutic treatment of sexually abused and/or abusing children in substitute care with 40 sexually abused young people older than 10 years, Farmer and Pollock (2003:101) indicated the following four key components of effective management:

- Supervision.
- Adequate sex education.
- Modification of inappropriate sexual behaviour.
- Therapeutic attention to the needs that underlie such behaviour.

Many professionals differ in their opinion of when the right time is for a child to undergo therapy. Legal professionals prefer that sexually abused children receive no treatment before testimony, due to fear of contamination (Willemse, 2001; Venter, 2006).

It is the opinion of the researcher and confirmed in Fouché and Yssel (2006:264) that, when therapy is done before or during the trial, the therapist must not go into the details of what has happened, as this may contaminate the child's evidence. During therapy before the trial, emotions may be reflected, empowerment can be done and coping skills can be taught.

2.13   SUMMARY

Sexual abuse of children, for the purpose of this research under the age of 18 years, is more prevalent than can be realised. In defining sexual abuse, the focus is on the developmentally immature child who does not fully comprehend sexual activities by older people to the advantage of the authority, power and sexual sophistication over the child.

The dynamics of child sexual abuse include the disclosure process, explaining reasons like age and gender of the child, the relationship with perpetrator and fear of consequences for self and others and sense of responsibility as main reasons for children not talking about abuse.

From the research it is evident that a definite grooming process exists and those sexual molesters have a definite process which they follow to groom a child for later sexual abuse.

False allegations do occur and it appears as if several factors and not only the lying child, having an influence in the conclusion that an allegation is false. Any professional, working in the field of child sexual abuse, needs to have a comprehensive knowledge base on the origin of false allegations in order to identify and address it during the forensic investigation processes.

Indicators of possible child sexual abuse are categorised in physical, behavioural and psychological, sexual and familial indicators. The trauma imposed on a child during sexual abuse is horrendous and has serious implications, which may result in post-traumatic stress syndrome. Therapeutic intervention is most important and can be dealt with during crisis intervention, short-term therapy or long-term therapy.

Different kinds of perpetrators have been categorised, namely: fixated, regressed, naive, exploitive and sadistic sexual molesters.

Intense long-term effects as a result of sexual abuse are reported in literature. This includes, among others the four traumagenic factors, namely traumatic

sexualisation, stigmatisation, betrayal and powerlessness. A child's reactions to and recovery from sexual abuse vary, depending on the nature of the sexual abuse and the response of their important others, especially the mother and the relationship with the perpetrator. Treatment of the sexually abused child should be done with discretion if the child still needs to testify, and the therapist should not focus on the merits of the case when engaging a child in a therapeutic process.

3

DEVELOPMENTAL FACTORS WHEN WORKING WITH MIDDLE CHILDHOOD CHILDREN IN THE FIELD OF CHILD SEXUAL ABUSE

3.1   INTRODUCTION

In the course of development, children change physically, emotionally and cognitively as they progress through different stages. From the researcher's point of view, child development is a progression through generally accepted milestones. In order to determine a child's ability to supply information about events which they have witnessed or experienced, it is necessary to know what the developmental milestones are, and to understand the general characteristics of each age period.

This chapter will provide an overview of the following areas of development of the child: physical, cognitive, memory, language, socio-emotional, moral and sexual. Emphasis will also be placed on memory, repression and dissociation. Due to the fact that many children are referred for forensic assessment due to sexual reactive behaviour, the researcher will also address normal and abnormal sexual behaviour.

3.2   PHASES OF CHILD DEVELOPMENT

Development refers to the change over time in body and in behaviour due to both biology and experience (Craig & Baucum, 2002:4). It is further described by (Schoeman, 2006:74) as the pattern of change that human beings undergo during their lifetime; beginning at conception and continuing through the life cycle until the person's death. For the purpose of organisation and understanding, development is frequently described in terms of phases (Berk, 2003:5; Smith, Dockrell & Tomlinson, 1998:202). The development of children is divided in four phases namely: the toddler phase (birth to 2 years), early childhood (2 to 6 years), middle childhood (6 to 11/12 years) and adolescence (12 to 18 years) (Berk, 2003:5; Cole

& Cole, 2001:468; Louw, Van Ede & Ferns, 1998:321). Each of these phases is described in terms of physical, cognitive, socio-emotional and moral development (Newman & Newman, 2003:254).

In order to work with children, all professionals should have a comprehensive working knowledge and clear understanding of the phases and issues of the child's development in a number of areas. This research will focus on the allegedly sexually abused child in the middle childhood and therefore it is imperative that middle childhood should be defined.

3.3   THE MIDDLE CHILDHOOD

The period from approximately 6 to 12 years of life is generally known as middle childhood (Louw *et al.,* 1998:321; Cole & Cole, 2001:468; Newman & Newman, 2003:254) and the onset thereof is recognised in cultures around the world.

The period between 6/7 and 11 years is referred to by Berger (2003:299) as the "school years" where children are mastering new concepts, new vocabulary and new skills. According to Piaget (Shaffer, 1996:266), the ages 6 to 7 is "precisely the time when children are decentring from perceptual illusions while in the process of acquiring the cognitive operations that will enable them, among other things, to classify animals, people, objects and events, and to understand the relations between upper and lower case letters".

In South Africa, school attendance is compulsory and according to Section 3(1) of the South African Schools Act, 1996 (Act No. 84 of 1996), a learner must attend school from the first day of the year in which he/she reaches the age of 7 years until the last school day of the year in which he/she reaches the age of 15 years, or the Grade 9, whichever occurs first. However, according to the South African Schools Act, 1996 (Act No. 84 of 1996) parents may enrol their child if the child turns 6 before June of the school year. The primary school system accommodates the middle childhood child in three phases, namely the foundation phase (Grades 1 – 3: age 6 to 9/10); intermediate phase (Grades 4 – 6: age 9/10

to 12); senior phase (Grade 7: age 12/13) (The South African Schools Act, 1996). This study focuses on children in the middle childhood, involving children who may be in Grade 1 to Grade 7.

The researcher experienced that when a child enters Grade 1, new expectations arise regarding the child's behaviour (Berger, 2003:299) as they spend less time under the parents' supervision. More emphasis is placed on responsibilities and tasks away from home, e.g. attending formal school, homework and participating in extra-mural activities. In South Africa many children stay at after school facilities and use public transport to travel to and from their homes. Often both parents work and therefore many children are left with older siblings who must take care of them. From the researcher's working experience with victims of sexual abuse, it became evident that these children spend less time under direct supervision from parents, which may result in the child falling at risk for possible sexual abuse.

3.4 PHYSICAL DEVELOPMENT AND THE DEVELOPMENT OF MOTOR SKILLS

As children move out of the home to be introduced to the outer world on their own, they need more motor skills. Genetic contribution to size can be seen in the height and rate of growth typical of different populations and families (Louw *et al.,* 1998:321).

3.4.1 General physical development

Like all aspects of development, children's growth depends on the interaction of environmental (Craig & Baucum, 2002:318) and genetic factors (Berger, 2003:309). Inherited differences may influence children's ability in sports activities and many other physical activities (Berger, 2003:309) and it may occur that a child will not necessarily perform on the same level as children who inherited advanced

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motor skills from their parents. Environmental factors that moderate growth potential are nutrition and health (Cole & Cole, 2001:472).

Size and strength increase significantly in the years from age 6 to 12, but slower than during early childhood (Newman & Newman, 2003:255). Outstanding characteristics of the physical development during middle childhood are, according to Louw *et al.* (1998:323), the rapid growth of the arms and legs in comparison with the body, and a slower growth rate in comparison with the earlier pre-school period. The average annual growth in the middle childhood is approximately 6 cm in height and 2 kg in weight (Cole & Cole, 2001:473), and height increased from approximately 120 cm at age 6 to 150 cm at age 12. Weight increased from 20 kg to 40 kg in this same period (Newman & Newman, 2003:255; Louw *et al.,* 1998:323).

The most common problem during this stage is children who are overweight or obese, affecting them physically and emotionally (Berger, 2003:302). The researcher found that many victims of sexual abuse are overweight due to overeating (Craig & Baucum, 2002:321). In practice the researcher experienced that girls of 11 years look more mature and older for their age in comparison with boys of the same age. For this reason interviewers must be careful during formal interviews not to have higher expectations from girls, but to keep to guidelines for the specific age group.

As discussed, children in the middle childhood have to cope with a body that is getting bigger, taller and stronger and the growth thereof may look out of proportion. Other physical changes according to Louw *et al.* (1998:323) include the following:

- Milk teeth are replaced by permanent teeth.
- The circulatory system develops at a slower rate.
- The brain reaches 90% of its adult size (Craig & Baucum, 2002:318).
- The respiratory system functions more economically.

Table 3.1:   Physical development during middle childhood

AGE	DEVELOPMENT
7 to 8 years old	• Steady increase in height and weight. • Steady increase in strength for both boys and girls. • Increased use of all body parts. • Refinement of gross motor skills. • Improvement in fine motor skills. • Increasing variability in motor skills performance.
9 to 10 years old	• Beginning of growth spurt for girls. • Increase in strength for girls accompanied by loss of flexibility. • Awareness and development of all body parts and systems. • Ability to combine motor skills more fluidly. • Balance improvement.
11 years old	• Girls generally taller and heavier than boys. • Beginning of growth spurt for boys. • Accurate judgements in intercepting moving objects. • Continued combination of more fluid motor skills. • Continued improvement of fine motor skills • Continued increasing variability in motor skill performance.

Adapted from Craig and Baucum (2002:320); Berger (2003:303); Newman and Newman (2003:254) and Woolfolk (2001:90).

From experience with child victims of sexual abuse, the researcher found that children in the middle childhood, who are sexually abused, may think that their bodies are damaged (Finkelhor & Brown, 1985:530; Wieland, 1997:15). They may also blame the sexual abuse for physical changes or delayed growth. The researcher found that a female victim would for example blame the sexual abuse if

her breasts are developing quicker than her friend's, or if she has not started with her menstrual period at the same time as her peers did. The forensic interviewer needs to be sensitive regarding these aspects, as it is vital to be reminded that the child sitting in front of the professional is challenged with a lot of physical changes, which are not necessarily experienced in the same way as non-victims. If questions regarding physical development arise during the interview, the interviewer needs to normalise it in a neutral way.

3.4.2 Motor skills

Children of school age become better at performing controlled, purposeful movements (Woolfolk, 2001:90) and their newly acquired physical abilities are reflected in their interest in sports and other adventurous stunts.

3.4.2.1 Gross motor skills

It is highlighted by Cole and Cole (2001:499) that compared to girls, boys are superior in many motor skills during middle childhood. Muscles become stronger and therefore the average 10-year-old boy would throw a ball twice as far as the average 6-year-old boy (Berger, 2003:301) and can run faster and exercise longer. Although girls make similar progress in throwing and catching, at each age their throwing distance is on average shorter than that of boys (Craig & Baucum, 2002:319; Newman & Newman, 2003:254).

During interviews with children in the middle childhood, the researcher has experienced that children like to run, jump, skip, cycle, skate, swim, kick a ball, do ballet and participate in a variety of other sports (Cole & Cole, 2001:498). Talking about these activities is a good contact point to facilitate discussion and assessing their ability to communicate. It is the researcher's experience that due to increased exposure to television, Playstation and television games, modern children are less mobile and consequently their motor skills are limited.

During interviews boys tend to get bored easily when faced with tasks where they have to sit still. It is observed that they would move their bodies more than girls during interviews. They also tend to ask for physical activities during the interviewing process. Girls, however, tend more to be able to sit still and talk about feelings and happenings at school.

It is thus imperative for the forensic interviewer to be prepared to adapt their interviewing process to accommodate children's different needs. Boys may need more breaks and may need to move around during the interview. Girls, on the other hand, tend to be more responsive than boys (Louw *et al.,* 1998:323).

3.4.2.2   *Fine motor skills*

Most of the fine motor skills required for writing develop between the ages of 6 and 7 (Craig & Baucum, 2002:319; Cole & Cole, 2001:499) and therefore it can be expected from the child to make pictures during interviewing, write his/her name and names of family members, with assistance with spelling where necessary. Between the ages of 6 and 7 some quite normal children cannot draw a diamond or make many letter shapes until they are 8 years old (Craig & Baucum, 2002:319) and it is therefore important for interviewer not to make an assessment that a child is developmentally behind based only on his/her fine motor skills. Some children naturally write more neatly than others (Berger, 2003:309) and left-handed children, for whom writing a right-handed language such as English runs against the natural direction of their body, and poorly co-ordinated children, may also be left out of group activities due to the fact that their work is not neat. It is the opinion of the researcher that during a forensic interview with the child, the professional should never comment on handwriting that is not neat, or on any inability that the child is displaying, but should rather comment on the child's willingness to try. If a child does not want to make a drawing or write something, he/she must never be forced, as there will be a valid reason why the child does not want to draw. By forcing a child to make a picture, his/her level of anxiety may increase, which will inhibit the facilitation of information about the alleged offence.

3.5 COGNITIVE DEVELOPMENT

Although the child in middle childhood is capable of operational thinking, such thinking is still concrete and not abstract (Sutherland, 1992:16). Piaget and Vygotsky (Newman & Newman, 2003:69) developed two main theories on cognitive development respectively; however, the focus of these two theories differs. Piaget's theory (Meyer & Van Ede, 1998:77) focuses on individuals in interaction with their environment. Vygotsky (Newman & Newman, 2003:73; Smith *et al.,*1998:36) proposed that development could only be understood within a social framework where thinking develops through the learning process.

Table 3.2:   Concepts from the theories of Piaget and Vygotsky

PIAGET	VYGOTSKY
• Active learning: The child's own search for understanding, motivated by the child's inborn curiosity.	• Guided participation: The adults or other mentors aid in guiding the next step of learning, motivated by the learner's need for social interaction.
• Egocentrism: The pre-schooler's tendency to perceive everything from his/her own perspective and to be limited by that viewpoint.	• Apprenticeship in thinking: The pre-schooler's tendency to look to others for insight and guidance, particularly in the cognitive area.
• Structure: The mental assumptions and modalities the child creates to help him/her organise his/her understanding of the world. Structures are torn down and rebuilt when disequilibrium makes new structures necessary.	• Scaffold: The building blocks for learning put in place by a teacher or a culture. Learners use scaffolds, and then discard them when they are no longer needed.
• Symbolic thought: The ability to think using symbols, including language. The ability emerges spontaneously at about age 2 and continues throughout the child's life.	• Proximal development: The next step in cognition, the ideas and skills a child can grasp with assistance, but not alone. It is influenced not only by the child's own abilities and interests, but also by the social context.

(Berger, 2003:251.)

The researcher concludes that both theories emphasise that learning is not passive, but is affected by the learner. Although both theories share concepts and terminology, they differ in the emphasis which is put on the learner, other individuals and the social environment.

Some authors identified limitations to Piaget's theory (Kuehnle, 1996:50; Sutherland, 1992:64), due to arguments that all developmental changes occur from a small number of reorganisations of the cognitive system as a whole. However, the researcher is of the opinion that it offers a useful framework (*Stanford Encyclopedia of Philosophy*, 2006) for understanding children's vulnerability to sexual exploitation and therefore it will be discussed.

3.5.1   Piaget's cognitive-developmental theory

The cognitive-developmental theory according to Piaget (Woolfolk, 2001:28) motivates that children move through four stages of development, namely: sensorimotor, pre-operational, concrete operational, and formal operational. During these phases the exploratory behaviours of infants transform into the abstract, logical intelligence of adolescence and adulthood (Berk, 2003:219).

Table 3.3:   Piaget's cognitive-developmental theory

Sensorimotor (birth – 2 years)	• Formulation of complex sentences. • Increased motor schemes which allow infants to organise and exercise some control over their environment.
Pre-operational (2 – 7 years)	• Develop tools for representing schemes symbolically through language, imitation, imagery, symbolic play and symbolic drawing. • Knowledge is still very much tied to own perceptions.
Concrete operational (7 – 11/12 years)	• Appreciate the logical necessity of certain causal relationships. • Can manipulate categories, classifications systems and hierarchies in groups.

	• More successful at solving problems that are clearly tied to physical reality than at generating hypotheses.
Formal operational (11/12 years and older)	• Level of thinking permits a person to conceptualise about many simultaneously interacting variables. • Creation of a system of laws or rules that can be used for problem-solving.

Adapted from Newman and Newman (2003:71) and Daven and Van Staden (2004:51).

This study focuses on the middle childhood and the researcher will therefore discuss the concrete operational stage.

3.5.2   The concrete operational stage

The concrete operational stage, which spans the years from ages 6 to 12, is viewed as a major turning point in cognitive development. Reasoning in this stage is far more logical, flexible and organised than cognition during the pre-school years (Newman & Newman, 2003:71). The thoughts of the child in the concrete operational stage are (Craig & Baucum, 2002:324):
:

• flexible;

• reversible;

• not limited to the here and now;

• multidimensional;

• less egocentric;

• marked by the use of logical inferences; and

• marked by the search for cause-and-effect relationships.

3.5.2.1   Tasks achieved during the concrete operational stage

According to Piaget (Shaffer, 1996:264; Woolfolk, 2001:29; Matlin, 2002:8; Berk, 2003:241; Cole & Cole, 2001:477; Van Dyk, 2005:151; Louw, Van Ede & Louw, 1998:329) the following tasks are achieved during this stage:

- **Conservation**

  The most famous versions of Piaget's conservation task (Berk, 2003:241) involve presenting children with two identical glass beakers containing the same amounts of liquid to see if they understand conservation of quantity. The experimenter begins by pouring the contents of one of the beakers into a third beaker which is taller and narrower. Pre-school children would say that the taller beaker has more liquid than the other beakers. At the age of 8 years, children seem to fully understand that the new beaker is both taller and narrower, but that a change in one dimension of the beaker is offset by a change in the other (Woolfolk, 2001:32). The child co-ordinates several aspects of the task rather than centring on only one. The older child engages in decentration, recognising that a change in one aspect of the water (its height) is compensated for by a change in another aspect its width (Smith *et al.,* 1998:63). This explanation also illustrates reversibility – the capacity to imagine the water being returned to the original container as proof of conservation (Cole & Cole, 2001:477). This implicates that the child in the middle childhood would, for example, be able to notice that the perpetrator's penis was not the same after he/she started stroking it. The researcher experienced that this also is the reason why a child would also be able to draw a picture of the happenings, illustrating what happened and also depict emotions experienced at that stage.

- **Seriation**

  Seriation is the ability to arrange objects systematically in a series from small to large or from large to small (Meyer & Van Ede, 1998:80). The child will thus be able to say that the alleged perpetrator (for instance another child) was bigger, taller than him/her, indicating that it was an older child. The child

would also be able to argue that the alleged perpetrator is shorter and thinner than his/her father and therefore be scared of his/her father.

- **Spational reasoning**

Children of school age children have a more accurate understanding of space than pre-schoolers (Louw *et al.,*1998:330). The child in the concrete operational stage has a more accurate understanding of distance, direction and cognitive maps than the child in the pre-operational stage (Berk, 2003:242). The child would, for example, indicate that the grandfather, who allegedly abused her, is the one who stays far; indicating it is not the person staying in the same town (Cole & Cole, 2001:477). The child would also be able to tell that the perpetrator was close to him/her when the abuse happened. School-aged children's more advanced understanding of space can also be seen in their ability to give directions. Between the ages of 7 and 8 years, children start to perform mental rotations (Cole & Cole, 2001:477). As a result, they can identify left and right for positions they do not occupy (Berk, 2003:241). From the age of 8 to 10 years, children can give clear, well-organised directions for how to get from one place to another (Van Dyk, 2005:151). Six-year-olds give more organised directions after they walk the route themselves or are specially prompted; otherwise, they focus on the end point without describing exactly how to get there. It is thus within the middle childhood child's ability to direct the police or interviewer to the venue of the abuse, if the area is known to the child, or to give an indication of close to which prominent marker the alleged sexual abuse happened.

- **Cognitive maps**

Children's drawings of familiar large-scale spaces, such as their neighbourhood or school, also change from early to middle childhood. These cognitive maps require considerable perspective-talking skill, since the entire space cannot be seen at once (Matlin, 2002:8). In the early school grades, children's maps become more organised. They draw landmarks along an organised route of travel, such as the path they walk from home to school – an accomplishment which resembles improvement in their ability to give direction (Meyer & Van Ede, 1998:83). It can therefore be expected from a

child to make a drawing of the house or neighbourhood where the alleged sexual abuse took place.

- **Decentration**

  The child in the concrete operational stage can ignore misleading appearances and focus on more than one aspect of a situation when seeking answers to a problem (Louw *et al.,* 1998:71). This means that the interviewer could ask for more detail when interviewing the child in this age group than he/she would expect from a younger child. The child would be able not only to give detail regarding the sexual behaviour that took place, but also give information regarding the context in which it took place, as well as the reactions of the alleged perpetrator and of the child self (Woolfolk, 2001:32).

- **Declining egocentrism**

  Children can now communicate more effectively about objects they cannot see (Berger, 2003:334) and is in the process mastering the ability to see things from someone else's point of view. The researcher experienced during forensic interviewing that children would often tell that when the alleged perpetrator called them, they knew "it" is going to happen again. They also sometimes mention that the perpetrator would close the curtains so that nobody could see from the outside, illustrating their thoughts are not that egocentric anymore.

- **Decreasing animism**

  Children in the middle childhood are more aware of the biological bases for life and do not attribute lifelike qualities to inanimate objects as pre-schoolers do (Shaffer, 1996:264). They would, for example, know that Father Christmas, the tooth fairy and the Easter bunny are not real, but still play along for the fun. The interviewer would, for example, not use techniques like: "Tell the bunny what makes you sad"

It is thus imperative that interviewers are aware of the above-mentioned concepts as they may lead to ineffective interviewing techniques and wrong deductions, should they not be accommodated.

3.5.2.2 Limitations of concrete operational thought

Children in the middle childhood can reason logically only about concrete information that they can perceive directly (Cole & Cole, 2001:478) like objects, situations, or events that are real or imaginable. Their mental operations work poorly with abstract ideas (Berk, 2003:241) and 7- to 11-year-old children cannot yet apply this relational logic to abstract signifiers such as the X, Y and Z which are used in algebra (Shaffer, 1996:26). In South Africa algebraic concepts are introduced in the Grade 7 curriculum (children aged 12/13). Even though children in this age group have the ability to perform the mental actions such as reversibility and are less egocentric, which enable them to understand the perceptions of others, they still have great difficulty answering abstract and hypothetical questions (Müller, 2002:43).

The researcher has experienced that due to the more advanced cognitive development in the middle childhood, it is easier to interview these children and to get more accurate and detailed information as they tend to be more talkative, have learnt to adjust to new situations (new teachers and classmates every year), and learnt how to get along with adults as they spend most of their day under the supervision of adults outside their homes.

In table 3.4 the relationship between Piaget's stages of cognitive development and the child's interpretation of sexual abuse is highlighted.

Table 3.4: The relationship between Piaget's stages of cognitive development and the child's interpretation of sexual abuse

AGE RANGE	THE CHILD VICTIM'S INTERPRETATION OF THE SEXUAL ABUSE
18 months to 8 years	• Child does not understand "intention" and would not necessarily identify the perpetrator as "bad". • Child can easily be manipulated through curiosity or fear. • Child will believe that the perpetrator has supernatural powers if told so by perpetrator.

8 years to 12 years	• Child understands sexual behaviour is wrong and may think he/she is bad because he/she is engaged in "bad" behaviour. • The child can be manipulated into worrying about the consequences to the perpetrator without having insight into consequences for him-/herself.
12 years to 15 years	• Child may now begin to understand the concept of exploitation and think about the consequences of the sexual abuse to him-/herself. • Child may be capable of independently initiating a false allegation for reasons of attention, revenge, or to escape an emotionally/physically abusive family.

Adapted from Kuehnle (1996:51).

The researcher is of the opinion that children in the middle childhood is not only vulnerable to fall prey of sexual offenders, but the possibility of not telling because they feel it is their fault, or want to protect the offender could cause many children to be left in an abusive situation. It is the opinion of the researcher that when sexual abuse victims are interviewed, it is imperative to understand how they would interpret sexual abuse when it happened to them. From experience it was evident that children do not see victimisation in the same way as adults do. They tend to think the sexual abuse is their fault or blame themselves for not stopping it or telling someone sooner.

3.6   MEMORY

Cognition, known as "mental activity" describes the acquisition, storage, transformation and use of knowledge (Meyer, 1998:10; Matlin, 2002:2). It includes a wide range of mental processes such as perception, memory, imagery, language, problem-solving, reasoning and decision-making. In this study attention will be given to memory and how it works.

3.6.1 Information-processing system

The information-processing system (Berger, 2003:328) is explained in terms of the sensory register, the working memory and the long-term memory. The sensory register stores incoming stimulus information for a split second after it is received, to allow it to be processed (Lyon & Saywitch, 2006:850). Information comes in through our position and via our five senses namely sight, sound, smell, taste and touch. Based on the individual's beliefs, expectations and feelings and on past experiences, the individual begins to have a present experience of the event (Müller, 2002:56). The individual then starts to process the experience. The most important factor influencing it, is rehearsal (thinking, talking or writing about it). Most sensations that come into the sensory register are lost or discarded, but meaningful information is transferred to the working memory (short-term memory).

It is in the working memory that a person's current, conscious mental activity occurs (Botha, Van Ede, Louw, Louw & Ferns, 1998:241). The working memory includes: what is going on at the moment; a person's understanding of reading a text at the specific moment; any previous knowledge recalled that is related to it; (Jordaan & Jordaan, 1998:498); and also perhaps distracting thoughts, e.g. weekend plans, or the interesting person next to you. In the absence of rehearsal, information in the short-term memory remains for about 15 to 30 seconds (Craig & Baucum, 2002:258). Some thoughts are discarded, while a few are transferred to long-term memory (Berger, 2003:328).

The long-term memory stores information for minutes, hours, days, months or years (Matlin, 2002:457). This capacity of how much information can be stored, is limitless.

Memory thus involves the acquisition (or encoding), storing and retrieving of the stored information (Lyon & Saywitz, 2006:850; Müller, 2002:56; Kuehnle, 1996:78).

It is the experience of the researcher that investigation of allegations of sexual abuse is complicated where the eyewitness or victim is a child. Not only does the

dominant partner in the crime not often admit guilt, but due to among other factors such as the cognition of the child witness, he/she is regarded as unreliable. The researcher has experienced that it is very important for a professional to have a good understanding of children's working memory and therefore it will be discussed.

3.6.2 Encoding or acquisition

Encoding is the process of how a person would lay down a memory trace into his/her recorded consciousness. Therefore, simply using open-ended questions to ask children to recall an event again and again does not necessarily have a detrimental effect on memory (Lyon & Saywitz, 2006:850) and may even help children consolidate memory over short delays.

During the acquisition of information, the child must perceive and attend to the event (Kuehnle, 1996:78). Perception is a process that uses previous knowledge to gather and interpret the stimuli that the senses register (Jordaan & Jordaan, 1998:285; Matlin, 2002:2). A trace of an experience becomes registered in memory (Müller, 2002:57; Woolfolk, 2001:244). There is selectivity as to what gets encoded in the storage system at the initial stage, since in most cases attention is given to certain aspects of an event, while other aspects are ignored.

3.6.2.1 Factors which influence children's acquisition of information

The researcher became aware of the gap between what adults want and what children think is important in sexual abuse situations. Children are trained what to do when someone violates their boundaries, but in most cases they are still not able to assert themselves. They are furthermore not prepared for what would be expected from them in a forensic interview, i.e. explicit detail and elaboration on context detail. It is the experience of the researcher that children in the middle childhood are more likely to encode some central actions during the abuse event. They also encode information which makes the biggest impact on them and not

necessarily what the interviewer thinks is important. They are less likely to encode details about the location or person(s) involved, despite the fact that these details are usually necessary for the successful prosecution of a case.

Factors which influence the information that enters the child's memory system are: knowledge, interest value of stimuli, duration and repetition of the original event, stress level, the distinctiveness of the experience and the traumatic nature of the happenings at the time when encoding takes place (Ceci & Bruck, 1995:41-42; Ney, 1995:103; Bruck, Ceci & Principe, 2006:805).

- **Prior knowledge**
    Prior knowledge influences how an individual monitors the world, interprets events, and selectively attends to certain types of stimuli while excluding other types (Bruck *et al.,* 2006:807). A child's prior knowledge regarding the experience in which he/she is interacting or observing appears to influence how events are interpreted, coded and put in memory (Keuhnle, 1996:79). This child's understanding of the sexually abusive events which he/she has experienced may have an important impact on what enters into memory storage and how it is organised (Jordaan & Jordaan, 1998:285). The researcher experienced that children who had to report an incident which only happened once, a long time after the event, were not as clear about details as those who reported several incidents about sexual abuse.

- **Interest value of stimuli**
    Details about persons, actions, or objects in which a child is interested are more likely to be encoded than less salient stimuli. The more a child knows about something, the more likely he/she is to be interested in it, and therefore better motivated to remember it (Greenhoot, Ornstein, Gordon & Baker-Ward, 2000:363). Children are aware of societal taboos regarding sexuality, and therefore sexually abusive behaviour may cause the child to be embarrassed. Although the behaviour may be well remembered, the child may not report it (Ceci & Bruck, 1995:42). A marked improvement in memory occurs between the ages of 7 and 11 years (Berger, 2003:329; Craig & Baucum, 2002:259). Despite this, the researcher experienced that school-

going children are more likely to remember information about activities and objects than details concerning people or locations. This may have a detrimental impact on the details regarding the alleged offence which is facilitated as children may not be able to give accurate information on the crime as requested by the legal system.

- **Duration and repetition of the original event**

  Memories of children who are abused repeatedly will be stronger than those of children who experience just one incident (Ceci & Bruck, 1995:42). It is the opinion of Kuehnle (1996:78) that if one event is not repeated within a specific time period, the memory of that event could be deleted. When a child is an active participant in an event, greater attention may be directed to the details of the event than when the child is simply an observer (Kuehnle, 1996:82). After multiple occurrences of an event, details which are generally experienced in the same way during each occurrence, are strengthened in memory (Bruck *et al.,* 2006:806) and consequently, with repeated experience, children's reports become increasingly general or script-like, focussing on what usually happened (Ney, 1995:104). The more frequently events are experienced, the longer the time delay between the event and the interview and the greater the similarity between events, the more difficult it is for children to keep track of which details were included in a particular occurrence (Bruck *et al.,* 2006:807). It may thus result in children being confused about details when asked about specific happenings during a specific incident. It is the experience of the researcher that many children only disclose months and even years after the victimisation, which have an impact on the details they may reveal. In the South African criminal courts it is expected of a child to give detailed information, irrespective of how long ago the abuse occurred (Venter, 2006). It is also expected of the child to distinguish between the different incidents, resulting in children contradicting themselves and subsequently the perpetrator may walk free.

- **Stress level**

  Stress experienced during an event may strengthen a child's ability to focus and facilitate the encoding of information (Fivush, 1998:715). However, it

was found that high levels of stress may slow down memory (Merrit, Ornstein & Spicker, 1994:20). Stress alone may not impair memory processes, but stress that results from intimidation may lead to either impairment in encoding or problems in recalling or reporting memories (Ceci & Bruck, 1995:42). Confrontational stress has a negative effect on school-age children's reports of their memories (Müller, 2002:56). It is the opinion of the researcher that the amount of stress experienced by the child is not necessarily determined by the number of times the event occurred, but by the child's personality, resilience, support and faith in life, the nature of the offence and relationship with the perpetrator. The researcher is also of the opinion that the child must not be interviewed in the presence of the perpetrator and the interviewer should make sure that the child feels safe in the interview environment. If the child needs to be taken back to the crime scene, precautions must be taken in order to prevent further traumatisation.

- **Distinctiveness of the experience**

A factor which may have an effect on the ability to remember the trauma is the distinctiveness or uniqueness of the event against the background of the particular child's past experiences (Bruck *et al.,* 2006:805). However, studies by Howe, Courage and Peterson (1995:131) showed that previously distinctive experiences may lose their uniqueness and their memorability with additional experience. It is thus important for interviewers to always take note of the fact that the child could have gained experiences after the alleged abuse took place, which are now enmeshed or incorporated with his/her memory of what happened. In order to address these issues, as part of the proposed protocol, the interviewer should ask the child after the interview if there is any of the information that he/she is not sure about, and if he/she heard any of it from someone else.

- **Traumatic nature**

Just like ordinary memories, traumatic memories also become less accessible as time passes by. According to Bruck *et al.* (2006:204) children's trauma memories are not repressed or hidden from consciousness, "rather the core of the events tends to be well remembered over time… and it seems

that traumatic memories are not of a unique nature, nor do they require special principles to explain their operation". It is the opinion of the researcher that the interviewer plays an instrumental role in helping the child to access these traumatic memories. This can be achieved by creating a calm and child-friendly atmosphere; the interviewer self must be open, respectful and have good rapport with children; and no pressure should be put on children to disclose.

3.6.3 Storage

Three memory-storage strategies, namely rehearsal, memory organisation and elaboration will be discussed.

3.6.3.1 Rehearsal

Rehearsal is the process of repeating to oneself the material that one is trying to memorise, such as a word list, a song, or a telephone number. Studies show that children that rehearse tend to recall more than children who do not (Cole & Cole, 2001:485; Woolfolk, 2001:247).

3.6.3.2 Memory organisation

Memory organisation is a memory strategy in which children mentally group the materials to be remembered in meaningful clusters of closely associated items so that they have to remember only one part of a cluster to gain access to the rest (Ney, 1995:104; Starks & Samuel, 2002a:24). In the middle childhood years children are more likely to link words according to categories such as animals, foods or geometric figures (Cole & Cole, 2001:485). The consequence of these changes is an enhanced ability to store and retrieve information deliberately and systematically.

3.6.3.3 Elaboration

Elaboration is a process in which children identify or make up connections between two or more things which they have to remember (Cole & Cole, 2001:485).

3.6.4 Retrieval

Whenever the individual may need it or when something else may trigger it, information can be retrieved. Retrieval is thus how we activate our memory of the experience when triggered or required (Berger, 2003:328; Craig & Baucum, 2002:258). Factors such as speed and accuracy of pronunciation help to explain why older children can recall a greater number of words (Matlin, 2002:457).

The final phase of the memory process involves retrieval of the stored information. Yet, not everything can be retrieved at all times. Many factors, both social and cognitive, influence the child's ability to gain access to previously acquired information (Müller, 2002:58). According to Greenhoot *et al.* (2000:363) a child's language skills and understanding of an interviewer's questions may influence his/her ability to recall and to describe events.

In the context of interviews with child sexual abuse victims, Starks and Samuel (2002:24) identified three types of memory techniques to be used by professionals:

- Recall memory which requires thought and then a long descriptive answer, e.g.: "Tell me everything about the naughty things?", "Tell me more about what happened when he came into the bathroom", or "And then what happened…and…?"
- Recognition memory, which requires a person "pick one" or "confirm/deny" the answer, e.g.: "Were your clothes on or off?" or "Did he say anything about telling?" The researcher is of the opinion that interviewers should use this technique with caution as it could be regarded as leading (Carstens,

2006). Should the interviewer utilise these techniques, he/she should clarify the child's answer in order to determine whether the child is giving information which he/she really experienced, e.g.: "You said your clothes were off. How do you know that?" It is the opinion of the researcher that recognitions should never be used to facilitate a disclosure or determine the identity of the perpetrator.

• Memory/questions interrelation always attempt to "pair" recognition memory questions with a recall memory question, e.g.: "Tell me everything about how your clothes got off" and "Tell me everything he said about telling" (Starks & Samuel, 2002a:24).

According to Bruck *et al.* (2006:801) "if a child's indicting statements are made in the absence of any previous suggestive interviewing and in the absence of any motivation on the part of the child or adults to make incriminating statements, then the risk that the statement is inaccurate is quite low". A study by Loftus (2006) found that misinformation posed to eyewitnesses resulted in people claiming that they saw the misinformation details in the original event. In another study of children between the ages of 3 and 8 years (Poole & Lindsay, 2001:27) it was found that children are vulnerable to misinformation from especially parents. This is applicable when parents and interviewers use leading and suggestive questions, resulting in contamination of information. The researcher is of the opinion that it is thus important that interviewers must not use leading questions or suggest to the child what has happened, as it has serious consequences not only for the accused person, but also for his relationship with the child, his family and other relevant parties.

3.6.5 Suppression

Suppression means that an individual has consciously elected not to dwell on information, because it is too unpleasant, embarrassing or threatening (Ceci & Bruck, 1995:194). After a while such an individual will lose contact with the memory as a result of not thinking about it. However, this memory can resurface if a hint or reminder is given. The term "denial" is used by Whitfield (1995:89) to

describe the avoidance of an individual's awareness of the reality of traumatic experiences. The researcher uses play-related communication techniques where certain cues are used to bring suppressed memory to the foreground.

3.6.6 Repression

In contrast with suppression, repression is an automatic and unconscious process. A repressed memory is not easily elicited by a cue or hint (Ceci & Bruck, 1995:196) and often repressed primarily when there have been multiple traumatic experiences. Repression is defined by Whitfield (1995:90) as "an automatic psychological defence against unbearable emotional pain wherein we forget a painful experience and store it in our unconscious mind". The researcher is of the opinion that interviewers who only manage to access one memory of sexual abuse from a child, but evidence show multiple occurrences, must keep in mind that the child may have repressed the memory of the others.

After experiencing trauma, memory blocks are common and they tend to occur most frequently in the rehearsal and in retrieval. The person is thus somehow inhibited or prohibited from completely processing and expressing their experience (Whitfield, 1995:92). In the management of child sexual abuse cases, professionals who interview child witnesses are concerned with the retrieval of details related to the events which the children have experienced. Children also recall less information as the delay between the event to be remembered and the interview increases (Lamb *et al.,* 2000:1586).

3.6.7 Dissociation

Dissociation refers to a disconnection between one form of memory and another. According to Whitfield (1995:93) the degree of dissociation may be mild, moderate or extreme. Various types of information in memory (feelings, thoughts, and actions) may not be integrated and as a result the individual may express out-of-body feelings, self-induced trance states and inappropriate emotions (Ceci &
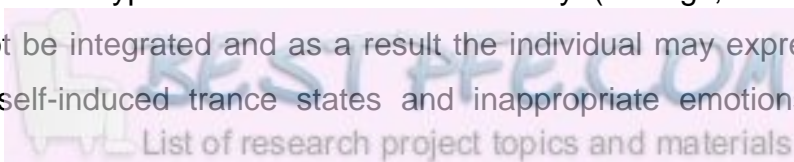
Bruck, 1995:196; Walters, 2001:4). In other words, the memory of a thought is split from the memory of its emotional content, resulting in robot-like enactments of events. It is claimed that dissociation results most commonly from trauma, and particularly trauma related to sexual abuse.

In a study of adult survivors of childhood sexual abuse, McNally, Ristuccia and Perlman (2005) reported that those who were molested by their caretakers are especially likely to dissociate their memories of abuse. Another study conducted by Goodman, Ghetti, Quas, Edelstein, Alexander, Redlich, Cordon and Jones (2003:114) with 175 individuals with documented child sexual abuse histories, 81% reported the documented abuse, concluding that the forgetting of child sexual abuse may not be a common experience. The researcher has not observed dissociation as a common phenomenon and in all her years of dealing with child sexual abuse could only identify one child out of approximately 500 who positively dissociated herself from the sexual abuse.

3.6.8   Suggestibility

According to several studies conducted over the years (Clarke-Stewart, Malloy & Allhusen, 2004:1043) generalisations were formed regarding children's suggestibility. It is stated that younger children, children from low-socio economic families, children with lower levels of intelligence, girls, children with inferior memory abilities, children with less inhibitory control and children who received less parental support are more vulnerable to suggestion (Alexander, Goodman, Schaaf, Edelstein, Quas & Shaver, 2002:282; McFarlane, Powell & Dudgeon, 2002:227). However, it was found that vulnerability to suggestion is also highly common in middle childhood and not restricted only to the abovementioned groups (Bruck & Ceci, 2004:231).

The misconceptions among professionals that it is very difficult to implant memories and that false reports occur only when multiple suggestions are repeated over time, were challenged when research showed that children can incorporate suggestions about significant events after a single suggestive

interview (Bruck & Ceci, 2004:231). It is stated by Bruck *et al.* (2006:809) that a child may incorporate a suggestion because he/she forgets the original event or is confused as to whether he/she saw the original event or the suggestion.

In research by Bruck and Melnyk (2004:956) the researchers reviewed and synthesised the results of 69 studies examining the relationship between children's suggestibility and demographic factors, psycho-social factors and cognitive factors. The highest correlations with suggestibility were obtained for measures of self-concepts, maternal attachment style and parent-child relationships. This imply that children with a poor self-concept, poor supportive relationships with fathers or mothers, and with mothers who were insecurely attached in their romantic relationships were at risk for being suggestible when asked misleading questions (Bruck & Melnyk, 2004:988). It is the opinion of the researcher that it must be a golden rule for a forensic interviewer to guard against any leading questions, irrespective whether the above-mentioned factors are present.

Two studies were conducted in the United States of America and in Brazil respectively involving 193 children (Saltzstein, Dias & Millery, 2004:1082) where children heard hypothetical dilemmas about whether to keep a promise or tell the truth. An adult interviewer suggested the alternative to the child's initial choice. It was found that younger children (5 to 8 years) were more suggestible than older children (10 to 12 years). They also found in the study in the United States of America that suggestibility was greater when the interviewer was an adult than when the interviewer was a teenager.

The researcher is of the opinion that interviewers should adapt their use of language when working with smaller children and also continuously be aware that children may not resist suggestions and leading questions. One of the rules in the proposed interview protocol is that no suggestions or leading questions should be posed the child.

It was found by Loftus (2006) that after studying numerous research studies, it could be concluded that people who were given misinformation about events and also about an event that never occurred, definitely sometimes report to remember

seeing or experiencing things that were merely suggested to them. These studies were conducted with adults, but the researcher is of the opinion that it is also applicable to children. It is thus imperative that the forensic interviewer does not suggest any behaviour or context information to the child, and more so not suggest any names of perpetrators.

3.6.9 Parental factors influencing children's memory recall

It was found by Bruck *et al.* (2006:798) that when adults are asked to recall conversations, most adults recall the core content and not the exact words used, nor the sequence of interactions between speakers. This implies that the interviewer cannot rely on the feedback from the parent to assess whether leading questions were used when talking to the child after the initial disclosure. This could lead to false allegations or implanting misinformation. In a study by Alexander *et al.* (2002:263) memory and suggestibility were examined in 51 children between the ages of 3 and 7 years old. The children received an immunisation (as part of their standard medical care) and later answered questions about the event. Their parents were also subjected to questionnaires evaluating parental avoidance (discomfort with close relationships) and parental anxiety levels (fear of abandonment and rejection in the context of close relationships). The following potential sources of individual difference in the relation between children's stress and memory were found (Alexander *et al.,* 2002:282):

- As children's age increased, so did memory accuracy and resistance to suggestion. Older children were more accurate than younger children.
- Parental avoidance was associated with more stress in children. More avoidant parents may have been less supportive during the event and their children were less trusting of others, thus experiencing more arousal in stressful situations, involving adults impacting on memory retrieval later on. It means that parents who were less avoidant may have prepared their children better for the event. By knowing what to expect these children had

basic trust in adults and may have been better able to regulate their emotions during the event.

- Children of parents who had a high score on anxiety tended to give more information on response to free recall prompts and resisted leading questions. It thus suggests that children of anxious parents appeared to talk more, but still gave less accurate and more inaccurate information.

The researchers (Alexander *et al.,* 2002:282) argued that parents who scored low in both avoidance and anxiety were more secure; explaining why children of more secure parents had greater general cognitive abilities and may have performed better during memory interviews. They also emphasised that children who have a low score on avoidance may be more likely to talk to children about the experience, providing a narrative structure for children's memories, as well as opportunities for rehearsal, which are known to enhance memory.

Another study by Clarke-Stewart *et al.* (2004:1037) with 70 children aged 5 years old found that children with supportive and psychological healthy parents were better able to resist the interviewer's suggestive questions and persuasive attempts.

The above-mentioned findings were confirmed in practice by the researcher. It was found that children whose parents were secure (also implicating coping skills, support to the child and behaving in the presence of the child) tended to feel more secure and could access their memory of the abuse to give an understandable version of the alleged abuse.

It is the opinion of the researcher that it is important that forensic interviewers be aware that if a child cannot recall all the detail, it could be due to above-mentioned factors and the development level of the child (Kuehnle, 1996:78), and does not necessary implicate that the child is lying.

3.6.10 Personality characteristics as influence on memory recall

Individual differences among children in such areas as language, temperament, memory and intelligence can influence the reporting of information during an interview (Müller, 2002:56).

Because of children's increasing appearance in courtrooms as sole witnesses, there is a growing interest in whether children can give a reliable testimony of an observed or experienced event. A study was conducted by Roebers and Schneider (2001:9) where a sample of 217 children in the age groups 6, 8 and 10 years were included in the study. The researchers showed a video where a child was a victim of a robbery whereafter interviews with the children were conducted. An intelligence test was also conducted. The children were subjected to three interviews about the happenings in the video – an interview on the same day and then three weeks and four weeks after watching the video. The following findings were concluded by Roebers and Schneider (2001:18):

- Extremely shy children under the age of 8 years talked significantly less in unfamiliar situations and would give only a very brief description of the event, because they felt uncomfortable in the presence of a stranger.
- Extremely shy 10-year-olds reported more information from the film in their free narratives than did their peers who were not shy. It thus appears that older children cope better with pressure in the interview situation and have better verbal skills than younger children.
- In all three age groups children with a higher intelligence tended to give a more accurate report of events than did their peers with a lower intelligence.

The researcher found in practice that although shy children appear to have less to tell, they are attentive in situations and sometimes reveal more detail than extrovert children. However, due to language abilities in young children, shy children reveal less than they can really remember. Partial disclosure (Sorenson & Snow, 1991:15) also tends to be common. It is important for interviewers to make a greater effort to familiarise the child with the interviewer before the questioning starts. Therefore the researcher prefers to utilise play-related

communication techniques (see paragraph 4.6.6) where, to a certain extent, the playing field is levelled. Children are interviewed with material which they are familiar with, e.g. drawings, play dough and paint. The researcher is also of the opinion that when working with children with a lower intelligence, the interviewer should adapt to a slower process, simplify instructions and repeat questions if the child takes long to respond, as children are often too shy to tell that they do not understand the instruction or question.

3.7 ASKING A CHILD TO DRAW

Adults go to work everyday, use cell phones, the Internet and adult conversation to express themselves and make sense of our world. Many children use among other things, drawings as their way of expressing and communicate what they feel towards the world.

In the beginning young children scribble and around the age of 3 their drawings are marked with lines (Cole & Cole, 2001:364) and between the ages of 6 and 11 to 12 years of age, children increasingly draw how they actually see an object. At the same time their drawings begin to represent the perspective from which the object is seen (DeLoache, Pierroutsakos & Uttal, 2003:115). Eventually children begin to combine representations of people and things to make scenes depicting a variety of experiences (Cole & Cole, 2001:364).

A study by Bruck *et al.,* 2000:170) was conducted where pre-school children (ages 3 to 6 years) participated in a magic show. Later the children were given true and false reminders about the show. Half of the children were asked to draw the true and false reminders. The other half of the children were only asked questions about the reminders. It was found that children who drew pictures had better recall of true reminders, but also recalled more false reminders than the other group. Both groups reported that the false reminders actually happened (Bruck *et al.,* 2000:194). The researcher is of the opinion that an important factor challenging in the result as given above is that children in this age group were found by Saltzstein *et al.* (2004:1082) to be more suggestible than other children.

It can therefore be assumed that drawings must be conducted with care with children under the age of 6 years. However, for older children it is different and it is stated by (DeLoache *et al.,* 2003:115) that "full pictorial competence involves both perceptual abilities and conceptual knowledge" and children in the middle childhood with the concrete operational cognitive abilities (Berk, 2003:242) are able to make representations of happenings. Drawings may be used as a tool to clarify all or some of the child's verbal disclosure.

To ask a child to draw a picture about a specific event in combination with non-leading verbal prompts can enhance the verbal reports of children over the age of 4 years (Salmon, 2001:270). A study by Bruck, *et al.* (2000:170) found that when drawings are accompanied by misleading questions, it is associated with very high error rates in children's subsequent reports. It is thus imperative for forensic interviewers not to use any misleading or suggestive interviewing techniques.

The following advantages of the use of drawings during forensic interviews are highlighted by Hiltz and Bauer (2003):

• Establishing comfort and reducing intensity – Drawings may be used initially to build rapport and throughout the interview to establish comfort for the child. During the first interview with a child, the interviewer requests the child to make a picture about anything which will then be put on the wall, next to other children's pictures.

• Clarification – Drawings may be used to clarify all or some of a child's verbal disclosure, which may promote understanding between the child and the interviewer.

• Enhancing recall of detail – There is evidence that children who have the opportunity to draw in conjunction with verbalising their experiences, report significantly more information.

• Prodding memory – Drawings may help to facilitate disclosure of sexual abuse by helping a child to move closer to the abusive event. Drawing one aspect of a particular event may remind a child about other aspects of the same event.

- Documentation and evidence – Drawings made by the child during the investigation may be submitted as evidence during the trial. The researcher once testified in a criminal case where the picture made by the child during the assessment was submitted as evidence to prove that over time she stayed consistent regarding the allegations.

- Context-specific drawings – The child may be asked to draw the genitals of the alleged perpetrator if she mentioned that she saw them, draw the place where the abuse happened, as well as anything that the interviewer wishes to clarify. The researcher found it very useful to ask children to draw the place where the abuse happened, as the researcher experienced that more context detail comes out. The researcher also experienced that those children who make up the allegation struggle to draw the alleged abuse accurately, leave out detail and cannot manage to draw the alleged perpetrator in close relationship to him/her. Children also tend to draw an unhappy face on the figure representing themselves. The researcher found with children who admitted that they were lying about the allegation, that when they drew the picture about the sexual abuse, they drew a happy face on the figure representing themselves.

During ten years of practice in the forensic field, the researcher has grown to rely a lot on the child's portrait of the alleged offence committed. Although young children under 6 years may experience difficulties to draw explicit accounts (DeLoache *et al.,* 2003:115), it was found that they are able to at least draw the context in which it occurred. It is found by the researcher that when asked to draw the sexual abuse, children are very reluctant as if they try to avoid the visual stimuli of a horrible nightmare. After a child has completed a picture, it is imperative for an interviewer to, in a non-leading way, clarify what the child has made and if necessary ask for elaborative drawings. No interpretations should be allowed as this may be regarded as leading. Neutral encouragement is necessary.

3.8 LANGUAGE DEVELOPMENT

Language consists of a system of symbols (Jordaan & Jordaan, 1998: 360) which people use to make sense of things in ways that make sense to others. Children develop language skills in "layers" (Starks & Samuel, 2002a:18). Fully developed language concepts do not emerge until the child reaches his/her teens. In order for a person to understand another person's verbal messages and make intelligible verbal messages, at least three related skills (Jordaan & Jordaan, 1998: 360) must be learnt, namely:

- to link speech sounds with their meanings;
- to link words with the things, ideas and events which they symbolise; and
- to master the rules according to which words are combined to communicate intelligibly in a particular language.

In order to communicate and participate with family, friends and especially participate in school activities, a child must have the ability to communicate in a manner which is understood by the listeners (Louw, 2005:19). Language abilities continue to improve during middle childhood (Berger, 2003:352) as children successfully learn code-switching (when a person switch from one language register to another, e.g. from formal language to slang) and the ability to change from one form of speech to another (e.g. language with adults would differ from the slang, drama and gestures used with peers).

The researcher is of opinion that the forensic interviewer should be aware of the form of speech children use with their peers and accommodate that during their interviews in order to establish rapport. The researcher learnt through practice to use a few of these slang words when building a rapport, e.g. "I heard it is not cool to wear those pink bangles." From experience the researcher has found that most of the children in the middle childhood have the ability to make a sensible conversation. Even those who appeared to have learning difficulties can express themselves and follow instructions. Depending on the child's cognitive ability, the researcher has experienced difficulties to understand mentally retarded children who have a chronological age in the range 7 to 12 years. An understanding of

language development of children is imperative for conducting successful interviews with children.

The three theories that are currently dominating explanations of language acquisition are according to Cole and Cole (2001:332):

- The learning theories, claiming that words and patterns of words are learnt through imitation and through classical and operant conditioning.
- Nativist theories claim that children are born with a language acquisition device that is automatically activated by the environment when the child has matured sufficiently.
- Interactionist theories emphasise the cognitive preconditions for language acquisition and the role of the social environment in providing a language acquisition support system.

The researcher is of the opinion that factors like gender, social class and intelligence may have an influence on language development. Language development in girls tends to develop faster than boys (Louw *et al.,* 1998:189) due to more rapid physiological maturation and environmental factors like greater stimulation between mother and daughter (Newman & Newman, 2003:188). Children from lower socio-economical classes may show poorer language development due to less talking time with parents and a lack of a "pure" form of the mother tongue (Louw *et al.,* 1998:189).

A factor that needs to be treated with caution is the one where it is presumed that early talkers have a high IQ score (Louw *et al.,* 1998:189). However, it is commonly believed that a child who talks at a very early age is exceptionally intelligent. It is important that the forensic interviewer adapts his/her protocol according to the language development of the child. The researcher has experienced that very often children from lower socio-economical classes have a better language development regarding day to day happenings and are "streetwise". This may be due to more exposure to adult conversations, lack of supervision during social gatherings and exposure to situations where bigger families stay together, resulting in more conversation time.

3.8.1 Semantics

Semantics refer to the meaning of a word or a piece of writing (*Longman Dictionary of Contemporary English*: 2003:1294). If a child uses a particular word, it does not necessarily mean the child attached the same meaning to it as the adult (Louw, 2005:19; Müller, 2002:84). Starks and Samuel (2002a:18) are of the opinion that most miscommunication between adults and children occur when adults assume that a child has mastered a particular skill, when in fact the child has not. The researcher found through her experience with children in the middle childhood that they have a tendency to interpret words literally (Starks & Samuel, 2002a:18) or use words of which they do not know the meaning. An 8-year-old child overheard his brother saying that he has made his girlfriend pregnant and then saw him giving the girlfriend a chocolate. The 8-year-old boy also then told his friend at school that he has made his girlfriend pregnant (because he gave her a chocolate) without knowing what it means. It also happens that when a child does not understand a word (Müller, 2002:84), he/she may give that word the meaning of a similar word. If a child uses a symbol, concept or word it does not mean the child comprehends it, e.g. days of the week or numbers (Amacher, 2000). Studies conducted by Saywitz (1990:346) and Müller and Tait (1997:600) indicated that children under the age of 11 made mistakes regarding the following concepts:

- The word "jury" was frequently mistaken for "jewellery".
- A "case" was something books were carried in.
- A "court" was a place where basketball was played.
- A "judge" was described by children as a person who keeps score in a rugby match.

A 7-year-old child told the researcher that he is scared he will get "oats" after the abuse, meaning "Aids". The researcher is of the opinion that although the meaning some children attach to words are humoristic, it is important not to laugh at the child, pull a face or reprimand the child. The researcher is also of the opinion that the interviewer should only give the correct word to the child after the

meaning for the word has been clarified, otherwise this could lead to misinformation.

It is thus imperative for interviewers to clarify whether the child understands the instruction or question, and to clarify words that may be misinterpreted or confused by the child for some other word which is familiar to the child.

3.8.1.1 Developmental issues to consider regarding semantics

The following developmental issues with regard to semantics should be considered when forensic interviews with children in the middle childhood are conducted:

- **Words describing touch**

    Children may believe that only a hand can touch, and even if they did not see what touched their private parts, they will assume it was a hand (Poole & Lamb, 1998:161-177). Children in the middle childhood do not necessarily understand concepts like "in" in the context of whether the penis or finger was placed in the private part or bottom (Müller, 2002:84). Elaborating questions must be used to clarify uncertainties by asking the child to demonstrate on dolls what exactly happened, or ask the child to illustrate by means of drawings. The researcher experienced that many children will make a mistake when telling with what their private parts were hurt – often they would say with a knife, a belt and even a piece of hot coal, as they believe it is only a knife, belt or coal that can hurt you. This, however, causes problems in the court case as the defence's lawyer uses this inconsistency to discredit the child's testimony (Venter, 2006).

- **Words describing sexual acts**

    Children find it difficult to verbalise the sexual acts which happened to them due to two reasons (Louw, 2005:22): firstly because they do not understand or have the ability to interpret the sexual act accurately and secondly because they do not have the necessary vocabulary to describe the sexual

abuse. The researcher experienced that children would also describe the happenings in terms of the parts of the body during the abuse according the normal function they know for the body part, e.g. a child would say: "His willy became large and then he wee-weed all over me." During exploration the child would even say the "wee-wee" was red or orange as they know that is the colour of urine. Many children are scared to say the "wee-wee" was white, as it does not make sense in their frame of reference and they are scared that they would be accused of lying. It is thus very important that forensic interviewers must not take what the child says literally, but put it in the context of the child's developmental level. Interviewers must clarify words which the child is using at all times. It is also very useful when a child answered to a "when" question, to follow it up with a clarifying question (Starks & Samuel, 2002a:20), e.g. "What makes you think it was winter?"

- "**Remember**"

  It is normal for an adult to ask a child: "Can you remember what happened?" It is stated by Poole and Lamb (1998:166) that a child may think that he/she must first have forgotten an event before he/she can remember it. The researcher would rather recommend that a question be asked like: "Tell me what happened." The child will in any case only tell what he/she remembered or what he/she wants to reveal.

- **Identification**

  It is important to explore names and nicknames and particular relationship terms (Müller, 2002:89). It is stated by Poole and Lamb (1998:89) that children under 10 years may use these terms without fully comprehending the meaning. The researcher is of opinion that interviewers should use interviewing techniques which would identify significant people before the disclosure of sexual abuse. The interviewer should then ask the child to identify all the places where the alleged abuse took place and explore from there whether the abuse happened more than once at specific places. The researcher found it also useful to ask the child to describe the house where they lived at the time of the abuse as he/she would describe it to his/her brother or parent. It is also useful if the child is asked to describe the

happenings of the day as if he/she would tell it to a brother, sister or peer. The researcher found that children have a different view on telling when they retell something to a sibling or peer.

- **Chronological order**

  According to Massengale (2001) the ability to think abstractly only develops at age 10 to 11 and therefore it is not until adolescence that children tend to be able to recall sequential information accurately (Lyon & Saywitz, 2006:852). The researcher experienced that children tend to give the core happenings and it is imperative to inform them that the interviewer was not present and do not know what happened. It is also important to request the child to tell everything from the beginning.

- **Definite and indefinite articles**

  Children under the age of 9 struggle to make a distinction between the indefinite article (a) and the definite article (the) (Poole & Lamb, 1998:166), e.g.: "I don't like *a* dog" and "I don't like *the* dog".

- **Shifters**

  A shifter is a word of which the meaning depends on the location of the speaker (Müller, 2002:89) and includes words like "this/that" and "come/go". It is the opinion of Poole and Lamb (1998:167) that young children struggle to master the contrasts. When they identify the perpetrator, type of abuse that happened and location of the abuse it is extremely important to be specific. The researcher experienced that children from 7 years and older do not have a problem with shifters.

- **Legal terminology**

  Legal terminology used in the legal system and forensic interviewing process may fall outside the normal language of adults and even more so of children (Brennan & Brennan, 1988:31). Phrases like: "You have to tell the absolute truth" and "You told the court" may be confusing for children. The researcher is of opinion that the interviewer should clarify at all times whether the child understands what is meant with "truth" and "lie".

- **Auditory discrimination**

  The ability to distinguish between words which sound the same but have different meanings is only developed by the age of 8 years (Louw, 2005:21). The researcher experienced that a 6-year-old asked: "Am I now *grey* because of the naughty things I have done with my brother?" In this case the child is aware that persons of the same sex engaging in sexual acts are referred to as "gay", but due to auditory discrimination referred to it as "grey". The interviewer should not assume that he/she understands what the child means, but rather clarify unfamiliar words used by the child.

3.8.2   Syntax

Syntax is according to the *Longman Dictionary of Contemporary English* (2003:1465) "the rules of grammar that are used for ordering and connecting words to form phrases or sentences".

It is the researcher's experience after five years of training professionals all over South Africa in the interviewing of children and observing them during practical sessions, that professionals really struggle to adapt the sentence construction of their questions to the level of a child. Questions used are close-ended and sentences tend to be long and complex. The professional does not have any guarantee that the child understood the questions and that the answer given is accurate. It is thus imperative that professionals follow an interview protocol when interviewing children.

3.8.2.1   Developmental issues to consider regarding semantics

The following rules posed by Poole and Lamb (1998:168) need to be considered:

- **Word order**

  It is recommended that passives be avoided completely. All questions should be phrased in the active voice, specifying the subject of the sentence

first, e.g.: "Who asked you to do that?" and not "By whom were you asked to do that?"

- **Use of the negative**

    Questions containing unnecessary negative terms will only contribute to the child's confusion (Starks & Samuel, 2002a:20; Amacher, 2000) and reduce his/her level of confidence when relating his/her story (Massengale, 2001).

- **Tag questions**

    A tag question is one that transforms a statement into a question by adding on a request for confirmation, e.g.: "You were trying to tell your mom, weren't you?" Although children copy adults and use tag questions, research shows (Poole & Lamb, 1998:171) that children up to 14 years old experience difficulties understanding tag questions.

- **Multiple questions**

    Multiple questions involve the use of several questions at once (Massengale, 2001) and may result in children making mistakes in responding to the questions (Hershkowitz, 2001:50). Thus type of question should be avoided during interviews with children in the middle childhood (Massengale, 2001). An example of a multiple question is: "Did anyone ever come to your house and asked you if something bad happened to you and if you told your mom about it?"

- **Use of pronouns**

    According to Poole and Lamb (1998:171) pronouns have meanings apart from the specific context in which they occur, and it is stated by Massengale (2001) that the mastery of pronouns does not occur until the ages 9 to 10 years. To avoid confusion it is recommended by Starks and Samuel (2002:18) to limit the use of pronouns. The sentence: "When he came home, did he talk to you?" will have no meaning unless the listener knows to whom "he" refers. The question can be rephrased as follows: "When your dad came home, did he talk to you?" The researcher is of the opinion that it is of utmost importance that the interviewer clarifies pronouns used by the child so

that it is clear to whom the "he" or "she" refers before starting to use that label. The interviewer should also use the same label which the child is using, e.g. the interviewer should not use "your *father*" if the child uses the label "my *dad*".

- **Type of questions**

  Children in the middle childhood are able to answer "who", "what", "where" and "when" questions (Schoeman, 2006:113), but may still have problems with "why" questions (Bull, 2003a:18).

3.8.3   Pragmatic and social competence

Pragmatics refers to the study of language in social context (Müller, 1999:93). Children must not only develop linguistic competence, but must also learn to adapt their language to the demands of the social situation. The forensic context is more demanding, and children with no reference of what is expected, use the same rules in the forensic interview as in their social conversation (Louw, 2005:26).

As children depend on adults for providing context when asking questions and they are used to it at school, it is imperative that interviewers also provide a clear context for the subject questioning by reframing (Massengale, 2001). Reframing assists children in successfully making the transition from one topic to another (Starks & Samuel, 2002a:21). The questioner also needs to signal when he/she is switching topics, or if he/she is going into more specific detail about something the child already said: e.g.: "You told me uncle Thabo called you into his room, and that it was after school when it was hot. I want us to talk more about that day when it happened." The researcher finds it useful to make a brief summary of what was said to check whether she got a clear understanding of what the child has told her before the new topic is introduced. However, it is important that the interviewer does not suggest new information to the child.

Children also fail to detect when a speaker's comment or statement is ambiguous and even when they do realise this, they will generally not tell the speaker that they are confused (Massengale, 2001). Many children will, even though they are

empowered to ask if they do not understand, still answer a question if they do not understand it. After the initial disclosure, the researcher does a role-play with the child on neutral topics like happenings of the previous Christmas, things that happened on a known television programme, etc. She would then ask the child questions which she knows the child does not know and then teach the child how he/she must resist questions of which he/she does not know the answer.

During forensic interviewing it is important that the interviewer and the child have the same understanding of words, concepts, symbols and expressions (Louw, 2005:26). From experience the researcher found that even when children have mastered the basics of simple sentences, certain concepts still give rise to problems in communication. Even when a child uses a difficult concept or word in conversation, it does not necessary mean that the child understands the word, or connects the same meaning to it as an adult. The researcher has experienced that the interviewer therefore needs to clarify any word, phrase, concept and label that may cause any misunderstanding. If a child says: "He hurt my leg", the interviewer would not clarify it, but since "leg" is a common word, say: "Show me where on your leg he hurt you." However, if the child says: "He hurt my poenoenoe", the interviewer firstly needs to clarify what a "poenoenoe" is and thereafter clarify where on the child's body his/her "poenoenoe" is. Interviewers must be developmentally sensitive when interviewing children.

When interviewing a child about alleged sexual abuse, it is imperative that the interviewer must determine when the abuse took place, as the alleged perpetrator must be linked to the crime and has the right to defend whether he has been there at the time or not (Carstens, 2006). Legal practitioners often assume that children should be capable of dating events with respect to personal time intervals, such as the child's age or the child's teacher at the time of the event (Venter, 2006). However, according to Lyon and Saywitz (2006:860) little research exists to support such assumptions, and they argue that children up to 12 years of age have difficulty in dating relatively recent events with respect to such landmarks. The researcher has experienced that if the interviewer would ask the child in the middle childhood about the date when the alleged abuse happened, some children may give any date just to answer the question. The researcher always aims to

determine in which school year it took place, whether it happened when it was hot or cold outside, during a holiday or school term, where the other people were at the time, as well as where the child or the perpetrator came from directly before the alleged abuse took place. This technique has many times assisted the researcher to determine by means of corroborating evidence of when the alleged abuse could have happened. Some children may give an accurate description, e.g. the night Shrek 2 was showing on SABC 2. It is important that the interviewer must clarify how the child can remember so clearly, as children in the middle childhood tend to draw their own conclusions (Massengale, 2001; Amacher, 2000).

It is important for presiding officers during the child's testimony to observe the child's emotional state while talking about the alleged abuse (Carstens, 2006). However, children with post-traumatic stress disorder display a restricted range of emotions and numbing of general responsiveness (James & Gilland, 2005:175). It is important to ask children to describe their emotional reactions during and following the abuse (Lyon & Saywitz, 2006:861) as it may be one of the components of evaluating the child's statement. It is, however, important that interviewers realise that those children who have been repeating the narrative about the abuse may appear neutral, but that it is not necessarily an indication of lying.

3.8.4 Content expected during the forensic interview

When a child has been a victim of sexual abuse, specific information is necessary in order to prosecute the offender. The skill to give explicit details about events are mostly progressively mastered over the middle childhood period and mastered during adolescence (Louw, 2005:24). If the forensic interviewer is not sensitive to these developmental issues, it may influence the credibility of the child's statement, resulting in false allegations.

3.8.4.1 Number of times the abuse occurred

The number of times that the alleged abuse happened is a very crucial part of the statement as this will determine the charge against the alleged perpetrator (Venter, 2006). It must not be assumed that if a child can count, he/she understands number concepts. Although children can count from one to ten and even make calculations, it does not mean that they can count happenings abstractly (Louw, 2005:24). When the child is interviewed and he/she testifies, this aspect often causes a problem, often resulting in perpetrators getting off the hook (Venter, 2006; Carstens, 2006). It is recommended by Starks and Samuel (2002:21) and Orbach *et al.* (2000:751) to explore by asking a child "if something happened one time or more than one time". The researcher found it useful to ask the child whether the abuse happened once or more than once and thereafter let the child name the different places where it happened, write the venue on different papers and ask the child to draw it. The researcher also determined that it is easier for children to start with either the last or the first happening.

3.8.4.2 Time and place of the abuse

According to Louw (2005:24) a child learns to tell time from a watch at the age of 7. At the age of 8 years they can name the days of the week and name the names of seasons accurately (Louw, 2005:24). At this stage they are able to argue, e.g.: "I had a winter school uniform on so it must have been during a school term in winter." However, children under 10 years still find it difficult to recall happenings in chronological order (Kuehnle, 1996:131). Research by Saywitz, Goodman, Nicholas and Moan (1991:682) proved that children's responses regarding dates and times are more accurate when alternative methods are used. Children under the age of 10 have a very limited cognitive ability to understand concepts of time and will not be able to provide accurate information regarding dates and times (Müller, 2002:86). It is the opinion of Massengale (2001) and Lyon and Saywitz (2006:852) that children do not fully comprehend concepts related to space, time and distance until their early teens. Temporal words like "yesterday", "today" and "tomorrow" also create difficulties (Starks & Samuel, 2002a:21). A study by

Harner as reported by Poole and Lamb (1998:164) found that at the age of 5, children are beginning to distinguish between "yesterday" and "tomorrow". The researcher experienced that children up to the age of 8 years may experience difficulties referring correctly to "tomorrow" and "yesterday".   Concepts like whether something happened a long time ago or short time ago are also difficult for children younger than 8 years old (Amacher, 2000).

Depending on the facts of the individual case, the questions determining the following information may assist the interviewer to determine when the alleged abuse happened (Starks & Samuel, 2002a:20; Amacher, 2000; Morgan, 1995:45):

- Where the child stayed at the time.
- Which school the child attended and the name of the teacher.
- With whom the child was living at the time.
- If anything special happened around that time.
- Whether it was near a big day e.g. birthday or Christmas.
- What happened on a specific television programme.

The researcher experienced in practice not to ask the child on which day or at what time something happened, but rather whether the abuse happened during school or holiday, weekend or during the week, night or day, when it was hot or cold. The interviewer should also explore where other people were and what the child was doing before and after the abuse. During corroborating interviews with the parents or caregivers the time and date could be determined. It is the opinion of the researcher that children in the middle childhood can accurately describe where the abuse happened.

3.8.4.3 Length, age and weight

Most of the sexually abused children in the Vaalrand area of the Gauteng province in South Africa are abused by a person whom they know (South African Police, 2001). However, it does happen that children are sometimes asked to identify the

alleged perpetrator and give a description of his age, length and weight. Young children (Louw, 2005:25) only focus on one aspect at a time and will not be able to focus on the length and age of a person, and if asked about it will give an answer which is not reliable. Since this is a skill that develops over time, it is important for the forensic interviewer to remember that whatever the child in the middle childhood answers to these questions, must be clarified as children make their own interpretations. The researcher experienced through practice that if a child says that the alleged perpetrator is tall, the interviewer would ask clarifying questions, e.g.: "Tall like who?" or "How do you know he is old?" or "If you say he is fat, who else is as fat as he is?"

3.8.4.4   Intentions, perspective and feelings

During forensic interviews and court testimony children are often asked about deductions they made during the abuse, as well as about the intentions of others involved (Louw, 2005:25). Although pre-school children are able to interpret emotional expressions correctly, the skill to see the world from the perspective of others is only mastered at the ages of 6 to 7 years. (Botha *et al.,* 1998:36). Research conducted by Aldridge and Wood (1998:114) found that children younger than 8 years old respond poorly to questions about how the alleged perpetrator felt at the time of the abuse. Although abstract thinking generally starts between the ages of 8 and 12 years, the child is still developing this method of reasoning and is still not able to hypothetically infer a motive or reason (Massengale, 2001). The researcher found that later in middle childhood, at the age of 11 and older, children are better capable to answer questions about the perpetrator's intentions. The researcher also found through practice to explore the feelings during and after the event. A question about what the child was thinking when the abuse happened, or what he/she thinks is going to happen, often facilitate the verbalisation of the child's fears.

3.8.4.5 Logical arguments

Many forensic interviewers expect children to give answers to questions where the skill of hypothesising is expected. Pre-school children tend to make the wrong deductions of happenings (Louw, 2005:26). Most children in the early middle childhood phase (6 to 8 years) have acquired the basic cognitive and linguistic concepts necessary to sufficiently communicate an abusive event and can imitate adult speech patterns. It is therefore easy to forget that the child in the early middle childhood is still not fully cognitively, emotionally and linguistically developed (Massengale, 2001).

Children in the middle childhood also tend to make their own conclusions, which are not always logical and accurate (Berger, 2003:352). It often happens that a case is closed due to the statement of the child that does not make sense. The researcher found that even children in early middle childhood sometimes provide a narrative that does not make sense, especially when the alleged abuse happened over a longer period.

3.8.4.6 Understanding and responding to questions

It is imperative that children would signal to the interviewer when they do not understand a question, or do not know the answer, or cannot remember (Louw, 2005:26). However, it is found that children often do not alert the adult that they do not understand a question, and answer it irrespective of whether they know the answer (Craig & Baucum, 2002:3329). Furthermore it is found that younger children tend to answer only the part of the question which they think they understand (Louw, 2005:26). It is thus important that interviewers prepare children before commencement of the interview to indicate when they do not understand the questions and emphasise to them that they must not guess the answer. The researcher found it useful to practise this on neutral topics before abuse-focused interviewing starts.

3.9   SOCIO-EMOTIONAL DEVELOPMENT

Although children in the middle childhood spend more time with their peers, their lives are still shaped by family structures and community values. The emotional development of school-age children depends on their understanding of the social world they interact in (Berger, 2003:356).

3.9.1   Emotional development

Just as it is natural for a human being to become hungry and thirsty, it is unavoidable to experience emotions. Children do not have the natural ability which many adults have to express their emotions verbally, but manage to act it out through play (Botha *et al.,* 1998:304; Oaklander, 1988:22). Emotional development is closely related to social development and refers to young children's feelings about themselves and others and the environment in which they play and live (Schoeman, 2006:124). When they are playing, they have the opportunity to experiment with coping behaviour in a non-threatening situation.

Research by Berger (2003:357) reports that children in the middle childhood mastered the following elements with regard to emotional development:

- They understand the motivation and origin of various behaviours.
- They can analyse the future impact of whatever actions a person might take.
- They recognise personality traits and use them to predict a person's future reactions.

Because children are aware of their parents' coping and problem-solving skills, (Fouché, 2006:211), it results in them predicting what would happen if they should disclose the sexual abuse.   It is recommended by Lyon and Saywitch (2006:854) that interviewers must ask children to describe their emotional reactions during and following the abuse as this is imperative for the evaluation of the child's statement. Children in the middle childhood are more competent than children in

the early childhood years to express emotions due to their increasing language skills (Craig & Baucum, 2002:282).

The researcher is of opinion that the expression of emotions like sadness and joy can bring people together. Children need to be taught that expression of anger and disgust may increase the distance between people and that each person must take responsibility of his/her own expression of emotions.

Continuous healthy emotional development is especially important in the middle childhood as children are more confronted with peer groups and activities outside the safe supervised environment of the home. Between the ages of 6 and 12 years, children typically spend more than 40% of their waking hours in the company of peers – children of their own age and status (Cole & Cole, 2001:554). The opportunity to interact with peers without adult supervision affects children's behaviour in two important ways: firstly, the content of peer activity is usually different from when adults preside over the children's activities, as the interaction with adults usually includes some form of instruction or work (Newman & Newman, 2003:158.); secondly, the forms of social control in unsupervised peer activity are different (Cole & Cole, 2001:554). Adults will keep the peace and maintain social order, but when children are on their own in peer groups, they must establish authority and responsibility themselves. There is a change from helplessness to independence and self-sufficiency (Newman & Newman, 2003:303). Gender-role stereotyping influences the nature and quality of emotional expression (Louw *et al.,* 1998:345) as boys are often taught not to cry and not to show fear, and girls are often criticised if they become aggressive.

Children in the middle childhood also become capable to identifying emotional labels such as anger, fear and happiness; and of attributing inner feelings to them (Durkin, 1995:145). They are better able to control their emotions and to hide their feelings. They learn to read facial expressions and learn that emotional states can be changed psychologically. They also realise that people can experience different emotions simultaneously (Louw *et al.,* 1998:346).

Children from all cultures can express a variety of emotions (Van Dyk, 2005:151), which will be discussed next.

3.9.1.1   Love

The child learns about love from birth and this is shown by his attachment to his caregiver (Schoeman, 2006:126).   During the middle childhood children leave behind an egocentric point of view and develop sensitivity towards others as their expression of love gradually mature. (Louw *et al.,* 1998:348).   It is the opinion of the researcher that by having their needs met, young children feel loved and although they cannot express their love towards the parents or caregivers, they give hugs and share sweets to express their feeling of affection.

3.9.1.2   Happiness and humour

Humour offers the possibility of taking the sting out of a situation and lightens the spirit and creates a more cheerful atmosphere (Schoeman & Van der Merwe, 1996:92; Craig & Baucum, 2002:375).   The researcher is of the opinion that a wide variety of situations elicit happiness, including feelings of acceptance, the pleasures of accomplishment, the satisfaction of curiosity, or the development of new abilities.   From experience the researcher found that children who are happy tend to use humour more.   The researcher especially uses jokes with children in the middle childhood, as they appear to have the cognitive abilities to appreciate the punch line of a story.

3.9.1.3   Anger and aggression

It is the opinion of Oaklander (1988:22) that anger is the "… most feared, resisted, suppressed, and threatening emotion, because it is so often the most important and the deepest hidden block to one's sense of wholeness and well-being".   As a child tries to satisfy his/her basic psychological needs through behaviour, he/she

will use angry behaviour to gain what he/she wants (Schoeman & Van der Merwe, 1996:172; Berger, 2003:278).   Some children also learn from their environment that anger can also be buried and expressed through passive and sullen means, such as pouting or hateful stares (Louw *et al.,* 1998:348).

It is the experience of the researcher that outbursts such as kicking, shoving and hitting are common among young and older children.   From experience the researcher learnt that children learn from parents and other role players in their lives that anger can be channelled in other ways, e.g. verbally express it through insults, arguing, or swearing.

3.9.1.4   Fear

During middle childhood there is a decline in fears related to body safety (such as sickness and injury) and in the fear of dogs, noises, darkness and storms. Most of the new fears that emerge at this time are related to school and family, in accordance with children's expanding social boundaries (Van Dyk, 2005:151). Children in the age group 6 to 8 years experience an increase in fear of imaginary and abstract things, monsters, darkness, lightning, burglars, physical injury, death and being alone at home (Craig & Baucum, 2002:282).   Older children between the ages of 9 to 12 years are often afraid of tests and examinations at school, school performance, physical injury, thunder and lightning, death and the dark (Botha *et al.,* 1998:271). The researcher experienced that children with whom she works have great fears for burglars, that their parents will die in a robbery and even to be kidnapped, as there have been a few prominent cases of kidnapped children in South Africa.   A rumour is also going around that a network of paedophiles are kidnapping children in order to have enough child prostitutes for the Soccer World Cup in South Africa in 2010. Whether this is true is unknown, but what is true is that children experience fear when hearing about these type of things.

3.9.1.5 Anxiety

The *New Dictionary of Social Work* (1995:4) defines anxiety as "complex emotional condition characterised by acute tension and physiological reactions, such as accelerated heartbeat and sweating".   It is the opinion of Schoeman and Van der Merwe (1996:74) that a fearful, anxious child will depict the sad, while an unafraid child will depict the pleasure in his/her life. The researcher experienced that children who are still anxious after an icebreaker in the interview room, are either scared, experience performance anxiety, or are coached by parents what to say and are scared that they will not say the right things.

3.9.1.6 Jealousy

It appears as if children are more able to withhold themselves from reacting on feelings of jealousy at school and during social gatherings with friends (Berger, 2003:356). However, in a household it is very common to find fights, blaming and hurtful behaviour towards older and younger siblings. This can be explained by the argument of Louw *et al. (*1998:348) that children develop sensitivity towards other people during middle childhood; they take other's needs and feelings into account and show a need to help other people. They thus become more altruistic. However, the researcher is of the opinion that this altruistic attitude is mostly only practised outside the home, as jealousy resulting in fighting with siblings is universally found among children of all ages.   Experience as a mother and professional, proved to the researcher that the existence of jealousy in the middle childhood is commonly found over racial and cultural boundaries. It appears that jealousy among siblings are more prominent than between friends and school pupils.

3.9.2 The emotional development of children from birth to adolescence

During children's lifespan, they have certain emotional developmental tasks which they need to address for optimal growth and functioning. This lifespan is divided

into eight stages by Erickson (Meyer & Van Ede, 1998:51-54). Each stage is characterised by a crisis, i.e. a situation in which the individual must orientate him-/herself according to two opposing poles. Each crisis is brought about by a specific way of interaction between the individual and the society (Cole & Cole, 2001:399). The solution to each crisis lies in a synthesis of the two poles. This results in a new life situation from which the two opposing poles of the next stage arise. The five stages relating to a child's emotional development are as follows:

3.9.2.1   Infancy – Age 0 to 1 year
Crisis: Basic trust versus mistrust (Develop: hope)

During this stage, which coincides with the first year of life, the child must develop a feeling of basic trust (Cole & Cole, 2001:399). At the same time, he/she must overcome a feeling of basic mistrust. The quality of a child's relationship with his/her mother is of prime importance in the development of trust (Meyer & Van Ede, 1998:51). If the infant's needs are met consistently and responsively by the parents, the infant will not only develop a secure attachment for the parents, but will also learn to trust his/her environment in general (Craig & Baucum, 2002:47). A healthy synthesis between basic trust and mistrust thus will equip children well in dealing courageously, but carefully with new situations. However, when badly handled, children become insecure and mistrustful believing that life is unpredictable.

It is the opinion of the researcher that within the interview situation, the establishment of an emotionally safe relationship in a non-threatening environment provides the child with an opportunity to once again experience trust and to handle any issues regarding mistrust and anxiety caused by the trauma which he/she has experienced.

3.9.2.2 Toddler – Age 1 to 3 years
Crisis: Autonomy versus shame and guilt (Develop: will-power)

During this stage a child has the task of developing a sense of autonomy (independence) and, at the same time, overcoming feelings of shame and doubt (Meyer & Van Ede, 1998:52). Physical maturation allows children to have greater autonomy and to follow their own will. They learn to walk, talk, master bowel and urinary control and do things for themselves (Schoeman, 2006:134), but greater autonomy and freedom bring the child into contact with rules. This in turn leads to the possibility of failure and consequently to shame and doubt about their own abilities (Cole & Cole, 2001:400). If the child is punished or labelled as messy, sloppy, inadequate or bad, he/she learns to feel shame and self-doubt (Craig & Baucum, 2002:47).

The researcher is of opinion that it is very important to give children opportunities to make choices during the interviewing process. This gives them the opportunity to experience a sense of control and independence, and also to gain awareness of the effect of their actions. When children make choices and experience the effect thereof, it makes it easier for them to take responsibility for their behaviour.

3.9.2.3 Early childhood – Age 3 to 6 years
Crisis: Initiative versus guilt (Develop: purpose)

This stage, which lasts from approximately ages 3 to 6 years, is characterised by the task of learning to show initiative, while at the same time overcoming a feeling of guilt (Meyer & Van Ede, 1998:52). Children's greater freedom of movement and autonomy enable them to act more independently than before so that they can now begin to explore their world with a new sense of purpose (Cole & Cole, 2001:401). If their explorations and activities are generally effective, they learn to deal with things and people in a constructive way and gain a sense of initiative (Craig & Baucum, 2002:47). However, if they are severely criticised or over-punished, they instead learn to feel guilty for many of their own actions.
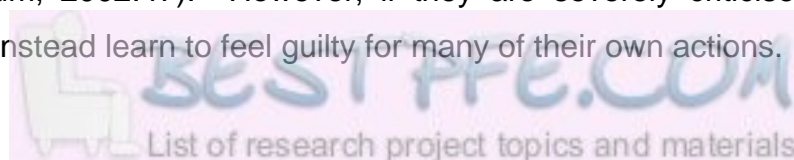
By establishing boundaries in the interviewing situation and providing fun, creative mediums to work with, children are encouraged to take initiative and experience purpose. The therapist can help children to work within the set boundaries and experience guilt-free fun.

3.9.2.4   Middle childhood – Age 6 to12 years
Crisis: Industry versus inferiority (Develop: competence)

This stage, which lasts form the age of 6 until the beginning of puberty, more or less covers the primary school years. Children learn to make things, use tools and acquire the skills to be workers and potential providers (Meyer & Van Ede, 1998:53). Children aim at mastering certain skills required for adult life and society helps them by providing schooling. Children develop numerous skills and competencies in school, at home and in the outside world (Craig & Baucum, 2002:47) and comparison with peers is increasingly significant. A negative self-evaluation of being inferior to others is especially disruptive at this time.

The researcher is of the opinion that, within the interviewing setting, children can be exposed to activities which enhance their sense of self-worth and pride.   It is important to provide age-appropriate mediums, which will challenge them to achieve mastery and success and to compete against themselves, and in the process strengthen their value of their own abilities.

Adolescents who have experienced trauma can have great difficulty in establishing a realistic and healthy identity and can be troubled by negative internalisations. Internalisations like: "I am damaged", "I am powerless", "I am bad/guilty/an object to be used", "I am responsible" and "I feel chaotic" are found in victims of sexual abuse. Wieland (1997:10) differentiates between internalisations resulting from:

- all abuse experiences where the abuse experiences consist of intrusions, self-related threats and acts of abuse and non-protection;
- sexual abuse by someone close where the abuse experiences of entanglement, juxtaposition and distorted family boundaries lead to the internalisations; and

- extreme sexual abuse where the messages during the abuse experience were perceived by the child as that sexualised behaviour brings attention and sensual pleasure or negative experience, distorted messages and distortion of reality.

It is essential that all aspects of a child's emotional development need to be taken into consideration to provide the child with opportunities to handle his/her trauma and also to understand the way he/she experienced the abuse.

3.9.2.5   Adolescence – Age 12 to 18 years
Crisis: Identity versus role confusion (Develop: reliability)

The adolescent's identity crisis is the central problem of this stage. Adolescents have the task of acquiring a feeling of identity (Meyer & Van Ede, 1998:51). This feeling consists of three components which can be summarised by the following questions (Meyer & Van Ede, 1998:51):

- "Who am I?"
- "To which group(s) do I belong?"
- "What do I wish to achieve?"

Adolescents seek basic values and attitudes that cut across their various roles. If they fail to form a central identity or cannot resolve a major conflict between major roles, the result is called ego diffusion (Craig & Baucum, 2002:47). However, if the adolescent does not solve this conflict, he/she will sink into confusion and become unable to make decisions and choices, especially about vocation, sexual orientation and his/her role in life in general (Schoeman, 2006:137).

Within the interviewing process, the normal emotional development of children needs to be taken into account. Children who experience trauma often regress (Fouché & Yssel, 2006:242) and it is imperative that a forensic interviewer is aware of the normal progressive developmental milestones in order to assess whether the child reveals any regressive behaviour; not to misinterpret it as a

difficult child, or a child that is lying, but a child that regresses due to possible trauma experienced.

3.9.3   Self-concept

The most influential system for developing the self-concept is the peer group (Berger, 2003:357) and it is a crucial social skill during middle childhood to get along with peers. Children's increased time spent among peers is accompanied by a changing sense of self.

A study of 212 children by Salmivalli and Isaacs (2005:1116) showed that a negative self-perception was a risk factor for the development of all forms of peer adversities. A child cannot discriminate between things that are said to him/her and will believe everything that is said about and to him/her. Many of these messages are wrong and not the truth and result in the disturbed development of the child's self-esteem (Wieland, 1997:38).

By the age of 6 to 7 years, the child has formed at least four self-esteems, namely academic, social, physical competence and physical appearance (Berk, 2003:448). By the age of 10 the child's self-esteem becomes hierarchically organised and separate self-evaluations are integrated into one, overall self-image. By the age of 12 the child's self-esteem will continue to rise or fall (Schoeman, 2006:131).

The researcher experienced that children who have been sexually abused asked the questions: "Why me?", "What is wrong with me?", "What about me attracted the abuser?" The answer that they come up with is: "I was abused because of something in me." This results in them thinking less about themselves. Messages like "I am not good enough" and "There is something wrong with me" have been evaluated with children in practice. Forensic interviewers should therefore be sensitive to children with a low self-esteem.

3.9.4 Peer group and friends

Generally children see their parents as very important and parents are the primary contributors to their children's development. However, parents' influence, compared with the influence of peers, decreases as children enter middle childhood and adolescence (Salmivalli & Isaacs, 2005:1161). In the middle childhood acceptance in the peer group is very important and personal friendship is even more important (Durkin, 1995:140), and by the age of 10 years children often have one "best" friend. Boys tend to emphasise group identity and loyalty, while they jockey for position within the group. In contrast girls form smaller, more intimate networks and are more concerned about being excluded from the small circle (Berger, 2003:360). By the end of middle childhood, many girls have one best friend whom they depend on. It is imperative that interviewers are aware of these differences so that they do not make the wrong conclusions that there is something wrong with a girl due to the fact that she only has one friend.

Middle childhood children describe close friends as people who like the same activities, share common interests, enjoy each other's company and can count on each other for help (Newman & Newman, 2003:255). The researcher is of the opinion that it is very important for a child in the middle childhood to be able to participate in positive peer friendship and to function in an intellectually and socially stimulating environment. Children learn three lessons from interaction with peers:

- Children are not forced to accept one another's ideas in quite the same way as they are with adults. They argue, bargain and eventually compromise in order to maintain friendships (Newman & Newman, 2003:256; Van Dyk, 2005:151).
- Children learn to be sensitive to the social norms and pressures of their peer group. The peer group evolves norms for acceptance and rejection, and as the children become aware of these norms and conform to the peer group, adults lose some of their power to influence children's behaviour (Louw *et al.,* 1998:368). The need for approval becomes a powerful force towards

conformity and children learn to dress, talk and joke in ways that are acceptable to their peers (Newman & Newman, 2003:257).

- Closeness to a same-sex peer occurs. They share private jokes, develop secret codes, tell family secrets, set out on "dangerous" adventures and help each other in times of trouble. They also fight, threaten, break up and reunite.

With the increased emphasis on friendship and peer acceptance comes the risk of peer rejection and feelings of loneliness. The researcher is of the opinion that perpetrators abuse this developmental task by identifying children who do not have friends. Perpetrators use age-appropriate language and toys to gain these children's trust, become their friend and then sexually abuse them.

In a study conducted by Salmivalli and Isaacs (2005:1116) 212 children in the age group 11 to 13 years were interviewed to investigate links between peer adversities and children's perception of themselves. They found that a negative self-perception influenced the children's social experiences with peers and these experiences had effects on their later perceptions. It is thus important that children must have a positive self-concept in order to maintain good relationships with their peers.

The researcher experienced that child victims of sexual abuse often feel lonely and stigmatised, which impact on their relationships with peers. Children who are withdrawn, quiet, or have outbursts of aggression tend to be rejected by peers (Cole & Cole, 2001:573; Craig & Baucum, 2002:358) resulting in more isolation and withdrawal. Many victimised children reported to the researcher that they struggle to trust peers, expect betrayal every moment, or are jealous to share a friend. Therefore the researcher recommends that during forensic interviewing the professional needs to be sensitive regarding the child's fear of rejection and also be careful not to give the impression to the child that other children did something better or were more co-operative. Other children's experiences should rather be used to encourage the child, e.g. tell the child those other children his/her age also experienced rejection from peers or were also treated badly. By doing this, the child's feelings are normalised.

3.9.5 Acquisition of skills

The middle childhood child is according to Piaget in the concrete operational thought.   The concrete operational thought refers to an outlook, a way of understanding and solving problems (Newman & Newman, 2003:264).   Middle childhood is the phase in which children learn to read and write and during which they also become ready and willing to learn and assume their share of household tasks (Van Dyk, 2005:153).   Children do not only need to learn to read and write, but they must also master numerical concepts, learn to participate in sport activities and group activities and engage in projects.

3.10   MORAL DEVELOPMENT

Moral development refers to the process by which children learn the principles that enable them to judge behaviour as "good" or "bad" and as "right" or "wrong" (Van Dyk, 2005:151).   Moral development is according to Thomas (2000:476) "usually viewed as one aspect of socialisation, meaning the process by which children learn to conform to the expectations of the culture in which they grow up".   Moral development describes children's ability to distinguish between what they perceive as what is right and what is wrong, good or bad, as well as changes in the way they make moral judgements (Schoeman, 2006:114).   Children thus not only learn to conform, but also to internalise these standards and thereby accept the standards as correct and as representing their own personal values (Thomas, 2000:476; Woolfolk, 2001:78).

Moral learning occurs according to the principles of both operant and cognitive learning (Jordaan & Jordaan, 1998:490):

- Operant approach – A person learns socially acceptable moral behaviour through appropriate positive reinforcement, negative reinforcement and punishment.

- Cognitive moral learning – In addition to external control of moral behaviour though reinforcement, people also display inner control of moral behaviour based on the development of moral thought, concepts and insight.

Different theories of moral development exist (Louw *et al.,* 1998:372):

- Psychoanalytic theory – Moral development is sometimes referred to as the development of a conscience, or superego.
- Social learning theory – Moral behaviour is learnt like any other behaviour. The social situation, as the context wherein behaviour takes place, is of great significance in the moral development of children.
- Cognitive development perspective – Moral development is based on the individual's cognition or understanding of a situation.

Cognitive developmental theories of psychologists Piaget and Kohlberg are widely accepted (Cole & Cole, 2001:560; Jordaan & Jordaan, 1998: 491).

Piaget's theory (Louw *et al.,* 1998:374) maintains that the child's moral development takes place in a particular sequence and that there is an interaction between moral and cognitive development. Children younger than 5 years are pre-moral, meaning they do not understand rules and are unable to judge whether or not a rule has been broken (Van Dyk, 2005:151). Between the ages of 5 and 10, moral realism takes place and children develop an enormous respect for rules and believe that rules must be obeyed at all times (Cole & Cole, 2001:560).

According to the *Stanford Encyclopedia of Philosophy* (2006) the most influential attempt to build on to Piaget's approach, is Kohlberg's stages of moral development.

For the purpose of this study Kohlberg's stages of moral development (Kohlberg, 1971) will be discussed in depth.

3.10.1 Kohlberg's stages of moral development

A large number of American children from different age groups, were interviewed by Kohlberg (1963:19) where their responses on moral dilemmas were evaluated and categorised into three broad levels of moral reasoning, namely: pre-conventional level, conventional level and post-conventional level. According to Kohlberg's stages, the pre-conventional level (level 1) of moral development is characteristic of middle childhood in particular (Louw *et al.,* 1998:377), but it is important that all three levels are discussed.

3.10.1.1 Level 1: Pre-conventional level

This is a self-centred level as emphasis is placed on getting rewards and avoiding punishments (Berger, 2003:336). A person follows society's rules of right and wrong. These rules are followed in terms of the consequences (e.g. to avoid punishment, get rewards and exchange favours) and in view of the power of the authority who imposes the rules (Thomas, 2000:479). The researcher has experienced in her practice that many children in the middle childhood would rather obey rules imposed by their fathers than their mothers. This was because they are scared of the fathers and know what kind of punishment he will give if rules are not obeyed, while the mothers may not be that authoritative and tend not to be so strict in punishment methods.

The fact that children in the middle childhood will obey rules at school and during games if there is some kind of reward involved, links with this level. The researcher experienced that children in the middle childhood could be convinced to behave themselves by offering a reward for good behaviour, while the reward could not "convince" children in high school (older children) to behave.

This level is divided into the following three stages:

- Stage 0: Egocentric judgement – The child makes judgements of "good" on the basis of what he/she likes and wants or what helps him/her, and "bad" on

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the basis of what he/she does not like or what hurts him/her. The child has no concept of rules or of obligation to obey or conform independent of his/her wishes (Kohlberg, 1971).

- Stage 1: The punishment and obedience orientation – Whether an action is good or bad depends on whether it results in punishment or reward (Berger, 2003:336). If the individual is going to get punished for it, it is bad so he/she should not do it. If he/she will not get punished, he/she can do it, regardless of the human meaning or value of the act (Thomas, 2000:479). Avoidance of punishment and absolute respect for power are values in their own right, but not in terms of respect for an underlying moral order supported by punishment and authority (Kohlberg, 1963:19). According to Kohlberg children in the age group 6 to 9 years are in this phase of pre-conventional moral reasoning (Kohlberg, 1971). The researcher is of opinion that this implies that if children are alone and they think that they will not be caught, they may do things which are against the societal values.

- Stage 2: Naive instrumental orientation – In this phase of moral reasoning, which starts at approximately the age of 10 years, children think that moral action comprises of making fair deals and trades (Clarke-Stewart & Friedman, 1987:439). Proper action satisfies the individuals' needs and occasionally the needs of others (Thomas, 2000:479). Human relations are viewed in terms of the market place; getting a fair return for one's investment (Berger, 2003:336). Reciprocity of fairness involves "you scratch my back and I'll scratch yours", but this does not happen out of gratitude, loyalty, or justice (Kohlberg, 1971). The researcher is of the opinion that in the context of forensic assessment, this may cause children to be tricked into making a false allegation initiated by a significant person in his/her life, due to rewards given. It also makes children vulnerable who are groomed and rewarded for participating and keeping the sexual abuse a secret. This then may also cause severe feelings of guilt later as the child internalised wrongly that he/she has given co-operation in order to gain something.

3.10.1.2 Level 2: Conventional level

At this level, emphasis is placed on social rules. A person conforms to the expectations of his/her family, group, or nation and actively supports and justifies the existing social order (Thomas, 2000:479; Kohlberg, 1971).

- Stage 3: "Good boy, nice girl" orientation (Berger, 2003:336). – Good behaviour is what pleases or helps others and is approved by them and therefore a person acts in ways that please or help others (Thomas, 2000:479). Approval is thus earned by being "nice" (Kohlberg, 1963:20).

- Stage 4: The "law and order" orientation (Berger, 2003:336). – The individual is oriented toward authority, fixed rules and the maintenance of the social order. The person is doing the right thing for its own sake (Kohlberg, 1963:19).

3.10.1.3 Level 3: Post-conventional, autonomous or principled level

A person tries to identify universal moral values which are valid, regardless of what authority or groups stand for (Kohlberg, 1971). The level has the two following stages:

- Stage 5: "Social contract" orientation (Berger, 2003:336). – The "right" action tends to be defined in terms of general individual rights and standards which have been critically examined and agreed upon by the whole society (Kohlberg, 1971). Aside from what is constitutionally and democratically agreed upon, right action is a matter of personal values and opinions.

- Stage 6: "Universal ethical principles" (Berger, 2003:336). – A person's moral judgements are based on universal principles of justice, on the equality of human rights and respect for the dignity of other human beings. "Right" is defined by the decision of conscience in accord with self-chosen ethical principles that appeal to logic, comprehensiveness, universality and

consistency (Kohlberg, 1971). These principles are abstract and ethical. At heart these are universal principles of justice, of the reciprocity and equality of the human rights and of respect for the dignity of human beings as individual persons (Thomas, 2000:479).

It was claimed by Kohlberg (Durkin, 1995:474) that moral development involves sequential, stage-by-stage progress, and that not everyone reaches the highest stages, but all individuals' progress in the same logical order. It would thus be possible that the forensic interviewer would be faced with a child whose moral development may be more advanced than that of the parent who is putting pressure on him/her to lie about the alleged abuse.

3.10.2 Impact of sexual abuse on a child's moral development

When working with victims of child sexual abuse it is important for professionals to understand the child victim's interpretation of sexual abuse.

Table 3.5: **The relationship between Kohlberg's stages of moral development and the child's interpretation of sexual abuse**

STAGE	CHILD'S INTERPRETATIONS OF SEXUAL ABUSE
Stage 1 (4 – 8 years)	• Child conforms without understanding it is wrong. • Child can be tricked that it is normal, special or fun. • Child may not disclose due to obedience to authority. • Child's vulnerability to do what he/she is told, influences him/her to lie that sexual abuse did or did not happen.
Stage 2 (8 – 10 years)	• Child may understand wrongfulness, but conforms to instructions to please or to avoid punishment. • If the relationship with perpetrator is the strongest relationship, child will most likely not disclose. • If the relationship with the non-offending parent is supportive, likelihood of disclosure is greater. • Child is vulnerable to do what he/she is told, including lying about the absence or presence of involvement in sexual abuse.

Stage 3 (10 – 12 years)	• Child understands wrongfulness and may disclose the abuse. • If supportive relationships exist apart from the perpetrator, and these relationships become more significant than the relationship with the perpetrator, the child may disclose. • Child whose emotional needs are not met by caregivers could make a false allegation in order to gain nurture from others.
Stage 4 (12 – 13 years)	• Child understands the wrongfulness and understands the consequences of disclosure to the perpetrator and others.
Stage 5 (early adolescence and older)	• Child understands the wrongfulness and may disclose to prevent the perpetrator to hurt others.
Stage 6 (middle adolescence and older	• Child assesses the exploitation and does what he/she thinks is right.

(Kuehnle, 1996:54-55).

The researcher is of the opinion that every professional that works with allegedly sexually abused children must know how children interpret sexual abuse. If a child who still stays in his/her family home and adores his/her father denies the abuse, it does not necessarily mean that it did not happen, or that he/she is coached or difficult – it is typical of a child in the middle childhood to react in that way. The interviewer would also be more supportive of an adolescent that comes to the office alone and disclose abuse. Typical of her moral reasoning the teenager can make a conscious decision due to her developmental stage. It is also important that the interviewers must be alert that adolescents can make up false allegations independently.

It is the opinion of the researcher that it is vital for interviewers to understand the moral development of children in the middle childhood as it has an impact on the understanding of the child's responses and reactions.

3.11 SEXUAL DEVELOPMENT

According to Van Dyk (2005:152) children in Grade 4 and Grade 5 (aged 10/11) are often aware of their own sexual feelings and desires and often feel confused and conflicted about these feelings. Children in the middle childhood are curios about sex and often engage in various forms of simple sexual play (Van Dyk, 2005:152). The researcher has experienced that when working with victims of child sexual abuse, it is imperative to have a thorough understanding of normal sexual development. The researcher experienced that children become increasingly inquisitive about body parts.

3.11.1 Normal and abnormal sexual behaviours in middle childhood children

Children are curious about sex and therefore sexual play in middle childhood is usually experimental and it has nothing to do with love or sexual urges (Van Dyk, 2005:152). Due to adults reacting with anger or disgust to the sexual exploration in which children engage, children's main source of information will usually be their peer group. This information is often incorrect or distorted, causing anxiety in children. Children involved in natural and expected sex play are of similar age, size and developmental status. They participate on a voluntarily basis and are children who have an ongoing, mutually enjoyable play and/or school friendship (Kubik & Hecker, 2005:43; Ney, 1995:57). Natural and expected sexual exploration may result in embarrassment, but do not usually leave children with deep feelings of anger, shame, fear, or anxiety and if they are discovered and instructed to stop, the behaviour generally diminishes (Cavanah,1995: 4). The attitude of the children towards the sexual behaviour is generally light-hearted and spontaneous.

Children's natural and expected sexual behaviour, as well as their level of comfort with sexuality, will be affected by the amount of exposure they have had to adult sexuality, nudity and explicit television, videos and pictures, as well as their level of sexual interest (Kubik & Hecker, 2005:43; Ney, 1995:58). While sexualised

behaviour and post-traumatic stress syndrome (James & Gilland, 2005:175) are the only two symptoms that occur more frequently in sexually abused children than in clinical comparison groups of non-abused children, less than half of sexually abused children manifest sexual behaviours of concern (Ney, 1995:51).

In a study of 1017 black and white adolescents, it was determined that exposure to sexual content in music, movies, television and magazines caused increasing risk of engaging in early sexual intercourse (Brown, L'Engle, Pardun, Guo, Kenneavy & Jackson, 2007:24). According to Kuehnle (1996:56) masturbation and exposure are the most common types of sexual behaviour among pre-school and primary school children.

A developmental continuum has been classified by Sgroi (1988:57-58) where children's normal and abnormal sexual behaviour were classified into three categories:

- Touching oneself.
- Looking at others.
- Touching others.

Table: 3.6: Sexual behaviour in children: normal versus sexual reactive behaviour

AGE 7 – 10 YEARS	NORMAL BEHAVIOUR	SEXUAL REACTIVE BEHAVIOUR
Touching oneself	• Masturbate in private.	• Excessive masturbation that interferes in play behaviour and daily activities.
Looking at others	• Engage in games involving sexual exposure (playing doctor). • Engage in competitions (who can urinate the furthest). • Engage in dares that have a sexual component (game-like atmosphere).	• Excessive attempts to observe other's nudity which violates other's privacy.

Touching others	• Touching within context of game or play. • Stroking genitals rather than penetration. • Absence of force or coercion. • Engagement due to peer pressure and not out of fear.	• Excessive sex play which interferes in other social activities. • Initiates sexual activities with adults. • Forces sexual involvement of peers or younger children with themselves.

Adapted from Sgroi (1988:2-8) and Kubik and Hecker (2005:43).

3.11.2 Impact of television on children's sexual interest

There are plenty of sexual content on television containing scenes of kissing and a modest frequency of implied or depicted intercourse. Children aged 2 to 11 years, who have access to television, spend an average of 21 hours and 49 minutes per week watching television, and teenagers aged 12 to 17 years old spend on average 17 hours and 16 minutes per week watching television (Comstock & Scharrer, 2006:823).

It is the experience of the researcher that children in the middle childhood often watch television during the afternoons and early evenings. In South Africa the soap operas (soaps) start at 16:30 in the afternoon, giving children access to scenes of kissing and implied sexual intercourse. The researcher has standard questions which she poses to children during interviews to assess their exposure to television. Questions relate to what happened in a specific soap, what kind of programmes they watch and what the rules are with regard to age restriction of programmes or movies. It is important to determine what happens if the child watched a movie during the weekend and his/her parents go to sleep. This is done to assess whether the child sometimes watches movies alone. In South Africa, pornographic movies are shown after midnight on the free channel e-TV. This type of movies may have a detrimental impact on children if they watch it. The interviewer should assess whether the child has watched these kinds of programmes.

The researcher concludes that due to the impact of media and advanced technology, the existence of explicit knowledge about sexual activities cannot be the only assessment guidelines to indicate that sexual abuse has occurred, but multiple hypotheses should be investigated.

3.12 SUMMARY

Due to the developmental changes children go through in the middle childhood, it is imperative that forensic interviewers be informed on what could be expected from the child's physical, cognitive, language, socio-emotional, sexual and moral development.

This study focuses on children in the middle childhood, therefore only the middle childhood period (from 6 to 12 years) was discussed. Reference to other developmental phases was made, where applicable, in order to give a more holistic picture of child development.

A child that has been sexually abused during the middle childhood does not only have to cope with changes in his/her body, but also with cognitions like "I am damaged", which may alter the way the child looks at the him-/herself.

It is also found by the researcher that it is more difficult for boys to sit still during an interview and they want more physical activities than girls. The fine motor skills are developing progressively and it could be expected from the child to draw pictures or write.

Piaget's concrete operational stage were discussed which span from ages 6 to 12 years. Tasks achieved during this stage include conversation, seriation, spational reasoning, cognitive maps, decentration, declining egocentrism, and decrease in animism. Limitations to the concrete operational stage are that children still have great difficulty answering abstract and hypothetical questions. The middle childhood child understands that sexual behaviour is wrong and may think he/she is bad because he/she is engaged in "bad" behaviour, and could also be

manipulated into worrying about the consequences to the perpetrator without having insight into consequences for him-/herself.

The encoding, storage and retrieval of memory were discussed and it was determined that various factors have an influence on whether the child would be able to retrieve memories of an event. The working memory of a child is very important to understand, as the professional must be sensitive that during sexual abuse children will not necessarily encode what would later be expected from them during formal interviews.

To ask a child to draw a picture about a specific event in combination with non-leading verbal prompts can enhance the verbal reports of children over the age of 4 years.

The middle childhood is a phase where the child masters various language and communication skills. However, miscommunication may occur when adults ask leading and suggestive questions.

Important semantics should be kept in mind when working with a middle childhood child. The importance of clarifying was highlighted, especially with regard to how many times an incident occurred, as well as the time it happened. Children in the middle childhood find it difficult to retell happenings in chronological order and also struggle with syntax like word order, tag questions, multiple questions and pronouns.

The importance of framing an event by summarising facts and introducing a new topic would assist the child to optimally remember happenings. Children in the middle childhood find it difficult to specify the number of times, the time and the place the abuse happened.

Emotional development of children were investigated and it was determined that, according to Erickson, children in the middle childhood (aged 6 to 12 years) experience the crisis of industry versus inferiority and they develop competence.

It was noted that victims of child sexual abuse in the middle childhood may co-operate during the sexual abuse in order to avoid punishment or to please the adult. If the child has a close relationship with the perpetrator he/she would most likely not disclose. The older the children, the more likely they are to disclose, especially if they have a supportive relationship apart from the relationship with the perpetrator. It was noted that false allegations could me made to gain nurture from others.

A natural curiosity about sex exists in the middle childhood and if sexual play occurs, it is experimental and has nothing to do with love or sexual urges. A differentiation between normal and abnormal sexual behaviour was made.

It was also found that the media has an important impact on children's sexual interest.

4

FACILITATION OF DISCLOSURE AND INTERVIEWING VICTIMS OF CHILD SEXUAL ABUSE

4.1   INTRODUCTION

In chapter three the researcher emphasised how important it is for the social worker conducting forensic interviews to have sound knowledge of child development and specific developmental issues. Recognition of sexual abuse depends mainly upon a child's account of his/her experiences (Babiker & Herbert, 1998:233) and therefore the child's account is of prime importance. The way in which children are interviewed can make a difference between prosecution, protection or continued abuse.

In the past, and still among some legal professionals (Morison, Moir & Kwansa, 2000:114), children are regarded as unreliable witnesses. However, there is evidence that children can be reliable witnesses, and that they can comment meaningfully about their thoughts, feelings and experiences when questioned appropriately (Orbach & Lamb, 1999:91; Hershkowitz, 2001:60; Morison *et al.,* 2000:113). Facilitating a child's account of abusive experiences is a process rather than a single event, but it should not be assessed in isolation (Bentovin, *et al.,* 1995:246). The researcher has experienced that a child may often "test the water" by giving a partial or vague account of events (Sorenson & Snow, 1991:14) perhaps to a friend, family member and even during the investigative interview. Depending on the response, the child may reveal more.

The interviewer may have an effect on children; by their choice of the physical environment for conducting interviews, their demeanour and behaviour, and their selection of questioning strategies (Poole & Lamb, 1998:75). The researcher is of the opinion that it is important when forensic interviews are conducted to follow a structured protocol prescribing specific guidelines regarding professional conduct, setting of the interviews, interview strategies and evaluation of information (Wakefield, 2006).

In this chapter the researcher will look at different interview strategies, interviewer conduct, and will also explore existing interview protocols.

4.2   CLASSIFICATION OF INTERVIEWS

"Interviewing" is a commonly used term by professionals. Professionals in the medical profession and mental health services use interviewing to assess their patients, and security personnel also use interview strategies to interrogate their suspects (Rabon, 1992:5). The researcher experienced during training sessions of various professionals in South Africa, that confusion exists regarding the difference between forensic interviews, clinical assessment interviews and therapeutic interviews. This lack of knowledge causes confusion, resulting in uncertainty and fear of the unknown. It is important to classify the different type of interviews that a social worker may be confronted with.

4.2.1   Therapeutic interviews

According to the *New Dictionary of Social Work* (1995:65), the purpose of therapy is: "Social work assistance which focuses on the emotions and psychological needs of the client." The therapeutic interview is used to provide treatment for the patient (Gordon, 1992:60), which in the context of child sexual abuse would be the child. In order to provide treatment, an assessment will be conducted to determine the treatment plan to be followed by therapeutic sessions.

When conducting these interviews, clinical techniques and methods are used, (Kuehnle, 1996:32) and clinicians generally assume that their clients are telling the truth (Poole & Lamb, 1998:107). The goal of the forensic interviewer is to obtain accurate information, while the goal of the therapist is to encourage the child to express his/her feelings and thoughts, regardless of their accuracy (Cronch *et al.,* 2006:203; Geldard & Geldard, 1997:41). The researcher is of the opinion that the primary focus during the therapeutic interview is the emotional well-being and treatment of the child.

4.2.2. Investigative interviews

Investigative interviews (Bentovin *et al.,* 1995:249) or initial interviews (Practice Notes, 2002) are described as first-stage interviews specifically targeted at those cases where criminal action may be considered. The primary focus of the investigative interview is to obtain accurate information that will be used in the criminal process of determining guilt beyond reasonable doubt (Fouché, 2006:206; Venter, 2006). The purpose of the forensic interview is "to elicit as complete and accurate report from the alleged child or adolescent victim as possible in order to determine whether the child or adolescent has been abused, or is in imminent risk of abuse, and if so, by whom" (Abney, 1996:2).

The researcher experienced, that in the South African context, a member of the South African Police Service would conduct an investigative interview after which it will be decided whether the statement consists of enough information to arrest the accused or continue with the investigation (Swart, 2003; Lock, 2004).

It is the purpose of this study to provide a structured forensic interview protocol which will provide guidelines for the social worker during forensic assessment interviews.

4.2.3 Clinical assessment and forensic assessment interviews

Assessment is defined as a "process of analysing the factors that influence or determine the social functioning of the individual, family group or community" (*New Dictionary of Social Work*, 1995:4). Assessment interviews are described as second-stage interviews (Bentovin *et al.,* 1995:249). These interviews require the skills of professionals experienced in interviewing and communicating with children with a wide variety of developmental and communication problems.

It is important for professionals to understand the difference between clinical assessment interviews and forensic assessment interviews. Clinical assessment interviews involve the use of deliberate problem-solving strategies to understand

children with disturbances and their environment of family, school and peer relationships (Mash & Wolfe, 2005:74; Kuehnle, 1996:32). Second-stage forensic interviews usually occur after the initial stages of an investigation and are usually conducted by specially trained professionals (Practice Notes, 2002; Fouché, 2006:206). These interviews are characterised by sceptical neutrality on the part of the interviewer. Techniques utilised in forensic interviewing (Practice Notes, 2002; Lamb & Poole, 1998:107):

- are grounded in research on the development of memory and language;
- are sensitive regarding the possibililty of interviewer influence; and
- utilise collection of data that require minimal interpretation.

The purpose of the forensic interview is according to Müller (2001:8) "… to obtain truthful accounts from the child in a manner which will best serve the interests of the child while at the same time being legally acceptable". It is the opinion of the researcher that the goal of forensic assessment interviews is to obtain an account from a child in a developmentally sensitive, unbiased, independent and truth-seeking manner (Poole & Lamb, 1998:107), which will support accurate and fair decision-making in the criminal justice system.

For the purpose of this study the term "forensic interviewing" will be used. The focus will be on the social worker conducting the forensic interviews either during an initial investigation, or after the primary investigative interview has already been conducted by the law enforcement officials.

4.3   THE ROLE OF THE SOCIAL WORKER IN THE LEGAL SYSTEM

The legal obligation to report actual or suspected cases of child abuse and neglect, is found in the Prevention of Family Violence Act, 1993 (Act No. 133 of 1993), the Child Care Act, 1983 (Act No. 74 of 1983), as well as the Sexual Offences and Related Matters Amendment Act, 2007 (Act No. 332 of 2007).

Section 4 of the Prevention of Family Violence Act, 1993 (Act No. 133 of 1993) states that:

> Any person who examines, attends to, advises or cares for any child in circumstances which ought to give rise to the reasonable suspicion that such a child has been ill-treated, or suffers from any injury the probable cause of which was deliberate, shall immediately report such circumstances to a police official or to a commissioner of child welfare or social worker.

Section 42(1) of the Child Care Act, 1983 (Act No. 74 of 1983) as amended with regulations provides the following guidelines for the reporting of cases:

> Notwithstanding the provisions of any other law, every dentist, medical practitioner, nurse, social worker or teacher or any person employed by or managing a children's home, place of care or shelter who examines, attends or deals with any child in circumstances giving rise to the suspicion that a child has been ill-treated of or suffers from any injury, single or multiple, the cause of which probably might have been deliberate or suffers from a nutritional deficiency disease, shall immediately notify the Director-General…

The two possible channels for the first report are welfare agencies and the South African Police Service. By not reporting, or obstructing the investigation, a person can be liable for a fine of R5 000,00 imposed by the court (*Gauteng multidisciplinary child protection and treatment protocol,* 1999:44). If a person reporting a case is concerned with civil action being taken against him/her by the alleged perpetrator (e.g. defamation of character), this should not be a consideration as Section 42(6) of the Child Care Act, 1983 (Act No. 74 of 1983) supersedes other acts and clearly states:

> No legal proceedings shall lie against any dentist, medical practitioner, nurse, social worker or teacher or any person employed by or managing of a children's home, place of care or shelter, in respect of any notification given in good faith in accordance with this section.

Parents, concerned community members and friends, as well as various professionals like teachers, doctors and psychologists who are aware of their obligation to report abuse or suspected abuse, refer children on a daily basis to social workers in order to initiate an investigation of the allegations. However, it is the experience of the researcher that the most referrals to social workers working within welfare agencies and private practices are received from the officials within the criminal justice system.

Circumstances necessitating referral for forensic interviewing will now be discussed.

4.3.1 Circumstances necessitating referral for forensic interviewing

In South Africa cases of child abuse are reported either to the welfare organisations or at the local police station. Careful co-operation and consultation between the police and welfare is needed, as the criminal route may not be possible or in the best interest of a child in all cases (*Gauteng multidisciplinary child protection and treatment protocol*, 1999:49).

After a crime against a child has been reported to the South African Police Service, a case docket or an inquiry will be opened, after which the statement of the child will be taken (Majokweni, 2002:11; SA Law Commission, 2002:4). During the course of the initial crime investigation, or after completion of the investigation and on case evaluation by the state prosecutor, numerous reasons for referral to a social worker for forensic assessment interviews (Venter, 2006; Lock, 2004) might exist. Referrals for forensic assessment interviews to social workers within welfare organisations or private practice may be done under the following circumstances: (Fouché, 2006:207):

- When state prosecutors are uncertain about proving a *prima facie* case, and hesitant to make a *nolle prosequi* decision.
- In cases where the J88 (report completed by medical doctors) does not confirm the child's statement.
- In cases where the alleged perpetrator cannot be linked to the crime.
- In cases where the child is too traumatised to disclose the intimate details of the abuse.
- In cases where the child is very young and cannot give a statement or testify in court, a forensic assessment conducted by a skilled professional can be utilised to refer the matter to the children's court or other appropriate measures to be considered.

- Children who are of pre-school age.

- Older children with learning disabilities and communication problems.

- Where there is a moderate to high level of suspicion that sexual abuse has occurred, e.g. with physical signs or behavioural responses, but where there is no response to a primary investigative interview.

- Where there have been considerable delays since the first allegations were made.

The researcher is of the opinion that the social workers within welfare organisations have an instrumental task in this regard. In many rural areas there are no social workers specialising in forensic assessment interviews, resulting in the local social worker having to deal with, among other things, this challenging task. It is thus imperative that all social workers must be able to assist the legal system in this regard. The researcher is of the opinion social workers who are equipped with a forensic interview protocol will be able to assist the legal system. It will also empower them to work in a more focused manner, addressing the needs of their community where community members who, in the process of obeying the Sexual Offences and Related Matters Amendment Act, 2007 (Act No. 32 of 2007) and the Prevention of Family Violence Act, 1993 (Act No. 133 of 1993), report alleged sexual, physical and emotional abuse to social workers. Social workers in turn should then assess with consultation with the South African Police Service assessed the situation.

4.3.2 Expert testimony after conducting a forensic assessment interview

As a graduate professional, the social worker is regarded by the South African criminal courts as an expert (Carstens, 2006:188). Therefore social workers do not provide an affidavit about their forensic assessment interviews, but it is expected that a written report be provided to the court (Carstens, 2006:193). This may result in the criminal court issuing a *subpoena* instructing the social worker to give expert testimony on his/her investigation and the written report he/she has conducted. The social worker could be called to provide expert testimony on one or more of the following topics:

- Giving an opinion on the child's competency to testify (whether the child would be able to communicate, understand the difference between the truth and lie and overall understanding of morality).

- Whether the child would suffer undue mental stress if he/she testifies in an open court.

- Opinion evidence on the allegation that was investigated (consistency of the child's statement, existence or absence of other perpetrators, other explanations for the allegation, possibility of coaching by an adult, nonverbal behaviour of child during the investigation and the correlation with other victims of children in this age group).

It is the experience of the researcher that the social worker cannot say whether a child has definitely been sexually abused, as he/she had not been witness to that. However, the social worker could compare the child's verbal report, emotional content during the alleged incident and interview and changed behavioural reactions with other victims of child sexual abuse and children who were not victimised in order to conclude. The interviewer would thus not testify that a child has definitely been sexually abused, but rather indicate that there may be a possibility due to reasons mentioned above.

4.4   THE INTERVIEWER

It is crucial to highlight the importance of the conduct of the interviewer, as well as the impact that the forensic interviewer may have on the outcome of the case.

4.4.1   Training of the interviewer

In a study by Warren, Woodall, Thomas, Nunno, Keeney, Larson and Stadfeld (1999:128) 27 experienced interviewers attended a ten-day training institute designed to provide knowledge and skills for improving investigative interviews with young children. Although the training increased the participants' knowledge about children's abilities and scientific basis of various interview protocols, it did

not have a significant impact on interviewers' questioning styles or the amount of accurate information elicited from the children.

A study by Aldridge and Cameron (1999:136) evaluated the effect of a one-week intensive training course on police members' and social workers' forensic interviewing with children, and investigated the actual types of questions employed by interviewer. The study:

- found no differences in performance between trained and untrained interviewers;
- showed that specific and leading questions were found to occupy over half the total number of questions used by both sets of interviewers; and
- few free narrative report requests were used.

After training various professionals all over South Africa in forensic interviewing, the researcher found that it is extremely difficult for professionals to alter their interviewing style, especially rephrasing "why" questions (refer to paragraph 3.8.2), avoiding leading questions and exploring multiple hypotheses (Fouché, 2006:237).

Sexual abuse interviews can go astray (Wood & Garven, 2000:109) in two different ways:

- Improper interviewing has the potential to elicit false allegations from children.
- Clumsy interviewing does not typically produce false allegations, but may have other negative consequences (Cronch *et al.,* 2006:198) for both the child and the alleged perpetrator.

To avoid improper and clumsy interviewing (Cronch *et al.,* 2006:198) recommended that interviewers have:

- experience in working with children;
- previous training in interviewing or counselling;
- a master's level education;

- the ability to establish rapport through warmth and friendliness; and
- the ability to take feedback constructively and change accordingly.

Professionals involved in the investigation of child sexual abuse must successfully complete formal training which should cover (Vieth, 1999; Massengale, 2001):

- linguistics;
- child development;
- memory and suggestibility; and
- dynamics like the disclosure process.

4.4.2   Conduct of the interviewer

Forensic interviewers should avoid forming preconceived impressions of the incident (Ceci & Bruck, 1995:243; Bruck *et al.,* 2006:783) as this can colour his/her interpretation of what the child said or did. A study by Ongena and Dijkstra (2007:145) investigated the occurrence of problems within the interaction between respondents completing a survey and interviewers having to explain the meaning of questions to respondents.   They found that cognitive problems among interviewers may also have an impact on how interviewers explain instructions and concepts. When working with children in the context of forensic interviewing, cognitive abilities of an interviewer may have a detrimental impact on the outcome of the investigation. It is further the opinion of the researcher that a professional who committed prematurely to the truth of the allegation, before doing a careful investigation, risks making a mistake which may have serious consequences for the child and alleged perpetrator.

Human beings tend to form judgements extremely quickly, attend and interpret information to confirm personal beliefs and pre-existing theories, and ignore or discount information that is ambiguous or contradictory (Ney, 1995:8). During a study examining child sexual abuse evaluations, and exploring the types of information affecting expert judgement, Peters (2001:149) found that concrete information such as disclosure statements and collateral information affected

abuse decisions, while inferential data such as doll play and display of emotions did not have any influence.

Emotional involvement is the subject of concern for both the professional and the client. The *Concise Oxford English Dictionary* (1983:669) defines objectivity as "…exhibiting actual facts uncoloured by exhibitor's feelings or opinions …".

4.4.3   Factors influencing the social worker

The following factors may influence the judgements of the social worker:

- Personal bias may influence the assessment process (Poole & Lamb, 1998:216).
- A professional who is not trained and comfortable when speaking to children (Johnson, 2004:467).
- Race, gender and socio-economic status of the child and the alleged perpetrator (Blahauvietz, 2005; Faller, 1993).
- Alleged victim's lack of emotion (Wakefield, 2006).
- The professional's own history of sexual abuse (Faller, 1993).
- The professional's current positioning and experiences (Peters, 2001:149).
- Gathering of information about the allegation before conducting the interview (Cronch *et al.,* 2006:198).

Bruck and Ceci (2004:230) stated that the suggestiveness of an interview is not directly reflected by the number of leading questions, but rather on interviewer bias. Interviewer bias is when the interviewer has prior beliefs about the occurrence of certain events, and conducts the interview so as to obtain confirmatory evidence of these beliefs, without investigating alternative hypotheses.

The following guidelines are given to avoid interviewer bias (Poole & Lamb, 1998:238; Cronch *et al.,* 2006:198; Faller, 1993):

- The interviewer must not accept unreliable evidence about which predictors he/she should use in making decisions.

- The interviewer should be aware that once he/she has formulated a hypothesis, information inconsistent with the interviewer's hypothesis might be overlooked.

- Evidence for and against the primary hypothesis and alternative hypotheses must be listed.

- Record-keeping must be done with care and the interviewer should not rely only on memory.

- A structured investigative protocol must be followed.

- The interviewer should be aware of his/her own bias towards the gender of the child and/or perpetrator.

- The interviewer should be aware of the impact that the status of the perpetrator and/or family may have on him/her.

The researcher has learnt that the following issues are important to consider when involved in the field of investigating allegations of alleged child sexual abuse (Fouché, 2006:209; Faller, 1993; Wood & Garven, 2000:111):

- The interviewer should be aware of his/her own gender when initiating an interviewing process and must be sensitive to the effect of problems that may arise from it, e.g. a boy who has been sexually abused by a women may fear to be alone with another women.

- It is imperative that the interviewer should be fluent in the language in which the child relates his/her story. The interviewer should be aware of expressions in that specific language, descriptions and names for private parts and sexual activities. The interviewer must not hesitate to clarify and explore when he/she is uncertain of something.

- The socio-economic class which the interviewer represents and factors like jewellery, make-up and clothing may influence or intimidate a child from a lower socio-economic class.

- Social workers need to be aware that they may react differently to cases involving middle- or upper class individuals, cases involving the poor and the

so-called "high profile cases". The alleged perpetrator's occupation may also influence the interviewer.

- The interviewer should be aware that his/her values and beliefs concerning children, women, abusers and sex might influence him/her to be biased, e.g. a claim by an 8-year-old girl that she still showers with her father, may be different from what the professional belief is normal.

- If the interviewer is an adult survivor of child sexual abuse he/she must be alert that his/her feelings towards the perpetrator may be projected on the alleged perpetrator in the case, and that his/her own fears may be projected on the child.

- It is imperative that the interviewer must have a scientific foundation that supports his/her investigation process and that every step in the investigation process can be substantiated.

- A forensic interviewer must be aware of the effect of his/her tone of voice on children. It is important to know whether children in general experience him/her as strict or approachable.

- The interviewer must become aware of mannerisms reflected through nonverbal communication which may have a negative effect on the child client.

- Clothing that is tight or showing cleavage when interviewing either male or female children should be avoided.

- The interviewer's attitude toward sexuality must be evaluated. The interviewer should feel comfortable to talk about sexual activities and using labels for e.g. sexual organs in the context of the interview.

- The interviewer should be reminded that he/she is investigating a sexual abuse allegation and must not approach an allegation as the truth. He/she must respect other opinions.

- Multiple hypotheses should be investigated from the beginning of the investigation process until the last minute.

It is the opinion of the researcher that although professionals may strive to be objective, nobody is able to attain absolute objectivity. It is thus imperative that a professional involved with investigation allegations of child sexual abuse ensure

that he/she formulates as many hypotheses as possible and must also be prepared to rule out hypotheses on the basis of facts and not feelings (Wakefield, 2006).

Under no circumstances must an interviewer promise the child a treat (Faller, 1993; Wakefield, 2006), as this may give the child the impression that he/she has an obligation towards the interviewer to tell that something has happened. It would also give the defence the impression that the child has been bribed. A child that received a treat during or after the abuse, may also think that the interviewer is the same as the perpetrator.

4.4.4   Nonverbal behaviour of the interviewer

It is important that the interviewer is aware of his/her nonverbal behaviour as any interpreted sign of discomfort or disinterest may halt a child's disclosure of sexual abuse (Blahauvietz, 2005). Neutral encouragements should be used instead of suggestive utterances and verbalisations (Warren *et al.,* 1999:129).   An interviewer must convey warmth and interest in the child, both through words and nonverbal cues such as posture, eye contact and tone of voice (Wood & Garven, 2000:111).

The acronym "SOLER" is used by Egan (2005:89) to recommend the stance of body posture:

- S – Sit squarely
- O – Open posture
- L – Lean forward
- E – Maintain eye contact
- R – Relax

The interviewer must ensure that his/her body language and verbal language are consistent with one another (Morison *et al.,* 2000:113). The interviewer must also not show shock or disgust, as this will make the child feel guilty or stigmatised (Faller, 1993; Wakefield, 2006).   The researcher is of the opinion that the

interviewer must avoid doing therapy (Venter, 2006) during the forensic interview and that the nonverbal behaviour of the interviewer must reflect empathy in a non-leading or suggestive way.

4.4.5   Gender of the interviewer

Older children are according to Saltzstein *et al.*(2004:1080) more resistant to suggestibility from adult interviewers than younger children and clinically it seems that the issue of the sex of the interviewer may be a more important factor with teenagers (Jones, 1992:21). The gender of the professional is likely to influence reactions to cases of child sexual abuse. Research done by Moon, Wagner and Kazelskis (2000:753) concluded that girls' participation in counselling was not significantly related to session number, the child's age, or the gender of counsellor who provided treatment services.

Although both male and female professionals may have empathy with victims, it is possible that gender identification causes a person to be more sensitive when the victim is of his/her gender (Moon *et al.,* 2000:753). A male professional, because of his experience of having been a boy, may better appreciate the boy victim's trauma or, alternatively, have more difficulty accepting the boy's vulnerability to victimisation (Faller, 1993).

Research by Kovera, Borgida, Gresham, Swim and Gray (2005:383) examined the beliefs held by male and female workers of the International Society for Traumatic Studies about child sexual abuse and children's capabilities. It was found that female members generally have stronger beliefs in the credibility of child witnesses than male members (Kovera *et al.,* 2005:383).

Research conducted by Lamb and Garretson (2003:169) reviewed 672 forensic interviews of children aged between 4 and 14 years across Britain, Israel and the United States of America. The results showed that:
- female interviewers asked significantly more suggestive questions to boys than to girls, while male interviewers did not show a distinction; and

- girls provided significantly more details to female interviewers than male interviewers, while boys did not show a difference.

The researcher is of the opinion that if the child is visibly frightened or extremely agitated in the presence of an interviewer of a particular gender, every effort should be made to replace the interviewer with someone with whom the child is more comfortable.

4.4.6   Burnout

Work in the field of sexual abuse is extremely stressful and may lead to burnout **(**Morison *et al.,* 2000:115; Beckett, 2006:47). Vieth (2001) identified four factors which contribute to burnout among professionals working in the field of child abuse:

- Professionals are seldom honoured in their organisations and communities.
- Child abuse professionals are actually dishonoured due to their duties impacting on several lives.
- Training institutions seldom prepare students for the reality.
- The secondary traumatisation of working with sexually abused children will eventually take its toll (Faller, 1993).

The researcher experienced that the best preventive measure and remedy for burnout is collaborative work, e.g. always work in a "buddy" system, or consult with more experienced people either within one's own organisation or outside, or discuss cases with a colleague.

4.4.7 Interviewing factors which influence credible disclosures

Various interviewing factors may influence the disclosure of children, namely (Faller, 1993; Staller & Nelson-Gardell, 2005:1415; Loftus, 2006; Cronch *et al.,* 2006:197; Wakefield, 2006):

- Improper interviewing techniques like reinforcement (punishments and rewards).
- Social influence (i.e. telling the child what others have said).
- Asking suggestive or leading questions.
- Appearing to be less than sympathetic and supportive.
- Introducing information which the child has not disclosed.
- Removing the child from direct experience (e.g. asking what might have happened).
- Using "let's imagine" might have a detrimental influence on whether a child feels free to disclose, or whether it is a valid disclosure.

4.4.7.1 Undesirable reinforcement interviewing

It is the opinion of Garven, Wood and Malpass, (2000:47) that all forensic interviewers must avoid doing the following:

- Implying that the child can demonstrate helpfulness, intelligence or other good qualities by talking to the interviewer or making allegations.
- Praising or thanking the child for making the allegation.
- Giving tangible rewards like sweets, food or toys to reward a disclosure.
- Criticising the child's statements or suggesting that they are false, inaccurate or inadequate.
- Limiting the child's mobility, e.g. delaying a visit to the bathroom, end of the interview or going home, until the child has discussed issues of interest to the interviewer.
- Subjecting the child to physically or verbally stressful stimuli during the interview, e.g. calling the child a liar.
- Repeating a question that the child has already answered in a way that suggests that the child's first answer was unsatisfactory.

4.4.7.2 *Noncontingent reinforcement*

Noncontingent reinforcement in the form of social support can be beneficial (Carter, Bottoms & Levine, 1996:335). Hershkowitz, *et al.* (2006:754) conducted a study with suspected victims of child sexual abuse between the ages of 4 and 13 years and found that higher levels of interviewer support were associated with more informative and fewer uninformative responses.

The following supportive interviewing techniques are recommended by Garven *et al.* (2000:47) and Wood and Garven (2000:110):

- Acting and speaking in a warm, friendly manner.
- Giving the child neutral supportive compliments during the rapport-building stage of the interview.
- Praising the child for knowing the difference between the truth and lies.
- Offering one or two supportive statements at appropriate places during the interview.

The researcher is of the opinion that a forensic interviewer should be trained and at all times act in a professional way as his/her behaviour before, during and after a case may ultimately be tested in a criminal court.

4.5   THE INTERVIEW SETTING

It is the opinion of Müller (1999:108) that the more comfortable the child is, the more information he/she is likely to share. Children may also be too embarrassed or afraid to share intimate details when they believe others can overhear what they are saying.   It is recommended by Cronch *et al. (*2006:205) that, whenever possible, interviews should be conducted in a safe, neutral and preferably child-friendly environment. It is also important that the interviewer sits at the same level as the child (Faller, 1993).

Extremes should also be avoided, such as a room full of toys that give the child the impression it is a play room for "make believe", or a bare, stark room with only adult furniture (Wakefield, 2006). The interviewer can adapt many settings to enhance the child's comfort and creating a childlike atmosphere. This can be achieved by incorporating certain props, toys and art materials (Jones, 1992:22). Distractions like ringing phones, music, people's voices and play material must be removed as far as possible (Orbach *et al.,* 2000:734).

It is the opinion of the researcher that the choice of the setting for the interview may vary according to the urgency involved in a case, the availability of resources, as well as the nature of the allegations. The researcher experienced that in any case, the atmosphere in which the interview takes place is as critical as the person who conducts the interview.

The following paragraphs deal with important aspects which the interviewer should consider regarding the setting of a forensic interview.

4.5.1 Time and place of the forensic interview

The interviewer must consider whether the time and place of the interview accommodate the child's developmental stage (Aldridge & Wood, 1998:25). The researcher experienced that children generally want to know whether the interviewer stays at the venue. If they hear children around, they want to know who they are, how old they are and which school they attend. The researcher is also convinced that the interviewer must make sure that the child is comfortable in the venue. If the mother is waiting in the waiting area, the interviewer must make sure that the child is convinced that no one will be able to hear what it said in the interview room (Müller,1999:108). The researcher has also experienced that distractions like pictures on the wall and toys must be put away, especially when interviewing children who have attention deficiencies.

4.5.2   Presence of other people during the interview

Allowing others present during the interview must be clarified before an interview. The *Memorandum of Good Practice* (Home Office, 1992:13) and its updated version, *Achieving Best Evidence* (Bull, 2003a:1), state that a suspected offender should never be present at an interview.   According to Aldridge and Wood (1998:28) an attached adult (like a mother) or a detached adult (like another social worker) can be helpful.   The preferred practice of the *American Professional Society on the Abuse of Children Guidelines* is to see the child alone whenever possible (Poole & Lamb, 1998:102). However, Morison *et al.* (2000:117) state that the presence of significant others may have a positive or negative influence on the interview process.

In South Africa the researcher experienced that during the primary investigative interview, the South African Police Service do allow the parent or guardian to be present (Lock, 2004). Among social workers in South Africa who conduct forensic interviews, the general practice is not to allow another person in the interview (Van der Linde, 2004; Makhubu, 2004). The reason for this is to rule out attacks from the defence that the child was intimidated or coached by the parent during the assessment interviews.

4.6   INTERVIEW STRATEGIES

It has often been found that children's accuracy in reporting an event can be affected by the format of the questions (Waterman, Blades & Spencer, 2001:522). There is no winning recipe of predictable questions and answers, nor is there a particular order in which interviewers should put questions (Jones, 1992:19). Children can be reliable informants about their experiences, particularly when interviewed effectively as soon as possible after the alleged incidents (Lamb *et al.,* 2000:1586).

4.6.1 Cognitive interviewing

Cognitive interviewing as a strategy during child sexual abuse investigations is highlighted by Faller (2003:380) and has four retrieval mnemonics, namely:

- Mentally reconstructing the event (Holliday, 2003:730; Faller, 2003:381).
- Reporting everything, regardless of perceived importance (Aldridge, 1999:104).
- Recalling the event in different sequences (Cronch *et al.,* 2006:199).
- Recalling the information from different views and perspectives (Aldridge, 1999:107; Faller, 2003:381).

A study conducted by Hershkowitz *et al.* (2006: 753) found that mental context reinstatement may be a useful component of the cognitive interview compared to physical context reinstatement where the child will be taken back to the crime scene.

The structure of the cognitive interview is according to Poole and Lamb (1998:87) a sequence of four stages:

- Open-ended narration.
- The probing stage, during which the interviewer guides the witness to exhaust the contents of memory.
- A review stage, during which the interviewer checks the accuracy of notes about the interview and provides additional opportunities to recall.
- The closing.

The researcher has found it very useful after the child has verbally indicated that he/she has allegedly been sexually abused, to ask the child:
- to identify any incident that he/she may remember clearly;
- to close his/her eyes, make a mental picture of the alleged abuse happenings and report anything that comes to mind (free narrative is allowed); and
- to make a picture of the happenings.

Questions which focus on the abuse will only be asked after the above process has been followed. From experience it appeared that children may remember more clearly if this process is followed.

4.6.2 Narrative elaboration

In narrative elaboration (Faller, 2003:381) children aged 6 to 11 years old are trained to use cue cards (simple pictures to represent participants, actions, affective states and resolutions), which serve as triggers for the child so that he/she is sure to include these aspects of the event (Faller, 1993). The researcher does not have experience in this technique, but it appears that it could be seen as leading or suggestive.

4.6.3 Segmentation

Segmentation is a technique which is used to gather additional detail after the child has exhausted initial recollection of an event (Faller, 2003:382). The interviewer would ask the child to tell everything he/she can recall about a particular segment of the event. The focussing on a particular period of time may serve to decrease the child's level of anxiety about the event as a whole (Faller, 1993).

4.6.4 Building a rapport

Studies of actual child abuse interviews found that interviewers typically use close-ended questions to develop rapport and in doing so they do not set the stage for the children to talk freely (Warren *et al.,* 1999:134). It is the opinion of the researcher that the rapport-building phase is an opportunity to ask open-ended questions about home, school, friends and games so that the child may become accustomed to such questioning. These questions also give an indication to the

interviewer of the child's verbal and nonverbal skills. Aldridge and Wood (1998:35) recommend that the interviewer must explain the reason for the interview, reassure the child that he/she has done nothing wrong and emphasise the need to speak the truth (Wakefield, 2006). It is important that the interviewer explain to the child that he/she was not present at the events and may therefore unwittingly ask questions that the child does not know the answer to or do not understand.

Research by Sternberg, Lamb, Hershkowitz, Yueilevitch, Orbach, Esplin and Hovan (1997:1133) proved that children who had been trained in the open-ended condition provided two and half times as many details and words in response to the first substantive utterance, as children in direct introduction. In this study fourteen interviewers conducted 51 investigations of child sexual abuse with children ranging from 4.4 to 12.9 years of age:

- In 25 of the investigations, interviewers used a script which included many open-ended utterances to establish rapport.
- In 26 of the investigations the same interviewers used a rapport-building script involving direct questions.

The results confirmed that the style of interaction between children and interviewers in the introductory phase of the interview affected the amount of information obtained in the substantive portion of the interview. They recommended that the child be exposed to open-ended questioning on neutral subjects during the rapport-building phase.

Research by Hershkowitz *et al.* (2006:754) recommended that interviewers must assess children's engagement in rapport-building and their likelihood of disclosure by observing the children's responsiveness. This will help the investigator to decide whether or not to proceed with the substantive phase of forensic interviews.

The researcher found the following aspects very important regarding working with children (Wakefield, 2006):

- The first ten minutes with the child are the most important. During this time the interviewer must let the child know that he/she is important and will not be handled in the same way as in school.

- If the interviewer asks a question more than once, the child must be informed that it is not because the answer was wrong, but maybe because the interviewer did not hear clearly or did not understand.

- The child must know that he/she is not the only one that had ever come and talk to the interviewer. The researcher has used drawings to initially build rapport (Hiltz & Bauer, 2003). Visual representations of other children, like their pictures against the wall or in a flip file with or without names, can be pointed to lessen the stigmatisation that the child may feel.

- The interviewer also needs to show to the child that the interviewer does not think that he/she knows it all. The interviewer must really have an interest in children.

- It is also recommended that during the rapport-building phase the interviewer consciously reflects the wrong information during neutral topics to test if the child will correct him/her.

- During this phase the interviewer can discuss neutral topics like school activities, television programmes and interests of the child (Aldridge & Wood, 1998:36). Toys can also be utilised to put the child at ease.

- The interviewer should inform the child that he/she has no information regarding the facts and that child must trust his/her memory to tell what really happened and not to say what he/she thinks the evaluator might want to hear.

It is the opinion of the researcher that interviewers must not give the impression that the child comes to the office to play. Instead, the researcher has found it useful to tell children: "You are here today to come and talk to me about things that make you happy and sad" (Fouché, 2006:220).

The researcher utilised play-related communication techniques, (see paragraph 4.6.6) to build rapport with children and also to facilitate the initial disclosure in a

non-leading way (Fouché & Joubert, 2003:14) and exploring multiple hypotheses from the start.

4.6.5   Using toys and play material to facilitate the interview

Toys and play material form a natural part of communication with children. They can be helpful to prompt and bring forth the child's actions and re-enactments of experiences (Bentovin *et al.,* 1995:253).   It is recommended by Aldridge and Woods (1998:45) that toys are selected to fit the age of the child, and that it is used more with very young children. Play material like colouring books, puzzles and soft toys are some of the play material recommended by them. These toys must also be utilised to facilitate rapport with a child (Aldridge & Woods, 1998:45; Faller, 1993; Bruck *et al.,* 2006:800).

4.6.6   Play-related communication techniques to facilitate the initial disclosure of the child

According to Babiker and Herbert (1998:233) "sexual abuse is not a diagnosis; it is an event or a series of events that occurs in a relationship in which the child is involved".   However, the psychological consequences may be said to be "diagnosed". Psychological instruments such as behavioural rating scales and psychometric tests may assist professionals to assess and measure psychological processes, but no test or scale can give a definitive indication that a child has indeed been sexually abused (Chantler, Pelco & Mertin, 1993:271; Babiker & Herbert, 1998:239).

A study to investigate the applicability of psychological instruments in the assessment of sexual abuse in the South African multi-cultural context (Louw, 2001:1) concluded that no single measuring instrument could differentiate between abused and non-abused children. According to Sgroi, Porter and Blick (1982:69) there is no specific test to verify sexual abuse: "Validation of child sexual abuse depends almost entirely upon investigative interviewing of the child".

The researcher is of the opinion that in order to investigate multiple hypotheses, it is imperative that an interviewer does not directly start questioning a child about possible child sexual abuse. Instead, play-related communication techniques should be utilised to facilitate the conversation in a concrete, non-leading way, assisting the child to make a voluntarily verbal disclosure. The play-related communication techniques used must include forensic fundamentals like the following (Fouché, 2006:218):

- Do not use leading or suggestive questions.
- Do not make interpretations.
- Introduce new topics and questioning by means of open-ended questions.
- Clarify the child's comprehension of instructions and new concepts by means of contextualising them within neutral topics.
- Summarise at the end of each topic to verify that the child was understood correctly, before a new topic is introduced.
- Ask if there is anyone else who has not been mentioned.

The researcher developed and tested play-related communication techniques, which include the above-mentioned interviewing fundamentals to facilitate the initial disclosure on a voluntarily basis (Fouché, 2001:73). According to Section 42 of the Child Care Act, 1983 (Act No. 74 of 1983), social workers have an obligation to also assess whether the child is at risk with regard to ill-treatment. The researcher is of the opinion that social workers must also include play-related communication techniques to conduct a risk assessment in order to assess whether the child's physical and emotional needs are met in his/her current circumstances at the time of the assessment interview. Any ill-treatment of the child has to be reported and addressed according to the Section 42 of the Child Care Act, 1983 (Act No. 74 of 1983).

The researcher developed and tested play-related communication techniques during M.A. studies (Fouché, 2001:73). For the purpose of this study, only the techniques that were used during the empirical study will be briefly discussed.

4.6.6.1 Semi-structured questionnaires

A semi-structured questionnaire which focuses on non-threatening questions could be used to build rapport (Fouché & Joubert, 2003:15) and to get baseline knowledge on the following:

- The child's ability to understand the language spoken by the interviewer.
- The child's ability to process instructions and questions.
- The child's ability to communicate with the interviewer.
- The interviewer's ability to understand the child's expressions.
- Contextual information regarding the child's current living circumstances and background on immediate family and extended family.
- The child's social interaction with friends.
- Evaluation of the child's process (Schoeman & Van der Merwe, 1996:28) e.g. whether the child is an introvert, extrovert, thinks long before he/she answers questions, if he/she can provide a free narrative and other personality factors like exaggerating, suggestibility, attention span or existence of disturbing behaviour which may influence the interviewing process.

If the child discloses sexual abuse, the social worker needs to know whom he/she can approach to assist the child. For this reason the semi-structured questionnaire may also include questions like: "Who do you like most?" and "Who do you dislike most?" (Fouché, 2001:58).

4.6.6.2 The house-and-community plan

This technique was developed from a number of similar techniques like eco-cards and genograms (Kaduson & Schaefer, 1997:104; Perry & Wrightman, 1991:111; Butler & Karp, 1996:87). It focuses on the child's daily movements from his/her home to other secure or threatened places (Fouché & Joubert, 2003:16). With the child's assistance, the interviewer draws a plan of the child's home, including furniture. Clay models of the family members are made. The area surrounding

the house, with the inclusion of neighbouring houses or places where the child often pays visits to, is also drawn. Questions to explore daily routine and movement are asked. Clarification on whether the child understands the difference between "safe" and "unsafe" and testing with a neutral topic is done before the child is instructed to identify and mark all safe havens with a green pen and the unsafe havens with a red pen (Fouché, 2006:218). Both safe and unsafe ticks are explored. If the child indicates that he/she has been sexually abused, abuse-focused questioning (Cronch *et al.,* 2006:200*)* regarding the allegation will take place.

4.6.6.3   *Family graphic and emotion cards*

The goal of this technique is to determine the relationship between the child and family members and other people with whom he/she has contact. Different colour play dough balls help the child to visualise and represent friends and family members (Venter, 1993:12).

The child is requested to represent all of his/her family members and other persons that are important by choosing a strip of coloured play dough and making it into a little ball (Fouché & Joubert, 2003:16). Two large circles are then drawn, which then will represent happy and unhappy faces (Fouché, 2006: 210). Hereafter the child places the people (play dough balls) in either the circle with the "make me feel happy" face or in the circle with the "make me feel unhappy" face. Exploration as to the reasons for these placements then follows. Should the child disclose sexual abuse; the interviewer will start with the abuse-focused questioning (Cronch *et al.,* 2006:200)*.*

4.6.6.4   *Robot*

The term "touching trouble" is described by Hindman (1987:19) where he differentiates between three touches. The first touch is a bad touch (when somebody hurts you); the second touch is a secret touch (private parts are

touched); and the third type of touch is a nice touch (positive contact). The researcher explains the different types of touches by comparing them to a traffic light (also known as a robot in South Africa) (Fouché & Joubert, 2003:17).

Firstly, the interviewer should clarify with the child whether he/she knows the function of the different lights of the robot and thereafter explain that humans also have a robot in their bodies, which cannot be seen, but one may feel it in your heart (Fouché, 2006:220). The interviewer then explains that human bodies react to certain touching and then a light goes on in our bodies. Firstly, if someone is hurting a person, the red light goes on, indicating "stop". The green light goes on when someone is nice to us and does not hurt us, and the orange light goes on when someone wants to touch us on our bodies and if we feel uncomfortable, or are not sure whether it is right or wrong (Fouché, 2001:67) or when someone does something and asks us to keep it a secret.

The child is requested to place the play dough balls that were used in the family graphic on the appropriate colours of the traffic light. The interviewer will clarify and explore each clay ball on the relevant colours of the traffic light and follow up any disclosure of possible sexual abuse with abuse-focused questioning.

It is thus the opinion of the researcher that play-related communication techniques should be used to (Fouché, 2006:218):
- conduct the interview in a developmentally sensitive environment;
- interview the child on the child's level;
- build rapport;
- facilitate the initial verbal disclosure of alleged sexual abuse;
- conduct a risk assessment; and
- explore multiple hypotheses.

4.6.7 Ground rules

Ground rules are very important during the rapport phase (Warren *et al.,* 1999:131; Bull, 2003b:37; Wakefield, 2006).   It is recommended by Bull (2003b:37) that the interviewer should also give permission for the child to indicate whether he/she understands by either indicting verbally or by using a "don't know" or "don't understand" card.   It is further recommended by Bull (2003b:37) that vulnerable witnesses may benefit from practising this in the rapport phase, e.g. the interviewer asks: "What is the name of my father?" The child should be empowered to say "I don't know" or "I can't remember" or "I don't understand". This should be practised with neutral topics (Practice Notes, 2002; Wakefield, 2006; Sternberg *et al.,*1997:1133).   It is imperative that the interviewer empowers a child (Bull 2003a:3) early in the interviewing process, by assuring the child that responses like "I can't remember" or "I don't know" may be appropriate.

Question format not only affects children's accuracy, but may also influence the tendency of children to admit when they do not know the answer.   It is stated by Sternberg *et al.* (1997:1133) and Wakefield (2006) that it is important to inform the child that the interviewer does not know the answers and then test with neutral topics whether the child will indeed indicate if he/she does not know the answer.

It is the opinion of the researcher that the ground rules should be emphasised to the child after the initial disclosure.   As children are interviewed in a play environment they can very easily forget that the information given has serious consequences.   Children must know that discussion around a sexual abuse allegation is serious, and they also need to know that adults and children sometimes misunderstand. If the ground rules are done prior to the disclosure, the possibility exists that the child has forgotten about the ground rules by the time the initial disclosure occurs (Fouché, 2006:225).

4.6.8   Free recall or free narrative

Children are found to be more likely to accurately provide important details in free recall (Bruck *et al.,* 2006:785). The purpose of the free narrative phase is for the child to be encouraged to provide an account of the relevant events in his/her own words and at his/her own pace (Home Office, 1992:17; Aldridge & Cameron, 1999:140).

Research conducted with 145 children between the ages of 4 and 12 years, who were interviewed after allegedly experiencing a single incident of sexual abuse, revealed that interviewers employed few open-ended prompts (Lamb *et al.,* 2000:1586). A study was conducted by Henry and Gudjonsson (2007:361) where children with intellectual disabilities and age-matched controls (ages 8/9 and 12 years) watched a video of a crime and were asked a range of open-ended and specific questions about the event. Free recall increased between the two age levels for children with and without intellectual abilities.

Questioning children by using general free-recall questions results in as accurate information as adults, but children provide the information less spontaneously (Aldridge & Cameron, 1999:140; Orbach *et al.,* 2000:736). It is recommended that the following type of questions be asked to the child in order to invite free narrative (Home Office, 1992:20; Bull, 2003a:3; Starks & Samuel, 2002a:27; Jones, 1992): "Did anyone tell you why you are coming to see me today?" or "Why do you think you are here today?"   Children tend to disclose events by summarising it, e.g: "He did naughty things with me", which the interviewer would follow up with questions like: "Please tell me everything that happened" (Starks & Samuel, 2002a:27; Aldridge & Wood, 1998:72; Wakefield, 2006).

Once the child starts to talk about a specific area pertaining to possible abuse, the interviewer:
- must allow the child to use free recall of whatever events are remembered in whatever order the child wishes.
- should not interrupt the child with questions.

- must say to the child he/she must tell everything that is remembered, even partial information, regardless of whether or not the child believes it is important.
- should, once the child has narrated an event, gather more information by asking the child to start at the middle and forward and backward in time.

(Wakefield, 2006; Wood & Garven 2000:112).

It is the opinion of the researcher that children must be allowed to give a free narrative of any incident in whatever order they like. The onus is on the interviewer to provide a structure in a developmentally sensitive and non-leading manner in order to assist the child to tell his/her story.

A study into the usefulness of a "story-telling" approach during child sexual abuse investigations by Westcott and Kynan (2004:37) reinforced the importance of careful questioning after free narrative, as well as the value of a second interviewer monitoring the interview.

It is the experience of the researcher that by inviting a free narrative, a detailed account of the alleged sexual abuse is not necessarily facilitated. It is therefore important that the interviewer should ask follow-up questions in a non-leading way.

The researcher experienced that when children are requested to give a free narrative, they very often only tell about the core of the happenings and will not necessarily start from the beginning to the end. It is thus imperative not to interrupt the child, but to allow the child to recount whatever is on his/her foreground at that moment.

The researcher recommends that a free narrative be followed up in the following way (Fouché, 2006:225):
- A child would normally indicate that sexual abuse has happened saying: "He did naughty things to me."
- The researcher would follow-up by clarifying what the child means with "naughty things".

- After it is determined that the child is talking about an incident of a sexual nature, the interviewer will discuss ground rules (refer to paragraph 4.6.7).

- Hereafter the child would be asked to tell whether the abuse happened once or more than once.

- The child is then requested to identify the different places where the alleged abuse happened and draw it.

- The interviewer would then explore every incident individually by saying to the child: "Tell me everything about what happened here."

- After the child has given a narrative, the interviewer identifies themes from the free narrative to explore, e.g. explicit sexual acts, contextual information and emotional content.

4.6.9   Second chance for free narrative

According to Aldridge and Wood (1998:90) it is highly effective to provide a child with a second opportunity for free narrative. A second attempt to elicit a narrative can be made after questioning is completed, provided that the interviewer clarifies that the original questioning is not being doubted (Poole & Lamb, 1998:97). The interviewer can say for example: "I think I understand most of what you told me, but I still don't understand what happened in the kitchen. Will you help me by telling me once more everything you remember about the time in the kitchen?" The child's first narrative will thus be followed by open-ended questions, specific questions and multiple choice format questions if necessary, and then a specific area of the child's testimony will be explored where a free narrative will be invited (Starks & Samuel, 2002b:25; Bull, 2003a:37).

The researcher experienced that during a forensic assessment process social workers in South Africa tend to call the child for an extra interview after they have analysed the information gained during forensic assessment interviews.

4.6.10 Invitational questions

When affirmative responses are obtained about a specific topic such as that alleged abuse happened in the bathroom, the interviewer should follow up with invitational questions (Faller, 2003:382) which invite the child to elaborate, e.g.: "Tell me what happened when your were in the bathroom with… ." Phrases such as "Then what happened after that…" and "And then" can also be used. Appropriate gestures and periods of silence can also invite and encourage the child to provide spontaneous or free narrative (Starks & Samuel, 2002b:27; Faller, 1993).

4.6.11 Neutral and supportive comments

Neutral encouragement Warren *et al.* (1999:133) is used throughout the interviewing process. Examples are: "Yeah?"; "And then?"; "Okay…"; "I see…"; "And then what happened…"; "Hmmm …" (Egan, 2005:216; Faller, 2003:382; Wood & Garven, 2000:112). A comparison study was done by Hershkowitz, *et al.* (2006:753) where 50 interviews with suspected victims of abuse, aged 4 to 13 years, who did not disclose abuse during the interview were compared with the same number of forensic interviews of alleged victims who made allegations of sexual or physical abuse. They found, among other things, that disclosures who received high levels of supportive comments denied less, whereas non-disclosures who received high support denied more. Reassurance like "I understand that this is very difficult for you to tell" (Hershkowitz *et al.,* 2006:761) and overall acceptance of the child are imperative.

4.6.12 Open-ended or general questions

Open-ended questions can be defined as questions that invite a broad reply and cannot be answered simply by a "yes", "no", or other brief one-phrase reply (Aldridge & Cameron, 1999:140). Some researchers argue that children's responses to these types of questions are less accurate (De Voe & Faller, 2002:5),

while others state that children are as accurate as adults, but they spontaneously provide less information (Waterman *et al.,* 2001:522).

A study conducted by Davies, Westcott and Horan (2000:81) analysed 36 video-recorded interviews with children between 4 and 14 years, and found that open-ended questions provided longer answers and more accurate information than closed questions and specific yet non-leading questions.

Open-ended questioning should be encouraged in all phases of the interview, regardless of the child's age (Hershkowitz, 2001:49). Research has been done by Hershkowitz (2001:49) where 54 interviews were conducted with children between the ages of 4 and 13 about incidents of sexual abuse that they had allegedly experienced. During the interviews, interviewers used an unusually high number of open-ended prompts and open-ended inquiries. It was found that open-ended prompts yielded significantly longer and more detailed responses than did focused prompts.

Bull (2003a:3) argues that by asking open-ended questions, the opportunity arises for the child to provide more information without being leading or pressurising the child. In forensic context, open-ended prompts (invitations) yield responses that are up to four times longer and three times richer in relevant details than responses to focused interviewer utterances (Lamb *et al.,* 2000:1586; Faller, 1993). Research done by Orbach *et al., (*2000:733) found that interviews where open-ended prompts were used facilitated more details than focused questions.

Another study by Lamb, Sternberg, Orbach, Esplin, Stewart and Mitchell (2003:930) examined the interviews of police officers trained in a structured protocol where suspected child victims were encouraged to provide detailed narratives with the guidance of open-ended questions. The children who were interviewed were between the ages of 4 and 8 years old. The study found that:

- 83% of all allegations and disclosures were elicited through free-recall questions (78% for pre-schoolers).
- 66% of all children identified the suspect through open-ended questions (60% for pre-schoolers).

It thus shows that interviewers do not need to bombard children with suggestive and close-ended questions in order to elicit information.

Open-ended questions invite a wide range of replies and do not suggest a specific answer. It is recommended by Cronch *et al.,* (2006:199) to be used when interviewing school-aged children and adolescents. In practice open-ened questions usually begins with "what", "how", "when", "who", or "where" (Aldridge & Cameron, 1999:140; Faller, 2003:382).

From experience the researcher found that more credible information might be elicited by means of open-ended questions as the child will tell from his/her own frame of reference.

4.6.13 Abuse-focused questions

Information not provided during free recall must be elicited by means of prompting, and for young children, the prompting often needs to be quite specific (Peterson & Biggs, 1997:280). It is recommended by Faller (2003:382) that a variety of types of questions be used when inquiring about child abuse. Specific interviewing about the alleged incidents is referred to by Cronch *et al.,* (2006:200) as abuse-focused questioning.

4.6.14 Focused questions

Children may provide more information when they are asked focused questions than when asked open-ended questions (Faller, 2003:382), although some of this information may be incorrect.

Focused questions often elicit relevant information, but they are not leading. There are three types of focused questions (Faller, 2003:382; Kuehnle, 1996:143):

- **Questions focused on people**

  "Where does Joe live?" "Are there things he does especially with you?" "Are there things Joe does that you like?" "Are there any secrets in the family?"

- **Questions focused on the circumstances of the abuse**

  "What do you do when grandpa baby-sits you?" "How does daddy take care of you when mom is at work?"

- **Questions focused on body parts**

  These questions are generally used in conjunction with anatomically explicit dolls or anatomical drawings. After the child has named the different body parts the interviewer could ask the following questions: "Have you ever seen a dinky (penis)?" "Whose did you see? "What does a dinky do?" "Has anyone ever asked you to touch his peepee?" (Faller, 1993) .

It is the opinion of the researcher that interviewers should attempt to obtain as much information as possible by using open-ended prompts to elicit information. Only after such prompts have apparently been exhausted, the interviewer should use more focused questions to elicit further forensically important information.

4.6.15 Specific questions

Specific questions are referred to as either close-ended questions (e.g. "yes/no" responses) (Aldridge & Cameron, 1999:140) and "wh" questions like "what", "where", "when" or a combination of close-ended questions and "wh" questions (Waterman *et al.,* 2001:522).

The Home Office (1992:21) refers to specific yet non-leading questions: In this stage the child gets an opportunity to extend and clarify any information which he/she provided previously. If, for example, a child explains that a woman wearing a dress grabbed her, specific yet non-leading questions would include: "What colour was the dress?"; "What did the dress look like?"; "Now tell me more about what happened when you walked into the bathroom" (Wakefield, 2006; Faller,

1993). Specific questions allow for extension and clarification of previously provided information both from the free narrative and subsequent phase. It also provides an opportunity for the child, who has said very little in connection with the purpose of the interview, to be reminded of what the focus of the interview is without being asked leading questions (Bull, 2003b:3). Children do not always know what is relevant and therefore the interviewer must guide the witness in an evidentially sound manner through specific yet non-leading questions.

4.6.16 Multiple choice questions

Multiple choice questions usually follow on a focused question and provide several responses for the interviewee to choose from, e.g: "Were your clothes on, off, or some other way?"(Faller, 2003:382). Multiple choice questions are leading if the list of choices offered is not exhaustive, e.g. the question: "Was it day or night when it happened?" would be specific, but not leading if it had been previously established that something had happened (Faller, 1993). However, the question: "Was his hat red or blue?" would be specific and leading, even if it had been established that there was a man with a hat, as the man's hat could turn out to be green.

Children would not necessarily have a good sense of time, days of the week, months and times of day. When a multiple choice question is thus asked, it should involve real events in the child's life, e.g: "Was it before or after lunch?" (Bull, 2003b:38).

4.6.17 Close-ended questions

According to Bull (2003a:3) if specific yet non-leading questions have not been sufficiently productive, then closed-ended questions could be asked. Questions that offer only two possible responses should only be used when better types of questions have already been tried (Bull, 2003b:38).

In research conducted by Waterman *et al.* (2001:522) 5- to 9-year-old children were asked senseless "why" questions. Most of the children did not try to answer the questions which they did not understand. However, when senseless questions were phrased in a closed format most of the children did try to answer it. These findings suggest that children may provide inappropriate responses to questions which they do not understand, or to which they do not know the answer, if the question only requires a "yes/no" response. Close-ended questions should always be followed up with open-ended questions. It is the opinion of the researcher that close-ended questions should be avoided as far as possible as it may be perceived as leading.

4.6.18 Leading and suggestive questions

A leading question is according to De Voe and Faller (2002:17) and Peterson and Biggs (1997:281) one that implies the answer. Leading questions embed or suggest an answer and make inferences or suggestions about events and circumstances that have not been previously established directly by the child in the course of the interview (Aldridge & Cameron, 1999:140). Bull (2003b:4) states that if the interviewer is of the opinion that further questioning is still necessary after free narrative, open-ended questions and specific yet non-leading questions, then it could be decided to move into leading questions. Due to children's natural compliance to adults, it occurs that children who are more willing and eager to please adults, would go along with adult's suggestions (Clarke-Stewart *et al.,* 2004:1041) and this could lead to eliciting of wrong information. However, there must be clear appreciation that a leading style of questioning may have limited evidential value in criminal proceedings (Wakefield, 2006).

Starks & Samuels (2002b:28) define questions as suggestive when details which were not previously mentioned by the child, and the expected response to the question are strongly communicated in the question.

It is the opinion of the researcher that leading and suggestive questions must be avoided at all times.

4.6.19 "Why" questions

Avoid questions to a child that begin with "why" as this is an open invitation for the child to fill in the gap (Wakefield, 2006). The researcher also experienced that children experience a "why" question as confronting and may elaborate to defend themselves.

4.6.20 Repeating of questions

It is recommended by Kuehnle (1996:133) not to repeat questions that have a "yes/no" answer, because the child may think that the first answer he/she gave was incorrect.

4.6.21 Reframing and summarising

Studies of the manner in which mothers talk to children (Saywitz, Nathanson & Snyder, 1993:61) showed that children rely heavily on adults to structure the conversation. Interviewers should avoid "topic hopping", i.e. moving from one topic to another without explaining why. All types of questions on one topic should be asked before moving on to a different topic (Bull, 2003b:38). Reframing assists children in successfully making the transition from one topic to another (Starks & Samuel, 2002a:21; Massengale, 2001). Children require transitional comments to signal a change of topic, e.g.: "We were talking about the school, now I want to ask you questions about your mother." In the context of a forensic interview the researcher found it useful to reframe, e.g.: "You've told me what happened in the bathroom. Now I want to talk about where the other people in the house were."

Reflective techniques can be used to identify inconsistencies in children's answers (Kortesluoma, Hentinen & Nikkonen, 2003:439). The interviewer can verbalise the child's answer differently to check what he/she really meant or said. The researcher is of the opinion that forensic interviewers should use this with discretion, because it may be considered as suggestive or leading.

4.6.22 Clarify labels, concepts and names

Research has shown that many common terms are unfamiliar or misinterpreted by children under the age of 10 years (Saywitz *et al.,* 1993:61). It is recommended by Starks and Samuels, (2002b:25) that labels used by both the child and the interviewer be clarified, as the interviewer cannot interpret what the child means. It is the opinion of Carstens (2006:194) that a constant clarification of information gained from the child must take place in order to prevent the interviewer from making a subjective conclusion. From experience the researcher found that it is imperative that any label used (e.g. names for private parts, positions, names for people) be clarified and that the interviewer will not interpret what the child is saying (Fouché, 2006:225).

4.6.23 Use of drawings during forensic interviewing

The use of drawings during forensic interviews is emphasised by Hiltz and Bauer (2003). Research conducted by Gross and Hayne (1998:170) found that children's verbal reports are longer and more descriptive when they drew and told rather than merely told what had happened. Another study by Bruck *et al.* (2000:196) with children between the ages of 3 and 6 years, found that children in the drawing condition had better recall of true reminders than children in the group where they were just questioned. In a study where 60 children, aged 5 and 8 years, were interviewed about times when they had felt happy, sad and scared (Wesson & Salmon, 2001:301) drawing, among other techniques, was used. It was found that drawings and re-enactment elicited a greater number of items of descriptive information than the verbal interview did.

Asking children to draw a picture about a specific event in combination with non-leading verbal prompts can enhance the verbal reports of children over the age of 4 years (Salmon, 2001:267). However, after a long delay drawings may elicit errors and false information. The drawings allow children to make their retrieval cues concrete and it is likely that representing objects on paper is easier than representing actions (Wesson & Salmon, 2001:304).

Worksheets and pictures mark children in the middle childhood's world at school. Due to them being very concrete in their thoughts (Van Dyk, 2005:149), their way of communication is by means of pictures. When asking children to draw, interviewers should avoid using words like "play", "pretend", "make-believe", or "imagine" (Wakefield, 2006). The use of drawings may be utilised in the following instances (Faller, 1993; Jones, 1992:39; Hiltz & Bauer, 2003):

- To assist children that have difficulties disclosing possible sexual abuse, e.g.: "Draw me a picture of anything. Draw me a picture of your family."
- To clarify or demonstrate what the child said about the abusive situation (after the child has already indicated that something has happened): "Draw me a picture of (identified perpetrator)"; "Draw me a picture of what (the perpetrator) did"; "Draw me a picture of where (the abuse) happened."; "Draw me a picture of the (instrument/body part) he used."
- If a child describes being abused with certain instruments, or if he/she describes creams or other aids, it can be useful to have the child draw a picture of what these instruments looked like and/or where they were kept.

Research has shown that incidents which occurred first or last in a series of incidents are most accessible to memory (Orbach *et al.,* 2000:736). The researcher would, after determining whether the alleged abused happened once or more than once, determine the different venues where the abuse happened. Then the child would be invited to give a free narrative about the alleged abuse and he/she will be asked to draw the first, last incident or any incident. From that point the researcher would explore whether the abuse happened at "any other place" "at any other time". The researcher has found that this is an easier method to determine whether the abuse happened more than once.

4.6.24 Anatomically correct dolls

Anatomically correct dolls are widely used. Although most appropriate for use with children aged 2 to 6 years, anatomical dolls may be used with children of any age (Faller, 1993). A study by Peters (2001:149) compared experts' and laypersons'

judgements regarding child sexual abuse allegations. It was found that experts might jump to conclusions of abuse merely based upon suggestive and symbolic material, and experts are warned to use anatomical dolls only for demonstration of body and parts and actions, and to make communication clear, but not as a litmus test of abuse.

Guidelines in the United States of America on the use of anatomical dolls (Holmes, 2000) emphasise that:

- the dolls should be introduced after the child has made a verbal disclosure;
- the child should specifically be told that the dolls are not toys and they are not to be played with;
- dolls should be presented when they are fully clothed;
- the appropriateness of using the dolls should firstly be assessed;
- determination whether or not a child is able to make a representational shift must be done beforehand;
- no assumptions about the child's demonstrations should be made; and
- children should not be forced to use the dolls in demonstrations.

Anatomical dolls are not accepted by many scientists and other professionals who conduct research on interviewing child witnesses. The use of these dolls does not form part of formulated guidelines on how children must be interviewed to obtain reliable and forensically useful information (Wakefield & Underwager, 2003). It is further recommended by Wakefield and Underwager (2003) that interviewers should not use the anatomically detailed dolls, as it may result in the information obtained in the interview being ruled inadmissible in court or being discredited by the opposing lawyer. A study conducted by Santtila, Korkman and Sandnabba (2004:32) studied 27 transcribed forensic interviews which were conducted in Finland, and found that interviews in which anatomically detailed dolls were used included more suggestive utterances and less detailed responses by the children.

In the South African criminal courts a child is allowed during testimony to demonstrate with anatomical dolls what actually happened (Venter, 2006). A state prosecutor from the Sebokeng sexual offences court explained that the anatomical

dolls are used when the child finds it difficult to verbalise specific detail, or when there is confusion regarding what the child meant (Venter, 2006). The dolls are only used after the child has verbalised the alleged sexual abuse. The child would be asked to identify the male and female doll and then the instruction is given: "Show us what happened" (Venter, 2006).

The researcher is of the opinion that anatomical dolls should only be used after the child has already disclosed the sexual abuse and has given an explicit verbal account, and when the interviewer is uncertain of some of the content of the child's verbal account of events (Fouché, 2006:228). The researcher is also of the opinion that forensic interviewers do not have to use anatomically correct dolls, but even teddy bears may be utilised. A stick figure could also be used in order for the child to indicate which body parts were involved in the alleged sexual abuse.

4.6.25   Truth-and-lie and morality check

The *Memorandum of Good Practice* recommends that the need to speak the truth should be emphasised within the rapport phase of the interviewer (Aldridge & Wood, 1998:58; Bull, 2003a:1). It is confirmed by Starks & Samuel (2002a:22) and Kuehnle (1996:101) that it is imperative that the interviewer must emphasise to the child the importance of speaking the truth. If interviewers imprint in children an understanding of the difference between the "truth" and a "lie" before beginning the abuse-focused questioning, it may increase the credibility of the child's statement (Cronch *et al.,* 2006:200).

It is important to test the child's comprehension of "truth" and "lie" with a concrete and abstract concept (Orbach *et al.,* 2000:750). The child may be asked questions about colours of choice and whether the child and interviewer have met the previous day (Orbach *et al.,* 2000:750). It is also important to do a morality check in order to demonstrate to the child what the consequences of a lie might be (Wakefield, 2006).

In the South African jurisdiction, all witnesses must undergo a competence examination before giving their testimony. According to the Criminal Procedure Act, 1977 (Act No. 51 of 1977) child witnesses under the age of 14 will not be sworn in, but an informal examination on their competency will be done by the presiding officer. The focus during this competency test is to determine whether the child can distinguish between the truth and a lie. The child will also be warned to tell the truth. When the police officers take a child's statement, the child does not give it under oath, but only a competency test is done and the child is warned to tell the "true story" (Lock, 2004; Venter, 2006).

The researcher is of the opinion that it is important to determine the child's comprehension about the difference between the truth and a lie, as well as the consequences of lying, right before the abuse-focused questioning will start. It is the opinion of the researcher that children must know that talking about the allegation is a serious matter, and that they should be reminded thereof before the actual abuse-focused questioning. Should the truth-and-lie test be done prior to the verbal disclosure, the child may have forgotten the importance of telling the truth by the time the abuse-focused questioning starts. The researcher is also of the opinion that it is important to ask the child after the abuse-focused questions have been completed, whether there is any part of his/her statement that he/she is not sure of or that is not the truth. This opportunity also gives the child the opportunity to rectify mistakes made during the course of the interview.

4.6.26 Investigate multiple hypotheses

It is important for forensic interviewers to assess multiple hypotheses throughout the interview (Bruck & Ceci, 2004:230). The *American Professional Society on the Abuse of Children Guidelines* advises interviewers to consider and rule out alternative explanations for suspicions of abuse (Poole & Lamb, 1998:102). Alternative hypotheses about the alleged sexual offence, for instance possible perpetrator substitution or forcing by a third party to make the allegation (Street, 1997:8) or other possible explanations (Wakefield, 2006), contribute to the objectivity of the interviewer (Carstens, 2006). The forensic interviewing process

is thus characterised by a hypotheses-testing rather than a hypotheses-confirming approach (Poole & Lamb, 1998:109; Fouché, 2006:207) and the interviewer must consider alternative hypotheses throughout the interview process.

Alternative hypotheses (Wakefield, 2006; Kuehnle, 1996:175; Fouché, 2006:237) would, among others, include the following:

- Perpetrator substitution.
- Some allegations are valid, but the child has invented or has been influenced to make additional allegations that are false.
- The child misperceived innocuous or inappropriate, but non-abusive behaviours as sexual abuse.
- The child has been influenced or pressured to make a completely false allegation to serve the needs of someone else.
- False allegation for personal motives of revenge, gain, to show off to a peer or to help someone else.
- The child has fantasised the allegation, possibly because of psychological problems.
- The child initially made up the allegations, but has talked to several people about them and they have now become real to the child.
- The child saw pornographic magazines and pictures, observed adults engaged in sexual activities and this contributed to the allegation he/she later made.
- The child engaged in sex play with peers or siblings, and then accused an adult.
- Repeated questioning by adults who believed the child had been abused, and the child began making statements to please the adult, who then reinforced the child with attention or praise.

4.6.27 Anyone else, anything else, anywhere else

During expert witness testimony in 1998, the researcher was questioned by a defence lawyer and a magistrate on why she did not ask the child if "anyone else did the same things to you" as perpetrators often agree that the child may have been sexually abused, but blaming someone else for it.

It is imperative for interviewers to ask if there is "anything else" the child wants to mention (Faller, 2003:382), or to ask the child after an allegation has been verbalised, if "anything else" has happened (Fouché, 2006:225). Due to developmental difficulties (Aldridge & Wood, 1998:99) a child would experience difficulties to verbalise how many times the alleged sexual abuse has happened. The researcher has experienced that in order to determine how many times the alleged sexual abuse has happened, it is convenient to ask whether it happened "anywhere else" than the location that the child has already mentioned.

4.6.28 Prior knowledge about sexual matters

From experience in the field of child sexual abuse and during expert witnessing in criminal cases, the researcher has found that it is crucial that the interviewer would explore what the child's knowledge was about sexual abuse before the victimisations, as this hypothesis for the child's knowledge about sexual acts has been posed to the researcher during cross-examination (Fouché, 2006:235). The interviewer may ask the child where he/she learnt about sexual abuse and what was said.

Furthermore the researcher is of the opinion that interviewer must explore whether the child has knowledge of friends' and family's victimisation in order to investigate the hypothesis that he/she is copying the allegation. It is also imperative to determine the child's exposure to explicit television programmes and pornography. However, the researcher found that it is very difficult to explore exposure to pornography without being leading. The researcher, in an attempt to determine

exposure to pornography, would ask the child: "Have you seen or heard about these naughty things (use label the child has used) anywhere else?"

4.7   THE INTERVIEWING PROCESS

It is the opinion of both Heiman (1992:311) and Babiker and Herbert (1998:234) that there does not appear to be a body of scientific research that helps the practitioner to differentiate a *bona fide* case from those which are false. However, there are certain clinical features that might indicate fictitious reports.

4.7.1   Clinical features indicating possible fictitious reports

The presence of the following clinical features in the child's account may, according to Jones and McGraw (1987:27), indicate a fictitious report:

- Lack of emotion when revealing the alleged abuse.
- Absence of emotion and threat in the child's account.
- The presence of a custody access dispute.
- Pre-existing post-traumatic stress disorder based on previous life events.

An assessment guideline is used by Faller (1993) to evaluate the child's account. The allegation is assessed on four levels, namely:
- the child's ability to describe the sexual behaviour;
- the child's ability to describe the context of the sexual abuse;
- emotional content evaluated during disclosure and reported experience during the alleged abuse; and
- consistency.

According to Heiman (1992:312) validation of abuse is made from a multidimensional perspective and should assess:

- history of symptoms;
- verbal reports;
- phenomenological experience of abuse;
- presentational style; and
- corroborating evidence.

The criterion-based credibility assessment consists of eighteen criteria, grouped into five major categories and is applied to the child's statement (Bradford, 1998:96):

- **General characteristics**
  - Logical structure
  - Unstructured production
  - Quantity of details

- **Specific content**
  - Contextual embedding
  - Descriptions of interactions
  - Reproductions of conversations
  - Unexpected complications during the incident

- **Peculiarities of content**
  - Unusual detail
  - Superfluous details
  - Accurately reported details misunderstood
  - Related external associations
  - Accounts of subjective mental state

- **Motivation-related contents**
    - Spontaneous corrections
    - Admitting lack of memory
    - Raising doubts about one's own testimony
    - Self-depreciation
    - Pardoning the perpetrator

- **Offence**
    - Detailed characteristics of the offence

Once the evaluation is completed, a validity checklist (Statement Validity Analysis) is applied which consists of eleven distinct factors grouped under four main headings (Yuille & Farr, 1987:19):

- Statement is checked for the appropriateness of language.
- The way in which the interview was conducted, and in particular the extent to which suggestive, leading or coercive questioning was used, is considered.
- The child's motives to report and whether there were any pressures existing to report falsely are determined.
- The child's allegation is compared for consistency with other statements.

4.7.2 Topics to be explored during the interviewing process

The topics to be explored during the forensic interviews are guided by the evaluation and validation process (Fouché, 2006:237; Heiman, 1992:312). From the aforementioned themes in the evaluation guidelines need to be covered during the forensic interviewing process in order to validate the information gained from the child.

4.7.2.1 Identification of the perpetrator

It is crucial to determine who the alleged perpetrator or perpetrators are (Heiman, 1992:317; Venter, 2006; Lock, 2004), what the child's relationship is with him/her and whether the child is aware of any other children that are involved (Faller, 1993). It is the opinion of the researcher that it is imperative for the forensic interviewer to know the identity of the perpetrator, as this will have an impact on whether someone would be charged for the crime committed. The researcher is also of the opinion that it is important that the interviewer determines what the child's relationship is with the perpetrator in order to conduct a risk assessment. Specific names must be obtained, as well as the address and location of the perpetrator.

4.7.2.2 Nature of the alleged sexual abuse

Explicit detail must be obtained from the child as one of the criteria is to evaluate a child's statement to determine whether the child has sexual knowledge which is considered inappropriate for his/her age (Faller, 1988:17).

The interviewer should ask questions which will cover the following aspects of the alleged abuse (Heiman, 1992:317; Fouché & Joubert, 2003:17; Carstens & Fouché, 2006:14; Faller, 1993; Fouché 2006:237; Venter, 2006):

- What has happened.
- How it happened.
- With what the child was sexually abused.
- Which body parts of the perpetrator, if any, were involved in the alleged sexual abuse.
- Where the other body parts of perpetrator were.
- Which body parts of the child were involved.
- Whether any movements occurred.

- What the child felt physically. The researcher has experienced that it is very important to explore where the child has first experienced boundary violations and what the child physically felt, heard, saw and smelt (during the alleged incident.

- The number of times the alleged sexual abuse occurred and what precisely happened during each incident This will have an impact on criminal charges against the alleged perpetrator .

4.7.2.3   When the abuse happened

It is important to determine when the alleged abuse occurred and how often it has happened, (Heiman, 1992:317; Fouché & Joubert, 2003:17). The interviewer should ask what else happened on the day, in which grade the child was or where other persons were (Carstens & Fouché, 2006:18). This information may then be corroborated with external sources to estimate when the alleged abuse occurred.

4.7.2.4   Explore the offender's actions to involve the child

It is important for the interviewer to determine how the abuse engaged the child, whether the child was threatened or asked to keep the abuse a secret (Heiman, 1992:317; Faller, 1993) and whether the alleged offender said anything.

4.7.2.5   Clothing

The researcher has acted as an intermediary on several occasions, and child witnesses are often asked what they were wearing on the day (of the abuse) and also what the offender was wearing (Kuehnle, 1996:167). It is thus imperative to ask the child what he/she was wearing, and if he/she cannot remember (Faller, 1993), to mention it in the report so that the police official or state prosecutor, who would use information from the report to make instrumental decisions, be aware of that.

The interviewer must determine whether any clothing was removed (Jones, 1992:30), who removed it and what happened with the clothing during the abuse and afterwards.

4.7.2.6 Emotional reactions

Research by Wood *et al.* (1996:81) evaluated 55 video-recorded interviews of high-risk sexual abuse cases seen at a multidisciplinary assessment centre. They found that a credible disclosure of abuse will not necessarily include the display of emotion by the child.

In another study the ability of social workers, police officials, teachers and laypersons to detect truths and lies was tested. While five 6-year-olds, adolescents and adults told truths and lies, their nonverbal reactions were evaluated by the social workers, police officials, teachers and laypersons (Vrij, Akehurst, Brown & Mann, 2006:1230). It was found that when judging someone's demeanour, social workers, police officials, teachers and laypersons all reached around 60% accuracy in detecting truths and lies told by all three groups (young children, adolescents and adults). It thus indicates that by only focussing on the nonverbal behaviour, interviewers cannot necessarily give an accurate indication on whether a child is lying or not. However, the interviewer must explore during the interview (Faller, 1993; Jones & McGraw, 1987:33):

- the child's emotional reactions during and after the alleged incident, and
- the child's emotional reactions during the disclosure of the alleged incident.

The researcher experienced that in order to evaluate for internal consistency, it is imperative to ask a child what he/she was thinking during and after the abuse. The researcher is of the opinion that interviewers must not interpret a child's nonverbal behaviour and emotional reactions, but ask clarifying questions and explore if there is any uncertainty.

4.7.2.7 Context explanation

During the context explanation the interviewer should ask questions about the place where the abuse happened to determine the following (Faller, 1988:18; Jones & McGraw, 1987:32; Heiman, 1992:312; Kuehnle, 1996:162).

- The address where the alleged abuse happened.
- The identify of the person(s) living there.
- Whose place/home it is.
- Where in the venue the alleged abuse took place.
- Exploration of furniture and objects present.
- Where other people were at the time of the abuse.
- If there is a possibility that any person(s) could have seen what has happened
- How the child got to the venue, out of the venue and where he/she went afterwards

It is thus important to ask clarifying questions on any information regarding the context that is not clear or that is missing (Fouché, 2006:237).

4.7.2.8 Anywhere else

In order to assess multiple hypotheses like the possibility that the child has been sexually abused by another person, or has seen or heard about sexual acts elsewhere, the interviewer should also ask the child whether he/she has seen things like the alleged sexual abuse at any other place (Fouché, 2006:218). The researcher experienced during numerous expert testimonies in criminal courts, that defence lawyers often pose the hypotheses: "Is it possible that the child could have gained the sexual knowledge somewhere else than through the alleged offence?" It is very important that the interviewer should be able to cover this possibility through the interviewing process.

4.7.2.9   After the abuse

The interviewer should also explore (Carstens & Fouché, 2006:19; Faller, 1993; Heiman, 1992:312):

- what happened after the abuse.

- how the child got out of the venue/room/house.

- where the child went after the abuse.

- where the perpetrator went after the abuse.

- what the child's reactions were towards the alleged perpetrator during and after the abuse.

- whether the child has immediately told anyone.

- who the child told and what that person's reaction was and how that impacted on the child.

- reasons for the child not telling anyone about the abuse.

4.7.2.10   Reporting the alleged offence to someone

In South African courts the first rapport (first person the child reported the alleged offence to) has to testify during the trial (Criminal Procedure Act, Act No. 51 of 1977). It is thus also a standard question during the child witness' testimony that the child is asked whom he/she first told about the alleged abuse. Questions regarding delayed reporting would also be posed (Venter, 2006). For the professional assessing a child it is imperative to explore the reactions of the first rapport, as this will assist the professional to understand the trauma posed on the child. This could also explain why a child was recanting (Sorenson & Snow, 1991:15).

4.7.2.11   Consistency

It is important that the interviewer should assess and explore the consistency between the child's verbal statements and emotional reactions (Fouché, 2006:237;

Faller, 1993; Jones & McGraw, 1987:33), as well as inconsistencies in the child's statement. The researcher is of the opinion that the forensic interviewer must be alert to inconsistencies in the child's statement and must ask clarifying questions.

4.7.2.12 Closure of sessions

It is important that the child be informed regarding what will happen to the information the interviewer gained through the sessions (Fouché 2006:235). However, information regarding the legal steps should be done with discretion as to not impose any guilt on the child.

The child has the right to leave a session on a high note, and it is necessary that the professional therefore employs empowerment exercises to contain the child before a session ends and the child has to leave (Fouché, 2006:217). The *Step-wise forensic interview protocol* (Practice Notes, 2002) and the *Memorandum of good practice* (Home Office, 1992:15) recommend that interviewers shift the conversation at the end of the interview to a neutral topic prior to closure of the interview. The researcher is of the opinion that this is very important as it normalises the environment for the child before leaving.

4.8 STRUCTURED INTERVIEW PROTOCOLS

4.8.1 *Memorandum of Good Practice / Achieving Best Evidence*

The *Memorandum of good practice on video-recorded interviews with child witnesses for criminal proceedings,* known as *Memorandum of Good Practice* (Home Office, 1992:15), and its updated version, *Achieving best evidence in criminal proceedings: guidance for vulnerable or intimidated witnesses, including children*, known as *Achieving Best Evidence* (Bull, 2003a:1), is a phased interview protocol that was adapted as an acceptable method of interviewing children.

The phased approach treats the interview as a process in which different interviewing techniques are used in phases, proceeding from general and open to specific and closed forms of questions. During a preliminary stage (Bull, 2003a:2) the interviewer must determine the setting where the interview would take place, taking into consideration the child's age and whether the venue is suitable to interview a child of that age, privacy, few distractions and space for activities. This interview protocol consists of four phases, namely:

- **Rapport**

  The aim of this phase is to build rapport with the child in order to ensure that the child feels comfortable and relaxed (Bull, 2003a:2). It also serves to supplement the knowledge about the child's social, emotional and cognitive development, as well as his/her communication skills (Home Office, 1992:15-16). The interviewer will introduce him-/ herself, explain his/her role and the purpose of the interview without referring to the alleged offence. Ground rules must be explained to the child, and will include an explanation of why the interview is conducted, what would happen with the statement and a discussion on the importance of telling the truth and not making up any information.

- **Free Narrative Account**

  The interviewer acts as a facilitator, encouraging the child to provide an account of the alleged incident in his/her own words and in his/her own time. The interviewer will use general, open-ended questions, aiming to obtain information from the child which is spontaneous and free from the interviewer's influence (Home Office, 1992:17).

- **Questions**

  The phase consists of three stages (Home Office, 1992:19; Bull, 2003b:37):
  - Open-ended questions
  - Specific yet non-leading questions
  - Closed questions

- **Closing the Interview**

  It is in the interest of the child that the interview be closed on a positive note, and the child should be thanked for co-operating and for providing information. The interviewer should also provide simple, straightforward information about what will happen in the criminal justice system, so that the child understands clearly the steps that will follow. It may be necessary to return to the rapport phase and chat about some of the neutral topics that were raised earlier. It is a good idea to give the child a contact name and number if the child should have any questions or should he/she wish to discuss certain matters further (Home Office, 1992:20).

4.8.2   Five phases of forensic interviewing

A series of phases are suggested by Jones (1992:30):

- **Gaining rapport**

  The interviewer is to establish a relationship with the child, engage the child's interest, and make an assessment of the child's level of understanding. Neutral topics are discussed. The interviewer can explain who he/she is and describe his/her role. The issue of confidentiality can be discussed in this session or later.

- **Initial inquiry about sexual abuse**

  During this phase the interviewer attempts to obtain a free narrative about the sexual abuse. The child is asked why he/she thinks he/she came to the interview. The interviewer's line of inquiry will depend upon the type of suspicion that has led to the current investigation. Broadly there are four categories, namely:
  - something the child has said;
  - an adult's suspicion about a place or person;
  - physical disease; and
  - the child's behaviour and general inquiry about family, or friends (Family drawings may be used here).

- **Facilitation**

  If the child did not disclose the abuse in the previous phase, the interviewer would refer back to previous disclosure, utilise more direct and focused questions or utilise toys and prompts.

- **Gathering specific detail**

  During this phase specific information is gathered regarding the clothing, emotions of the perpetrator, context information, where other people were, anyone else who did the same things and the child's participation.

- **The closing phase**

  The interviewer will appreciate and recognise the feelings and emotional struggle that the child has been through during the interview. The first step into the future may be described, e.g.: "I will write my report, and you need to tell the police". Fears and anxiety need to be addressed. If the interviewer is not going to see the child again, he/she must prepare the child on that.

4.8.3 *The National Institute of Child Health and Human Development (NICHD) Investigative Protocol*

A need was identified for a fully structured investigative protocol in the United States of America and that led to the development of the *NICHD Investigative Protocol* (Orbach *et al.,* 2000:733; Cronch *et al.,* 2006:202; Hershkowitch, 2006:766). This protocol has definite phases:

- **Introductory phase**

  The interviewer would introduce him-/herself, clarify the child's task, and explain the ground rules and expectations.

- **The rapport-building phase**

  It comprises two sections, characterised by open-ended prompts. Firstly, the interviewer establishes rapport between the child and the interviewer and

encourages the child to provide narrative responses to open-ended questions. Secondly, the interviewer attempts to shift the child's focus to the substantive issues in a non-suggestive manner so that the recollection process can commence, e.g.: "Tell me why you came to talk to me today." Only if the child fails to identify the target events will the interviewer employ progressively more focused prompts to identify the alleged abuse.

- **Free recall phase**

    This phase starts with the first substantive invitation: "Tell me everything that happened from the beginning to the end as best you can remember." This is followed by open-ended prompts. As soon as the first narrative is completed, the interviewer determines whether the incident occurred once or more than once, and proceeds to secure incident-specific information.

- **Questioning phase**

    During this phase the child is directed to recount events that are most accessible to memory. Open-ended questions and prompts are used exhaustively, with focused questions only used at the end of the questioning phase. Asking children to add any additional information, thanking them and shifting the discussion to a neutral topic for closure, complete the questioning phase.

- **Closure phase**

    Interviewers complete the questioning phase by asking children whether they have additional information to report before thanking them for their cooperation and shifting the discussion to a neutral topic for closure.

4.8.4 *Step-Wise* forensic interview protocol

The *Step-Wise* interview protocol has been developed by Yuille (Poole & Lamb, 1998:95) and aims to minimise any trauma the child may experience during the interview and maximise the amount and quality of the information obtained from the child (Practice Notes, 2002).

The steps in this method begin with the most open, least leading, least suggestive form of questioning and, if necessary, proceed to more specific and more leading questioning. The overall format involves eight basic steps (Poole & Lamb, 1998:95):

- **Rapport-building phase**

  During this phase the interviewer puts the child at ease by asking questions about the child's interests. Rules for the interviews are discussed and narratives about neutral topics are allowed to assess the level of detail the child conveys and to teach the child to tell a story.

- **Requesting recall of two specific events**

  The interviewer asks the child to describe two specific past experiences like recent outings. These conversations will provide baseline data on the child's verbal skills, allowing the interviewer to reinforce the child for talking, and give the child practice responding to open-ended and non-leading questions that will set the stage for the remainder of the interview.

- **Explaining the need to tell the truth**

  The interviewer will explain the need to tell the truth and will emphasise the serious nature of the interview in a non-threatening way.

- **Introduce the topic of concern**

  The interviewer would start with a general question such as: "Do you know why we are talking today?"

- **Encouraging a free narrative**

  After the child has exhausted his/her free narrative, the interviewer moves to questioning.

- **Asking general questions**

  This begins with open-ended questions and then, if necessary, the interviewer proceeds to employ specific, but non-leading questions.

- **Using interview aids if necessary**

  The *Step-Wise* protocol permits interviewers to use drawings and dolls for clarification after children have disclosed an event.

- **Closure phase**

  The interviewer ends the *Step-Wise* interview by thanking the child for participating, asking if the child has any questions and explaining what will happen next.

4.8.5   An extended forensic evaluation model

The extended forensic evaluation model has been developed by Carnes (2005) and it includes five stages of gathering information:

- **First stage**

  The interviewer gathers background information.

- **Second stage**

  The interviewer will focus on building rapport, developmental assessment and establishing ground rules.

- **Third stage**

  The interviewer conducts a social assessment and behavioural checklists are reviewed.

- **Fourth stage**

  During this stage the interviewer makes use of abuse-specific questioning to gather information.

- **Fifth stage**

  The interviewer reviews, clarifies and makes treatment referrals if necessary. The interviewer then uses a forensic evaluation critical analyses guide to

assess all of the information that has been gathered and to prepare a written report (Carnes, 2005).

4.9 DEALING WITH DIFFICULT ISSUES

4.9.1 Cultural competency during forensic interviews

Cultural competency is the ability to understand, to the best of one's ability, the worldview of our culturally different clients and adapt our practice accordingly (Abney, 1996:411). Interviewers should ensure that issues like language, culture and ethnic background are accommodated during the interviewing process (Fowler, 2003:42). It is the opinion of the researcher that if these issues are not accommodated, the assessment interview is likely to be confronted with them at some stage, and this could disrupt the assessment or even prevent its completion.

Cultural factors may be influential (Aldridge & Wood, 1998:216), e.g. if the child and translator have a shared culture where sexual matters are taboo, the child may find it more difficult to reveal intimate details. The researcher found it effective to put up pictures of children from different cultures and direct the child's attention to them, and to select techniques and interviewing tools during the interviewing process that are culturally sensitive. Anatomical dolls and drawings must fit the race of the child (Vieth, 2002).

It is the researcher's experience (Fouché, 2001:31) in the rural areas that when a child discloses sexual abuse to a parent, he/she will be washed and then taken to a neighbour, usually an older lady in the street, in order for her to physically look if the child has indeed been sexually abused. She then would recommend that the child be taken to the police. If a forensic investigator is not aware of this, he/she could mistakenly determine from the child that an old lady has fondled him/her. It is also not unusual for children as old as 9 years to be bathed by parents, including bathing the private parts.

The use of professional terminology or jargon should be avoided at all times (Fowler, 2003:44). White professionals in the field usually have Western world values that are brought into the interviewing room (Abney, 1996:413), e.g. long-range planning and strict adherence to time schedules. It is the opinion of Abney (1996:417) that interviewers should familiarise themselves with child-rearing practices, sex roles, family structures, religious beliefs, community characteristics and other cultural factors when working with a child from a different culture than the interviewer. The researcher experienced that a child from a white middle-class family may understand what "Plasticine" or "play dough" is and will know instinctively how to make a little figure out of it, but a black child from a rural area may never have seen play dough and may be scared to use it.

4.9.1.1   Using translators in forensic interviews

Although it may be difficult to establish an effective rapport when the interview is being conducted through an interpreter, steps may be taken prior to the interview to minimise its effect (Aldridge & Wood, 1998:215). It is the opinion of the researcher that the ideal scenario within forensic interviewing is that a child be interviewed in his/her mother tongue by an interviewer of the same culture.

The present reality is that trained, multilingual interviewers are not readily available in many communities. There are approximately 41 million people living in South Africa. More than 16 million or 40% of these people are under 18 years of age. A large majority of these children are black African children (81%), 9% are Coloured, 2% are Indian and 8% are White (Pierce & Bozalek, 2004:819). In 1997, 22 social workers of the South African Police Service underwent a special training course in order to conduct forensic assessment interviews (Stutterheim, 1999:5). There was not a single social worker in Gauteng province who could speak an African language, which necessitated the use of translators. It is therefore necessary that social workers from different races be able to conduct interviews through a translator (Fouché, 2006:214).

During the researcher's service years in South African Police Service, she did in-service training with a tea lady who assisted with translation whenever there was a language barrier between the researcher and children. The researcher also tested play-related communication techniques by means of a translator during her M.A. studies (Fouché & Joubert, 2003:14) and found that although it is extremely difficult to utilise a translator during forensic interviewing, it is not impossible. It is the opinion of Fowler (2003:43) that should the assistance of translators be necessary, they must be from an independent translator service, and not family members. They should either be experienced in or familiar with the type of work for which they are utilised.

The following are guidelines (Hiltz & Anderson 2002; Carstens & Fouché, 2006:15; Fowler, 2003:44; Aldridge & Wood, 1998:216) for those who choose to utilise interpreters in their forensic interviews:

- Establish the need for a translator by asking: "What language does this child use at home?" Although children may speak English at their school or day care centre, the interviewer must keep in mind that the child may talk about things he/she only has words for in his native language, e.g. body parts or sexual acts.
- Interviewers need to consider interpreters who have a court certificate.
- The interpreter needs to be a neutral party. The interpreter is not an advocate for the child and should not try to explain or help witnesses by expanding or rephrasing questions and answers. The interpreter must not know the child, as it may influence the child's responses due to a desire to please a loved one.
- The variations within languages should be considered, as it can lead to misunderstandings or even an inability to communicate. Gathering some specifics about the child prior to the interview and attempting to match the interpreter accordingly can address this problem.
- The interviewer should meet with the translator prior to the interview to cover the follow issues:

- The purpose and what is expected during the interview. Specifics regarding the nature of a forensic interview, any aids which may be used during the interview, method of memorialising the interview and the physical set-up of the interviewer.

- The translator should be sensitive to the fact that he/she should not change the question or the question structure (i.e. multiple choice, open-ended, "yes/no"). The translator should also alert the interviewer if questions could not be interpreted directly. The translator should not attempt to clarify the questions.

- The interviewer should be alerted to how tired the translator is and his/her ability to translate longer and shorter sentences (Fowler, 2003:44).

- The translator may have more than one way to word a sentence or question in the child's native language. The translator should be instructed to select the simplest, shortest and most concrete method.

- The translator should translate everything, even if the child answers with seemingly unrelated information, so that the interviewer can determine the relevance of all the information.

- The translator should be warned against touching or gesturing. The translator should avoid having children sitting on their laps, hugging or stroking a child, nodding their heads and gesturing.

- The setting of the interview room should be positioned so that the interactions of the interviewer and child are the focus. The interviewer and child should face each other, with the translator sitting slightly behind and to the side of the interviewer.

- Having a translator in the interview does not necessarily obligate the interviewer or the child to use her/him continuously. The use of the translator should be adjusted to developmental and situational factors.

- At the outset of the forensic interview, the interviewer should introduce the interpreter and his/her role to the child.

- When the interviewer speaks to the child he/she should focus his/her attention on the child being interviewed, not the interpreter. When speaking, the child should be addressed directly, not the translator, and the interviewer

should keep looking at the child. Phrases such as "Tell her…", or "Ask him…" should be avoided (Carstens & Fouché, 2006:14).

- The interviewer should give a pause after a sentence in order to give the interviewer sufficient time to interpret.

- The child will look at the interviewer when he/she talks and then turn his/her head to the translator.

It is the opinion of the researcher that it is imperative that the translator follows the pace of the interviewer, i.e. when the interviewer asks a question smiling, the interpreter must also smile or when the interviewer has a neutral expression, the translator must also try to have a neutral face.

4.9.2   Number of sessions

It is the opinion of Bentovin *et al.* (1995:247) that a single interview to investigate a specific event will not necessarily reveal information regarding a child's experience. A follow-up session may continue after a short break or a few minutes or hours, while others may reconvene after several days (Jones, 1992:20). It may happen that the child wants to stop the interview and the interviewer must do so, telling the child that they will meet again (Wakefield, 2006). A study conducted by Hershkowitz *et al.* (2006:754) with suspected victims of child sexual abuse between the ages of 4 and 13 years, found that interviewing children who are reluctant to disclose in more than one session, may help them disclose their experiences.

The *American Professional Society on the Abuse of Children Guidelines* indicates that two to six sessions may be involved during the interviewing process, and that not all of these would include specific questions about sexual abuse (Poole & Lamb, 1998:102). The interviewer must be willing to accept the possibility that the first interview may not result in any information at all, or may involve a child who is not willing to share any information and refuses to speak. In some cases further interviews will be necessary.

It is the opinion of Bruck *et al.* (2006:786) that repeated questioning and interviewing in suggestive interviews increase the number of false allegations. A misconception exists among professionals that only multiple suggestive interviews are needed to contaminate a report of a child (Bruck & Ceci, 2004:231). However, several studies have shown that even after one suggestive interview a child's version of the alleged incident may be tainted (Garven *et al.*, 2000:47).

The researcher has experienced that during a comprehensive assessment process two to three assessment interviews may take place (Fouché, 2006:232). During the sessions play-related communication techniques will be utilised to get to a disclosure in a non-leading way. The abuse-focused questioning will take place in one session. The investigative interview which the South African Police Service conducts, usually takes one session (Lock, 2004).

4.9.3   Allegation blind interviews

A study by Cantlon, Payne and Erbaugh (1996:1114) was conducted to compare the disclosure rates of 1 535 alleged victims of child sexual abuse interviewed in a formal setting with a structured "allegation informed" technique versus structured "allegation blind" technique. Allegation blind interviews are when the interviewer only has prior knowledge of the child's names for their own body parts and the names of significant others in the family. In the situation of the allegation informed interview the interviewer has information about the merits of the case. It was found that "allegation blind" interviews yielded statistically higher disclosure rates (Cantlon *et al.,* 1996:1114).

The American Professional Society on the Abuse of Children (Cronch *et al.,* 2006:198) states that it is acceptable to gather information about the allegation before conducting the interview. However, research where 1535 child abuse cases were studied over a four-year period showed higher disclosure rates with the blind interview (Cronch, *et al.,* 2006:198).

4.9.4 Video- and Audio-recording

Many researchers are of the opinion that all interviews should be either video- or audio-recorded in order to ensure that the interviewer does not ask leading questions and for supervision purposes (Wakefield, 2006; Practice Notes, 2002; Poole & Lamb, 1998:116). Studies on how much information adults remember about questions asked and answers received during conversation, showed that adults recall the major ideas, but cannot recall the exact words used, or the sequence of interactions between speakers (Bruck *et al.,* 2006:798). It is therefore recommended by Bruck *et al.* (2006:798) that interviews be recorded.

The researcher is of the opinion that video- or audio-recoding of an interview has more advantages than disadvantages. It is a cornerstone of the South African judicial system that a criminal trial takes place in the presence of the accused, entailing the physical presence of the accused in court whilst the witness testifies (Le Roux & Engelbrecht, 2000:347). Due to the trauma that testifying in an open court may have on child witnesses, the legislator enacted Section 170A of the Criminal Procedure of Act, 1977 (Act No. 51 of 1977). This section provides that when it appears to the presiding officer in a criminal trial that it would expose any witness under the age of 18 years to undue mental stress or suffering if he/she testified at such proceedings in the presence of the accused, a competent person may be appointed as an intermediary in order to enable such witness to give his/her evidence through that intermediary (Le Roux & Engelbrecht, 2000:347). This means that the witness shall give his/her evidence usually by means of close circuit television. The general purport of the question will be related to the child. Older children may sit alone in the intermediary room while testifying.

Irrespective of whether a video-recoding of the investigative interview has been made, the child must still testify. The researcher is of opinion that it is imperative for forensic interviewers to at least audio-record their interviews so that they do not need to rely on their memory for factual information. The recordings may then also be demonstrating the interviewer's non-leading interview protocol. Interviewers must obtain written permission from parents or caretakers in order to record the sessions (Fouché, 2006:233). The researcher is also of opinion that

the child should be informed that the interview is recorded, and it should be explained that the interviewer does it in order to remember more clearly what was discussed and in order to write a report afterwards (Practice Notes, 2002: Wakefield, 2006; Fouché, 2006:233).

4.10 CLASSIFICATION OF CHILD SEXUAL ABUSE ALLEGATIONS

Conclusion in the context of a child sexual abuse investigation may have horrific consequences for those involved, such as a child may be subjected to continuous abuse, or unjustified consequences for the alleged perpetrator and family (Ney, 1995:7).

When an allegation of child sexual abuse has been made, the following possibilities should be considered according to Bernet (1993:903-908):

- The allegation is true.
- Parental misinterpretation and suggestion.
- Misinterpreted physical condition.
- Parental delusion.
- Parental indoctrination.
- Interviewer suggestion.
- Fantasy.
- Delusion.
- Misinterpretation.
- Innocent lying.
- Deliberate lying.
- Over-stimulation.
- Perpetrator substitution.
- Distinguishing forms of falsification.
- Fantasy versus delusion.

The following overall evaluation is proposed by Bradford (1998:98), namely that the child's statement is:

- credible;

- probably credible;

- indeterminate;

- probably incredible; or

- incredible.

The following classification has been used and found useful by the researcher (Fouché, 2006:237):

- The case in question appears to be a false allegation.

- Suspicion exists, but cannot be confirmed.

- Insufficient evidence is available to draw a conclusion.

- A correlation exists between the child's statement, behavioural indicators and emotional reactions and those of other victims of child sexual abuse in this age, hence sexual abuse is a possibility.

4.11   SUMMARY

This chapter gave an overview of issues related to forensic interviewing. The difference between investigative interviews and forensic interviews has been highlighted. The investigative interview is the primary interview conducted by the investigating officer of the South African Police Service. The forensic assessment interview is the so-called second-stage interview and is only conducted by professionals who underwent specialised training. Referrals usually come from the South African Police Service, or state prosecutor in exceptional circumstances where e.g. the state cannot prove a *prima facie* case.

The conduct of the interviewer has been highlighted as crucial in order to ensure the forensic process. Objectivity, the formulation of multiple hypotheses and correct use of interview techniques are very important. The gender of the

interviewer appeared to have an influence on the outcome of the interview and interviewers are warned to be sensitive regarding this.

The different interview techniques were discussed. The facilitation of free narrative before starting to ask questions was highlighted. The use of open-ended questions was also investigated. Open invitational statements and non-leading focused questions are important. It is important to reframe the questions and summaries in order to check with the child whether he/she was understood correctly. Leading questions should be avoided. The use of anatomical dolls must be done with caution. Drawings may assist a child to explain what has happened.

Topics that need to be addressed during the forensic interviewing process are where the abuse happened, who the alleged perpetrator is, where it happened. Information about clothing and context explanation must be explored. The emotional reactions of the child during the alleged abuse and when he/she first told someone must be considered.

The different interview protocols have been discussed and commonalities like rapport building, ground rules, introducing the topic to talk about, facilitating free narrative and types of questions, were found.

5

A FORENSIC INTERVIEW PROTOCOL FOR SOCIAL WORKERS

5.1   INTRODUCTION

As discussed in chapter one (paragraph 1.1), children are often referred to social workers for forensic interviewing after an allegation of child sexual abuse has come to light or is suspected. Due to the serious consequences of an allegation of sexual abuse, it is important that social workers would implement an interview protocol which is legally defensible to ensure that no contamination of the case will take place (paragraph 1.1).

The goal of this study is to develop, implement and evaluate a legally defensible interview protocol for social workers, which will assist them to facilitate disclosure of child sexual abuse for children in the middle childhood.

During phase one of the intervention research processes (paragraph 1.7), the researcher identified different welfare organisations which referred children for forensic interviewing. Entry and permission from the relevant role players were obtained (Appendix 1 & 2). Concerns regarding the proposed study were discussed and analysed with both legal and mental health professionals. The main concerns were that there is no existing structured forensic interview protocol and that if such an interview protocol is to be developed, it should not be time-consuming when implemented.

As the first objective of this study and phase two of intervention research, a sound knowledge base regarding child sexual abuse was discussed in chapter two. In chapter three a theoretical framework regarding child development in the middle childhood was addressed. Chapter four provides a theoretical framework for dynamics in forensic interviewing of children and aspects concerning facilitation of disclosure of child sexual abuse. Different structured interview protocols were discussed, namely:

- The *Memorandum of Good Practice* (Bull, 2003a:1).
- Five phases of forensic interviewing (Jones,1992:30).
- *The National Institute of Child Health and Human Development (NICHD) Investigative Protocol* (Orbach *et al*., 2000:733; Cronch *et al.,* 2006:202)*.*
- *Step-Wise* forensic interview protocol (Poole & Lamb, 1998:95).
- Extended forensic interview protocol (Carnes, 2005).

The second objective, and phases three and five of intervention research, was to develop and pilot test a forensic interview protocol for social workers to facilitate disclosure of child sexual abuse victims in the middle childhood.

Objects three, four, five, and phase six of intervention research was to implement the forensic interview protocol with ten girls in the middle childhood and evaluate it by means of a self-developed checklist (objective three). An independent social worker's interviews with ten girls of the same ages were also evaluated by means of a self-developed checklist (objective five). The Department of Statistics of the University of Pretoria conducted the data analysis and also did the comparison of the agreement between the researcher's coding and that of another professional. Recommendations for further utilisation of the proposed protocol by social workers were done, addressing objective seven.

5.2   DESIGN AND DEVELOPMENT OF THE SEVEN-PHASE FORENSIC INTERVIEW PROTOCOL AND SELF-DEVELOPED CHECKLIST

During phase two of intervention research the researcher conducted a thorough literature study on the fundamentals necessary to be included in a forensic interview protocol (chapter three and chapter four). The researcher also studied various structured forensic interview protocols used internationally (paragraph 4.8). With experience gained in conducting forensic investigation within the field of child sexual abuse since 1997 and information gained from workshops presented countrywide to professionals on this topic since 2002, the researcher identified the 119 fundamentals which are imperative to be adhered to during the forensic

interviewing process. During phase three, namely the design of the protocol (paragraph 1.7.3) a seven-phase forensic interview protocol was drafted and a self-developed checklist was designed, which consists of all fundamentals for the proposed protocol as discussed in chapter three and chapter four. The researcher has already covered the aspect of facilitating the initial disclosure during her M.A. studies (Fouché, 2001:85). Her departure point for the current studies will be the process after the child has verbally indicated that alleged sexual abused has happened. Although phase one covers, among other things, the facilitation of initial disclosure, this aspect will not be the focus of this study.

5.2.1 Self-developed checklist

During phase four of intervention research (paragraph 1.7.4) the researcher proposed a drafted checklist which contains 119 fundamentals, categorised into 23 clusters, which is covered in the proposed seven-phase forensic interview protocol. The self-developed checklist was developed over time with the assistance of the Department of Statistics of the University of Pretoria. Two statisticians were appointed to assist the researcher in this study.

The checklist was tested for workability during pilot testing and revised accordingly.

5.2.2 Categories within the self-developed checklist (Appendix 5)

Firstly different criteria were identified in order to evaluate whether a specific fundamental was covered or not during an interview. Initially the researcher only focused on whether or not a criterion was addressed during an interview. Further investigation, however, showed that some of these fundamentals are volunteered by the interviewee without the interviewer necessarily probing it, e.g. in the category "explicit account of sexual abuse" the aspect on whether or not the offender said anything to obtain the child's involvement is sometimes volunteered without any probing. If during an interview a child would indicate out of free will

(during free narrative) what the offender had said to obtain her involvement it would be coded, "volunteered". Thus, a new criterion "volunteered" was added.

It was then also determined by the researcher that in certain cases it is not necessary to probe information due to the nature of the investigation, e.g. if a child has indicated that the alleged perpetrator only showed her pornographic books, then themes like "with which body parts did he touch you" or "how did your private parts feel when he touch you" would not be explored.

The coding "not applicable" would also be used where a specific theme could not be explored without being leading, e.g. in the category to determine "whether any pornographic material was used". This theme would be explored by attempting to access information by asking: "Have you seen these things anywhere else or do you know anyone else that has done the same things?" Therefore a fourth criterion "not applicable" was added to allow for instances where certain issues were not probed, but where it is not necessary to investigate due to the fact that is not applicable.

5.2.2.1 Category "Yes"

In the category "yes" it would mean that the interviewer has definitely probed, explored or adhered to the specific fundamental as proposed by the researcher.

5.2.2.2 Category "No"

The category "no" implies that the interviewer did not probe, explore or adhere to the specific fundamental as proposed by the researcher. With the assistance of the Department Statistics of the University of Pretoria, three sub-categories were identified under the category "no", namely:

- **No – Effective**

  This means that the specific fundamental was not probed, explored or adhered to as proposed by the interviewer, but despite the absence of that, the interview was still effective or the specific aspect was still effectively addressed, e.g. in the sub-category "using clear and age appropriate language" the interviewer may have used a vague referent, but it was still understood by the child and did not cause contamination of information or confusion.

- **No – Ineffective**

  This indicates that the specific fundamental was not probed, explored or adhered to as proposed by the researcher, and the absence of that in the interview addressed that specific aspect ineffectively, e.g. the use of drawings during the interview. Although the researcher proposed the specific use of drawings, the absence of it during an interview is not a material mistake causing information to be contaminated.

- **No – Material mistake**

  As discussed in chapter four (paragraph 4.3.2), the social worker has an instrumental role to play within the criminal justice system. The social worker would write a report (paragraph 4.3.2), after his/her forensic interviews with a child and may be *subpoenaed* to criminal court to testify on this investigation which he/she has conducted. It is thus imperative that the interviewing process consists of principles and fundamentals aiming to facilitate information in a way that does not result in material mistakes and evidence being contaminated (paragraph 4.4.1). Material mistakes include the following:

  - Asking leading questions.
  - Not clarifying the labels the child is using.
  - Not explaining the ground rules.
  - Not exploring multiple hypotheses.
  - Not conducting a truth and lie test during the closing phase.

- Not determining the identity of the perpetrator.
- Not testing for consistency.
- The use of anatomical dolls in a leading way.

A "material mistake" would include interviewer behaviour which may lead to the contamination of information, or influence the defensibility of the interview.

5.2.3 Fundamentals to be included in a forensic interview protocol

A total of 119 fundamentals were identified and, for coding purposes, clustered into 23 themes. During data analysis 23 clusters were identified and analysed accordingly (refer to chapter six). The 23 clusters, which are discussed under paragraph 5.4, are:

- Rapport-building and facilitation of initial disclosure.
- Ground rules.
- Distinguish between truth and lie before the abuse-focused questioning starts.
- Conduct a morality check.
- Truth-and-lie check after abuse-focused questioning.
- Use clear and age-appropriate language.
- Invite free narrative.
- Questioning format.
- Determine the number of times the alleged abuse happened.
- Use pictures to explore alleged abuse.
- Determine the identity of the perpetrator.
- Explore explicit accounts of sexual abuse.
- Determine context explanation.
- Emotional content.
- Explore the existence of internalisations.
- Observing and following up on nonverbal behaviour (Excluded from research).

- Investigate multiple hypotheses.

- The use of anatomical dolls.

- Test for consistency.

- The interviewer's conduct (SOLER skills, "nodding" and "avoiding suggestive actions" were excluded from this research.)

- Practical arrangements.

- Global check.

- Closure of interview.

After the researcher finalised the fundamentals and clusters they were categorised into seven phases.

5.3   UTILISING PLAY-RELATED COMMUNICATION TECHNIQUES TO FACILITATE THE INITIAL VERBAL DISCLOSURE

As discussed in chapter four (paragraph 4.6.6) this study only focuses on the abuse-focused process from the moment the child gives a verbal indication that he/she has allegedly been sexually abused.

Children are referred to social workers for forensic assessment interviews due to various reasons (paragraph 4.3.1). It is thus imperative that the social worker does not follow the same procedure as the investigating officers asking directly about abuse, but rather utilise assessment tools to facilitate the child's voluntary disclosure. This will also give the child's statement more credibility.

Different play-related communication techniques are utilised by numerous interviewers (Van der Linde, 2004; Louw, 2004) in order to guide the child to a voluntary disclosure. The interviewer would thus start with whatever play-related communication technique he/she wishes to use, in order to facilitate the initial disclosure where the child admits that he/she has been sexually abused.

As already discussed, the researcher has made use of play-related communication techniques during the research to get the children to the point of voluntary disclosure of the alleged sexual abuse. These play-related communication techniques, among others, were tested during the researcher's M.A. studies (Fouché & Joubert, 2003:19) and found to successfully have helped al six children in the study to disclose sexual abuse. These techniques do not only provide an opportunity for the child to disclose voluntarily, but also explore multiple hypotheses through the whole process, which is required by courts (Willemse, 2001).

The researcher is of the opinion that in order to investigate multiple hypotheses, it is imperative that an interviewer does not directly start questioning a child about possible child sexual abuse. These play-related communication techniques should be utilised to facilitate the conversation in a concrete, non-leading way, assisting the child to voluntarily make a verbal disclosure. The interview process is thus not focused on only one alleged perpetrator, but multiple possibilities are explored. Support systems, relationships and risk assessments with regard to any ill-treatment not yet known as stipulated by Section 42 of the Child Care Act, 1983 (Act No. 74 of 1983) are also addressed here.

In the context of an investigative interview where an interviewer is not going to utilise play-related communication techniques, he/she may use questions like "What are you doing here today?" or "Something bad happened to you, would you tell me about that?" as proposed by different interview protocols discussed in chapter four.

Facilitating the initial disclosure by either play-related communication techniques or through direct questions form part of step one, but is not going to be discussed in detail as explained above. Should the child then give a verbal disclosure of alleged sexual abuse, the interviewer should continue with the second step of phase one, namely clarifying whether the wording or label used during the disclosure is indeed possible sexual abuse.

The seven-phase forensic interview protocol will now be discussed

5.4 SEVEN-PHASE FORENSIC INTERVIEW PROTOCOL

It is important to understand that no two interviews will be exactly the same and that there are numerous variables, like the process of the child, the process of the interviewer, the nature of the allegation and impact thereof, as well as circumstantial influences that will impact on each interview. Ethical issues like written permission from parents, guardians and the child in order to audio-record the interviews (paragraph 4.9.4), should also be considered. In this research process, it was also explained to the children and their written permission has been obtained. The researcher explained to the children that the findings of the assessment process will be documented in a confidential report.

It is important that no treat be given to a child, as it may give the impression to the child that he/she is rewarded for giving information, and to avoid criticism from defence lawyers (paragraph 4.4.3). The child should be interviewed alone as this would rule out intimidation from parents, criticism from defence lawyers, and children may feel ashamed or scared to talk in front of their parents (paragraph 4.5).

5.4.1 Phase one: Rapport-building and facilitation of initial verbal disclosure

Rapport-building is found in many international interview protocols (paragraph 4.8) as it is imperative to create a safe and trusting environment and relationship with the child before he/she will open up to an adult.

5.4.1.1 Rapport-building

During rapport building the child is put at ease, while the interviewer completes a semi-structured questionnaire (paragraph 4.6.6.1) in order to determine a developmental baseline with regard to the child's communication abilities, suggestibility and process. The child's competency to talk about possible abuse is

also assessed here. During this phase the child could also be requested to make a picture for the interviewer's wall, or to colour a picture in a colouring book.

5.4.1.2 *Facilitation of initial disclosure*

For the purpose of this study "the initial disclosure" refers to the child's first verbal indication to the interviewer that he/she is a possible victim of sexual abuse.

5.4.1.3 *Utilisation of play-related communication techniques to facilitate the initial verbal disclosure*

As already discussed, play-related communication techniques were used in order to provide opportunity for the children to disclose alleged sexual abuse if they so wish to. The social worker from the comparison group also used play-related communication techniques to facilitate the initial disclosure. She did not use the same techniques as the researcher.

The techniques utilised during this study, are techniques that were developed and tested during the researcher's M.A. studies, namely the semi-structured questionnaire, house-and-community plan, the family graphic and emotion cards and the robot technique (paragraph 4.6.6).

5.4.1.4 *Initial verbal disclosure of the child*

The initial verbal disclosure is when the child indicates verbally that some or other sexual abuse took place. Usually children would indicate through the house-and-community plan that they dislike a certain person, or indicate on the robot technique that someone has given him/her a "red" touch (indicating a type of touching occurred which was experienced as threatening). The interviewer will then explore reasons for e.g. "not feeling safe" with someone, or ask the child to indicate where on his/her body the "red" touch took place. Mostly children will say:

"I don't like Uncle Pete, because he did naughty things to me" or "He did things that adults are not supposed to do with children" or "He raped me" (paragraph 4.6.6). The interviewer, however, may not interpret what the child is indicating as possible sexual abuse and therefore the label used by the child e.g. "naughty things" or "rape" should be clarified as discussed below.

5.4.1.5   *Clarifying the label referring to possible sexual abuse*

The interviewer will follow up an initial disclosure of "he did naughty things" or "he raped me" with clarifying questions in order to determine if the label the child is referring to is indeed possible sexual abuse. In chapter three and chapter four the importance of clarifying labels and concepts used by children has been emphasised as children, due to their concrete thoughts, tend to use labels which they do not understand. If an interviewer does not clarify the label used by the child, he/she could misunderstand the child, resulting in a false memory being created.

Clarifying questions like the following could be asked (refer to paragraphs 3.8.1 and 4.6.22):

- "You say that Uncle Roy did naughty things to you, what are naughty things?"
- "You say Aunty Sarah did ugly things to you, with what did she do these ugly things?
- "I don't know what naughty things are. Please tell me what naughty things are?"

Depending on the child's answer, the interviewer could either continue with ground rules, or if the child is vague after the clarifying questions, invite a free narrative by instructing the child "tell me everything about the naughty things" aiming to determine whether the label the child is referring to is indeed alleged sexual abuse. After the interviewer has determined that the topic to be discussed is

indeed possible sexual abuse, he/she will move to the next step, namely ground rules.

5.4.2   Phase two: Ground rules

After the child has mentioned that he/she has been allegedly sexually abused, the interviewer will prepare the child that he/she is going to ask the child questions about the naughty things (using the label the child is using). The interviewer will emphasise to the child the importance of mutual understanding during adult-child conversations. The ground rules will be posed to the child and be tested with a neutral topic in order for the child to understand it.

It is important to only do the ground rules with the child when the actual abuse-focused questions would start (paragraph 3.8.3). Due to children being concrete in their thoughts (paragraph 3.5) the researcher recommends that the child be made aware that the topic to be discussed is very important and that it is not a usual conversation, but that certain rules apply to that. It is the opinion of the researcher that if the ground rules are done at the beginning of the conversation, it may happen that the child has forgotten the rules by the time that the allegation is discussed.

Children in the middle childhood naturally like to please adults (paragraph 3.9.1) and are not used to resist questions which they do not understand or cannot remember. If the ground rules are not posed to the child, it may happen that he/she may answer questions that are false or not the absolute truth (paragraph 4.6.25).

A self-developed checklist (Appendix 5) was used by the researcher in order to ensure that each of the following ground rules has been covered with each child in the experimental group.

5.4.2.1 Emphasise the importance of telling everything

As discussed in chapter four (paragraph 4.6.7) and chapter three (paragraph 3.8.1), it is imperative that the interviewer informs the child that he/she does not know what has happened to the child. Therefore it is important for the child to tell everything that has happened and how it happened, even if he/she thinks it is not important.

5.4.2.2 Inform the child that he/she may indicate when she does not understand / does not know the answer / cannot remember / does not want to answer the question

In chapter three it is emphasised that children's thoughts are concrete in the middle childhood. They have a tendency to interpret words which they have heard concretely, answer to questions they do not understand (paragraph 3.8.1) and is vulnerable to suggestibility (paragraph 3.6.8).

The interviewer should inform the child that he/she is going to ask the child questions about the alleged sexual abuse (the interviewer will use the label the child has used e.g. "naughty things"), but firstly wants to inform him/her about rules when adults and children talk about serious matters. The following will take place (refer to paragraph 4.6.7):

- Give the child permission to indicate when he/she does not understand: "If you don't understand, you may say so."
- Tell the child that he/she may resist answering questions: "If you don't want to answer a question, say so."
- Empower the child to ask questions at any time: "You may ask questions whenever you want to."

The interviewer hereafter will test the child's comprehension of above ground rules with neutral topics. Questions like the following could be posed: "What did I (interviewer) have for breakfast?" or "Which primary school did I (the interviewer)

attend?" If the child guesses, the interviewer must make the child aware that he/she does not really know the answer and that it is "OK" to say "I don't know". The interviewer will also ask the child a difficult maths sum, difficult history question, or ask a question like: "What did you do, two years ago on the Sunday?," inviting the child to say: "I don't know" or "I can't remember". If the child does guess, the interviewer will remind him/her not to guess.

5.4.2.3 Empower the child to rectify summarised information

The interviewer informs the child that, in order to ensure that he/she understands the child correctly, he/she will sometimes reflect information back to the child and that the child must rectify the interviewer should it be necessary (paragraph 4.6.7). The interviewer hereafter will also deliberately reflect information incorrectly (neutral topic) to the child in order to assess the child's response. The interviewer would then again emphasise to the child to correct the interviewer should he/she be misunderstood (paragraph 4.6.7).

5.4.3 Phase three: Truth-and-lie and morality check

It is imperative that the child's ability to distinguish between the truth and lies (paragraph 4.6.25) be tested:

5.4.3.1 Child's ability to distinguish between the truth and lies

The interviewer will determine whether the child understands the difference between the truth and lies and test it (paragraph 4.6.25) with a neutral topic, after which a morality check will be done. The child will then be reminded to tell the truth as lying has serious consequences.

The interviewer will ask the child to explain the concepts "truth" and "lie". The interviewer will then test the child's understanding of these concepts with a

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concrete concept, e.g. "What is this?" while pointing to two objects like the table and a chair, making sure both the interviewer and child have the same label for objects (paragraph 4.6.25). After the child has answered, the interviewer may point to the table, saying: "If I say this is a chair, am I telling the truth or am I telling a lie?" The interviewer repeats this with different concepts until he/she is convinced that the child can distinguish between the truth and a lie. Hereafter the interviewer must emphasise to the child how important it is to tell the truth.

5.4.3.2   Morality check

The interviewer will proceed to the morality check, and the purpose of this is to determine if the child realises that lying has serious negative consequences, not only for the person who is lying, but also for the person implicated in the lie (paragraph 4.6.25). The interviewer may ask the child the name of a good friend and probe whether it is a good or bad thing if he/she lies to the teacher or headmaster about something this friend has done (paragraph 4.6.25). The interviewer then asks the child to name a child that he/she does not like and repeat the same exercise. The interviewer will emphasise the consequences if he/she would lie and stresses that the child must tell the truth about the alleged offence (use the label the child has used, e.g. "naughty things").

If the interviewer is sure that the child understands the ground rules he/she will proceed to the next step, namely inviting free narrative.

5.4.4   Phase four: Free narrative

Knowing that the child has verbally revealed the alleged abuse, and that ground rules have been discussed, the interviewer can proceed to phase four where free narrative is invited. It is confirmed in literature that free narrative yields richer information.

5.4.4.1   Inviting free narrative

As discussed in paragraph 4.6.8 children are more likely to accurately provide important details in free recall, and therefore the interviewer will invite free narrative. The interviewer will refer back to the child's disclosure: "You told me Uncle Roy did naughty things to you and that these naughty things have to do with touching your private parts" (it is imperative that the interviewer uses exactly the same phrases and words the child used). The child will then be invited to tell everything about the alleged sexual abuse (continue with the label the child used during the initial disclosure). The interviewer will listen and let the child relate the story from his/her own frame of reference and in the order he/she wants to tell it.

Neutral encouragements will be used right through the interviewing process (paragraph 4.6.11) like "Yeah?", "and then?" "Okay… I see… and then…., hmmm…" In order to portray an empathic posture, the interviewer must maintain the SOLER position as discussed in paragraph 4.4.4.

5.4.4.2   Determine the identity of the perpetrator

For purposes of legal procedure, it is crucial to determine whom the alleged perpetrator or perpetrators are (paragraph 4.7.21), as well as his or her relationship with the child. It is also necessary to clarify any nicknames or labels that the child uses (paragraph 3.8.1) as children under 10 years tend to use nicknames and labels without fully comprehending them. If the child has not voluntarily disclosed the identity of the perpetrator up to this stage, the interviewer may ask: "Who did these naughty things to you?" (paragraph 4.7.2.1) and "How do you know him/her?" If the child does not know the name of the alleged perpetrator, the interviewer may ask questions like: "Tell me about the people in his family".

5.4.4.3 Determine the number of times the alleged abuse happened; the place(s) it occurred

After the child has provided the identity of the perpetrator, the interviewer could proceed to determine how many times the alleged abuse took place.

It is stressed in paragraph 3.8.4.1 that the number of times the alleged abuse happened is a very crucial part of the statement, as this will determine the charge against the alleged perpetrator. However, it was noted in paragraph 3.8.4.1 that it is difficult for children to accurately describe how many times the alleged sexual abuse has happened and it is therefore recommended in literature that the interviewer should rather start off by asking whether the abuse happened "once or more than once". From the child's answer the interviewer may proceed in the following way:

- Ask the child to identify the different places where the alleged abuse happened (paragraph 4.7.2.7).
- Then request the child to label blank pages with the different venues where the alleged abused took place (e.g. mom's bedroom, garage, dining room).
- The interviewer will ask "anywhere else?" and if anything is mentioned, write it on another blank piece of paper.
- If the child struggles to identify different places, the interviewer may ask the child to identify the first, last or any other place or event that took place (paragraph 4.6.23).

5.4.4.4 Mental reconstruction and drawing of happenings

It is discussed in chapter four that by thinking back to the incident, children tend to remember more before questions are asked (paragraph 4.6.23). It is further emphasised in paragraph 4.6.23 that, due to children's concrete thinking (paragraph 3.5), it could be effective to let children make drawings of the abuse, as drawings allow children to make their retrieval cues concrete and it is likely that representing objects on paper is easier than representing actions. It is also true

(paragraph 4.6.23) that children's verbal reports are longer and more descriptive when they draw and tell, than when they merely tell what has happened. The child could also be asked to draw anything mentioned regarding the abuse, e.g. drawings of private parts, the venue and the perpetrator (paragraph 4.6.23). The researcher would not recommend taking a child back to the crime scene if the child is too traumatised. Taking the child to the crime scene must be done only in exceptional situations. The scene could rather be recreated by means of drawings, play dough figures or even in a sand tray.

After the child has labelled the different pages with incidents as described in paragraph 4.6.23, the interviewer will focus the child's attention on one incident at a time:

- The child will be asked to close his/her eyes and to think back to the incident and identify everything that has happened there.
- The child will be asked to draw what happened. Older children may be asked to draw the happenings in chronological order. The interviewer should not talk to the child during the making of the drawing.
- After the child has made the drawing, the interviewer will continue to follow up with abuse-focused questions as described in step five.
- After the first picture has been explored with questions as described in phase five, the next drawing could be taken and the same process as mentioned above is followed.

As explained in paragraph 3.8.4, the interviewer should firstly explore the first incident then continue to the other pictures (paragraph 4.6.23). It is emphasised in paragraph 4.6.23 that the interviewer should ask the child after all the pictures have been explored (phase five) whether the abuse happened at any other place than already indicated, and also ask if the child has anything else to report.

It does happen that children are hesitant to draw out of fear that their drawings will not be good enough, or because of uncertainty as to what is expected. The interviewer may use neutral encouragements to ensure the child that the pictures are only there in order for the interviewer to understand better. The interviewer

should then also repeat the instruction and clarify any uncertainty on the part of the child. If the child cannot make drawings due to developmental difficulties, the interviewer should skip this step and focus only on interviewing. Copies of the drawings will be added to the professional report as addendum. The original drawings are kept in the case file and will be submitted as exhibits during expert testimony (Venter, 2006).

5.4.5 Phase five: Questioning phase

Before the question format is addressed, it is important to emphasise that the fundamentals highlighted in this phase are also applicable to all seven phases during the communication with the child.

5.4.5.1 *Using clear and age-appropriate language*

The following linguistic aspects need to be taken into consideration when any child is interviewed:

- **Avoid legal words and phrases**
  As mentioned in paragraph 3.8, language abilities continue to improve during the middle childhood. However, children do not necessarily understand the meaning of words in the same way adults do. Children will not necessarily understand legal terminology used in the legal system the way adults do. Therefore it is imperative that legal words and phrases be avoided at all times.

- **Clarify labels / concepts / names / "big" words and use the label**
  In paragraph 4.6.22 it is recommended that a constant clarification of information gained from the child must take place in order to prevent the interviewer from making a subjective conclusion. Any labels used by the child (e.g. private parts, positions, venues, nicknames) must be clarified and the interviewer should continue with this label (paragraphs 3.8.1 and 4.6.22).

- **Using pronouns selectively and avoid vague referents**

  Mastery of pronouns and vague referents only occur at the age of 10 years (paragraph 3.8.2), and to avoid confusion the use of pronouns must be limited and used selectively. The interviewer should avoid using pronouns and vague referents and instead replace it with specific names and places provided the child's labels be used.

- **Avoid using double negative sentences**

  The use of questions containing negative terms only lead to confusion and should be avoided (paragraph 3.8.2).

- **Avoid using "why" questions**

  "Why" questions should be avoided as children in the middle childhood may still have problems answering them (paragraph 3.8.2). As it is a confronting question (paragraph 4.6.19), it should rather be replaced with an open-ended question starting with "what".

- **Keep questions and sentences simple and use one main (new) thought per utterance**

  Although children in the middle childhood may have the ability to make a sensible conversation, their language ability is still in the process of developing. Therefore, questions should be kept simple, with only one thought per utterance to ensure effective communication between the adult interviewer and the child witness (paragraph 3.8.1).

- **Avoid starting questions with "do you remember"**

  As described in paragraph 3.8.1, a child may think that he/she must first have forgotten an event before he/she can remember it. It is thus recommended that the interviewer rather ask: "Tell me what happened", or use other open-ended questions to explore.

- **Close-ended questions and questions starting with "can", "have you", "do you"**

   Questions starting with "can you", "have you" or "do you?" should be avoided as they have a suggestion of what may have happened and facilitate a "yes" or "no" answer (paragraph 4.6.17). Close-ended questions should be limited to neutral topics and should be avoided during abuse-focused questioning (paragraph 4.6.17).

5.4.5.2   Question format

It is important that the social worker uses a structured questioning format when the allegation is explored.

- **Identify themes from free narrative**

   As there are numerous aspects that need to be explored during a forensic interview, the interviewer should explore them if they have not been offered during the initial free narrative (paragraph 4.6.8). From the free narrative the interviewer will follow up by identifying topics discussed in paragraph 4.6.8. A theme is thus identified and explored, e.g. the interviewer will invite the child to tell more about the specific sexual behaviour that was mentioned: "You told me that Uncle Joey touched your private parts. Tell me everything about when Uncle Joey touched your private parts" and "tell me more about how your private parts felt" (paragraph 4.6.8). The interviewer will explore through non-leading abuse-focused questions until enough information is obtained.

- **Framing the event and summarising**

   As discussed above, specific themes will be explored at a time. A specific process to introduce and explore these topics is proposed (paragraphs 4.6.21 and 3.8.3): The interviewer will summarise main facts and then the next theme to be explored will be introduced (chapter 4.6.21). If the interviewer does not know what it is that she specifically needs from the child, he/she may miss important information.

- **Second chance for free narrative**

  A second attempt to elicit a narrative can be made after specific questioning has taken place, provided that the interviewer clarifies beforehand that the accuracy of the previous response is not in question. e.g. "I think I understand most of what you told me, but I still don't understand what happened in the kitchen. Will you help me by telling me once more everything you remember about the time in the kitchen?" The child's first narrative will thus be followed up with open-ended questions, specific questions, multiple choice question format if necessary, and then a specific area of the child's testimony will be explored where a free narrative will be invited (paragraph 4.6.9).

- **Open-ended questions**

  Free narrative should be followed up with open-ended questions (paragraph 4.6.12). Open-ended questions should be encouraged in all phases of the interview, regardless of the child's age (paragraph 4.6.12) as it elicits more credible information. Open-ended questions starting with "who", "what", "where", "when" and "how" may be asked to children in the middle childhood (paragraph 3.8.2). If the perpetrator has not been identified and the child has already indicated that someone has allegedly sexually abused him/her, the interviewer may ask the child: "Who did the naughty things (label the child used for alleged sexual abuse) to you?"

- **Specific non-leading and focused questions**

  When specific information cannot be accessed by using open-ended questions, specific non-leading questions may be asked (paragraph 4.6.15). Specific questions are referred to as questions focussing on exploring the events surrounding the abuse, thus abuse-focused questioning. These questions usually start with "what", "where", or "when" (paragraphs 4.6.15 and 3.8.2). The child thus gets an opportunity to extend and clarify any information which he/she has previously provided. For example, if a child explains that a woman wearing a dress grabbed her, specific yet non-leading questions would include: "What colour was the dress?" or "What did the dress look like?" and "Now tell me more about what happened when you

walked into the bathroom."

The following steps can be taken to avoid "topic hopping" (moving from one topic to another without explaining why):

- The interviewer should reframe by introducing the next topic to be explored and in that way assist the child in successfully making the transition from one topic to another.

- After a specific introduced topic has been explored thoroughly by means of non-leading questions, factual reflecting may take place. This is where the interviewer summarises the facts of a specific topic explored in order to check with the child whether the interviewer understood him or her clearly. It is imperative that the interviewer does not interpret any information, but only reflects the facts. The interviewer should summarise these main facts in order to check with the child whether he/she was heard correctly.

- Hereafter the interviewer will introduce the next topic for discussion.

- The interviewer will, for example, say to the child: "You've told me what happened in the bathroom. Now I want to talk about where the other people in the house were".

- **Multiple choice questions**

    Multiple choice questions are leading if the list of choices offered is not exhaustive (paragraph 4.6.16). However, it is discussed in paragraph 3.8 that multiple choice questions should be avoided as far as possible, as it may be regarded as leading.

- **Avoid leading and suggestive questions**

    Leading and suggestive questions should be avoided at all times (paragraph 4.6.18) as they suggest the answer. It also includes questions which contain information which the interviewer assumes are correct.

- **Repeating of questions**

    Repeating of questions should be done with caution, as a child may think his/her first answer was incorrect and then change the next answer

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(paragraph 4.6.20). However, if an interviewer wants to test the child's account for consistency and it is therefore necessary to repeat a question, it should rather be rephrased (paragraph 4.6.20).

5.4.5.3 Abuse-focused questioning: Explore explicit accounts of alleged abuse

As discussed above, the interviewer will invite free narrative about the picture after which the questions about the specific explicit sexual account will take place (paragraph 4.6.2):

The interviewer will explore by using non-leading abuse-focused questions. The process of framing the event consists of exploring, clarifying information and summarising facts before introducing the new topic (paragraph 4.6.21, 3.8.3). The reason for gathering explicit accounts is for the interviewer to assess whether the child has sexual knowledge beyond what would be expected from a child in that particular age group. The child's version would also be assessed to determine whether he/she is able to give detail, which will make a statement more credible (paragraph 4.6.2). The following detail regarding the alleged sexual abuse should be explored by using non-leading questions (paragraphs 4.6.23 and 4.7.2):

- Determine which body parts of the perpetrator, if any, were involved.
- Determine which body parts of the child, if any, were involved.
- Explore if any movements occurred.
- Explore if the child has seen any genetalia, and if so, ask the child to describe and draw it.
- Explore any detail regarding the sexual act that the child mentions.
- Explore who taught the child names for private parts.
- Determine what the child was wearing.
- Determine what the offender was wearing.
- Determine whether any clothing was removed. It is the researcher's opinion that if the child wants to demonstrate on him-/herself or starts to undress him-

/herself, the interviewer should stay calm, and in a friendly manner tell the child that is not necessary and rather focus the child to indicate on a stick figure or dolls what have happened.

- Explore the alleged perpetrator's actions involving the child.
- Explore what the child felt physically.
- Determine what the child heard, saw and smell during the alleged incident.
- Determine whether the alleged perpetrator said anything.
- Determine whether the alleged perpetrator said anything about telling or not telling.
- Assess if the child underwent a grooming process.
- Determine when the child experienced the first boundary violation.
- Explore if any other type of sexual abuse happened other than what was revealed.

5.4.5.4   Abuse-focused questioning: Explore context explanation

When evaluating a child's statement, it is imperative to determine if the child can reveal the specific detail regarding the context in which the alleged abuse took place.   During context explanation the interviewer should use non-leading questions to explore the following (paragraphs 4.6.13 and 4.7.2.7):

- Determine where the alleged abuse happened.
- Determine what the address is or who is living there.
- Determine where in the house/flat/venue the alleged abuse took place.
- Explore how the child got there.
- Explore furniture/objects in the room/venue.
- Explore where other people were at the time.
- Explore how the child got to be alone with the perpetrator.
- Explore what the alleged perpetrator said or did to obtain the child's involvement.
- Explore whether any threats were posed to the child by the perpetrator.

- The interviewer should explore the use of any pornographic material, exposure to explicit television programmes or MMS (multimedia messaging service) messages on cell phones. However, it is the experience of the researcher that it is extremely difficult to explore this without being leading. The researcher thus recommends that interviewer should ask a child: "Have you seen any of these naughty things anywhere else?" or "Do you know if anyone else does the same things?"
- Explore how the child got out of the room/venue.
- Explore when it happened and try to link it to other happenings that day.
- Determine where the child went after the abuse and evaluate his/her emotional reactions.
- Determine whether the perpetrator went away after the alleged abuse.
- Determine what the perpetrator's reactions were in the period after the alleged abuse.
- Explore if there are possible eyewitnesses.
- Explore whether the child has told anyone.
- If the child has told someone, determine what their reactions were.
- Explore the reasons for not telling, if applicable.
- Determine whether the alleged abuse happened anywhere else.
- Follow up on any cue that pornographic material was used, e.g. explore where it was hidden, what the content of it was.
- Follow up on any context information that is unclear.

5.4.5.5   Abuse-focused questioning: Emotional content and internalisations

It was discussed in paragraph 3.9.1 and paragraph 4.7.2.6 that the interviewer should explore emotional content, focussing on emotions experienced during and after the alleged event. The interviewer would also clarify emotions observed during the session:

- Explore the child's thoughts, emotional and behavioural reactions during and after the alleged sexual abuse.

- Explore the child's feelings while talking about the abuse.

- Explore the child's emotional reactions during the alleged sexual abuse.

- Explore the child's thoughts during the alleged sexual abuse.

- Explore and respond in a non-leading way to the child's emotional reactions during disclosure.

- Evaluate whether the child feels stigmatised due to the abuse (paragraph 2.11.6).

- Evaluate whether the child feels powerless due to the abuse (paragraph 2.11.6).

- Evaluate whether the child feels betrayed due to the abuse (paragraph 2.11.6).

- Evaluate signs and symptoms for traumatic sexualisation (paragraph 2.11.6).

- Explore what changed in the child's life since the alleged abuse occurred (paragraph 2.11.6).

- Observe nonverbal behaviour and follow up in an appropriate manner (Excluded from research).

5.4.5.6   Abuse-focused questioning: Anatomical dolls

Anatomical dolls should only be used after the child has made a verbal disclosure, and also in cases where the interviewer does not understand what the child is verbalising, or the child experiences difficulties to explain (paragraph 4.6.24). As discussed in paragraph 4.6.24, the following guidelines should be adhered to:

- If the interviewer uses the anatomical detailed dolls, it is imperative that they are only used after the child has already verbally disclosed the alleged sexual abuse, and must only be used to clarify what has been verbalised.

- The dolls should be presented to the child fully clothed and the child should be specifically told that the dolls are not toys and they are not be played with.

- The interviewer should also not tell the child who must be represented by each doll, but should only ask the child to show what happened.   The interviewer would thus ask: "You told me about these naughty things that

happened to you. Please use these dolls and show me exactly what happened."

- It is imperative that after the child has shown what has happened, that the interviewer would clarify who the dolls represent.

5.4.5.7   Abuse-focused questioning: Test for consistency

The child's account of the alleged sexual abuse must be tested for consistency in order to evaluate the possibility of the allegation being true. As discussed in paragraph 4.7.2.11, the interviewer should be conscious of the consistency of the child's statement and follow up on inconsistencies in the child's statement and incongruence between the child's verbal and nonverbal behaviour (paragraph 4.7.2.11).

5.4.6   Phase six: Investigate multiple hypotheses

It is important to investigate multiple hypotheses (paragraph 4.6.26).   The interviewer must be aware that the child could have been a victim of alleged sexual abuse by someone else, or gained the sexual knowledge in a different way. It is common during criminal court hearings that lawyers would use different hypotheses to attack the child's credibility.

5.4.6.1   Anyone else

Due to the occurrence of perpetrator substitution as discussed in paragraph 4.6.27, it is imperative to explore whether the child has been a victim of sexual abuse by any other person than the one mentioned. This already starts with the play-related communication techniques (paragraph 4.6.27) where, before the initial disclosure, the interviewer investigates the child's attitude and relationship towards numerous significant people in his/her life. However, it is imperative that after the

interview the child be asked if anyone else has performed the same or similar acts to him/her (paragraph 4.6.27).

5.4.6.2   Anything else has happened which the child has not told yet

As discussed in chapter four (paragraph 4.6.27), it is important that the interviewer asks the child, after exploring information offered, if there is anything else that has happened that he/she has not mentioned before.

5.4.6.3   Explore prior knowledge about sexual abuse and victimisation of others and exposure to sexual acts

In order to rule out the hypothesis that the child's prior knowledge contributed to the allegation, it is important that the interviewer explores where the child has heard about sexual abuse and enquire about any sex related talks attended, if he/she knows any person who has also been a victim of sexual abuse, if he/she has seen similar sexual acts or heard about it prior or after the alleged incident. It should also be investigated whether the child had exposure to pornographic material or media (paragraph 4.6.28).

5.4.6.4   Explore what parents and others say about abuse

As discussed in chapter four (4.6.26), it is imperative to explore what family members of the child have to say about the alleged sexual abuse, as it will give the interviewer an indication of whether intimidation is taking place. Intimidation will have a detrimental impact on the child's statement.

5.4.7 Phase seven: Closure

It is imperative that, among other things, a truth-and-lie check be done after the information have been gained, in order to give the child the opportunity to indicate which information he/she is not sure about.

5.4.7.1 Conduct a truth-and-lie check after the interview

After the interview, the interviewer should ask the child if there is any information that he/she is not sure about, or is not the truth (paragraph 4.6.25).

5.4.7.2 Explanation of legal process

The interviewer should provide straightforward information about what will take place in the criminal justice system, so that the child understands the steps that will follow e.g. writing of a report (refer to paragraphs 4.7.2.12). The interviewer should make the child aware that if there is anything that he/she remembers or wants to tell the interviewer, or if he/she feels stressed or depressed, he/she must tell his/her mother (person who was identified as a supportive person).

5.4.7.3 Ensure child's safety

The interviewer should ensure that the child will be safe when going back to his/her circumstances. If any information was revealed that gave an indication that the child may be in danger, the interviewer should intervene (paragraph 4.7.2.12). The interviewer should refer the child for therapy.

5.4.7.4 Ensure that child is contained before leaving the session

The interviewer should end the session with a positive topic, e.g. talking about something nice, activities that the child is looking forward to, etc. (refer to paragraph 4.7.2.12). Children should never be sent out of an office while still in tears or not emotionally contained. General positive discussions about the here and now should be done, e.g. "What are you going to do when you arrive home?" or "What homework do you still need to do?"

5.4.7.5 Interviewer's closure and global check

After the interview, the interviewer should evaluate him-/herself on the following:

- Helped the child to feel safe to tell the story and explained the use of audiotape or videotape.
- Made effort to encourage a trusting relationship.
- Stayed on the child's level by phrasing the questions on the level of the child.
- Clarified the child's comprehension of language.
- Avoided doing therapy and reflecting advanced empathy.
- Portraying the SOLER position (Excluded from research).
- Acceptance
- Nodded appropriately (Excluded from research
- Reassured in a non-leading way.
- Showed neutral encouragements.
- Avoided suggestive utterances
- Avoided suggestive actions (Excluded from research).
- Avoided giving the child a treat.
- Avoided allowing the parent/caretaker to be present during the interview.
- Allowed breaks as often as the child needed it.
- Used silence.
- Acknowledged the child's process.
- Been confluent with the child's process.

- Did not interpret.

5.5   SUMMARY

The seven-phase forensic interview protocol has definite steps that need to be followed. It is imperative that the interviewer be aware that his/her conduct may have an impact on the child's disclosure and which facts the child may reveal. The interviewer must make specific practical arrangements, e.g. a child-friendly venue for the interview, avoid giving the child treats and not allowing anyone to be present during the interviews. Permission must be obtained from both the child and the parent to audiotape the interviews.

Anatomical dolls should only be used when the child has already verbally disclosed the identity of the perpetrator and gave a narrative on what has happened. Anatomical dolls should also be used with caution and only in situations where the interviewer does not understand clearly what the child is explaining.

Phase one focuses on facilitating the initial disclosure of alleged child sexual abuse. Different play-related communication techniques have been proposed. After the child has made a verbal disclosure, the interviewer must explain ground rules during phase two.

During phase three the child's knowledge about truths and lies and morality is evaluated and the importance of telling the truth is emphasised. After that, the child is invited during phase four to a free narrative, after which the identity of the alleged perpetrator is determined and the child is be asked to indicate how many times and/or at which places the alleged abuse happened. The child is asked to make a mental reconstruction of what happened and is instructed to make picture of it.

During phase five abuse-focused questioning takes place. Open-ended questions are mainly used, followed by specific non-leading questions. Clear and age-

appropriate language should at all times be used by the interviewer, like limiting the use of pronouns and avoiding the use of "why" and leading questions.

During phase six multiple hypotheses are considered, like whether anyone else has done the same things to the child and whether the child has seen the sexual acts anywhere else.

Phase seven is the closing phase. The interview should be closed with a truth-and-lie check, after which information is given to the child about "what happens next", and the child is engaged in an empowerment exercise.

6

THE EMPIRICAL PROCESS

6.1   INTRODUCTION

In chapter one the researcher outlined the proposed blueprint of how the intended study (to develop a forensic interview protocol which would be legally defensible) was planned. The researcher motivated the rationale for the research (paragraph 1.1), as well as the process of intervention research (paragraph 1.7).

Chapter two of this study dealt with the phenomenon of child sexual abuse. From this chapter it was clear that cases of child sexual abuse are reported daily to the South African Police Service and social workers, and that sexual abuse has a long-term impact on individuals.

The normal development of the child regarding cognitive, emotional, moral and linguistic aspects was discussed in chapter three. Developmental issues that needed to be considered during forensic interviews have been highlighted and incorporated in the self-developed checklist and proposed seven-phase forensic interview protocol.

In chapter four, interviewing the child victim of alleged sexual abuse was discussed. Among the aspects highlighted by literature were the importance of comprehensive training before engaging in forensic interviewing and the use of non-leading interviewing techniques. These aspects were incorporated in the proposed protocol.

A comprehensive literature study, consultations with experts in the field of social work and psychology, and the input of legal professionals were incorporated to develop the seven-phase forensic interview protocol and the self-developed checklist. The researcher's extensive experience in the field of forensic assessment interviews, training of professionals nationally on this topic and testimonies in criminal trials were also integrated during the development of the

intervention. The seven-phase forensic interview protocol and self-developed checklist were discussed in chapter five.

It is imperative to note that the purpose of this research was to evaluate whether the seven-phase forensic interview protocol, which consists of fundamentals which are legally defensible, could be successfully implemented. In order to determine which fundamentals are legally defensible, the researcher conducted a thorough literature study, consulted with experts and incorporated her experience as expert witness in criminal cases of child sexual abuse. The study also aimed to evaluate whether the proposed protocol and the fundamentals are currently being used in practice by social workers.

The aim of this study was not to determine whether the seven-phase forensic interview protocol would facilitate more legally defensible information. This would, however, be part of a follow-up study where the outcome of the specific criminal court cases where the protocol was used will be monitored and the information gathered from the interview will be compared to the child's testimony.

With the assistance of the Department of Statistics of the University of Pretoria, the results of the data that were collected and analysed during the empirical study are presented graphically in this chapter, together with the interpretation thereof.

6.2 RESEARCH PROCESS

The research process has already been discussed in detail in chapter one. A summary will be given here to orientate the reader towards the information and findings.

6.2.1 Goal

The goal of this study was:

To develop, implement and evaluate a legally defensible interview protocol for social workers to facilitate disclosure of child sexual abuse for children in the middle childhood years.

6.2.2 Objectives

The following objectives were set in order to achieve the goal of the study:

- To develop a theoretical framework regarding:
  - child development in the middle childhood;
  - dynamics in interviewing children;
  - a sound knowledge base regarding child sexual abuse;
  - the facilitation of disclosure of child sexual abuse; and
  - forensic interviewing of children.
- To develop a forensic interview protocol for social workers to facilitate a disclosure of child sexual abuse victims in the middle childhood.
- To develop a checklist, containing all the fundamentals included in the seven-phase forensic interview protocol, in order to evaluate interviews conducted in both the experimental and comparison groups.
- To implement the forensic interview protocol with ten girls in the middle childhood who were allegedly sexually abused and evaluate by means of the self-developed checklist.
- To evaluate an independent social worker's interviews with ten girls in the middle childhood who were allegedly sexually abused, by means of the self-developed checklist.
- To evaluate the protocol.
- To make recommendations for further utilisation of the protocol by social workers.

6.2.3 Hypothesis

The hypothesis for this study was as follows:

If this interview protocol will be applied in cases of alleged sexual abuse against children of the middle childhood, it would facilitate the disclosure in a more legally acceptable and defensible manner.

6.2.4 Research approach and type of research

The researcher's motivation for this study stemmed from the present problematic situation as experienced in practice, namely that there is no legally defensible, structured forensic interview protocol to be used by social workers when interviewing child victims of alleged sexual abuse.

A quantitative study can be defined as an inquiry into a social or human problem, based on testing a theory consisting out of variables, measured with numbers and analysed with statistical procedures, in order to determine whether the predictive generalisations of the theory hold true (De Vos, 2002:79). The quantitative approach is more formalised, as well as more explicitly controlled than the qualitative approach, with a range that is defined more exactly and relatively close to the physical sciences (Mouton & Marais, 1990:155-160; Vermeulen, 1998:13).

The following will be covered in the quantitative approach:

- A seven-phase forensic interview protocol was developed after a thorough literature study, consultations with experts and extensive experience of the researcher within the field of forensic interviewing. A self-developed checklist as measuring instrument, with indicators representing a legally defensible interview protocol, was used.
- The seven-phase forensic interview protocol was applied with the experimental group and evaluated by means of the self-developed checklist (Appendix 5). Data collection methods for researchers working from a

quantitative approach can be categorised into questionnaires, checklists, indexes and scales. A checklist consists of a list of items. A checkmark is made after each individual item on the list (Leedy, 1985:144-145).

- A comparison group, conducted by an independent social worker, was exposed to a different interview protocol and evaluated against the same checklist. The interviews with respondents in the comparison group were conducted by a social worker from the Teddy Bear Clinic in Johannesburg. This social worker has extensive experience in social work and did undergo specialised training in the field of forensic interviewing. She represents the majority of social workers in the field of social work, confronted with child sexual abuse on a daily basis, and who conducts interviews as they deem fit.

- The results were compared to assess whether the seven-phase forensic interview protocol could be implemented; and whether the fundamentals in each cluster and seven different phases have not already been implemented in practice.

- The seven-phase forensic interview protocol consists of 119 fundamentals, categorised in 23 clusters. The content of each cluster was discussed in paragraph 5.4. On the checklist, each fundamental was evaluated according to specific criteria as discussed during data analysis of each cluster. The six categories were discussed in paragraph 5.2.2 and also in paragraph 6.3.1.

- The purpose of comparing the experimental and comparison groups was to determine whether the proposed seven-phase forensic interview protocol could indeed be implemented in the manner proposed. Furthermore it had to be determined whether the seven phases are currently included in social workers' approach when conducting forensic interviews, and which of the proposed fundamentals are integrated in current practice. The researcher categorised the different fundamentals and clusters into seven phases, after which the Department of Statistics of the University of Pretoria completed the comparisons.

- Those phases and fundamentals which were identified to be implementable, but are not currently used in practice would then be suggested as a contribution to the social work profession. Although each fundamental has

been evaluated individually, the 119 fundamentals were grouped into 23 clusters to simplify the statistical data analysis process.

- The results of the empirical research are presented in graphs as compiled by the Department of Statistics of the University of Pretoria. Tables were also drawn to explain data.

6.2.5 Research design

The quasi-experimental design was applied. The comparison group post-test-only design has a built-in capacity for comparison of the results of two groups, equivalent to the experimental and control groups in true experiments. In the comparison group post-test-only design, one group was the experimental group, which was exposed to the independent variable X (newly developed seven-phase forensic interview protocol) (Leedy, 1985:211; Kerlinger & Lee, 2000:537). The other group, the comparison group, was not exposed to X (newly developed seven-phase forensic interview protocol). Sampling was purposive and not random (Fouché & De Vos, 2002:144; Strydom & Venter, 2002:207).

In this study, both the experimental group and the comparison group were evaluated by means of the self-developed checklist to determine whether the seven-phase forensic interview protocol (X) is legally defensible (O_1).

- Experimental group: X (seven-phase forensic Interview protocol) and O_1 (fundamentals imperative for a legally defensible forensic interview were assessed by means of a self-developed checklist).
- Comparison group: O_1 (fundamentals imperative for a legally defensible forensic interview were assessed by means of a self-developed checklist).

The comparison group was conducted by a social worker from the Teddy Bear Clinic in Johannesburg, who also has extensive experience in forensic interviewing of child sexual abuse victims and acted as expert in criminal courts on numerous accounts. She also conducted interviews with ten children of the same ages as the children from the experimental group. All interviews were audio-recorded and

the researcher evaluated the application of forensic interviewing fundamentals (O_1) with a self-developed checklist. The independent variable (X) was not applied during interviews in the comparison group. A randomly selected 50% of the interviews were independently coded by another professional for the purposes of inter-rater reliability.

6.2.6   Selection of respondents

The universum of this research was: **All children in South Africa who are alleged to have been sexually abused.** The research population for the experimental group consisted of all the children in the middle childhood years who have been reported to Child Welfare Vereeniging and NG Welsyn Vereeniging due to allegations of child sexual abuse in the period February 2006 to April 2007. Criminal charges were also filed in some of the cases.

The research population for the comparison group consisted of all children in the middle childhood years who have been reported to the Teddy Bear Clinic in Johannesburg by either the South African Police Service or welfare organisations in the Johannesburg area.

The researcher and the social worker from the comparison group made use of purposive sampling. Thirteen children were selected purposively from the mentioned organisations and referred to the researcher. Three of these children were included in the pilot study and ten were included in the experimental group. The children were selected according to certain criteria as explained in paragraph 1.9.4.1. The social worker from the comparison group selected ten children according to the same criteria. See paragraph 1.12 for reasons why only ten children for each group were selected.

The following criteria for referring children were given to the head of office from Child Welfare Vereeniging, NG Welsyn Vereeniging and the social worker from the comparison group at the Teddy Bear Clinic in Johannesburg:

- **Experimental group**
  - Female.
  - 7 – 12 years old.
  - Afrikaans and/or English speaking.
  - Reported to offices for possible sexual abuse (with or without a criminal case being filed).
  - Time of reporting between February 2006 and April 2007.
  - Interviews audio-recorded.
  - Children without any developmental difficulties like ADHD or speech problems
  - Children who have not been assessed before
  -

- **Comparison group**
  - Female.
  - 7 – 12 years (precisely the same ages as the experimental group).
  - Afrikaans and/or English speaking.
  - Reported to the offices of Teddy Bear Clinic, Johannesburg for possible sexual abuse (with or without a criminal case being filed).
  - Time of reporting between July 2006 and July 2007.
  - Interviews audio-recorded.
  - Children without any developmental difficulties like ADHD or speech problems
  - Children who have not been assessed before

Ten children were interviewed in the experimental group and ten were interviewed in the comparison group. The children in both the experimental and comparison groups were girls of exactly the same ages. In each group two children in each of the age groups 7 years, 8 years, 9 years and 10 years were interviewed, as well as one 10-year-old and one 11-year-old. Figure 6.1 illustrates the composition of both the groups.

Figure 6.1: Ages of the children interviewed in experimental and comparison groups
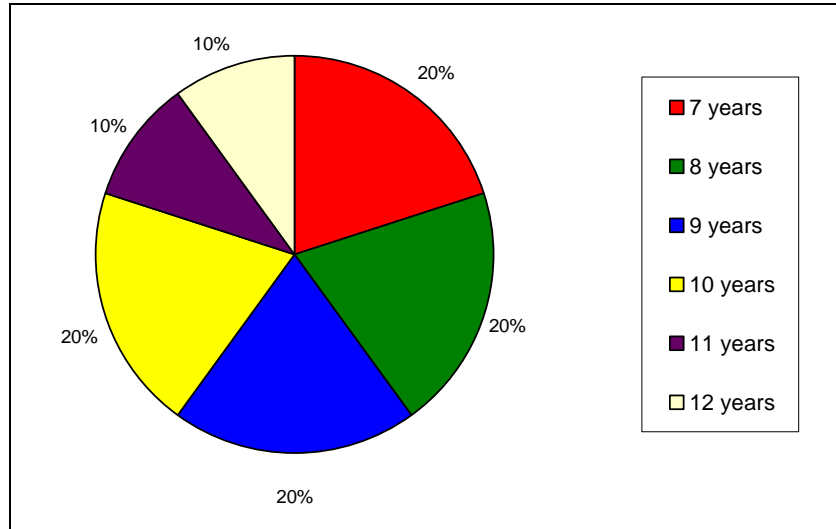
6.2.7 Ethical issues

Several ethical aspects were taken into consideration:

6.2.7.1 Informed consent

In chapter one the researcher discussed ethical aspects concerning informed consent (refer to paragraph 1.9.2). Written consent was obtained from all the respondents, and their parents (Appendix 3), the social worker of the comparison group and her supervisor (Appendix 2), and the Research Proposal and Ethical Committee of the Faculty of Humanities of the University of Pretoria gave their approval for the study (Appendix 4).

6.2.7.2 Harm to experimental and comparison respondents

As discussed in chapter one (paragraph 1.9.1), both the researcher and the social worker from the comparison group ensured that the children were not subjected to

secondary trauma. This was done by accommodating each child's process and not using any method that could imply guilt on the child or batter the child in the sense that she would feel that she is being punished for the alleged abuse. Both the social worker and researcher ensured that each child was contained before leaving the interview room by applying non-leading empowerment activities. All children were referred for therapy either to private practitioners or to local hospitals at the mental health services. Referral letters were written where requested.

6.2.7.3   Violation of privacy / anonymity / confidentiality

The researcher explained the importance of confidentiality in paragraph 1.9.3. Confidentiality and privacy were maintained at all times. All information obtained during interviews were put in a forensic social work report form; only to be viewed by referring social workers and relevant role players in the criminal justice system. For the purpose of the research, the respondents were each allocated a number e.g. "exp 1" or "comp 1". Audio-recordings, completed checklists and data sheets were labelled accordingly and are at all times in safekeeping till needed.

6.2.7.4   Release of publication of the findings

The researcher's report was written as objectively and accurately as possible (refer to paragraph 1.9.6). All shortcomings and errors were admitted. Two articles to be published in professionals' journals will be submitted before submission of the final thesis.

6.2.8   Validity and reliability of measuring instruments

According to Fouché (2002:120), when original measuring instruments are to be constructed, the researcher must give a detailed account of the procedures to be employed in constructing them. The validity and reliability of the instruments must also be discussed.

6.2.8.1 Validity

A valid measuring instrument does what it is intended to do, namely measure what it is supposed to measure. With the help of the Department of Statistics of the University of Pretoria, the researcher took the following into consideration whilst developing the measuring instrument for this study, namely the checklist:

- Is the instrument really measuring the content?
- Does the instrument provide an adequate sample of items that represent that concept?

6.2.8.2 Reliability

Reliability generally refers to the extent to which independent administration of the same instrument consistently yields the same results under comparable conditions. Reliability is therefore concerned with how well something is measured (Bless & Higson-Smith, 1995:130-134). The researcher took the following into consideration:

- Repeatability, i.e. can the same instrument be used on the same group of people on two or more occasions?
- Can an equivalent of the instrument be used?
- Linearity – internal consistency of the instrument.

Content analysis was done in the form of quantitative analysis of the behaviour of the interviewers. Behaviour in this content would refer to questions asked, the process of asking questions and conduct in the form of neutral encouragements.

6.2.8.3 Inter-rater reliability

For the purposes of inter-rater reliability a randomly selected 50% of the interviews were independently coded by Advocate Renate Carstens. As an ex- social worker

Adv. Carstens has extensive experience and advanced knowledge on the fundamentals included in the seven-phase forensic interview protocol.

All data were submitted to the Department of Statistics of the University Pretoria. A comparison was made between the researcher's and the independent coder's rating of fundamentals. An average agreement of 82.8% was found.

6.3   DATA COLLECTION AND ANALYSIS: SECTION OF THE EMPIRICAL RESEARCH

Data collection formed part of phase five of the intervention research process and of objective five.

6.3.1 Development of the seven-phase forensic interview protocol and checklist

In this phase a thorough literature study and consultation with experts, together with extensive experience from the researcher in this field, formed part of the knowledge base in order for the researcher to develop a checklist and the seven-phase forensic interview protocol.

6.3.1.1   Coding of interviewer behaviour

In conjunction with each of the items in the checklist, a set of criteria was constructed that clearly defined the interviewer behaviour to be evaluated by means of a self-developed checklist. As discussed in paragraph 5.2.2, different criteria were identified in order to evaluate whether a specific fundamental was complied with or not during an interview:

- If the interviewer complied with what is expected of her according to the proposed interview protocol, a "yes" was indicated on the checklist for every time a specific individual fundamental was adhered to.

- If "no" was indicated, the researcher differentiated between "no – effective", "no – ineffective" and "no – material mistake": The researcher has determined beforehand which items if not complied with constitute a rating of "no – effective"; "no – ineffective" and "no – material mistake". The researcher has thus rated the fundamentals consistently for both the comparison and experimental groups.

  - In the category "no – effective" it means that although the specific fundamental was not complied with as proposed, the interview was still effective or the specific item on the checklist was addressed in another way than proposed, e.g. using pronouns or multiple choice questions.

  - The category "no – ineffective" indicates that the specific fundamental was not probed, explored or adhered to as proposed by the researcher, and the absence of that in the interview, addressed that specific fundamental ineffectively. However, the ineffective handling of the specific item, e.g. not using pictures, did not cause contamination of or did not have serious implications on the outcome of the interview.

  - The last category under "no" is "no – material mistake", which indicates that the presence of that specific interviewer behaviour may lead to contamination of information, or result in the interview not being legally defensible. Examples of such interviewer behaviour include the asking of leading questions, not exploring the identity of the alleged perpetrator, or not exploring the specific alleged sexual behaviour that occurred.

- Another category, "volunteered" was added after the pilot study had been conducted. This was used to indicate cases where the children volunteered information without the interviewer probing it.

- A last category was also added after the pilot study, namely that if a specific fundamental was not applicable in a specific situation, it was indicated as "not applicable" on the checklist, e.g. when anatomical dolls were not utilised in the interview, it would be coded "not applicable". This would accommodate situations where the interviewer did not use anatomical dolls

and did not ask questions about explicit knowledge, or contextual information that was irrelevant to the specific case.

Each time when either the interviewer from the comparison or the experimental groups has covered a particular fundamental, a score of 1 was given. When the particular fundamental has not been covered, it was marked on the checklist as either "no –effective", "no – ineffective" or "no – material mistake". Based on this data the staticians then determined whether or not a particular fundamental has been successfully addressed.

As already discussed, the data were submitted to the Department of Statistics at the University of Pretoria to do the statistical analysis.

6.3.1.2 Pilot testing

The seven-phase forensic interview protocol and self-developed checklist were pilot-tested with three children who were referred to the researcher for forensic assessment interviews, and did not form part of the main investigation. After the pilot study the categories, "volunteered" and "not applicable" were added, as well as criteria for when an item constitute a rating of "no – ineffective"; "no – effective" and "no– material mistake". The researcher then also excluded the following fundamentals as the interviewer used audio-recordings and these fundamentals could not be assessed without video-recordings: "follow-up of nonverbal behaviour" using SOLER skills, nodding and avoiding suggestive actions. However, these fundamentals are proposed to be part of the seven-phase forensic interview protocol.

6.3.1.3 Experimental and comparison groups

Ten children who were referred by social workers were chosen for the experimental group. The social worker from the comparison group then selected ten children according to the given criteria. The social worker from the comparison group was orientated regarding ethical issues and informed consent. The

researcher has also corresponded regularly with the social worker from the comparison group in order to ensure that the ages of the children correlated.

During phase five of intervention research (paragraph 1.7.5) the self-developed checklist was implemented during ten forensic interviews conducted with children who have allegedly been sexually abused. The comparison group was interviewed by a social worker in Johannesburg at the Teddy Bear Clinic. The ten children in the comparison group were of the same age and gender as the experimental group. Cases were included in the study if there were substantial reasons to believe that abuse had taken place.

The newly developed seven-phase forensic interview protocol was used in all interviews in the experimental group.

6.3.1.4 Audio-recordings

Audio-recordings of the interviews were checked to ensure their completeness and accuracy. Audio-recordings of the interviews in both the experimental group and the comparison group were examined and coded using the self-developed checklist (paragraph 5.2.2).

The audio-recordings were collected from the comparison group as soon as the interviews were conducted.

6.3.1.5 Independent coding

The independent coder was trained in using the checklist before coding the audio-recordings for the study.

During the course of coding 50% of the transcripts were independently coded by the independent coder to ensure reliability. The data were submitted to the

Department of Statistics at the University of Pretoria to determine the percentage of agreement. As already mentioned, the average agreement was 82.8%.

6.4   DATA ANALYSIS: CLUSTERS

The seven-phase forensic interview protocol consists of 119 fundamentals, categorised in 23 clusters (paragraph 5.4). The 23 clusters are:

- Rapport-building and facilitation of initial verbal disclosure.
- Ground rules.
- Truth-and-lie check before abuse-focused questioning.
- Morality check.
- Truth-and-lie check after abuse-focused questioning.
- Use clear and age-appropriate language.
- Invite free narrative.
- Questioning format.
- Determine the number of times the alleged abuse happened.
- Use pictures to explore alleged abuse.
- Determine the identity of the perpetrator.
- Explore explicit accounts of sexual abuse.
- Determine context explanation.
- Emotional content.
- Explore the existence of internalisations.
- Observe and follow up on nonverbal behaviour. (Excluded from this research due to the fact that it could not be evaluated since only audio-recordings were used and not video-recordings.)
- Investigate multiple hypotheses.
- Use of anatomical dolls in a non-leading way.
- Test for consistency.
- The interviewer's overall conduct during interviews.   (The following fundamentals were excluded from this research due to the fact that it could

not be evaluated since only audio-recordings were used and not video-recordings: SOLER skills, nodding and avoiding suggestive actions.)

- Practical arrangements during the interviews.

- Global check.

- Closure of interview.

After the self-developed checklist has been completed by the researcher and independently coded by another professional, the data were submitted to the Department of Statistics at the University of Pretoria, who conducted the statistical analyses. The results obtained are presented graphically.

The Mann-Whitney test was used in order to determine the p-value. The p-value is often called the level of significance. The p-value can be used to make the decision in a hypothesis test by noting that if the p-value is less than α, the hypothesis is rejected. The Department of Statistics of the University of Pretoria use the level of significance as $\alpha = 0.05$ as it is the most commonly used level of significance in practice. In this study, if the p-value was < 0.05 there was a significant difference between the experimental and the comparison group. If the p-value was > 0.05, it shows that there was no significant difference between the two groups.

6.4.1   Rapport-building and facilitation of initial verbal disclosure

As discussed in paragraph 5.4.1.1 rapport-building is part of phase one and consists of activities to familiarise the child with the interviewer and interviewing environment (Wakefield, 2006).   The researcher proposed a semi-structured questionnaire (paragraph 4.6.6.1).

After rapport has been established the interviewer would then make use of play-related communication techniques (Fouché & Joubert, 2003:17) to facilitate the initial verbal disclosure (paragraph 4.6.6). It should, however, be noted that the first part of rapport-building was not part of this research (paragraph 5.4.1.3). This research started only when the child gave an initial verbal disclosure; most of the

times through using a label for the alleged sexual abuse (paragraph 5.4.1.4). If the child disclosed the abuse by means of referring to a label, it had to be clarified before the interviewer could continue (Fouché, 2006:225), which then would be the fundamental that would be evaluated.

6.4.1.1 Coding: Rapport-building and facilitation of initial verbal disclosure

If the interviewer did not clarify the label used by the child for the alleged sexual abuse, it was coded as "no – material mistake". If the interviewer complied as proposed by the seven-phase forensic interview protocol by clarifying the label or expression used by the child for the alleged sexual abuse, a "yes" was indicated on the checklist.

6.4.1.2 Results and discussion: Rapport-building and facilitation of initial verbal disclosure

Figure 6.2 shows that professionals in both the experimental group and the comparison group have complied 100% in each of their ten cases with what is proposed by the seven-phase forensic interview protocol regarding the rapport-building phase. There is no difference between the experimental and comparison groups in terms of rapport-building and facilitation of the initial verbal disclosure, and therefore the researcher suggests that this specific cluster appears not to be a new tendency among South African social workers as it was part of the social worker from the comparison group's protocol.

Figure 6.2: Rapport-building
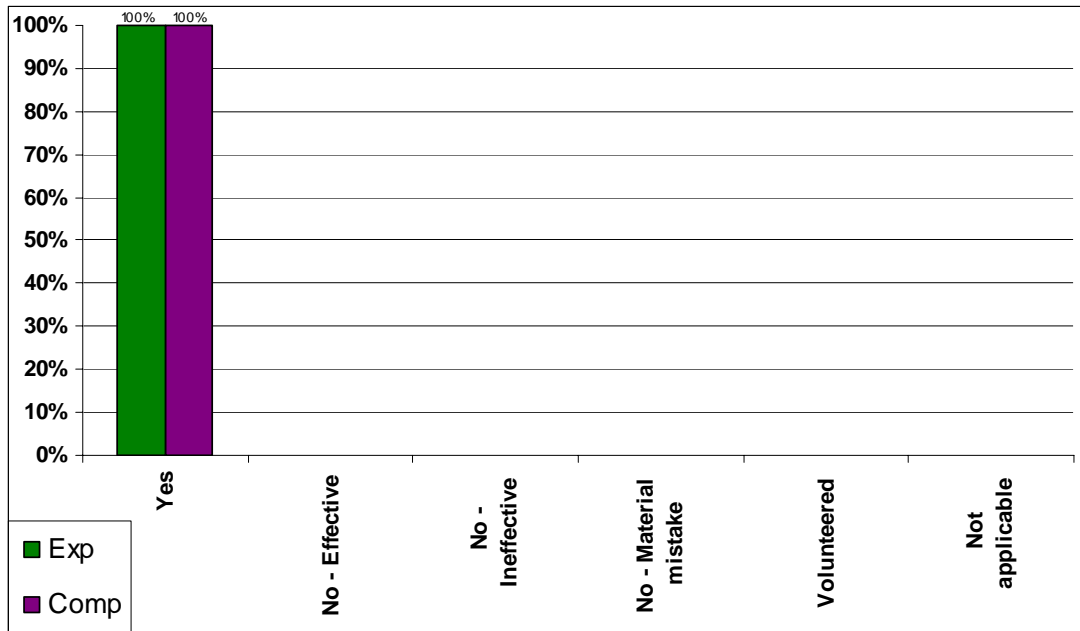
6.4.2 Ground rules

As discussed in paragraph 4.6.7 ground rules, are aspects covered directly after the rapport-building, facilitation of the first initial disclosure and clarification of the label the child is referring to.

The ground rules consist of informing the child that:

- the interviewer is going to ask questions about the alleged sexual abuse and that it is important to tell everything;

- he/she may resist answering questions;

- he/she may indicate when he/she cannot remember or does not know the answer;

- he/she may ask questions at any time in the interview; and

- that he/she must correct the interviewer if she reflects the information incorrectly.

These ground rules must then each be tested with a neutral topic to ensure that the child understands.

6.4.2.1 Coding: Ground rules

If the interviewer did not do the ground rules with the child, it was regarded as "no – material mistake" as it is instrumental in making the forensic interview legally defensible. If it was done correctly, a code of "yes" was given.

6.4.2.2 Results and discussion: Ground rules

From figure 6.3 it is evident that the interviewer from the experimental group has complied 95.71% with this cluster of fundamentals, compared to the interviewer from the comparison group who only complied 8.57%.

The statistics suggest that the ground rules are not done in a structured way in practice, leaving a situation where a child may answer questions that he/she does not know the answer of, or may be too scared or shy to correct the interviewer when she misunderstands.

Figure 6.3 : Ground rules
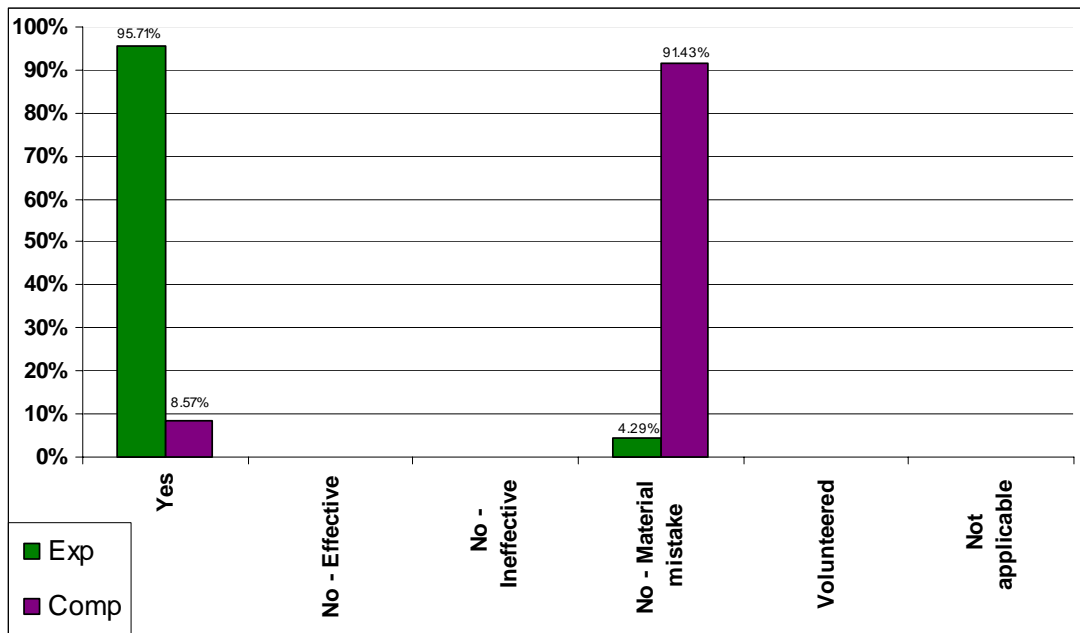
The Mann-Whitney test was conducted and the p-value for the cluster "ground rules" equalled 0.0001 (<0.05). Therefore there is a statistically significant difference between the comparison and experimental groups. This means that the ground rules are indeed implementable as proposed by the seven-phase forensic interview protocol and suggests to be a contribution to the social work profession in South Africa.

6.4.3   Truth-and-lie check before abuse-focused questioning

The seven-phase forensic interview protocol proposes that it is imperative that the interviewer conducts a truth-and-lie check before abuse-focused questioning starts. The child's understanding of this needs to be tested with neutral topics, after which the child should be informed to tell the truth.

6.4.3.1   Coding: Truth-and-lie check before abuse-focused questioning

If the interviewers from either the experimental or comparisons groups did not comply with the above-mentioned fundamental, it was coded "no – material mistake". Hypothetically it can be argued that by leaving this fundamental out of the protocol, the interviews are not legally defensible, because the child was not made aware that he/she should tell the truth.

6.4.3.2   Results and discussion: Truth-and-lie check before abuse-focused questioning

Figure 6.4 indicates that the interviewer from the comparison group complied by conducting a truth-and-lie test in six cases (60%), but not in four cases (40%). Although the truth-and-lie test has been conducted in six cases (60%), it was not tested with neutral topics in any of the ten cases (100%) and the children were not informed to tell the truth.

In nine cases (90%) the interviewer from the experimental group did conduct a truth-and-lie test before the abuse-focused questioning started. In all nine cases (90%), the children's understanding was tested with neutral topics and the children were informed to tell the truth. In one case (10%) the interviewer of the experimental group did not follow the proposed forensic interview protocol.

The results of the comparison group suggest that social workers are generally aware of the importance of a truth-and-lie check, but are unaware of the fact that it should be tested with neutral topics, and that the child should be informed to tell the truth. It also proves that although the interviewer of the experimental group was aware of the importance of a truth-and-lie check, she failed to do so in one case. Leading to the conclusion that one should not assume that when professionals are aware of the correct procedures that they would necessarily adhere to it.

Figure 6.4:   Truth-and-lie check before abuse-focused questioning
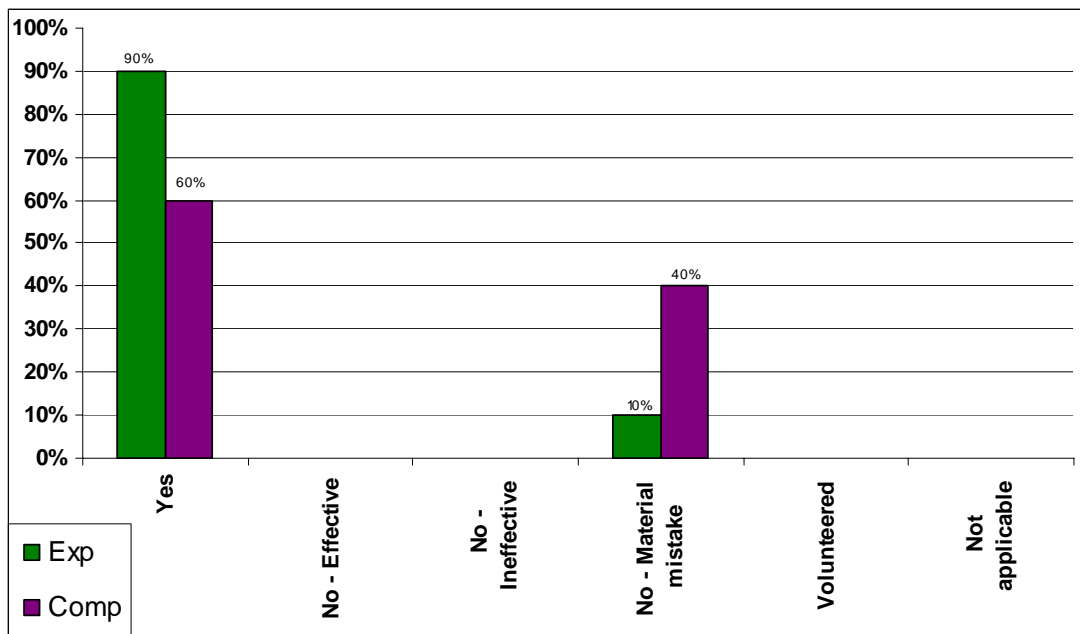
According the Mann-Whitney test, the p-value for cluster "truth-and-lie check before abuse-focused questioning", equalled 0.0293 (< 0.05) and therefore there

is a statistically significant difference between the comparison and experimental groups.

6.4.4 Morality check

The purpose of a morality check, as explained in paragraph 4.6.25, is to ensure that the child knows that lying has serious consequences for the people involved. The morality check should be conducted after the ground rules and the truth-and-lie check. This is also something that is done in South African courts before a child testifies.

6.4.4.1 Coding: Morality check

The morality check is regarded as imperative and if the interviewer did not comply with it, it was coded as "no – material mistake". If it was done correctly in the interview a "yes" was indicated.

6.4.4.2 Results and discussion: Morality check

As seen in figure 6.5, the interviewer from the experimental group complied 90% with the proposed interview protocol in terms of the morality check, while the interviewer from the comparison group did not conduct a morality check at all. This suggests that social workers in the field do not know that they have to conduct a morality check before interviewing a child. This may have a detrimental impact as children need to be reminded of what the consequences of lying could be.

Figure 6.5: Morality check
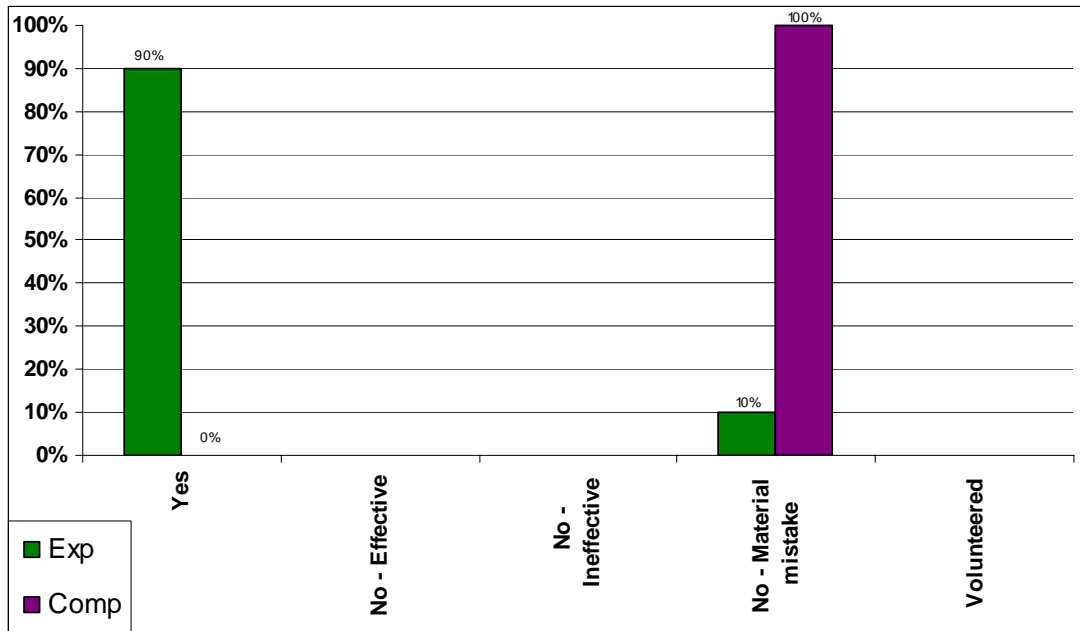
The Mann-Whitney test was conducted and the p-value for cluster: "morality check" was 0.0001 (<0.05), and therefore there is a statistically significant difference between the comparison and experimental groups.

6.4.5 Truth-and-lie check after abuse-focused questioning

The seven-phase forensic interview protocol proposes that the interviewer again asks the child after the abuse-focused questioning whether he/she has told the truth, or lied about anything that he/she has told the interviewer (paragraph 4.6.25).

6.4.5.1 Coding: Truth-and-lie check after abuse-focused questioning

By not conducting a truth-and-lie check after abuse-focussed questioning, it was coded as "no – material mistake" as this is according to the proposed interview protocol regarded as imperative in the forensic interviewing process.

6.4.5.2 Results and discussion: Truth-and-lie check after abuse-focused questioning

In figure 6.6 it is shown that the interviewer of the comparison group has done the truth-and-lie check after the abuse-focused questions in all ten cases (100%), and the interviewer from the experimental group has done it correctly only in eight cases (80%). Although the interviewer from the comparison group did not conduct a truth-and-lie test before the abuse-focused questioning, she managed to do it afterwards. It would appear that social workers in practice know the importance of asking a child whether he/she is telling the truth. The results from the experimental group show that if a truth-and-lie test was done earlier in a session, it could very easily happen that the interviewer forgets to do the test again.

Figure 6.6: Truth and lie check after abuse-focused questioning
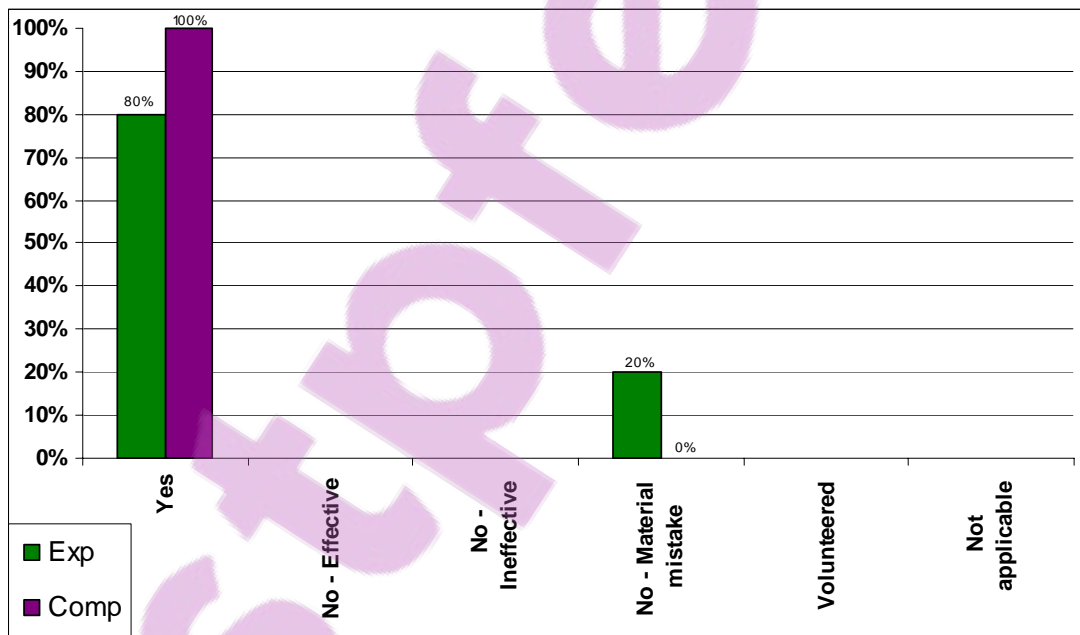
The Mann-Whitney test was conducted and the p-value for cluster "truth-and-lie check after abuse-focused questioning" equalled 0.1462 (>0.05) and therefore there is not a statistically significant difference between the comparison group and experimental group.

6.4.6 Use clear and age-appropriate language

The use of age-appropriate language was discussed in paragraph 3.8. The following language-related aspects are included in the seven-phase forensic interview protocol and regarded as an imperative part of the interviewing process:

- Avoid legal words and phrases (paragraph 3.8.1.1).
- Clarify labels, concepts, instructions (paragraph 4.6.22) and continue with the labels which the child used (paragraph 4.6.22).
- Use pronouns selectively (paragraph 3.8.2.1).
- Avoid double negatives (paragraph 3.8.2.1).
- Avoid vague referents (paragraph 3.8.2.1).
- Avoid using "why" questions (paragraph 4.6.19).
- Keep questions and sentences simple (paragraph 3.8.2.1).
- One main thought per utterance (paragraph 3.8.2.1).
- Avoid questions beginning with "do you remember" (paragraph 3.8.1.1).
- Avoid questions with auxiliary verbs (paragraph 3.8.1.1).
- Use as few negatives as possible (paragraph 3.8.2.1).

6.4.6.1 Coding: Use clear and age-appropriate language

When an interviewer did not comply with the above-mentioned aspects, it was coded as follows: The code "no – material mistake" was indicated in cases where information offered by the child has been contaminated, or questioning led to confusion of the child. Otherwise it would either be coded as "no effective" or "no – ineffective", indicating that the interviewer did not comply, but the manner in which the interviewer acted was effective or ineffective, but did not have a detrimental impact on the outcome of the interview. Due to the fact that more than one coding was given for certain fundamentals in order to determine what the overall compliance during the whole interview was, the specific number of cases cannot be indicated.

6.4.6.2 Results and discussion: Use clear and age-appropriate language

In the experimental group, as seen in figure 6.7, the interviewer scored an overall compliance rating of 80.45% for using clear and age-appropriate language, compared to the 71.9% of the comparison group. The ineffective use of age-appropriate language was 6.4% in the experimental group and 7.19% in the comparison group.

Not using age-appropriate language correctly, but still effectively was 11.45% in the experimental group and 16.80% in the comparison group. Especially the use of pronouns in both the experimental and comparison groups was problematic, as the interviewers did not avoid the use of pronouns. However, the children could still clearly understand to which person or situation the interviewer referred to when using pronouns.

The use of age-appropriate language in a way that is considered "no – material mistake" was scored 4.9% in the comparison group and 0.91% in the experimental group. This included mostly the use of double negative sentences and the asking of "why" questions.

Both interviewers mostly used language correctly, but there were also instances where both interviewers did not comply 100% with the requirements of the proposed seven-phase forensic interview protocol.

Figure 6.7   Use clear and age-appropriate language
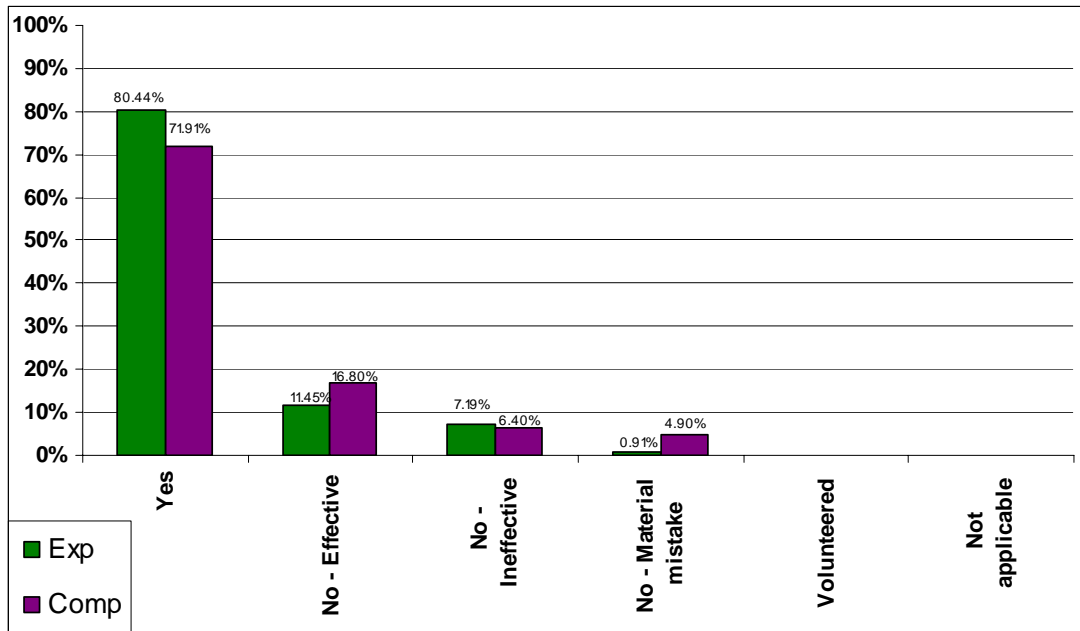
After conducting the Mann-Whitney test the p-value for this cluster was calculated as 0.494 (<0.05) and therefore there is not a statistically significant difference between the comparison and the experimental groups.

6.4.7   Invite free narrative

In paragraph 4.6.8 it was suggested that after a child has disclosed alleged sexual abuse, the label which he/she used when disclosing should be clarified, and the interviewer should then invite free narrative before questioning starts.

6.4.7.1   Coding: Invite free narrative

If the interviewer did not invite free narrative after the initial disclosure, it was coded "no – material mistake" as the child was not given an opportunity to provide information from his/her own frame of reference. However, if the interviewer did ask an open-ended question in a way which still facilitated a free narrative, it was coded "no – effective". When specific non-leading questions were posed to obtain

initial information, it was coded "no – ineffective. If close-ended, multiple questions or leading questions were asked to obtain information from the child it was also coded "no – material mistake".

6.4.7.2   Results and discussion: Invite free narrative

Figure 6.8 indicates that in 46% of the cases, the interviewer from the comparison group invited free narrative correctly. In 17.5% of the cases the interviewer from the comparison group did not handle free narrative correctly, but still effectively, and in 34% of the cases it was not handled effectively. In 2.5% of the cases, the interviewer from the comparison group did not invite free narrative, or probed by means of open-ended or specific non-leading specific questions. She used close-ended or multiple questions, which are not allowed within the proposed seven-phase forensic interview protocol.

In 67.99% of the cases the interviewer from the experimental group invited free narrative correctly as proposed by the newly developed protocol. In 11.41% of the cases the interviewer from the experimental group did not invite free narrative as proposed, but the manner in which she probed for information was effective. In 20.60% of the cases the interviewer from the experimental group probed ineffectively for information by using specific non-leading questions to obtain information. The interviewer from the experimental group did not use any close-ended, multiple- or leading questions during the free narrative phase.

It suggests that in practice social workers invite free narrative less than half of the times that they conduct forensic interviews. Although the proposed protocol prescribes that interviewers must invite a free narrative at the beginning of the interview, the interviewer of the experimental group did not follow the guidelines 100%. Both interviewers asked open-ended questions and specific non-leading questions to explore further, instead of saying to the child "tell me everything".

Figure 6.8   Invite free narrative
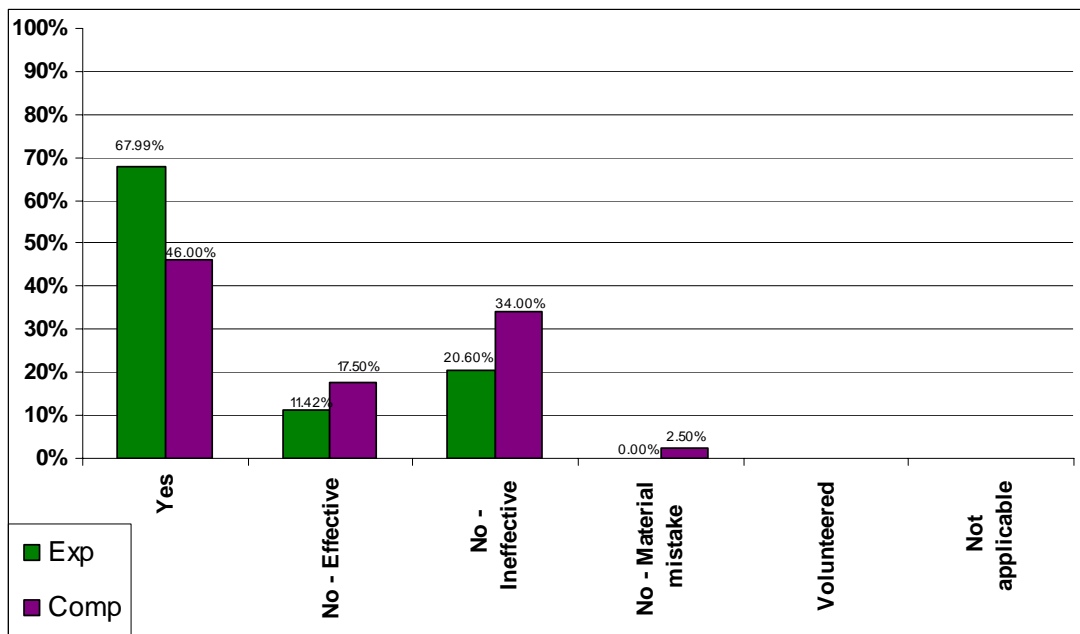
The Mann-Whitney test was conducted and the p-value for the cluster "invite free narrative" was 0.0184 (<0.05) and therefore there is a statistically significant difference between the comparison and experimental group.

6.4.8   Questioning format

The questioning format as proposed by the seven-phase forensic interview protocol is:

- Identify themes from the free narrative that must be discussed (paragraph 4.6.21).
- Introduce the topic or subject to be discussed (paragraph 4.6.21).
- Explore topics through non-leading abuse-focused questioning (paragraph 4.6.13 and 4.6.14).
- Summarise main themes (paragraph 4.6.21).
- Introduce new topic (paragraph 4.6.21).
- Use open-ended questions at all times (paragraph 4.6.12).
- Limit the use of multiple questions (paragraph 4.6.16);

- Avoid close-ended questions (paragraph 4.6.17),

- Avoid leading and suggestive questions (paragraph 4.6.18).

- Avoid repeating of questions as far as possible, unless it is used to assess consistency and is conducted in a sensitive manner (paragraph 4.6.20).

The questioning format is applicable right through the interview.

6.4.8.1 Coding: Questioning format

By following the fundamentals proposed by the seven-phase forensic interview protocol, a code "yes" was allocated to the specific item on the checklist that was correctly done.

The code "no – material mistake" was indicated if the following fundamental was not adhered to: asking leading, suggestive questions.

The codes "no – effective" or "no – ineffective" were used if the interviewer has not complied with the fundamentals mentioned, but the question format was still effective or ineffective, without contaminating the child's version (excluding those indicated which constituted a "no – material mistake" rating).

6.4.8.2 Results and discussion: Questioning format

In figure 6.9 it is marked that the interviewer of the comparison group has managed to conduct questioning correctly in 69.84% of the cases, not correctly but still effectively in 10.58% of the cases, and ineffectively in 15.90% of the cases.

In 78.04% of the cases the interviewer of the experimental group conducted the questioning format correctly, and in 7.68% of the cases the questioning format was done not correctly but still effectively. In 12.52% of the cases the questioning format was done ineffectively.

Items handled not correctly, but still effectively in both groups were that main thoughts were not summarised to the child and new topics were not introduced before questioning started.

Both interviewers used questions which are not allowed. In 3.68% of the cases the interviewer from the comparison group used leading, suggestive, close-ended and multiple questions. The interviewer from the experimental group used leading and close-ended questions in 1.76% of the cases.

It would appear that the questioning format as proposed by the researcher is not fully used in practice and should social workers utilise the proposed seven-phase forensic interview protocol, it should increase their questioning skills.

From the above it is also clear that although the researcher was aware of all the fundamentals, she also did not completely follow the proposed seven-phase forensic interview protocol.

Figure 6.9:   Questioning format
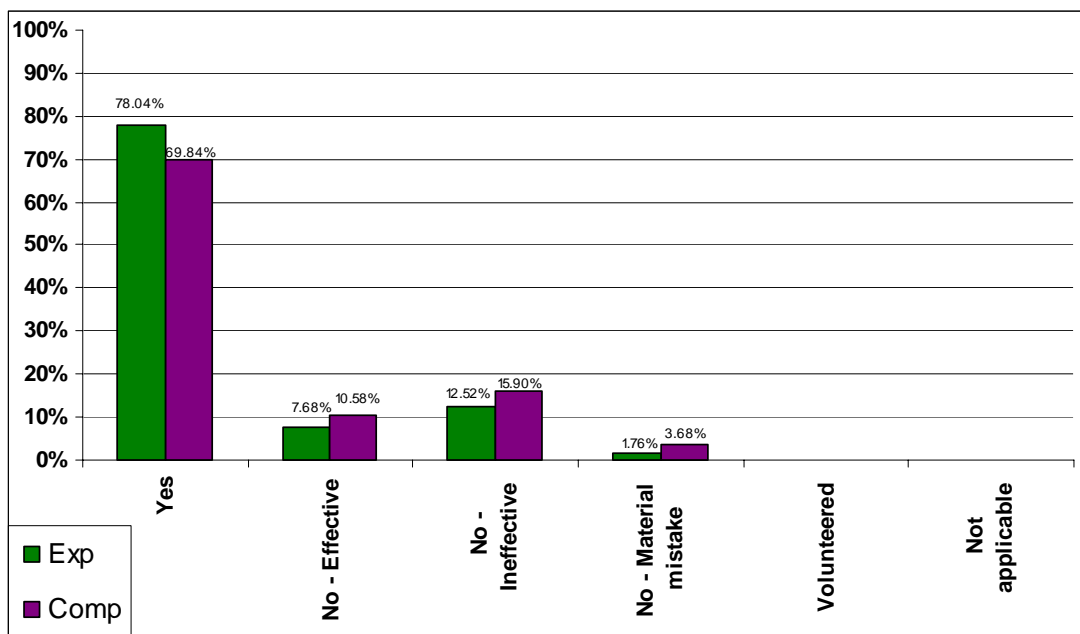
The Mann-Whitney test was conducted and the p-value for the cluster "questioning format" equalled 0.0126 (<0.05), and therefore there is a statistically significant difference between the comparison and experimental groups.

6.4.9 Determine the number of times the alleged abuse happened

It is crucial for the legal proceedings in the criminal courts that the interviewer must attempt to determine how many times the alleged abuse took place (paragraph 3.8.4.1). The child will be asked whether the abuse happened "once or more than once".

6.4.9.1 Coding: Determine the number of times the alleged abuse happened

If the interviewer complied by using the manner proposed by the seven-phase forensic interview protocol, it was coded "yes". Failing to do so by attempting with other interviewing techniques to determine the number of times the alleged abuse happened resulted in a "no – ineffective" coding.

6.4.9.2 Results and discussion: Determine the number of times the alleged abuse happened

From figure 6.10 it is evident that the interviewer from the comparison group only complied 34.17%, which shows that social workers in practice may as a rule not make use of this technique to determine the number of times that the alleged abuse happened. In the experimental group the interviewer has done it consistently as prescribed in the seven-phase forensic interview (100%), indicating that it is possible to implement this technique in practice.

Figure 6.10: Determine the number of times the alleged abuse happened
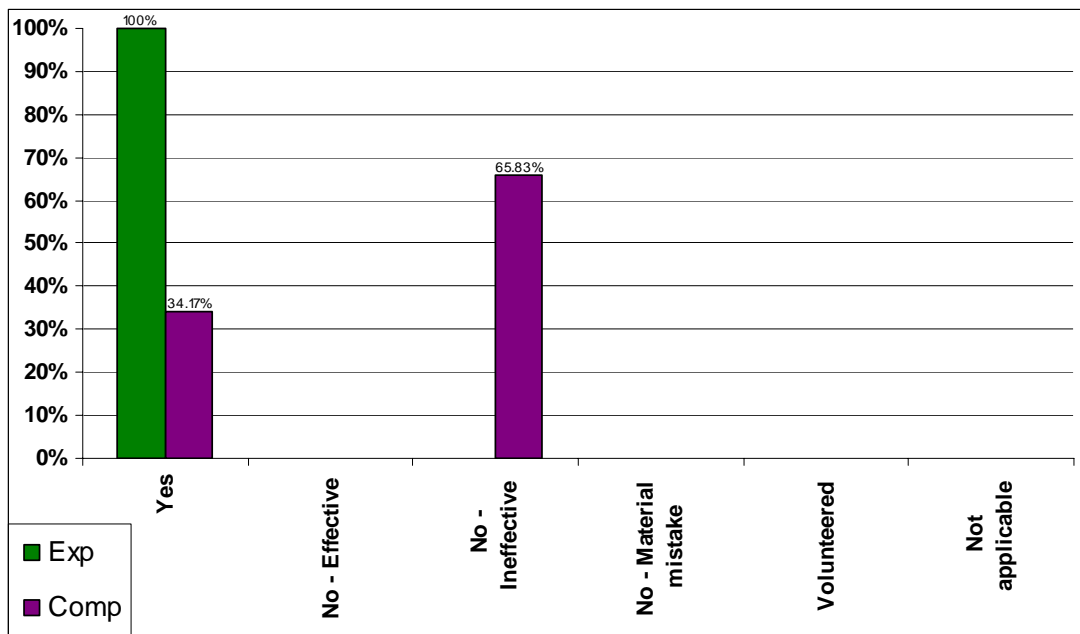
The Mann-Whitney test was conducted and the p-value for the cluster "determine the number of times the alleged sexual abuse happened" was 0.0000 (<0.05). Therefore there is a statistically significant difference between the comparison and experimental groups.

6.4.10   Use pictures to explore alleged abuse

After the child has indicated whether the abuse happened once or more than once, the interviewer would ask the child to identify the different places, and blank pages would be labelled with the name of the venue(s) (paragraph 4.6.23). Hereafter the focus would be on one venue (labelled page) at a time. The child would be requested to close his/her eyes, think back to the happenings and draw a picture. After this exercise everything regarding the alleged incident should be explored.

6.4.10.1 Coding: Use pictures to explore alleged abuse

Due to the fact that thousands of interviews take place daily without using pictures
it is only regarded as ineffective if the interviewer has not done so. Compliance as
proposed by the seven-phase forensic interview protocol was coded "yes".

6.4.10.2 Results and discussion: Use pictures to explore alleged abuse

From figure 6.11 it shows that pictures are possibly not commonly used in practice
as the experimental group showed 0% compliance. The experimental group used
pictures in all ten cases (100%). It also shows that it is possible to use pictures as
proposed by the seven-phase forensic interview protocol.

The Mann-Whitney test was conducted and the p-value for cluster "use pictures to
explore alleged abuse" was 0.0000 (<0.05), and therefore there is a statistically
significant difference between the comparison and experimental group.

Figure 6.11: Use pictures to explore alleged abuse
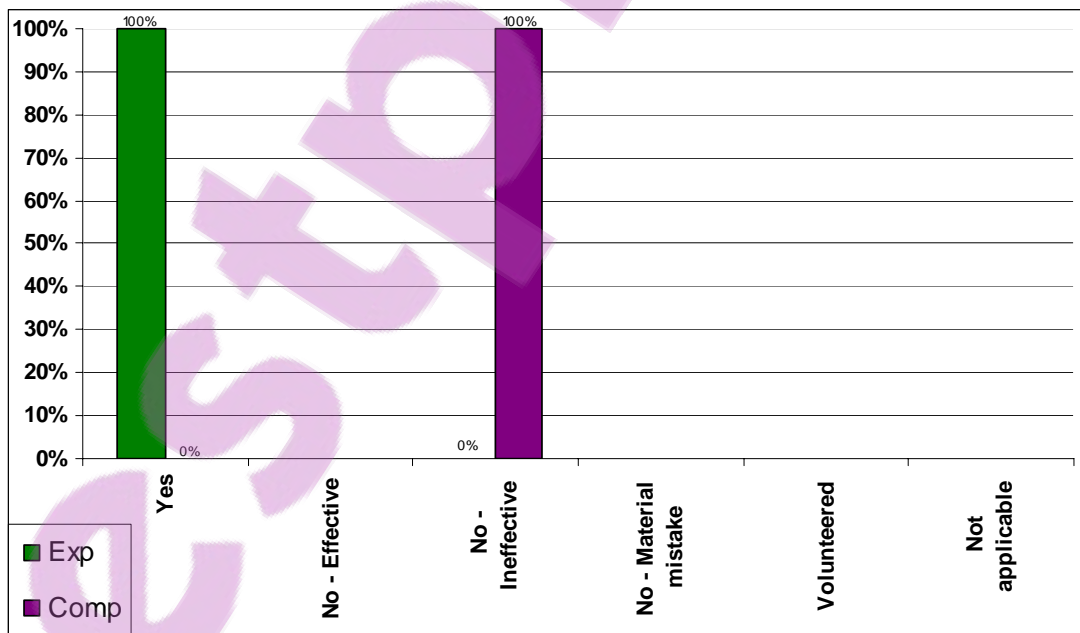
6.4.11 Determine the identity of the perpetrator

To determine the identity of the alleged perpetrator in the context of a forensic assessment is crucial as discussed in paragraph 4.7.2.1. If a child does not voluntarily disclose who the alleged perpetrator is, the interviewer has to explore the identity of the perpetrator, as well as the relationship that the child has with the alleged perpetrator. It is imperative that it is explored by means of open-ended questions.

6.4.11.1 Coding: Determine the identity of the perpetrator

If the interviewer has asked the child by means of open-ended questions about the identity of the alleged perpetrator after the child has verbally disclosed possible sexual abuse a "yes" code was given. If the child voluntarily disclosed the identity of the alleged perpetrator by means of play-related communication techniques, it was coded as "volunteered". When the interviewer did not determine the identity of the perpetrator during the interview, or used a leading or suggestive questions to determine the identity of the alleged perpetrator, it was regarded as "no – material mistake", implying that the interview was not legally defensible.

Due to the possibility of multiple perpetrators in both the experimental and comparison groups, the interviewers had to ask questions regarding the identity of the perpetrator more than once during certain interviews.

6.4.11.2 Results and discussion: Determine the identity of the perpetrator

Figure 6.12 shows that there are differences between the comparison and the experimental group. In 20% of the cases the interviewer from the experimental group obtained the identity of the perpetrator and his/her relationship to the child correctly by using non-leading questions. However, 80% of the time the information was volunteered, bringing the total compliance of the proposed protocol by the interviewer of the experimental group to 100%.

The interviewer from the comparison group was 96.67% compliant when asking questions to determine the identity of the perpetrator. In 3.33% of the cases the identity of the alleged perpetrator was voluntarily revealed by the children, bringing compliance with the proposed protocol by the interviewer of the comparison group to 100%.

It must be noted that the focus of the research is not the initial disclosure itself, but the facilitation of it after initial disclosure. However, it appears that the play-related communication techniques used by the interviewer of the experimental group facilitated more voluntarily disclosure of the identity of the perpetrator (Fouché & Joubert, 2003:19). Nevertheless, interviewers from both the experimental and comparison groups have complied with the protocol by determining the identity of the alleged perpetrator in a legally defensible manner.

Figure 6.12: Determine the identity of the perpetrator
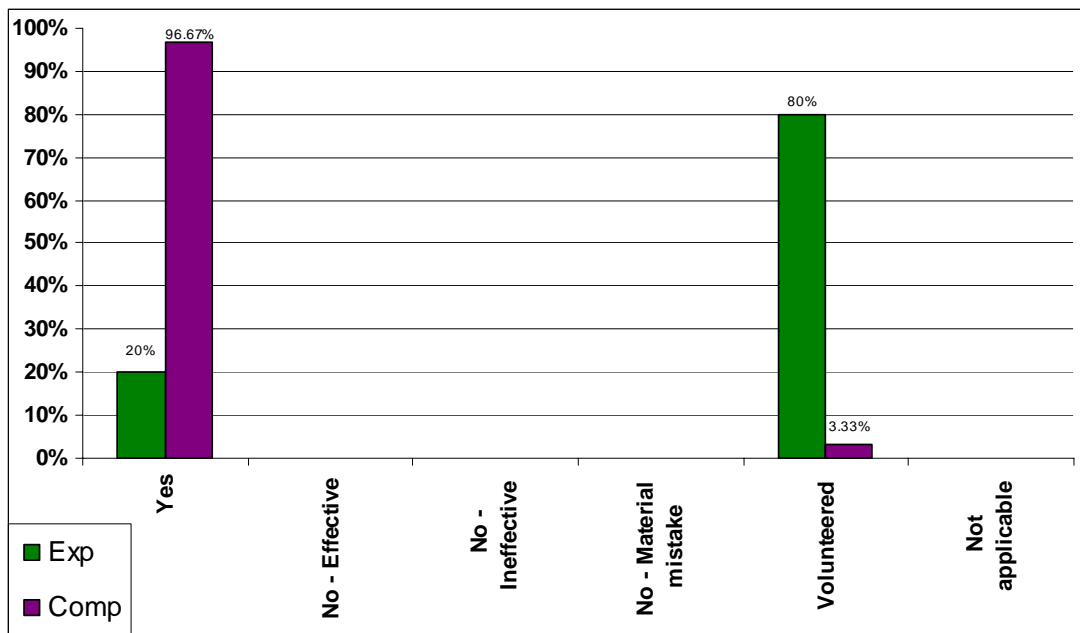
Was there then a significant difference? In order to answer this question the Mann-Whitney test was conducted. The p-value for the cluster "determine the identity of the perpetrator" equalled 0.0002 (<0.05) and therefore there is not a statistically significant difference.

6.4.12 Explore explicit accounts of sexual abuse

In paragraph 4.7.2.2 the importance of exploring the child's ability to describe explicit accounts of the alleged sexual abuse has been discussed. The seven-phase forensic interview protocol proposes that the following themes be explored to determine if they are applicable to the nature of the alleged abuse revealed by the child:

- Ask the child to draw and/or list the happenings step by step (paragraph 4.6.23).
- Determine which body parts of the perpetrator, if any, were involved in the alleged sexual abuse (paragraph 4.7.2.2).
- Determine whether the child has seen any genitalia of the alleged perpetrator and let the child draw and describe it (paragraph 4.6.2.2).
- Determine which body parts of the child, if any, were involved (paragraph 4.7.2.2).
- Explore if any body movements occurred (paragraph 4.7.2.2)
- Explore any sexual behaviour mentioned (paragraph 4.7.2.2).
- Explore the naming for sexual parts (paragraph 4.7.2.2).
- Explore who has taught the child these names (paragraph 4.7.2.2).
- Explore what the child was wearing (paragraph 4.7.2.5).
- Explore what the offender was wearing (paragraph 4.7.2.5).
- Explore whether any clothing was removed (paragraph 4.7.2.5).
- Explore the offender's actions to involve the child (paragraph 4.7.2.4).
- Explore what the child physically felt (paragraph 4.7.2.2).
- Explore what the child heard, saw, smelt during the alleged incident (paragraph 4.7.2.2).
- Explore whether the offender said anything (paragraph 4.7.2.4).
- Explore whether the offender said anything about telling or not telling (paragraph 4.7.2.4).
- Assess if the child reveals a grooming process (paragraph 4.7.2.4).
- Explore the experience of initial boundary violations (paragraph 4.7.2.2).

- Ask the child if anything else happened than those incidents she revealed (paragraph 4.6.27).
- Explore any other information revealed by the child that is unclear (paragraph 4.7.2.2).

6.4.12.1 Coding: Explore explicit accounts of sexual abuse

If the interviewer has correctly complied with the above-mentioned items the code "yes" was given. The category "no – effective" was coded for questioning strategies used during exploration of the explicit account which were not proposed by the seven-phase forensic interview protocol, but were still handled effectively. The code "no – ineffective" was given for specific items which were not explored, but the absence of it was not a material mistake, but rather ineffective.

If specific information concerning the cluster "explicit accounts" was volunteered by the child, "volunteered" was indicated on the checklist. If information was not relevant to the nature of the alleged sexual abuse which the child disclosed, it was indicated as "not applicable".

6.4.12.2   Results and discussion: Explore explicit accounts of sexual abuse

It is important to note that in certain interviews the interviewers had to explore different allegations and alleged incidents by different perpetrators.

Figure 6.13: Explore explicit accounts of sexual abuse
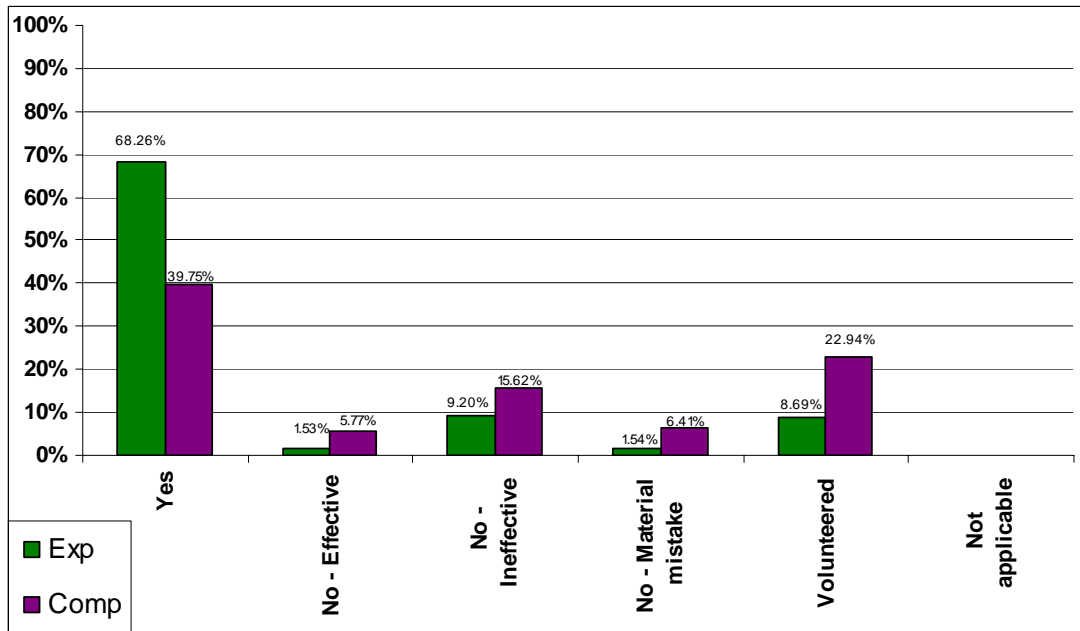
In figure 6.13 it is evident that the interviewer from the experimental group has explored explicit accounts of alleged sexual abuse correctly in 68.26% of the cases. However, 8.69% of the time information was volunteered, bringing the total compliance with the proposed protocol to 76.95%. Information volunteered most often by the children in the experimental group was whether the offender said anything about telling or not telling.

In 1.54% of the cases, the interviewer from the experimental group did not explore explicit accounts that were crucial to the outcome of the interview. This included whether clothing of the child (one case) or the perpetrator (one case) was removed.

Figure 6.12 shows that the interviewer from the comparison group has explored explicit accounts of alleged sexual abuse correctly in 39.75% of the cases. In 22.94% of the cases information was volunteered, bringing the total compliance of the proposed protocol to 62.69%.

In table 6.1 an illustration of the different fundamentals and scoring according to the categories are given.

Table 6.1: **Explicit accounts of sexual abuse**

Fundamentals cluster Explicit accounts	Yes – Correctly handled		No – effective		No – material mistake		No – ineffective		Volunteered		Not applicable	
	Experimental	Comparison	Experimental	Comparison	Experimental	Comparison	Experimental	Comparison	Experimental	Comparison	Experimental	Comparison
1. Instruct child to draw/list	8	8	2	-	-	-	-	2	-	-	-	-
2. Determine body parts of perpetrator involved	9	4	-	-	-	1	-	-	-	6	-	-
3. Determine if child saw genitalia of perpetrator	6	3	1	-	-	1	-	-	1	3	3	3
4. Determine which body parts of children were involved	9	8	-	-	-	-	-	-	3	2	-	-
5. Explore body movements	3	1	-	-	-	-	-	-	-	5	7	6
6. Explore any sexual behaviour mentioned	10	10	-	-	-	-	-	-	-	-	-	-
7. Explore naming for private parts	7	6	-	-	-	-	-	4	3	-	1	-
8. Explore who has taught child names for private parts	2	1	-	-	-	-	8	9	-	-	-	-
9. Explore what the child was wearing	7	4	1	-	2	5	-	-	1	1	-	-
10. Explore what the offender was wearing	-	-	-	1	-	-	10	9	-	-	-	-
11. Explore whether any clothing was removed	7	1	-	-	1	3	-	-	2	6	-	-
12. Explore the offender's actions to involve the child	6	3	-	1	1	-	-	-	3	6	-	-
13. Explore what the child physically felt	10	7	-	-	-	1	-	-	1	2	-	-
14. Explore what the child heard, saw, smelt	3	-	-	1	-	-	7	9	-	-	-	-
15. Explore whether offender said anything	5	1	-	1	-	-	1	3	6	5	-	-
16. Anything said about telling/not telling	5	3	-	-	-	-	-	-	2	6	3	1
17. Assess if the child reveals a grooming process	2	4	-	-	-	-	-	-	-	2	8	4
18. Explore initial boundary violation	2	11	-	-	-	-	-	-	-	-	8	-
19. Ask if anything else happened	10	10	-	-	-	-	-	-	-	-	-	-
20. Explore any unclear info	10	10	-	-	-	-	-	-	-	-	-	-

The items which the interviewer from the experimental group handled correctly were:

- instruct the child to draw and or list the happenings step by step;
- determine which body parts of the perpetrator were involved in the alleged sexual abuse;
- determine which body parts of the child were involved;
- explore any sexual behaviour mentioned;
- explore the naming of body parts;
- explore what the child was wearing;
- explore whether any clothing was removed; and
- explore what he child physically felt.

Fundamentals handled correctly in the comparison group included:

- determine which body parts of the perpetrator were involved in the alleged sexual abuse;
- determine body parts of the perpetrator involved;
- determine if child saw genitalia of perpetrator;
- determine which body parts of children were involved;
- explore any body movements;
- explore any sexual behaviour mentioned;
- explore naming for private parts;
- explore who has taught the child names for private parts;
- explore what the child was wearing;
- explore whether any clothing was removed;
- explore the offenders actions to involved the child;
- explore what the child physical felt;
- explore whether offender said anything;
- explore whether anything was said about telling or not telling;
- assess if the child revealed a grooming process;
- explore initial boundary violation;
- explore whether anything else happened; and
- explore any unclear information.

The Mann-Whitney test was conducted and the p-value for this cluster equalled 0.0005 (<0.05) and therefore there is a statistically significant difference between the comparison and experimental groups.

6.4.13 Determine context explanation

It is important to ask clarifying questions on any information regarding the context that is not clear or that is missing (paragraph 4.7.2.7). The seven-phase forensic interview protocol proposes that the following fundamentals need to be taken into consideration and covered during exploration of context information:

- The address where the alleged abuse happened (paragraph 4.7.2.7).
- The identity of the person(s) living there (paragraph 4.7.2.7).
- Whose place/home it is (paragraph 4.7.2.7).
- Where in the venue the alleged abuse took place (paragraph 4.7.2.7).
- Exploration of furniture and objects present (paragraph 4.7.2.7).
- Where other people were at the time of the abuse (paragraph 4.7.2.7).
- If there is a possibility for any persons who could have seen what has happened (paragraph 4.7.2.7).
- How the child got to and out of the venue (paragraph 4.7.2.7).
- Where he/she went afterwards (paragraph 4.7.2.7).
- Exploration on when the alleged abuse happened and attempting to the link time to other happenings (paragraph 4.7.2.3).
- Explore the child's reactions after the alleged abuse (paragraph 4.7.2.6).
- How the child got to be alone with the alleged perpetrator (paragraph 4.7.2.7).
- What the alleged perpetrator said to obtain the child's involvement (paragraph 4.7.2.4).
- Explore where the perpetrator went after the alleged abuse and his reactions towards the child afterwards (paragraph 4.7.2.9).
- Explore whether the child has told anyone and what this person's reaction was (paragraph 4.7.2.10).

- Explore whether the alleged abuse happened anywhere else (paragraph 4.6.2.7).

- Follow-up of any other context information that is unclear (paragraph 4.7.2.7).

6.4.13.1 Coding: Determine context explanation

For the purposes of coding all the above-mentioned fundamentals are regarded as crucial in order for the interviewer to conclude at the end of an investigation. These are also typical questions to be asked to the child witness during testimony. When coding, if the interviewer did cover these themes, it was coded either "no – material mistake" or " no – ineffective", depending on the type of sexual abuse revealed by the child. The code "no – effective" was indicated where a child for example indicated that the abuse happened outside, therefore context questions relating to furniture and venue would be rated "not applicable".

6.4.13.2 Results and discussion: Determine context explanation

Figure 6.14: Determine context explanation
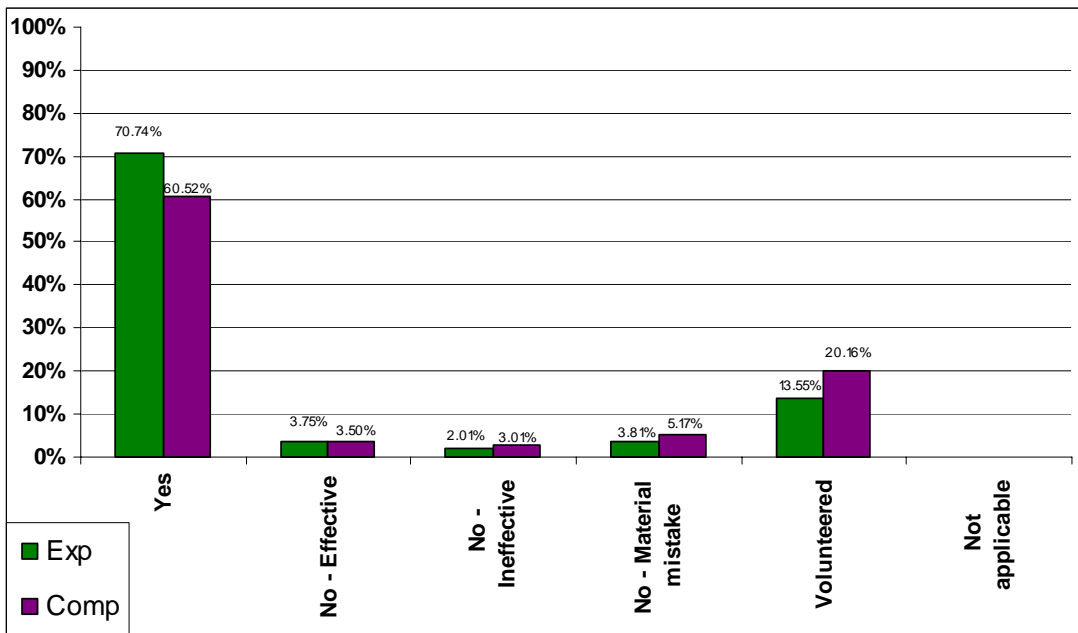
The interviewer from the comparison group complied in 60.52% of the cases with what is expected in the proposed forensic interview protocol. In 20.16% of the cases information was volunteered, bringing the total compliance with the proposed protocol to 80.68%. The interviewer from the experimental group complied correctly in 70.74% of the cases and information was volunteered in 13.55% of the time bringing the total compliance to 84.29%.

Fundamentals not handled correctly, but still effectively was 3.50% for the comparison group and 3.75% for the experimental group. Fundamentals not handled which resulted in a specific part of the interview being ineffective were 3.01% for the comparison group and 2.01% for the experimental group. In 5.17% of the cases the interviewer from the comparison group handled fundamentals in a way which is according to the proposed protocol a material mistake compared to 3.81% in the experimental group. Refer to table 6.2 for breakdown of figures.

Table 6.2: Context information

Fundamentals cluster Context information	Yes – Correctly handled		No – effective		No – material mistake		No – ineffective		Volunteered		Not applicable	
	Experimental	Comparison	Experimental	Comparison	Experimental	Comparison	Experimental	Comparison	Experimental	Comparison	Experimental	Comparison
1. Where the alleged abuse happened	8	8	-	-	-	-	-	-	2	2	-	-
2. Address or who's living there	8	8	-	-	-	-	-	-	2	3	-	-
3. Where in the house/car/ venue the alleged abuse happened	9	8	-	-	-	-	-	-	2	3	-	-
4. How the child got to that venue	7	4	-	-	-	-	-	1	3	5	-	-
5. Furniture/objects in venue	6	2	-	-	-	4	-	-	5	3	-	
6. Where other people were at the time	10	10	-	-	-	-	-	-	3	-	-	-
7. How the child got to be alone with the perpetrator	5	3	-	-	-	-	-	-	6	7	-	-
8. What the alleged perpetrator said to obtain child's	4	5	-	-	1	-	-	-	5	5	-	-

Fundamentals cluster Context information	Yes – Correctly handled		No – effective		No – material mistake		No – ineffective		Volunteered		Not applicable	
	Experimental	Comparison	Experimental	Comparison	Experimental	Comparison	Experimental	Comparison	Experimental	Comparison	Experimental	Comparison
involvement												
9. Whether any threat were posed	1	2	1	-	-	-	1	-	4	6	3	2
10. How child got to out of the venue	8	5	-	-	1	2	-	-	3	3	-	-
11. When the alleged abuse happened	10	10	-	-	-	-	-	-	1	-	-	-
12. Attempt to link it to other happenings	9	9	-	-	1	1	-	-	1	1	-	-
13. Child's reactions after the alleged abuse	5	3	2	1	-	-	2	3	-	1	1	2
14. Where the perpetrator went after abuse	5	1	3	5	-	-	-	1	3	1	1	2
15. Perpetrator's reactions afterwards	3	3	4	2	-	-	3	2	-	2	1	1
16. Possibility of any eyewitnesses	9	7	-	-	-	-	-		1	2	1	1
17. Whether the child has told anyone and their reactions	8	8	-	-	1	1	-	-	1	1	-	-
18. Reasons for not telling immediately	3	5	-	-	7	2	-	-	-	1	-	2
19. Whether the abuse happened anywhere else	10	8	-	-	-	2	-	-	-	1	-	-
20. If any pornographic material was used	-	4	-	-	-	-	-	-	-	-	10	6
21. Explore/follow-up context information that is unclear	10	10	-	-	-	-	-	-	-	-	-	-

It suggests that social workers in the field may well be aware of the obligation they have to clarify contextual information. It is, however, again evident that if a social worker would be aware of the specific contextual information, it should assist him/her to explore more thoroughly.

The Mann-Whitney test was conducted and the p-value for cluster "determine context information" was 0.0172 (<0.05), and therefore there is a statistically significant difference between the comparison and experimental groups.

6.4.14 Emotional content

Although abused children do not necessarily display extreme emotional reactions when revealing alleged incidents (paragraph 4.7.2.6), professionals do assess emotional content. Aspects to be explored and evaluated are: the child's emotional reactions during and after the sexual abuse; thoughts of the child during the abuse; exploration and responding towards the child's emotional reactions during disclosure.

6.4.14.1 Coding: Emotional content

If a fundamental like exploring of the thoughts is not done, it would be regarded as effective or ineffective depending on the nature of the alleged abuse, as children in the middle childhood struggle with this abstract concept. If the interviewer has not explored and responded on the child's emotional reactions during the disclosure, it would regarded as "no – material mistake". When the child voluntarily gave information which could be regarded as emotional content, it was coded "volunteered".

6.4.14.2 Results and discussion: Emotional content

A difference of 31.67% occurred (figure 6.15) between comparison and experimental group on the code "yes". In the experimental group the interviewer did comply with the proposed protocol in 86.67% of the cases, and information was volunteered in 3.33%, bringing the total compliance with the proposed protocol to 90%. In 55% of the cases the interviewer of the comparison group complied with what is expected. The interviewer from the experimental group had 6.67% on "no – ineffective", 0% on " no –effective", and 3.3% " no – material mistake", compared to the 29.17%, 3.33% and 12.50% respectively of the interviewer from the comparison group.

It may well be suggested that in practice social workers do not necessarily explore and focus on the emotional reactions. The reason for this may be that they focus so much on getting the facts in order to report, or maybe fearing a first rapport statement, that they steer away from the importance of exploring the emotional content. The fact that the interviewer conducting the experimental group was aware of the importance of this aspect caused her to explore more emotional content.

Figure 6.15: Emotional content
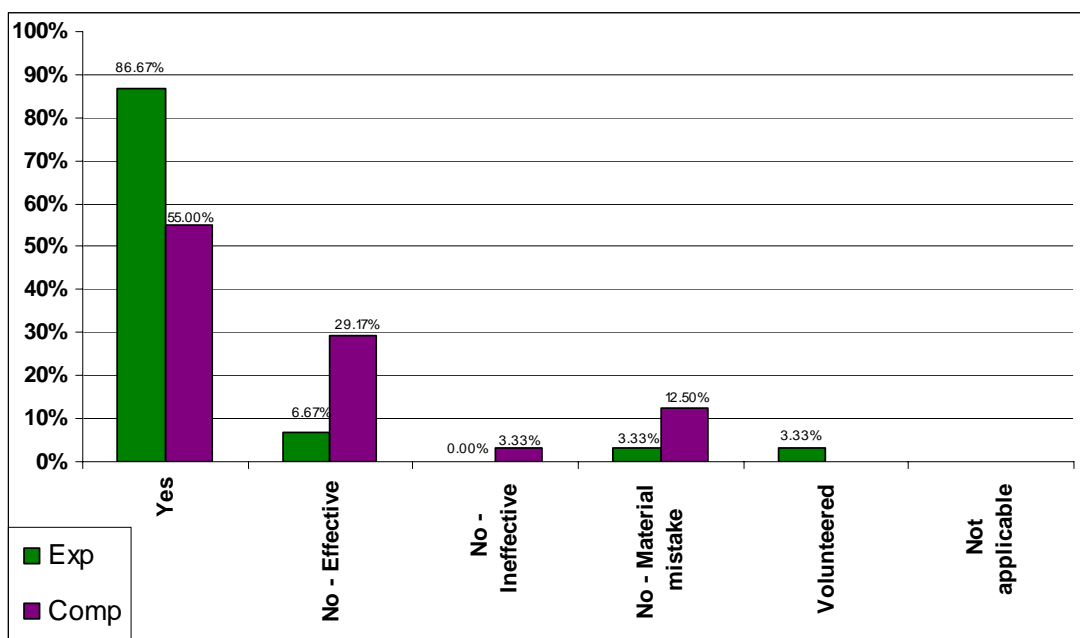
The Mann-Whitney test was conducted and the p-value for cluster "emotional content" equalled 0.0068 (<0.05), and therefore there is a statistically significant difference between the comparison and experimental groups.

6.4.15 Explore the existence of internalisations

As part of the evaluation, the interviewer would attempt to determine whether the child discloses any internalisations (paragraph 2.11.5). However, it must not be explored by means of leading questions or suggestions (paragraph 4.7.2.6).

Existence of internalisations is mostly determined by follow-up questions after a child initially disclosed something relating to it. An attempt was made to determine the existence of the following internalisations: stigmatisation, powerlessness; betrayal, traumatic sexualisations, and whether anything changed in the child's life since the abuse happened.

6.4.15.1 Coding: Explore the existence of internalisations

If the child gave the interviewer a cue and she could use non-leading questions to explore further, "yes" was marked. Due to the fact that it is extremely difficult to determine it without being leading, the category "not applicable" was marked if no cue from the child was forthcoming. If the child has offered information and the interviewer did not follow it up, it was coded "no – ineffective" or "no – effective", depending on the type of questions asked.

6.4.15.2 Results and discussion: Explore the existence of internalisations

Figure 6.16: Internalisations
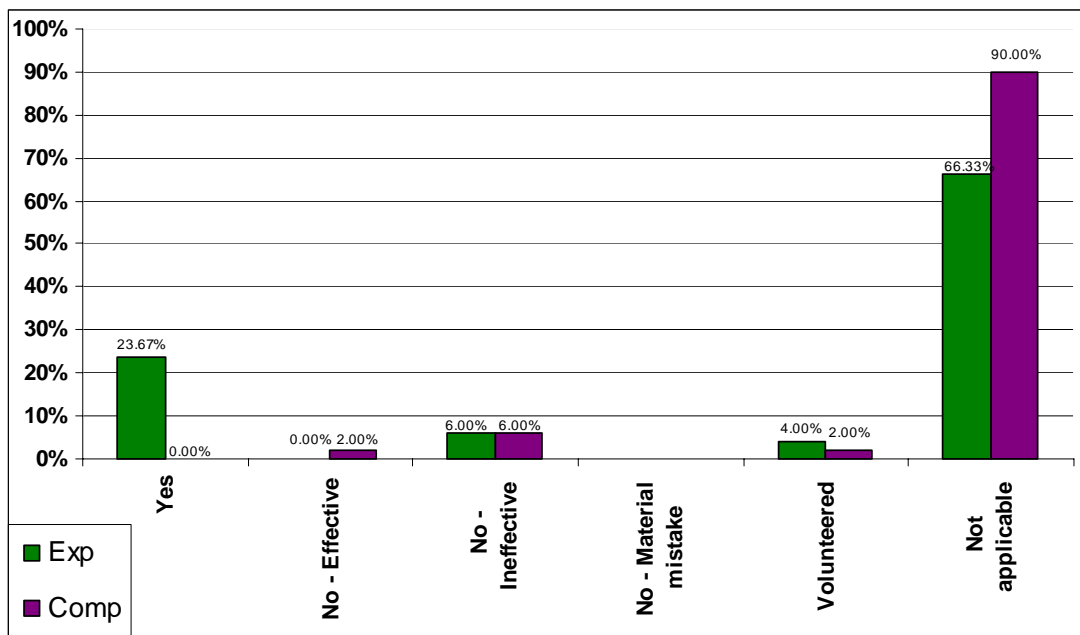
From figure 6.16 it is evident that both the interviewers from the experimental and comparison groups found it difficult to explore in a non-leading way whether the child has internalised negative messages as a result of the abuse. The interviewer from the comparison group did not manage to explore any internalisations, compared to the experimental group's (23.67%). It is difficult to determine whether the child has internalised negative messages as result of the abuse. However, if the child volunteers information regarding this, the interviewer must be ready to explore in a non-leading way.

The Mann-Whitney test was conducted and the p-value for this cluster was 0.0129 (<0.05). Therefore there is a statistically significant difference between the comparison and experimental groups.

6.4.16 Investigate multiple hypotheses

It is imperative that forensic interviewers must explore multiple hypotheses in order to establish if the child could have gotten the information somewhere else or from someone else (paragraph 4.6.26). When exploring multiple hypotheses the following should be explored:

- If any other person has also sexually abused the child (4.6.26).
- If the child has seen similar sexual acts anywhere else (4.6.26).
- Exposure to explicit television programmes (4.6.26).
- If the child knows any person who has also been a victim of sexual abuse and clarify if the details are not identical (4.6.26).
- When the child heard for the first time that sexual abuse exists and explore the circumstances around that (4.6.26).
- Who taught the child about prevention (4.6.26).
- What parents and or caregivers said about the alleged abuse (4.6.26).

6.4.16.1 Coding: Investigate multiple hypotheses

If the interviewer did not comply it would either be coded "no – material mistake", "no – ineffective" or "no – effective". Fundamentals to be coded as definitely " no – material mistake" are:

- If any person also sexually abused the child.
- If the child has seen similar sexual acts anywhere else.
- Exposure to explicit television programmes.
- If the child knows any other person who was also sexually abused.
- When the child heard that sexual abuse exist.
- What other caregivers say about the alleged abuse.

The fundamental "who taught the child about prevention" was coded "no – ineffective" if it was not explored. If the child disclosed information on this fundamental during any of the other questions, then the code of "no – ineffective" was given. Information volunteered was coded accordingly.

6.4.16.2   Results and discussion: Investigate multiple hypotheses

Figure 6.17 indicates that the interviewer from the experimental group explored multiple hypotheses in 68.57% of the cases, and 1.43% of the information was offered voluntarily, bringing the total compliance with the proposed protocol to 70%. In 5.54% of the cases items were not explored, and the absence of it made that part of the interview ineffective. In 24.46% of the cases fundamentals which are crucial to the outcome of the case were not explored.

The interviewer of the comparison group complied 36.98% with what is expected. In 2.85% of the cases information was volunteered by the children, bringing the total compliance to 39.84%.

It is thus evident that although the researcher was aware of which hypotheses she was supposed to investigate, she did not consistently do so. It is, however, evident that in the comparison group which represents general social work practice, it was done almost 20% less than the experimental group. This may indicate that the interviewer's awareness of these fundamentals in the experimental group made her explore more hypotheses than a person who is not aware of these fundamentals which are crucial in a legally defensible forensic interview protocol.

Figure 6.17: Investigate multiple hypotheses
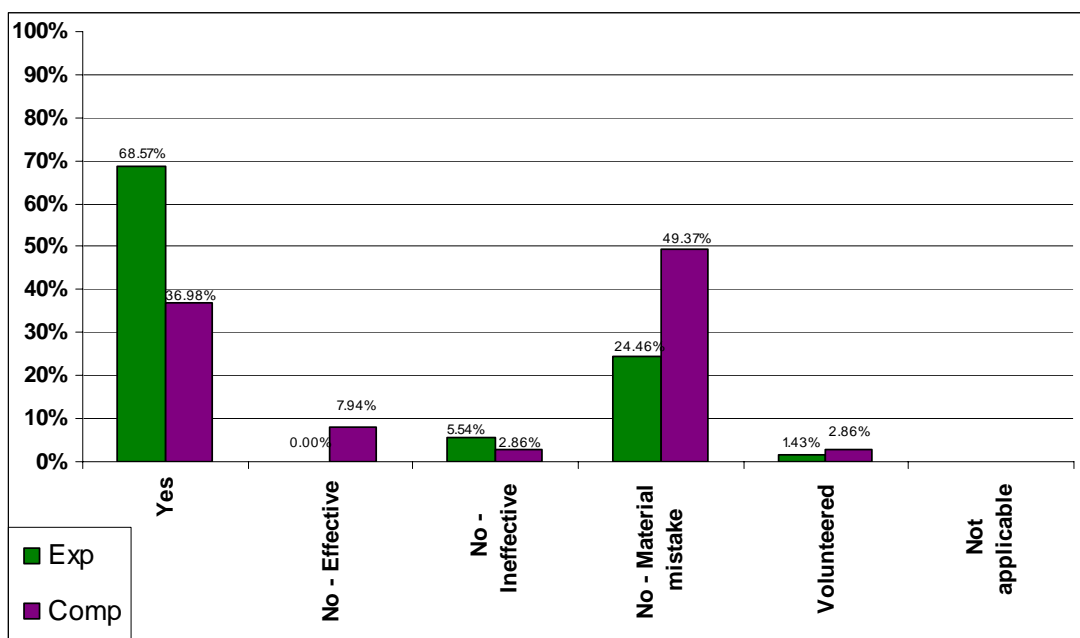
The Mann-Whitney test was conducted and the p-value for the cluster "investigate multiple hypotheses", equalled 0.052 (<0.05), and therefore there is a statistically significant difference between the comparison and experimental groups.

6.4.17 The use of anatomical dolls

As discussed in paragraph 4.6.24, anatomical dolls are only used to clarify information from the child after it has already been verbalised by the child. The seven-phase forensic interview protocol proposes that anatomical dolls be used in

a non-leading way; only to clarify information. The interviewer should not indicate to the child which people are represented by the dolls.

6.4.17.1 Coding: The use of anatomical dolls

Only two categories were applicable here. If the interviewer did not comply with the above it was regarded as "no – material mistake". "Not applicable" was marked when the interviewer did not make use of the anatomical dolls.

6.4.17.2 Results and discussion: The use of anatomical dolls

The interviewer from the experimental group used anatomical dolls correctly in 60% of the cases, and the comparison group 23%. The interviewer from the comparison group used the anatomical dolls in a way which was considered to be a material mistake in 6.67% of the cases. The interviewer from the comparison did not use the anatomical dolls in 70% of the cases, compared to 40% in the experimental group.

It is thus evident that the proposed interview protocol focuses on the use of anatomical dolls in a more legally defensible way and that the interviewer of the experimental group's increased awareness contributed to her following legally defensible guidelines. The use of anatomical dolls as proposed by the seven-phase forensic interview protocol is thus an important contribution to the profession.

The Mann-Whitney test was conducted and the p-value for this cluster was 0..0744 (>0.05). Although it is not a significant difference, there is however a tendency which indicates that the interviewer in the experimental group used anatomical dolls more effectively than the interviewer from the comparison group.

Figure 6.18: The use of anatomical dolls
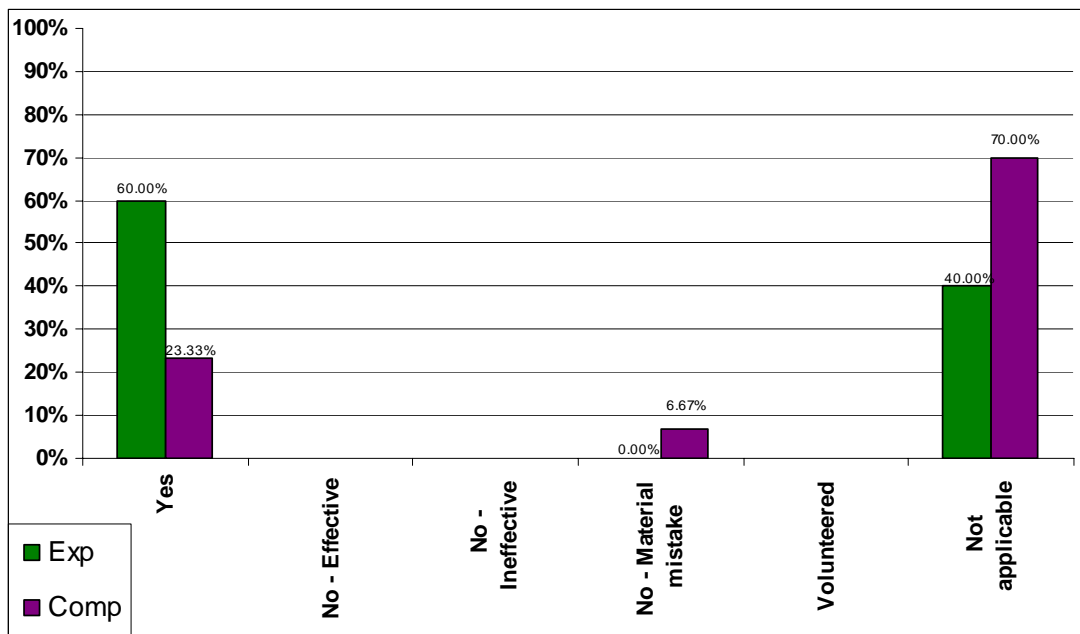
6.4.18 Test for consistency

Test for consistency is when the interviewer evaluates the child's story and ask clarifying questions during the interview in order to test the child's account for consistency (paragraph 4.7.2.11).

6.4.18.1 Coding: Test for consistency

Consistency is extremely important when a social worker works in the context of forensic assessments. If it was not done correctly and thoroughly, it was regarded as "no – material mistake". Correct handling of this would consist of following up on all leads and exploring any uncertainties.

6.4.18.2 Results and discussion: Test for consistency

The interviewer from the comparison group complied 100% with this fundamental, compared to the interviewer from the experimental group who only achieved 90% consistency. It may well means that social workers in practice attempt to make 100% sure that they understand the child. In the one case where the interviewer from the experimental group did not comply, the child had psychological difficulties and the interview had to be terminated due to the fact that the interviewer determined that the child was lying about the allegation.

Figure 6.19: Test for consistency
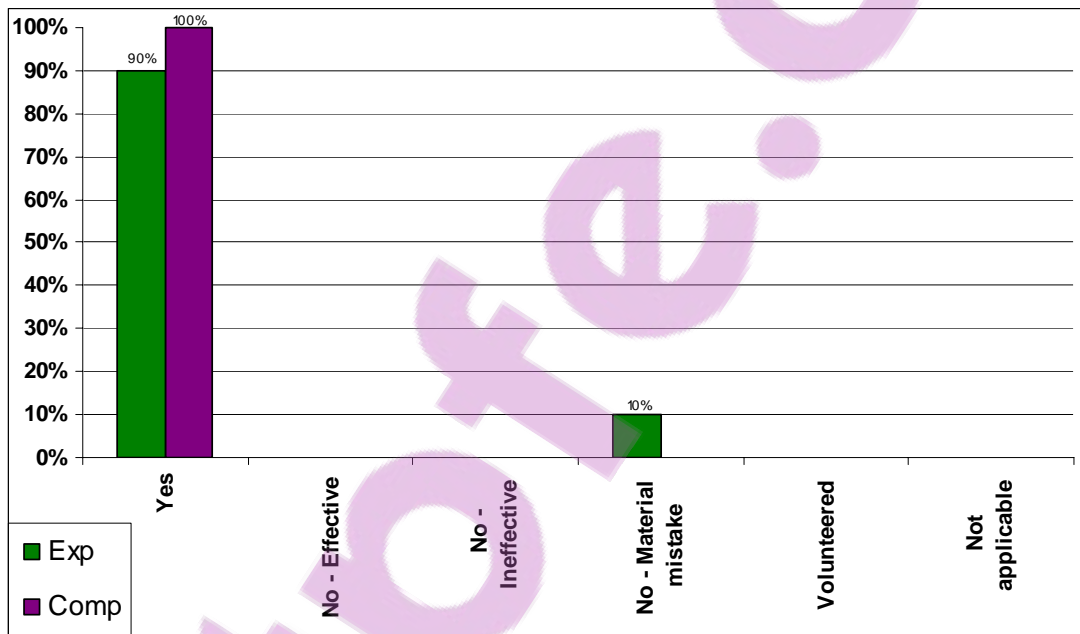
Was there a statistical significant difference between the comparison and experimental groups? The Mann-Whitney test was conducted and the p-value for cluster "test for consistency" equalled 0.3173 (>0.05) and therefore there is not a statistically significant difference between the comparison and experimental groups.

6.4.19 Interviewer's conduct

In paragraph 4.4.2 the importance of the interviewer's conduct was described. It was emphasised that acceptance must be displayed at all times, even if the child is telling a lie. The interviewer should be accepting of the child at all times, give reassurance in a non-leading way, avoid suggestive utterances and verbalisations (Warren *et al.,* 1999:129*)* and display appropriate listening and responding skills (paragraph 4.4.2).

6.4.19.1 Coding: Interviewer's conduct

If the interviewer complied appropriately as prescribed by the seven-phase forensic interview protocol a coding of "yes" was given. If the interviewer did not comply with any of the items above, it was indicated as "no – material mistake".

6.4.19.2 Results and discussion: Interviewer's conduct

Figure 6.19 shows that professionals from both the comparison and experimental groups have in all their interviews (100%) complied with what is expected from them in this regard. This may well be confirmation that both social workers have mastered the necessary skills to ensure that their conduct do not have a major impact on the child and the outcome of the interview. There is thus no difference between the experimental and comparison groups.

Figure 6.20: Interviewer's conduct
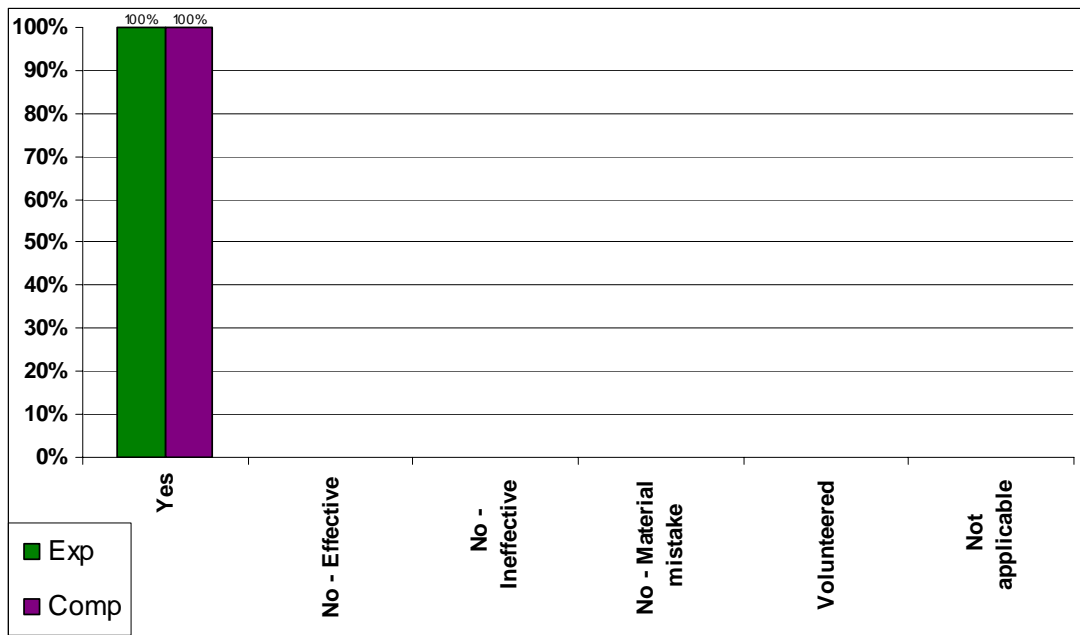
6.4.20   Practical arrangements

In the cluster "practical arrangements" fundamentals included in the forensic interview as proposed by the seven-phase forensic interview protocol are:

- avoid giving the child a treat (paragraph 4.4.3);
- avoid allowing the parent to be present during the interview (paragraph 4.5.2); and
- allow children breaks as often as possible.

6.4.20.1   Coding: Practical arrangements

Compliance to the above was coded with "yes". If the interviewer did not comply with the first two fundamentals in this cluster as proposed by the seven-phase forensic interview protocol, it was regarded as "no – material mistake" as it may have a detrimental impact on the outcome of the interview. If the children were not

often allowed breaks as proposed, it was coded "no – ineffective" as it will not necessarily have a detrimental impact on the outcome of the interview.

6.4.20.2 Results and discussion: Practical arrangements

It is evident from figure 6.20 that professionals from both the experimental and comparison groups complied with al three fundamentals in this cluster. In all ten cases the interviewers of the experimental group and comparison group respectively complied 100% as proposed by the newly developed seven-phase forensic interview protocol.

Figure 6.21: Practical arrangements
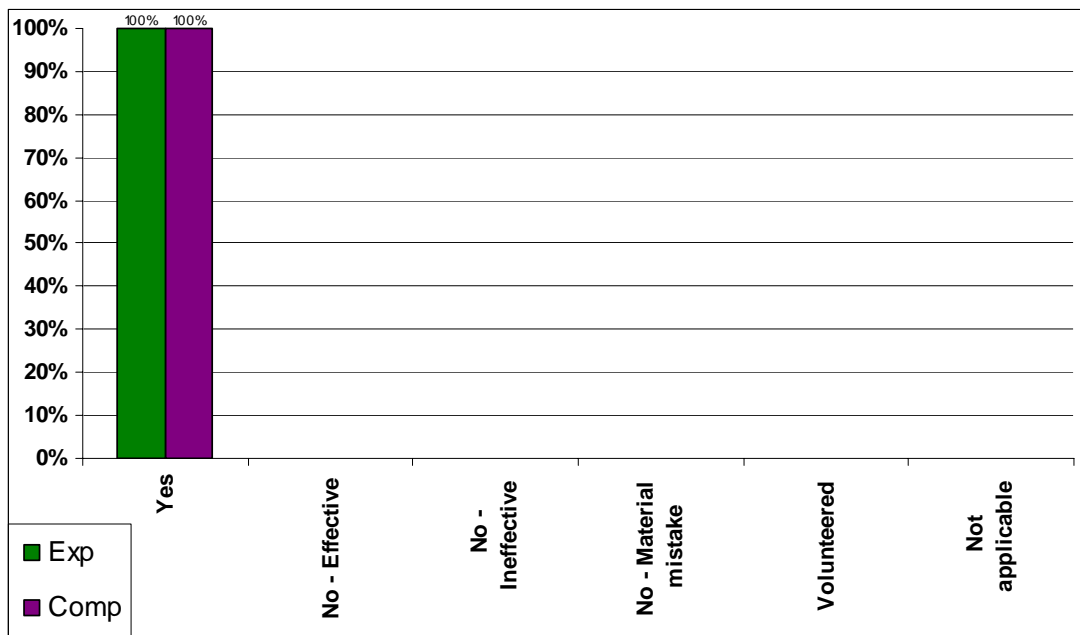
There is no difference between the experimental and comparison groups. It is noticeable that social workers in practice may well be aware of the dangers of giving a child a treat during an interview and also allowing parents to be present. These results suggest that social workers in practice are aware that children should be allowed breaks during the interview. It is thus imperative that these fundamentals be parts of all social workers' protocol.

6.4.21 Global check

Within this cluster an overall evaluation takes place regarding the following fundamentals:

- Whether the interviewer stays in the child's frame of reference (paragraph 3.8.1.1).
- The interviewer avoids taking the child's comprehension of language and questions for granted (paragraph 3.8.1.1).
- The interviewer avoids reflecting empathy verbally, and avoids doing therapy (paragraph 4.4.4).

6.4.21.1 Coding: Global check

Compliance to the above items was coded "yes" on the checklist.   If the interviewer did not comply with the first two mentioned fundamentals it was coded as "no – ineffective". Although it is not best practice, it does not necessarily have a detrimental impact on the outcome of the interview. If the interviewer did not avoid reflecting empathy verbally or doing therapy, as proposed by the seven-phase forensic interview protocol, it was coded "no – material mistake" as reflecting empathy may implant feelings on the child which do not necessarily exist. Therapy during the forensic interview could also have a detrimental impact on the outcome.

6.4.21.2 Results and discussion: Global check

As illustrated in figure 6.21, both the professionals from the comparison and experimental groups adhered in all their cases (100%) to what is proposed by the seven-phase forensic interview protocol. This indicates that both interviewers are aware that when working with children, they have to stay in the child's frame of reference, consider the child's comprehension of language, and avoid reflecting

empathy verbally and doing therapy in the context of a forensic interview. There is thus no difference between the experimental and comparison groups.

Figure 6.22: Global check
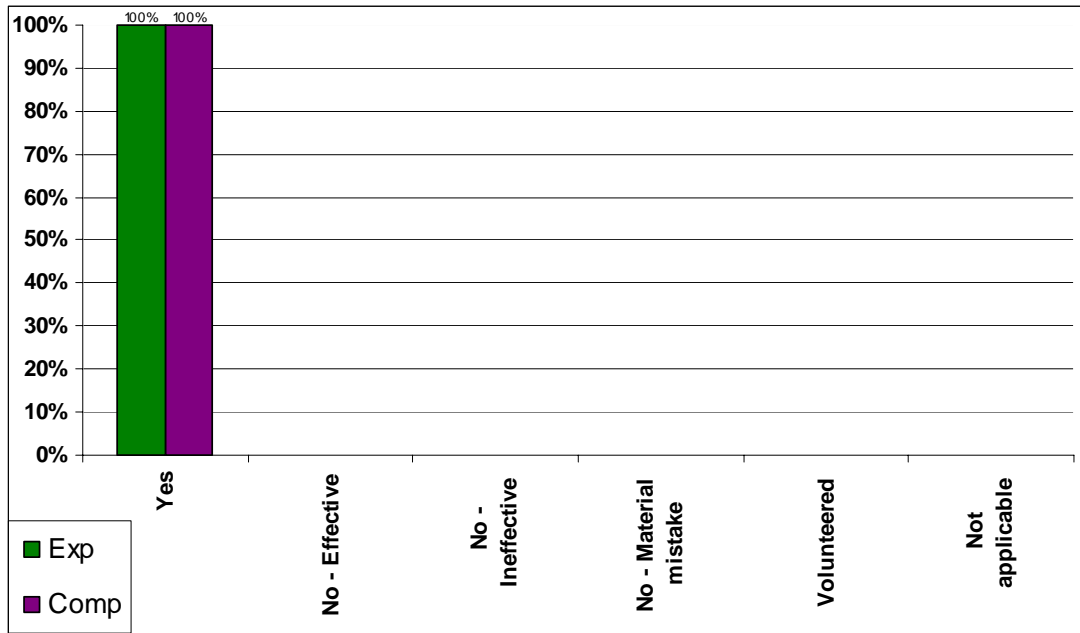
6.4.22 Closure of interview

As discussed in chapter four (4.7.2.1.2), the interviewer has to ensure that the following fundamentals are complied with during the last phase of the forensic interview (paragraph 4.7.2.12), namely:

- The child leaves the office contained. Although it will not have a detrimental impact on the outcome of the interview, it is an ethical concern when a child leaves an office uncontained.

- The interviewer must ensure the child's personal safety as far as possible within his/her ability.

- Use discretion regarding the explanation of the legal process.

6.4.22.1 Coding: Closure of interview

As proposed by the seven-phase forensic interview protocol, if the interviewer did not comply with the first two fundamentals, it would be regarded as "no – material mistake". Although it will not necessarily have a detrimental impact on the outcome of the interview, these are ethical considerations laid down by the Prevention of Family Violence Act, 1993 (Act No. 133 of 1993), Sexual offences Amended Act, 2007 (Act no. 35 of 2007), as well as the Child Care Act, 1983 (Act No. 74 of 1983). Explanation regarding the legal process must be addressed with the child according to his/her developmental stage and the unique circumstances of the child. If the interviewer has not done so, it was regarded as "no – ineffective". If a legal case has not been filed or no legal actions were involved, this fundamental was coded "not applicable".

6.4.22.2 Results and discussion: Closure of interview

As seen in figure 6.22, a difference occurred between the comparison and experimental groups. In the experimental group the interviewer has complied correctly in nine (90%) of the cases and in one (10%) of the cases it was regarded as "not applicable" as the interviewer was unsure whether the case would be referred to a criminal court for prosecution.

In the comparison group it was handled correctly in eight (80%) of the cases and in two (20%) it was found "not applicable", as in both cases the interviewer was unsure whether the cases would indeed be referred to a criminal court for investigation.

The results suggest thus that in practice social workers do ensure that children leave the interview room contained, and that most of the times they do address issues regarding the legal process if applicable to the specific circumstances of the case. The proposed seven-phase forensic interview protocol is not only accurate in including these fundamentals, but it also appears that it can be implemented in practice.

Figure 6.23: Closure of interview
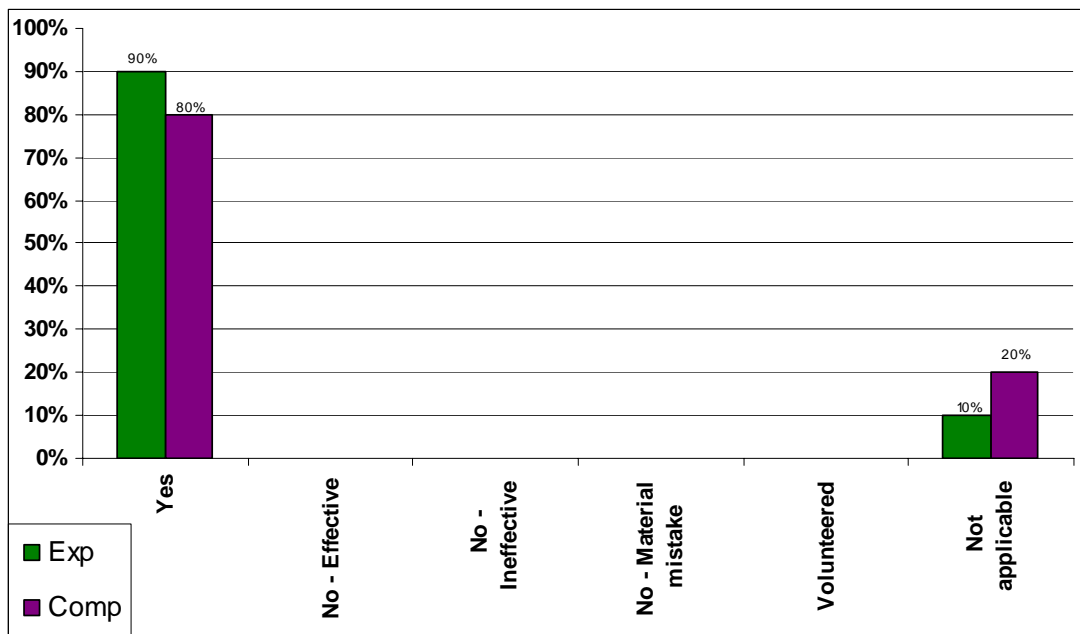
After the Mann-Whitney test was conducted, the p-value for cluster "closure of interviews" equalled 0.4560 (>0.05) and therefore it is not a statistically significant difference between the comparison and experimental groups.

6.5   DATA ANALYSIS: PHASES

The seven-phase forensic interview protocol consists of 23 clusters (one cluster: "follow up on non-verbal behaviour" was excluded) and 119 fundamentals (three fundamentals as already mentioned were excluded) fundamentals. The seven phases, represented with specific fundamentals were categorised, after which the Department of Statistics of the University of Pretoria analysed the data from the completed checklists. A comparison was made between the experimental and the comparison groups.

The seven phases are:

- Phase one: Rapport-building and initial disclosure
- Phase two: Ground rules

- Phase three: Truth-and-lie and morality check

- Phase four: Inviting free narrative

- Phase five: Questioning format

- Phase six: Explore multiple hypotheses

- Phase seven: Closure

The statistical analysis for the comparison between the experimental and comparison groups will now be discussed.

6.5.1   Phase one: Rapport-building and initial disclosure

Phase one (paragraph 5.4.1) consists of making contact with the child, facilitating the initial disclosure by means of non-leading play-related communication techniques (not part of this research), and clarifying the label or description the child has given as sexual abuse.

Figure 6.24: Phase one: Rapport-building and initial disclosure
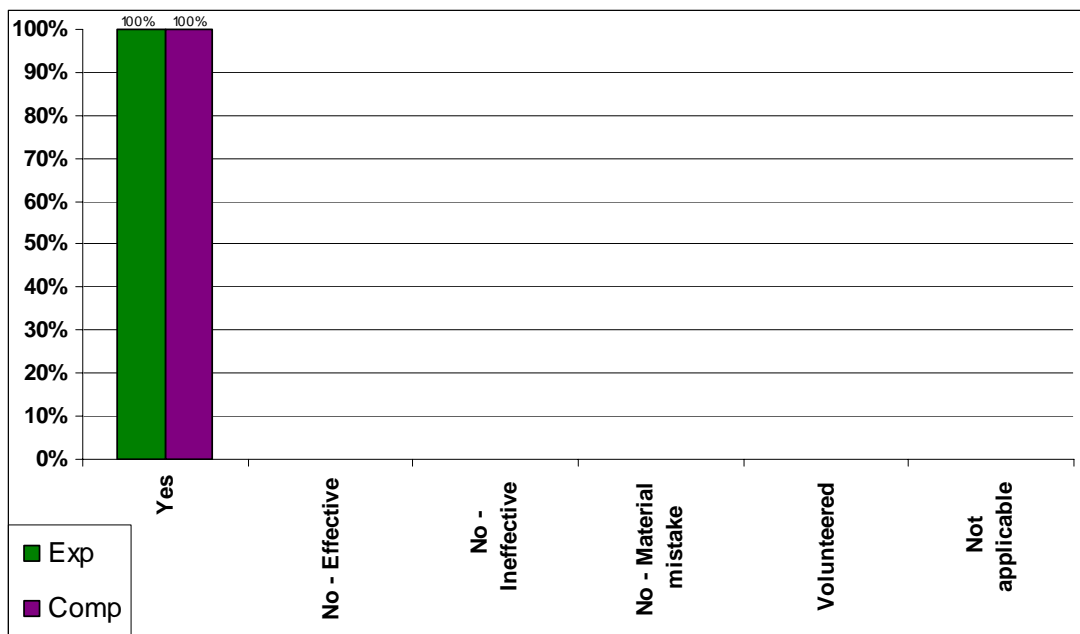
From figure 6.23 it appears that the proposed seven-phase forensic interview protocol may well not be different or new to the social work profession in South

Africa as both the interviewers from the comparison and experimental groups have complied 100% in their ten cases each. There is thus no statistical difference between the comparison and experimental groups.

This phase as proposed seems to be already used in practice by social workers specialising in the assessment of allegedly sexually abused children. However, the researcher is not sure whether less experienced social workers would be able to conduct the first phase successfully.

6.5.2   Phase two: Ground rules

The ground rules were discussed in paragraph 4.6.7 and form phase two of the seven-phase forensic interview protocol (paragraph 5.4.2). It comprises the following:

- Emphasising the importance to tell everything.
- Informing the child that he/she may indicate when he/she does not know the answer, does not understand the question, cannot remember what happened, or does not want to answer.
- Informing the child to correct the interviewer if the wrong information is reflected.
- Testing the child's comprehension with neutral topics.
- Empowering the child to ask questions.

From figure 6.24 it is apparent that in 8.57% of the cases the interviewer from the comparison group laid down ground rules, compared to the 95.71% of the interviewer of the experimental group. The results thus suggest that it is possible to implement the ground rules before the start of abuse-focused questioning. It also appears that although professionals know what the correct protocol is, they sometimes fail to do so due to several factors like circumstances, the child's process or human error. It is noted from figure 6.24 that ground rules are as a rule not discussed in practice.

Figure 6.25: Phase two: Ground rules
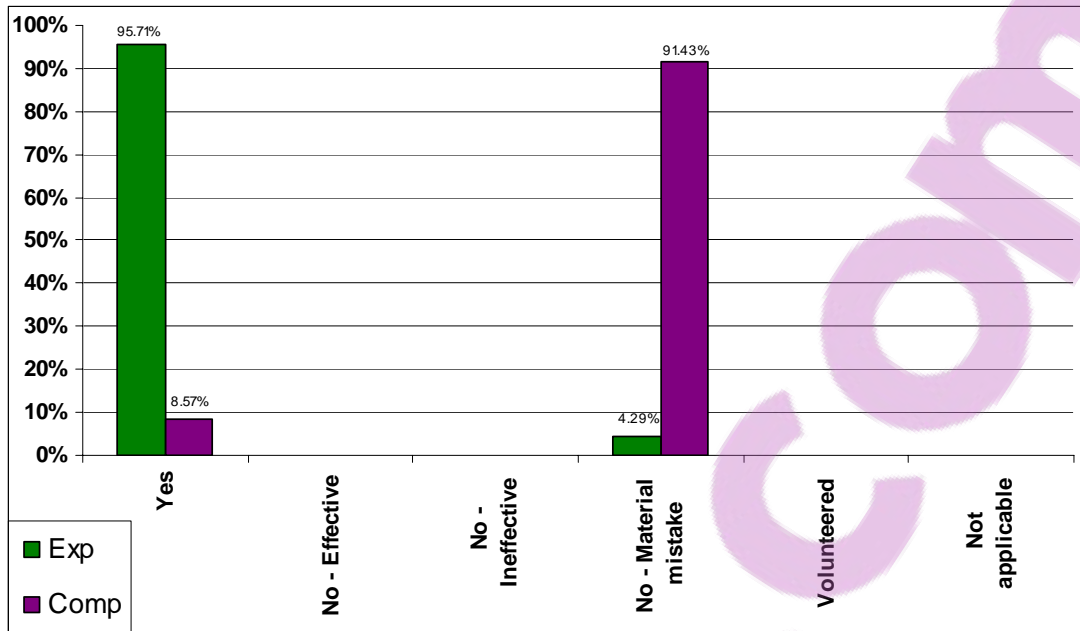
The Mann-Whitney test was conducted and the p-value for phase two was 0.0001 (<0.05), and therefore there is a statistically significant difference between the comparison and experimental groups. This phase may be regarded as a possible contribution to the social work profession in the context of forensic assessment interviews and should be explored through further research.

6.5.3 Phase three: Truth-and-lie and morality check

In phase three the truth-and-lie check, as well as the morality check is done (paragraph 5.5.3).

Figure 6.25 shows that the interviewer from the comparison group only conducted, truth-and-lie and morality checks in three cases (30%), compared to the interviewer of the experimental group who complied in nine cases (90%).

Due to the small sample used in this study no generalisations are made, but only suggestions. It thus suggests that it is possible to implement this phase of the proposed protocol and that the increased awareness to do so caused the

interviewer of the experimental group to comply with the proposed forensic interview protocol in nine of the ten cases (90%).

Figure 6.26: Phase three: Truth-and-lie and morality check
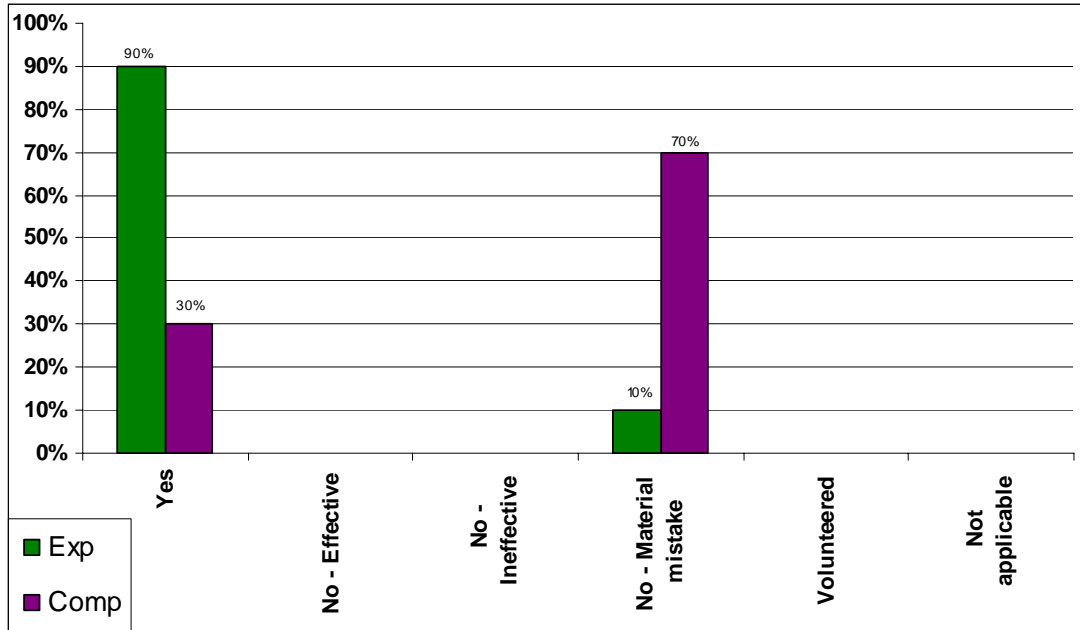
Was there a statistical significant difference between the comparison and experimental groups? The Mann-Whitney test was conducted and the p-value for phase three equalled 0.0001 (<0.05). Therefore there is a statistically significant difference between the comparison and experimental groups.

From figure 6.25 it is suggested that a truth-and-lie and morality check as discussed under paragraph 4.6.25 is not optimally used in practice and that this may possibly be a contribution to the field of social work.

6.5.4   Phase 4: Inviting free narrative

Phase four as discussed in paragraph 5.4.4, consists of:
- whether free narrative is invited;
- determining whether the alleged abuse happened once or more than once;
- labelling different blank pages;

- asking the child to close his/her eyes and think back to the incident;

- asking the child to draw pictures, and

- the interviewer taking one picture at a time and invites free narrative.

From the free narrative the interviewer identifies preliminary themes to explore.

Figure 6.26 illustrates that the interviewer from the experimental group complied in 70.02% of the cases with the fourth phase of the proposed protocol. Children volunteered information in 13.41% of the cases, bringing the total compliance of the experimental group to 83.43%.

In 52.69% of the cases, the interviewer from the comparison group complied with the proposed interview protocol, and in 0.91% of the cases information was volunteered, bringing the compliance of the comparison group to 53.60%.

Figure 6.27: Phase four: Inviting free narratives
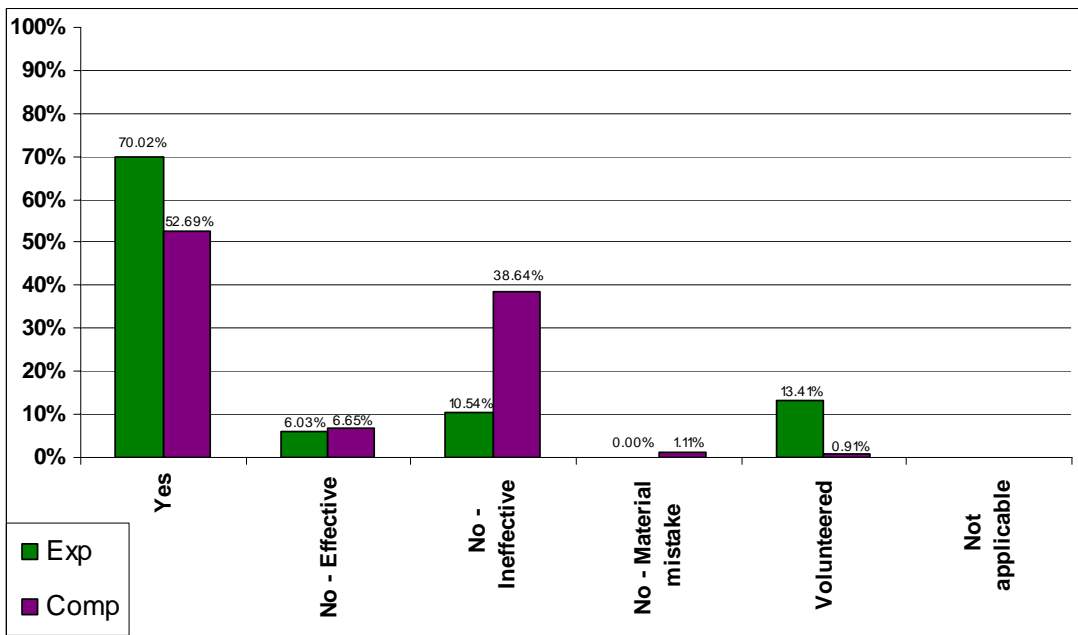
The statistics revealed interesting trends suggesting that social workers in practice indeed allow free narrative as proposed by the seven-phase forensic interview protocol (comparison group complied 52.69%, compared to the 70.02% of the

experimental group). The identity of the perpetrator is also determined here through open-ended, non-leading questioning.

The Mann-Whitney test was conducted and the p-value for phase four equalled 0.0025 (<0.05). Therefore there is a statistically significant difference between the comparison and experimental groups. Although no generalisations are made, the statistics showed interesting trends suggesting that this phase may well be regarded as a contribution to the social work profession in the context of forensic assessment interviews. However further research is needed.

6.5.5 Phase five: Questioning phase

The questioning phase consists of the use of clear and age-appropriate language, using a specific questioning format and applying forensic interviewing techniques to the questioning process (paragraph 5.4.5).

Figure 6.28: Phase five: Questioning phase
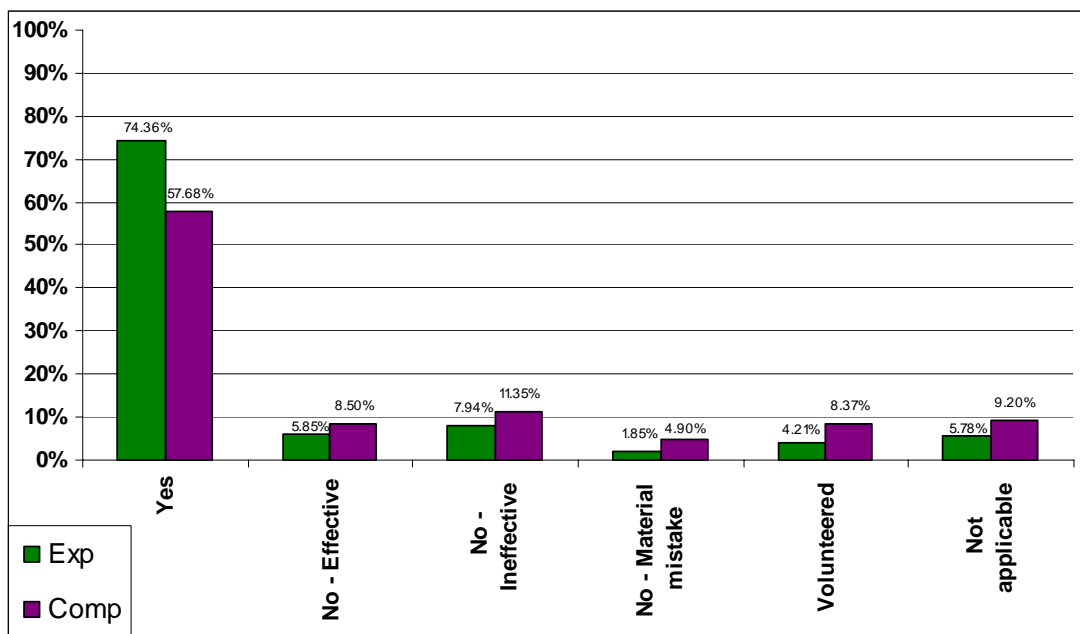
It is evident from figure 6.27 that both the interviewers from the comparison and experimental groups did comply to a certain degree to with what is expected. In

74.36% of the cases the interviewer from the experimental group, and in 57.68% of the cases, the interviewer of the comparison group complied with the proposed protocol.

The Mann-Whitney test was conducted and the p-value for phase five was 0.0002 (<0.05), and therefore there is a statistically significant difference between the comparison and experimental groups.

From figure 6.27 statistics show that the questioning format as discussed and explained in paragraph 5.4.5.2 may perhaps not being optimally used in practice and suggest that this phase is a contribution to the social work profession in the context of forensic assessment interviews. Further research is needed due to the small sample used in this study

6.5.6   Phase 6: Investigating multiple hypotheses

Investigating multiple hypotheses was explained in paragraphs 5.4.6.

Figure 6.29: Phase six: Investigating multiple hypotheses
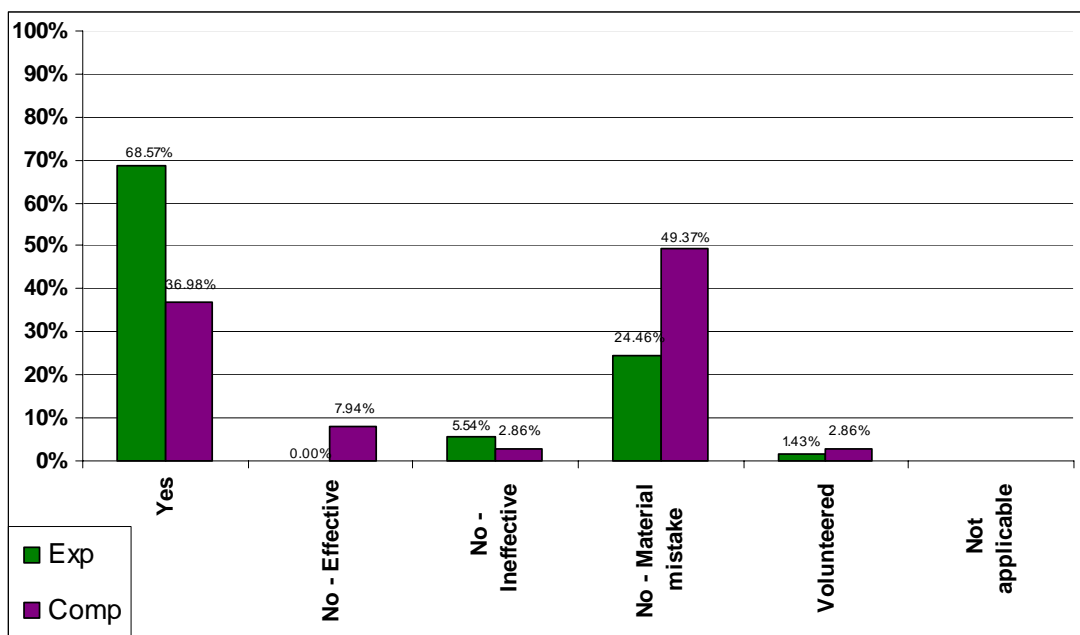
In 68.57% of the cases the interviewer of the experimental group explored multiple hypotheses as proposed by the newly developed protocol. In 1.43% of the time information was volunteered, bringing the total compliance to 70%. The interviewer from the comparison group complied 36.98% with the proposed protocol, and in 2.86% of the cases the information was volunteered, bringing the total compliance to 39.84%.

The Mann-Whitney test was conducted and the p-value for phase six was 0.0052 (<0.05), and therefore there is a statistically significant difference between the comparison and experimental groups. The results suggest that this phase is regarded as a contribution to the social work profession in the context of forensic assessment interviews.

6.5.7　Phase seven:　Closure

The closure phase was discussed in paragraph 5.4.7.

Figure 6.30: Phase seven: Closure
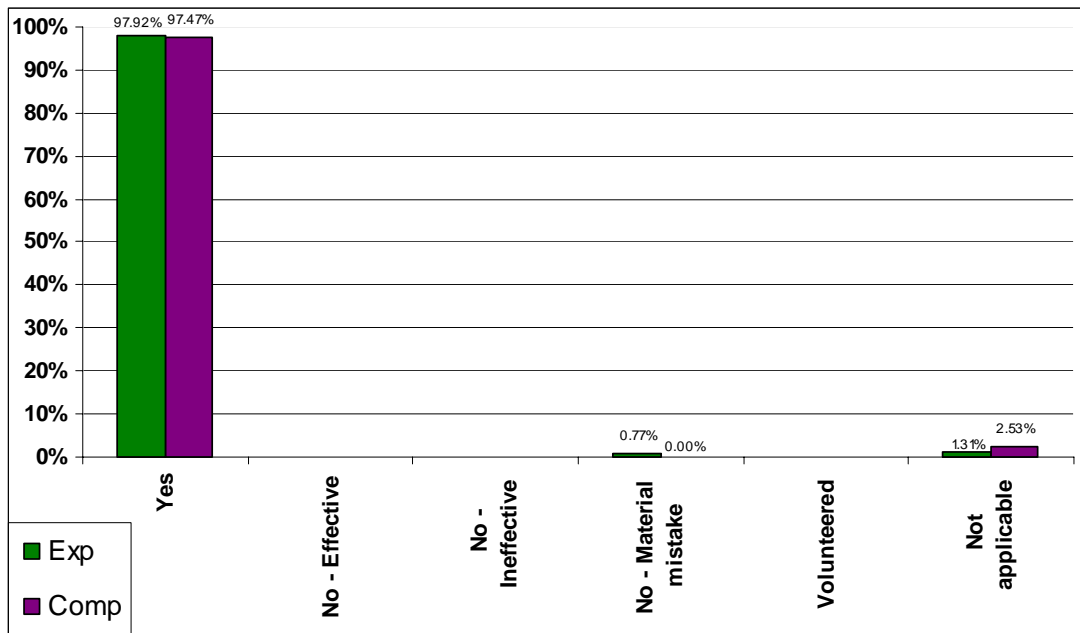
In 97.92% of the cases the interviewer from the experimental group complied with what is expected according to the proposed seven-phase forensic interview protocol. In 1.31% of the cases these aspects were not applicable. The interviewer of the comparison group complied 97.47% with the proposed seven-phase forensic interview protocol, and in 2.53% of the cases it was not applicable.

From figure 6.29 it is evident that both interviewers complied with what was expected in the seven- phase forensic interview protocol. The Mann-Whitney test was conducted and the p-value for phase seven was 0.4411 (>0.05), indicating that there is not a statistically significant difference between the comparison and experimental groups. The statistics therefore suggests that this phase is not a new contribution to the social work profession.

6.6 SUMMARY

The statistical analysis indicates that although the interviewer of the comparison group complied with several of the fundamentals of the proposed seven-phase interview protocol, she did not follow the proposed protocol as it is presented.

Due to the small sample used in this study no generalisations are made, but rather suggestions on possible contributions to the social work profession. Further research is needed.

The statistics suggest that ground rules are not explained during forensic interviews. It thus suggests a definite contribution to the field of social work. Conducting truth-and-lie and morality checks appear also not be used as a rule in practice and this suggest another contribution to the field of social work.

The use of pictures to explore the alleged sexual abuse has not been used at all by the interviewer of the comparison group. This thus suggests that the proposed step in the seven-phase forensic interview protocol may possibly be a new contribution to the field of social work.

The study shows that the investigating of multiple hypotheses might be another contribution to the social work field as it is seldom used in practice.

The data analysis also indicates that although the researcher was aware of what was expected from her, she still failed to adhere 100% to what is expected. This could be attributed to human error, loss of concentration, unique process of the child, nature of allegation and logistical arrangements like time constraints.

However, the seven-phase forensic interview protocol promises to provide social workers – young and old, inexperienced and experienced – with structured guidelines in order to assist them to conduct their interviews in a legally defensible manner. Further research is needed.

In chapter 7, the purpose, goal and objectives of the study will be evaluated. Summarised conclusions on the seven-phase forensic interview will be provided, followed by recommendations.

7

SUMMARISED CONCLUSIONS AND RECOMMENDATIONS

7.1 INTRODUCTION

With this study the researcher sought to contribute towards equipping social workers to deal with the daunting task of dealing with allegations of child sexual abuse reported to them on a regular basis. In chapters two, three and four a literature study was described. In chapter five the proposed seven-phase forensic interview protocol was discussed and in chapter six the empirical study is explained.

In this chapter summarised conclusions and recommendations will be made from the literature and the results of the empirical studies. The purpose of the study, the testing of the goals, the objectives, as well as the hypothesis will be evaluated and discussed. This chapter will refer to the objective for this study stated in chapter one, namely to develop, implement and evaluate a legally defensible interview protocol for social workers, which will assist them to facilitate disclosure of child sexual abuse of children in the middle childhood. The aim is also to make recommendations for further research and intervention (phase six of intervention research).

7.2 EVALUATION OF THE PURPOSE, GOAL AND OBJECTIVES OF THE STUDY

7.2.1 Purpose of the study

For the purpose of this study, the exploratory as well as the descriptive designs were used. Firstly the researcher explored the perceptions, concerns and expectations of relevant professionals like social workers, psychologists, magistrates and state prosecutors regarding the forensic interviewing of victims of child sexual abuse. Relevant literature and the researcher's own experience were

explored in order to develop the proposed forensic interview protocol. The seven-phase forensic interview protocol and the self-developed checklist were described, implemented and the results were documented.

7.2.2 Goal of the study

The goal of this study was:

> **To develop, implement and evaluate a legally defensible interview protocol for social workers, to facilitate disclosure of child sexual abuse for children in the middle childhood years.**

The researcher succeeded in developing a structured forensic interview protocol which consists of legally defensible fundamentals and it was proven during the study to be implementable (Taken into consideration the small sample used in this study). The study further suggests that five of the seven phases of this newly developed interview protocol are not in its totality implemented in social work practice.

In chapter six the data collected during the empirical study, were interpreted. From the analysis of the data it was clear that the proposed seven-phase forensic interview protocol, with exclusion of a few fundamentals, was successfully implemented with ten children, and suggests that this exact protocol is possibly not being used in practice. The researcher therefore succeeded in achieving the goal of the research study.

7.2.3 Objectives of the study

The various objectives that were set for the research will be discussed individually.

7.2.3.1 *Objective one*

Objective one was to develop a theoretical framework regarding:

- child development in the middle childhood;
- dynamics in interviewing children;
- a sound knowledge base regarding child sexual abuse;
- the facilitation of disclosure of child sexual abuse; and
- forensic interviewing of children.

This objective was connected to phase two of the intervention research. During phase two and in chapters one, two, three and four, the literature study for this research was discussed and a theoretical framework for the development of a forensic interview protocol (intervention model) was created. The researcher conducted a thorough literature study and consulted with experts from different professions namely: social work, psychology, state prosecutor from a sexual offences court, magistrate from a sexual offences court, advocate of the High Court and investigating officers of the South African Police Service who investigate crimes against children. International forensic interview protocols were also explored. The researcher also incorporated her experience gained while working in the South African Police Service for ten years and in private practice for four years.

Based on the above, it can be said that the researcher did succeed in reaching the first objective. From the empirical results discussed in chapter six it was evident that the fundamentals highlighted in the seven-phase forensic interview protocol were indeed implementable.

7.2.3.2 *Objective two and three*

Objective two and three was:

- to develop a forensic interview protocol for social workers to facilitate disclosure of child sexual abuse victims in the middle childhood; and

- to develop a checklist, containing all the fundamentals included in the seven-phase forensic interview protocol, in order to evaluate interviews conducted with children in the experimental and comparison groups.

In phase one of intervention research, the researcher has identified various professionals' concerns regarding the absence of a structured interview protocol, as well as recommendations in this regard. Their main concerns were that there is no existing structured interview protocol, and that due to time constraints they recommended that the structured protocol should not be time-consuming. However, it is imperative that anybody who works with children accommodates the child's unique process. If time is a problem, it could lead to an innocent person being arrested and charged for a crime that he/she has not committed. It is also then possible that a sexually abused child is sent back to a situation where the abuse would continue.

The seven-phase forensic interview protocol will thus address the concern of various professionals, namely providing a structured interview protocol. However, it does not accommodate social workers who would want to conduct forensic interviews quickly. The courts would also not accommodate this and lack of time will never be an excuse.

The implementation of objectives two and three is connected to phase four of intervention research, namely developing a prototype or preliminary intervention.

The seven-phase forensic interview protocol and self-developed checklist is pilot tested with three alleged victims of child sexual abuse. The necessary adjustments were made and the interview protocol was then ready to be implemented during empirical study. Objective two and three were thus achieved.

7.2.3.3 Objective four

Objective four was to implement the forensic interview protocol with ten girls in the middle childhood (experimental group) and evaluate it by means of a self-developed checklist.

Objective four was connected to phase five of intervention research, namely evaluation and advanced development. In this study the quasi-experimental design was applied. The experimental group was exposed to the newly developed seven-phase forensic interview, and interviews were evaluated by means of the self-developed checklist to determine whether the newly developed interview protocol (X) facilitates disclosure in a legally defensible manner by means of adhering to specific fundamental (O_1). Audio-recordings made it possible for the researcher to code the interviews comprehensively.

It can be concluded that, after the necessary and final changes were made to the seven-phase forensic interview protocol, and it was successfully implemented that objective four was accomplished.

Fifty percent of the interviews were independently coded by another professional. The assistance of the Department of Statistics of the Pretoria University made statistical analysis possible.

7.2.3.4 Objective five

Objective five was to evaluate an independent social worker's interviews with children who were allegedly sexually abused, by means of a self-developed checklist.

Audio-recordings were received from the social worker of the comparison group soon after interviews have been conducted. The researcher then evaluated the independent social worker's interviews by means of the self-developed checklist.

The researcher monitored the ages of children to ensure that the subjects are of the same ages.

As for the experimental group, 50% of the interviews of the comparison group were independently coded by another professional. The assistance of the Department of Statistics of the Pretoria University made statistical analysis possible.

It can be concluded that objective five was achieved.

7.2.3.5   *Objective six*

The evaluation of the newly developed seven-phase forensic interview was the aim of objective six.

During a seminar which was presented by the researcher in July 2007, various professionals from social work organisations, private practices, police departments, the Department of Justice and Constitutional Development, various universities, psychology departments, legal professionals from the Johannesburg Bar and religious leaders of various churches gave their input regarding the proposed protocol. Recommendations were mainly made regarding the different levels on which it should be implemented and proposals for follow-up research were made.

In chapter six the results of the empirical study, as well as the interpretation thereof, were presented. The success of the intervention was measured by the percentage of fundamentals which were covered during the different interviews. The findings of the researcher were that the seven-phase forensic interview protocol could be successfully implemented during interviews with alleged sexually abused children, and that the protocol as proposed in its totality is not yet used in practice.

From the above, it can be noted that objective six was achieved.

7.2.3.6 Objective seven

Objective seven was to make recommendations for further utilisation of the protocol by social workers, which is addressed in this chapter.

7.3 Testing the hypothesis

The hypothesis for this study is:

If this interview protocol will be applied in cases of alleged sexual abuse against children of the middle childhood, it will facilitate disclosure in a more legally acceptable and defensible manner.

According to the problem formulation in chapter one, there is no national research-based forensic interview protocol for social workers in South Africa. A social worker working at a welfare organisation, state department or private practice may be confronted with an allegation of child sexual abuse and may not know how to handle the situation properly.

From literature study, consultations with experts, studying specific international interview protocols, and the researcher's experience, fundamentals which are legally defensible were identified and developed into a seven-phase forensic interview protocol. Each fundamental and step followed in the seven-phase forensic interview protocol is therefore justified by literature and experience.

After testing and evaluating the seven-phase interview protocol with thirteen children (three interviews for pilot study and ten for the empirical study) and evaluating ten interviews from the experimental group, the researcher found that although the sample of this study prevent generalization, interesting trends were found indicating that the seven-phase forensic interview protocol may well be implementable. The legally defensible fundamentals have mostly been covered during the interviews in the experimental group.

It was also found that in some instances the researcher did not follow the proposed protocol 100% and various reasons for that could be stated, namely professional errors, the child's process and nature of the allegation. However, it was found that the fact that the researcher's knowledge of the fundamentals, and increased awareness on what needed to be done, in many cases resulted in better ratings than those of the social worker in the comparison group.

In chapter six the seven-phase forensic interview protocol was evaluated. The results suggest that the newly developed forensic interview protocol, consisting of legally defensible fundamentals, should be considered a new development and contribution to the field of social work.

7.4   CONCLUSIONS

From this study the following conclusions can be drawn:

7.4.1   Research process and orientation of research study

Despite awareness campaigns and crime prevention strategies from the police, children are sexually abused on a daily basis. Due to legislation, cases of child sexual abuse are reported most often to either to the police or social workers. The fact that social workers are more accessible motivates schools, community members, parents and other professionals to refer children who they suspect are being sexually abused to a local welfare organisation. The social worker in the organisation has to conduct a thorough forensic interview in order to decide if a case should be filed with the South African Police Service.

Due to a lack of a structured, defensible forensic interview protocol, many social workers would rather refer cases, resulting in children being interviewed by many professionals and often referred for second or third opinions. This results in legal professionals not wanting to believe the child's statement if the child was

interviewed by social workers or psychologists before the statement has been taken.

The study thus aimed to equip and empower social workers to be able to receive an intake of alleged sexual abuse, follow the seven-phase forensic interview protocol and be able to defend every process followed. The researcher did not aim to prove that the seven-phase forensic interview protocol facilitates the obtaining of legally defensible information, but firstly aimed at developing a new intervention instrument and secondly to explore whether of not the instrument is indeed implementable.

Due to the fact that the researcher did not focus on obtaining qualitative data, the quantitative approach was chosen, which led the way for comparing the experimental and comparison groups with the assistance of the Department of Statistics at the University of Pretoria.

The five phases of intervention research gave a structured guideline and empowered the researcher to firstly analyse the problem, gather information, design the protocol, develop and pilot-test it, and afterwards evaluate and effect advanced developments.

7.4.2 Sexual abuse and the impact on the child in the middle childhood

It is important that social workers know what constitutes sexual abuse. It is not imperative for a professional to be able to classify the sexual abuse into the legal definitions, as it is the task of the state prosecutor to bring the specific charge to the court. The social worker, however, could determine and describe the nature of the offence in his/her report, which will then assist the state prosecutor or police official in his/her decision.

It is important that social workers are aware of the types of sexual abuse that exist. A child may describe certain sexual behaviour and if the social worker does not know of the existence of such behaviour, it may cause disbelief and have serious

implications for the outcome of the case. Social workers must also be aware not to only concentrate on sexual behaviour involving the child's body, but also explore the possibilities of whether the child had to touch the perpetrator's body.

The definition of child sexual abuse was explored and it was determined that "child sexual abuse" will refer to any behaviour and/or acts that have a sexual connotation, including rape and non-contact sexual acts like exposure to pornography and computer-facilitated sexual exploitation.

Social workers must be aware that sexual abuse of children does not always only involve one perpetrator and one child. Their interview protocol must also include questions to determine who were present when the sexual abuse occurred, whether "anything else" happened than were disclosed, if "anyone else" has also done the same, and if the child knows anyone who has also been victimised. In order to cover the possibility of multiple perpetrators, the proposed interview protocol should therefore include continuous exploring of whether anyone else has also sexually abuse the child.

It is therefore important that social workers are aware not to dismiss a case after the child has initially denied that the abuse happened. It is apparent that a child will not necessarily disclose immediately after the abuse took place.

It is also imperative that the social worker does not try to facilitate a disclosure in the first session, as it is evident that many children do not disclose in the first interview. Building a trusting relationship which is appropriate for the age of the child is very important, and this is then also included in the proposed forensic interview protocol.

A complete investigation must be conducted when a child recants an allegation in order to determine the nature of and motive for the recantation.

Due to the grooming process that many perpetrators follow, the interviewer must allow for the fact that the child sitting in front of him/her may be afraid or hesitant, because that child has no guarantee that the interviewer is not also going to

expect things from him/her that he/she does not want to do. Physical contact and boundaries should be respected at all times.

False allegations in the context of sexual abuse investigations do exist, and every case should be handled with care as even an experienced social worker could very easily make the wrong conclusions, leaving a child in a situation where the abuse continues. It is thus important that the social worker explores multiple hypotheses from the first session and not as the only option assumes that the first person whom the child indicates is the alleged perpetrator.

It is imperative for social workers intervening in interviews with alleged child sexual abuse victims, not to only rely on behavioural indicators reported by caregivers. A thorough forensic interview with the child concerned should be conducted.

Social workers should be aware of the trauma-causing factors while busy with the interview and explore it when it is offered by the child. During the empirical study it was evident that it is very difficult to explore for these internalisations without being leading. However, it is still important that social workers keep these factors in mind when interviewing children, because if a child discloses information on it, it is evident of internal consistency.

7.4.3   Developmental factors when working with middle childhood children in the field of child sexual abuse

In chapter three developmental factors when working with children in the middle childhood in the field of child sexual abuse, were discussed.

Due to many physical changes like milk teeth that are replaced by permanent teeth, children may feel uncomfortable coming to see a strange person. To put the child at ease, professionals may comment on their own childhood, for example mentioning to the child about not having teeth themselves at the age of 8 years.

Some children naturally write more neatly than others and social workers should never comment on handwriting that is not neat, or on any inability that the child is displaying. They should rather comment on the child's willingness to try. It could be expected from a child in this age group to make drawings, but if a child does not want to make a drawing or write something, he/she must never be forced, as there will be a valid reason why the child does not want to draw.

Although children in the middle childhood are less egocentric, social workers must not ask questions beyond what can be expected from the child. A comprehensive knowledge of the concrete-operational stage of Piaget's cognitive-developmental theory is imperative. The seven-phase forensic interview protocol includes the most important fundamentals of cognitive development in order to ensure that the interviewing process is developmentally sensitive.

It is important that the social worker does not join the opinion of many legal professionals that the child is unreliable, but rather use his/her knowledge, skills and objective attitude to interview the child in a developmentally sensitive manner to assist the child to recall. Play-related communication techniques would also assist the child to recall what happened through a developmentally sensitive process, without the confrontation of an adult asking direct questions.

Children in the middle childhood are dependent on an adult to help them tell their story. It is also imperative that the adult use developmentally sensitive and non-leading methods when interviewing the child on the alleged abuse. Specific developmental issues need to be taken into consideration.

When working with victims of child sexual abuse, it is imperative to know that children in the middle childhood become increasingly inquisitive about body parts and are curious about sex. Therefore sexual play in middle childhood is usually experimental and it has nothing to do with love or sexual urges. Social workers also need to know that the children's' increased interest in sex, and the exposure to implied sex in television programmes may cause them to have more knowledge than what is expected from them at this age. It is thus imperative that social workers ask questions regarding exposure to any explicit television programmes,

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prior knowledge on sexual issues and also exposure to a sexualised environment. The seven-phase forensic interview protocol proposes that the initial disclosure is facilitated by means of play-related communication techniques like the house-and-community plan discussed in chapter four. This technique explores exposure to explicit sexual acts.

7.4.4   Interviewing allegedly sexually abused children

The aim of forensic assessment interviews is not debriefing or therapeutic. It is a fact-finding process and should only be conducted by trained professionals. As social workers could be *subpoenaed* to testify in court at any given time after intervening in a sexual abuse allegation, they must ensure that they always conduct the interviews in a legally defensible way.

From chapter four the following aspects emerged:

- Social workers must be trained thoroughly before conducting forensic interviews.
- Social workers must be aware of their own unfinished business on the topic of child sexual abuse before engaging in this field.
- When interviewing the child, the parents or other significant people should not be present.
- Children should be familiarised with the interview setting during the rapport-building stage.
- Social workers must create awareness in the child regarding specific ground rules before abuse-focused questioning starts.
- Free narrative should be invited first before questioning starts.
- Questioning should always be done with the use of either open-ended questions or non-leading abuse-focused questions.
- Multiple choice questions and the repetition of questions should be limited, and close-ended, leading and "why" questions should be avoided.

- A developmentally sensitive question format should be used when topics are introduced, labels are explored and, concepts and names clarified. Main facts should be summarised before the new topic is introduced.
- Anatomically correct dolls and stick figures should be used in a non-leading way when necessary and only after the child has verbalised the alleged sexual abuse.

During the forensic interviewing the social worker should focus on obtaining information regarding explicit sexual knowledge and detailed context explanation. The social worker must be alert to inconsistencies in the child's statement and must ask clarifying questions. The importance of exploring consistency between the child's verbal statements and emotional reactions, as well as inconsistencies in the child's statement is also very important.

Information regarding the legal process should be done with discretion and should not impose any guilt on the child. The child has the right to leave a session on a high note, and it is necessary that the professional therefore employs empowerment exercises to contain the child before a session ends and the child has to leave.

7.4.5   Empirical process

The seven-phase forensic interview protocol does include the most important phases found in international protocols namely:

- Rapport-building.
- Ground rules.
- Free recall.
- Conducting a truth-and-lie check.
- Questioning.
- Closure.

7.4.5.1 Phase one: Rapport-building and facilitation of initial verbal disclosure

To facilitate the initial disclosure through non-leading play-related communication techniques is not only developmentally sensitive, but also legally defensible as the child is not forced or coached to disclose the abuse. If the child used a label to disclose the abuse and the social worker did not clarify it, the social worker cannot claim that her handling of the initial disclosure was legally defensible. Social workers mostly handle this phase with success as suggested by the results of the comparison group.

The first phase of the seven-phase forensic interview protocol has been successfully implemented by both interviewers from the experimental and comparison groups.

It appears that social workers:
- know how to initiate a forensic session;
- are aware of their conduct and the impact thereof on the child and the outcome of the case; and
- have knowledge on which practical arrangements relating to a forensic interview may have a detrimental impact on the child or the case.

The results suggest that this phase is not a contribution to the social work profession in South Africa

7.4.5.2 Phase two: Ground rules

Although international protocols do cover ground rules as proposed by the seven-phase forensic interview protocol, they do not conduct the ground rules after the initial disclosure, but during rapport-building. It is vital to conduct the ground rules after the initial disclosure to ensure that the child understands the seriousness of the topic to be discussed.

There was a statistically significant difference between the comparison group and the experimental group, indicating that ground rules were not successfully established by the interviewer of the comparison group.

It appears that:

- social workers are not aware of the importance of ground rules;

- social workers need to be trained in this field; and

- establishing ground rules right before abuse-focused questioning starts could successfully be implemented.

The results suggest that this phase be considered a new contribution to the social work profession in South Africa.

7.4.5.3   Phase three: Truth-and-lie and morality check

Children need to be alerted to the importance of telling the truth and the impact that a lie may have. Interviewers who fail to do so may cause the interview not to be legally defensible.

There was a statistically significant difference between the comparison group and the experimental group, indicating that a truth-and-lie and morality check were not successfully conducted by the comparison group's interviewer.

However, the interviewer from the experimental group did not comply 100% with the proposed protocol, indicating that human error can still occur even when the interviewer is fully aware of what is expected from him/her.

It appears that:

- this phase is not currently part of social workers' protocol when conducting forensic interviews;

- social workers need training in this field;

- conducting a truth-and-lie and morality check could be implemented successfully; and

- social workers should remind themselves of all the phases of a legally defensible interview protocol before an interview starts.

The results suggest that this phase be considered a contribution to the social work profession.

7.4.5.4 Phase four: Inviting free narrative

Inviting a free narrative before abuse-focused questioning starts, is recommended internationally. Although social workers are aware of this, it does not necessarily mean that they would adhere to it. Replacing invitation for free narrative with open-ended questions may also be regarded as effective. The use of pictures to determine the number of times the alleged abuse happened, as well as the different venues, is not used in practice by social workers or in any of the international protocols. It is, however, implementable and works very effectively in practice and has been tested in a criminal case in South Africa with positive results. Training in the use of this specific procedure is essential.

There is a statistically significant difference between the comparison group and the experimental group, indicating that the phase of "inviting free narrative" has not been conducted by the interviewer of the comparison group as proposed by the seven-phase forensic interview protocol.

It appears that:
- this procedure is not part of social workers' interview protocol;
- social workers in the field need to be made more aware of the functions and importance of free narrative;
- the phase "inviting free narrative" could successfully be implemented; and
- social workers need training in this field;

The results suggest that this phase be considered a contribution to the social work field.

7.4.5.5 Phase five: Questioning

Exploring the alleged abuse by means of pictures made by the child in the previous phase makes it easier for the child, because it fits in with children's concrete thoughts. Combining the using of pictures with age-appropriate language and specific questioning format would not only be developmentally sensitive, but also empower the social worker to defend her working procedure as legally defensible. Social workers in practice do not use this method. However, a questioning format which is mostly legally defensible and developmentally sensitive is used in practice.

Although the interviewer from the experimental group had advanced knowledge on the fundamentals of the proposed interview protocol, she also failed to comply 100%. However, there was still a statistical significant difference between the comparison group and the experimental group, indicating that the questioning phase has not been implemented as proposed by the seven-phase forensic interview protocol.

It appears that the questioning format:
- is not part of social workers' protocol when conducting interviews;
- social workers need training in this field;
- the specific questioning format and use of clear and age-appropriate language can mostly be implemented.

The results suggest that this phase be considered a contribution to the social work profession.

7.4.5.6   Phase six: Investigate multiple hypotheses

Exploring multiple hypotheses as proposed by the seven-phase forensic interview protocol was not found in any of the international protocols and is mostly not done within social work practice in South Africa. Increased awareness in this regard is essential. When a social worker has covered this phase, she would be able to defend herself during expert testimony, as during cross-examination multiple hypotheses for the allegation would be explored by defense lawyers.

There is a statistically significant difference between the comparison group and the experimental group.

It appears that:
- social workers need training in this field;
- the exploring of multiple hypotheses does not take place as often as it should and is expected from the legal system; and
- exploring multiple hypotheses could be successfully implemented during forensic assessment interviews.

The results suggest that this be considered a new development to the social work profession.

7.4.5.7   Phase seven: Closure

The truth-and-lie check after abuse-focused questioning is commonly found in international protocols and also in the protocol of social workers in South Africa. Ensuring that the child is contained and explaining legal proceedings where necessary are common practice nationally and internationally.

No statistically significant differences between the comparison group and the experimental groups were found in this phase.

It appears that:

- social workers do not need additional training in this field;

- social workers are aware of the importance of conducting a truth-and-lie check after abuse-focused questioning; and

- social workers are familiar with what is expected during this phase.

The results suggest that this phase is not a contribution to the social work profession in South Africa.

7.4.6 Other conclusions

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- From objective one, the conclusion can be drawn that literature study is absolutely essential when compiling a checklist and developing an intervention (forensic interview protocol).

- From the data analysis it could be suggested that this seven-phase forensic interview protocol be considered a new development

- It cannot be assumed that a social worker, after four years of studies, is equipped to handle child sexual abuse allegations. Training and in-service training is thus essential.

- It is important for social workers to follow a structured interview protocol in order to rule out a subjective attitude. If a social worker would follow the seven-phase forensic interview protocol she would not only be able to facilitate the disclosure in a legally defensible manner, but also make sure that she is objective.

- Utilising the seven-phase forensic interview protocol will not only facilitate the disclosure in a legally defensible manner, but may also protect the rights of both the child and the alleged perpetrator.

- A person accused of a sexual offence against a child has the right to expect that the forensic interviewer is a trained, objective person who follows a structured defensible interview protocol. The seven-phase forensic interview protocol aims to adhere to this.

- A child has the right to be interviewed in a developmentally sensitive manner, by means of a structured protocol which aims to promote, among others things, his/her best interest in the case on hand.

- From the data analysis it is found that the researcher did not manage to successfully explore the following fundamentals due to the fact that is was difficult to explore it without being leading:

    - Exploring about the use of pornography.

    - Exploring internalisations.

    - Exploring the experience of initial boundary violations.

    - Assessing whether the child reveals a grooming process.

- Fundamentals which were not explored by the interviewers from the experimental and comparison groups were:

    - When the child heard for the first time that sexual abuse exists. It is, however, very important that interviewers must ask these questions as this may provide an explanation for the allegation.

    - The fundamental where the interviewer should explore the reasons for not telling was also not adhered to 100%. It may be that social workers are scared that the child may feel guilty or get the impression that the interviewer blames him/her for not reporting the abuse. This is however, a very important question as it is always posed in court and can also be asked to the social worker during expert testimony.

- Although the researcher had access to and was familiar with all the fundamentals of the proposed protocol, she still did not comply 100% with what was expected. Reasons for this could be: human errors, process of the interviewer, process of the child, or lack of concentration.

7.5 RECOMMENDATIONS

Recommendations will now be made and themes for further research will be discussed. Recommendations will be made on the macro-, meso- and micro level.

7.5.1 Macro level

- Awareness campaigns and drives held by awareness groups like People Against Women Abuse.
- Re-establishing of the Family Violence, Child Protection and Sexual Offences Units in South Africa.
- Legislation about handling cases within child protection should be introduced, so that a minimum standard of training on forensic assessment is made compulsory for all beginner social workers, starting their career.
- Policy makers in the South African Police Service should be made aware of the current shortcomings in the conducting of forensic interviews, and policy in this regard must be set for implementation on a national level.
- A code of ethics, protecting children and forensic interviewers should be compiled.
- A specialist field within social work should be registered with the South African Council for Social Service Professions.
- Social workers interested to register as experts in this field should write an entrance examination.
- The treatment of sex offenders should be addressed on a macro level by government, e.g. the implementing of chemical castration.
- Changing the criminal procedure by making video-recordings of children's testimony admissible within the South African courts.

7.5.2 Meso level

- The undergraduate training of social workers at universities should include developmental issues when conducting forensic interviews, as well as following a legally defensible protocol when engaged in child sexual abuse investigations.
- The seven-phase forensic interviewing protocol should be adopted by the Department of Social Development and all existing social workers should be trained in this protocol.

- All police officials should be trained in the fundamentals of the seven-phase forensic interview protocol in order to take proper statements.
- All non-governmental organisations should adapt the seven-phase forensic interview protocol in order to empower social workers to conduct forensic investigations.
- Intensive training of departmental heads of different welfare bodies in order to orientate them on the level of speciality of this field.
- Increasing the skills of professionals through practical training sessions in order to comply with what is expected from them during engagement in the legal system.

7.5.3   Micro level

- All social workers should be trained in the fundamentals of the seven-phase forensic interview protocol in order to take proper statements.
- All social workers who conduct forensic interviews should be supervised.
- Police officials should be orientated and trained in some of the fundamentals of the seven-phase forensic interview protocol in order to ensure that the primary investigative interview is done correctly.
- Parents and community members should be made aware not to ask allegedly sexually abused child leading questions during a disclosure and not to imply guilt on the child.
- All teachers should be made aware how to identify the signs and symptoms of a sexually abused child, and also receive training in the questioning format when handling of a learner's disclosure.
- Other professionals, like psychologists, medical doctors and councellors should receive training on how to handle a child's disclosure in a legally defensible manner.

7.5.4 Seven-phase forensic interview protocol

From the data analysis it is found that the researcher did not manage to successfully explore the following fundamentals due to the fact that is was difficult to explore it without being leading:

- Exploring the use of pornography.
- Exploring internalisations.
- Exploring the experience of initial boundary violations.
- Assessing whether the child reveals a grooming process.

Although the above fundamentals could not successfully be explored due to the absence of a manner to ask the questions in a non-leading way, the researcher would recommend that it is still included as part of the protocol, as the interviewer should be reminded about the existence these fundamentals.   The above information should thus be fundamentals that will only be followed up after the child has mentioned something about it.

Interviewers should refresh their memory regarding the specific phases and fundamentals covered in the proposed interview protocol before conducting a forensic interview.

7.5.5 Recommendations for further research

- Further research should be conducted with a larger sample of children.
- The protocol should be tested with boys who allegedly have been sexually abused.
- The protocol should be tested with black children with or without a translator.
- The protocol should be tested with children with developmental difficulties and/or physical disabilities.
- The outcome of criminal cases where the seven-phase forensic interview protocol was implemented should be researched.

- The protocol should be tested with children with attention deficiency and learning difficulties and should be adapted accordingly.
- Guidelines on the handling of a child who is recanting should be developed.
- Guidelines on corroborating interviews with significant others should be compiled.

7.6   CONCLUDING REMARK

A perfect interview does not exist. Conducting forensic interviews is a challenging task and is a learning process even after years of experience. Making material mistakes during the course of the interview may not only have serious implications for the child, but may change an alleged perpetrator's life for ever.

The results suggest that this seven-phase forensic interview protocol was successfully implemented and be considered a new development

If implemented with the necessary awareness and preparation, it will assist social workers to facilitate closure of child sexual abuse in a legally defensible way.

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Department of Social Work and Criminology
Faculty of Humanities
Tel. +27 12 420-2325
Fax. +27 12 420-2093

Date: _____

Child participant's name: _____

Name of parent/guardian: _____

Researcher: Ansie Fouché, D.Phil. (Social work) student at the University of Pretoria, South Africa.
9 Erica Street, Arcon Park, Vereeniging 1937.

Promoter: Dr. J.M.C. Joubert, Department of Social Work, University of Pretoria, 0002,

Informed consent

1. **Title of study:** Facilitating disclosure of child sexual abuse: victims in the middle childhood: a forensic interview protocol for social workers.

2. **Purpose of the study:** To develop, implement and evaluate a legally defensible interview protocol for social workers.

3. **Procedures:** It will be expected of me to bring my child to the office of Mrs. Fouché for between 2-4 sessions, depending on my child's disclosure process. I understand that Mrs. Fouché will conduct an assessment and also apply a newly developed interviewing protocol. These interviews will be over a period of four weeks at a time that is convenient for my child and me. .I understand that this protocol helps children to tell about possible sexual abuse. I take notice of the fact that these services rendered by Mrs. Fouché are free of charge and that I am entitled to some feedback after the interviewing process is completed. If a caseworker is involved I give my consent that feedback may be given by Mrs. Fouché.

4. **Risks and discomforts:** There are no known medical risks or discomforts associated with this research, although my child may experience fatigue and/or stress when taking about the alleged sexual abuse. I understand that Mrs. Fouché is experienced in handling traumatised children and that she will handle my child with the necessary sensitivity. I understand that my child be given as many breaks as he/she needs during the session. I understand that I will not be present during the interviews but that my child can call for me any time he/she wants to.

5. **Benefits:** I understand that there are no direct benefits to me for participating in this research. However, results of the study may help:
   a) Assist my child to relate his/her version about the abuse event(s)
   b) Social workers who have to conduct a legally sound forensic interviewing process.

6. **Participant's rights:** Allowing my child to participate is voluntary, and I am at liberty to withdraw from the research/meeting at any time.

7. **Financial compensation:** I understand that there will be no financial gain from participating in this study. I understand that the researcher will cover my transport costs if necessary.

8. **Confidentiality:** In order to record exactly what my child says during the interviews, an audio-recording will be made and I give hereby my consent. The tape will only be looked at by the promoter and authorized personnel of the University of Pretoria. I understand that the results of the interviews be kept confidential unless I ask that they be released. The results of this study may be published in professional journals or presented at professional conferences, but my child's records or identity will not be revealed unless required by law.

9. **If I have any questions or concerns:** I can call Ansie Fouché at: 016-428 3517 or 083 777 3511 at any time during the day or before 21:00 at night.

I understand my child's rights as a research subject, and I voluntarily consent to participation in this study. I understand what the study is about and how and why it is being done. I will receive a signed copy of this consent form.

_____   _____

Parent's signature   Date

_____

Researcher's signature

University of Pretoria

Pretoria 0002 Republic of South Africa http://www.up.ac.za

Department of Social Work and Criminology
Faculty of Humanities
Tel. +27 12 420-2325
Fax. +27 12 420-2093

Date: _____

Dear _____

Talking about things that happened to me and still bothers me.

My work is to find out from children what makes them feel happy about school, family and friends. It is also my job to find out if any person has ever done something to a child that made that child unhappy, uncomfortable or sad in order to see how I or someone else can help the child. If I want to do my job well I must ask the correct questions otherwise children won't understand me. I also need to remember not to only ask questions but also sometimes ask children to draw pictures. I am busy to study further so that I can become better when I talk to children. I have to talk to children for my studies so that I can learn from the children what is the best way to work and talk with children. I want to know if you are prepared that I can use your pictures and all the things that we discussed here for my studies. I would like to explain more.

Researcher: D.Phil.(Social work) student at the University of Pretoria, South Africa.
Adres:
Promoter: Dr. J.M.C. Joubert, Department of Social Work and Criminology, University of Pretoria, 0002,

Informed consent:
1. **Title of study:** Facilitating disclosure of child sexual abuse victims in the middle childhood: a forensic interview protocol for social workers.

2. **Purpose of the study:** To develop, implement and evaluate a legally defensible interviewing protocol for social workers that facilitate a disclosure of child sexual abuse for children in the middle childhood years.

3. **Procedures:** Mom, dad or the aunty will bring you to my office for two to four times. I will tell you when it will be our last session. Mom and I will choose a time that suits you the best. I will make sure that it will not interfere with your school attendance, homework or after school activities. During our sessions I will test new ways of helping children to talk about things that may have happened and made them feel unhappy, sad or uncomfortable. This study of mine is all about me asking the correct questions.

4. **Risks and discomforts:** I have been working for many years with children who feel sad or unhappy about things that happened to them. More than 500 children talked to me. I will show you some of their pictures just now. You cannot get hurt during our sessions. Sometimes it is tough to talk about sad things and I will understand if you don't want to talk about the sad things anymore, I will make sure that we take breaks often, and if you want to leave the room you will be excused. You can at anytime decide if you don't want to be part of this study. I will not be cross at you. We will still continue talking, but I will then not give the information to my teacher. Mom and dad won't be present while we talk, but you can call for them anytime you want.

5. **Benefits:** I am not allowed to give you money or gifts, but by helping me will help many other children to talk to someone that will understand them. I will teach social worker aunties and uncles how to work better with children after this study. .

6. **Confidentiality:** Because I work with many children I can't remember clearly what I asked you, that is why I taped our interview. Only you and I and my teachers will listen to the tapes. Your name will not be on the tape and you and I will choose a different name for your tapes. My teachers love children very much and will never ever laugh at the tape or tell anyone about it. There is one very important rule that I must follow and that is confidentiality. That big word means I am not allowed to talk to anyone about our sessions unless I told you about it. After our sessions I need to write a report, but I will tell you about it, but they will never ever know your name, where you stay, which school you are in or what exactly happened to you. I will only tell them which questions were easy and which ones were difficult for you.

If I have any questions or concerns: Remember you or mommy can call me anytime to ask questions. My number is 016 428 3517 or 083 777 351.

If you are prepared to be part of this study, mom or dad will complete the attached form.

_____   _____

ANSIE FOUCHè   **DR. J.M.C. JOUBERT**
RESEARCHER   **PROMOTER**
_____   _____

Parent's signature   Date

_____   _____

Child's signature   Date

_____

Researcher's signature

CHECKLIST

Cluster	Fundamentals	YES			NO			For coding use only	
		Most of the times	Sometimes	Seldom	Effective	Not allowed	Ineffective	*Yes*	*No*
1. Facilitation of iniial disclosure	Did the interviewer?								
	• Clarify with the child what she is referring to (e.g. What is naughty things?)								
2. Ground rules	• Inform the child that the interviewer is going to ask questions about the alleged sexual abuse (use label of child), and that it is important to tell everything as the interviewer does not know what happened?								
	• Give the child permission to indicate when she does not understand and test comprehension with neutral topics?								
	• Tell the child that she may resist answering questions?								
	• Confirm with the child to correct her if she reflects information incorrectly and test comprehension with neutral topics?								
	• Allow the child to ask questions before, during or after the interview?								
	• Tell the child that she may indicate when she does not know the answer and test with neutral topic?								
	• Tell the child she may indicate if she can't remember and test with neutral topics?								
3. Distinguish between truth and lie	Did the interviewer?								
	• Determine the child's ability to distinguish between truth and lies and test with concrete and abstract concepts?								
4. Morality check	Did the interviewer?								
	• Conduct a morality check with the child?								

Cluster	Fundamentals	YES				NO		For coding use only	
		Most of the times	Sometimes	Seldom	Effective	Not allowed	Ineffective	Yes	No
5. Truth-and-lie check after interview	Did the interviewer ask the child after the interview whether she spoke the truth or lied, and which of the facts given she is not sure about, or was lying about?								
6. Using clear and age appropriate language	Did the interviewer?								
	• Avoid legal words and phrases?								
	• Clarify labels/concepts/instructions/big words the child uses, to evaluate comprehension?								
	• Continue with the labels the child used?								
	• Use pronouns selectively (he, she, their)?								
	• Avoid using double negative sentences?								
	• Avoid vague referents (that, there, it)?								
	• Avoid asking "Why" questions and rather rephraseed starting with "what...." or "how..."?								
	• Keep questions and sentences simple?								
	• Attempt one main thought per utterance?								
	• Avoid questions beginning with:"Do you remember?"								
	• Avoid questions beginning with can you, have you, do you?								
	• Use as few negatives as possible?								
7. Invite free narrative	Did the interviewer?								
	• Fistly facilitate free narrative? "Tell me everything about..."								
	• From the child's free narrative identify themes/topics and explored by introducing topics ("Tell me everything about ..; "tell me more".)								

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Cluster	Fundamentals	YES			NO			For coding use only	
		Most of the times	Sometimes	Seldom	Effective	Not allowed	Ineffective	Yes	No
8. Questioning Format and framing the event (introduce, explore, summarise)	• Use open-ended questions during follow-up questioning? (who, what, where)								
	• Use non-leading questions during abuse-focused questioning?								
	• Summarise main thoughts given in order for the child to rectify?								
	• Inform the child when a new topic will be addressed by introducing it?								
	• Limit the use of multiple choice questions?								
	• Avoid using close-ended questions?								
	• Avoid using leading questions?								
	• Avoid using suggestive questions?								
	• Avoid the repeating of questions?								

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Cluster	Fundamentals	YES			NO			For coding use only	
		Most of the times	Sometimes	Seldom	Effective	Not allowed	Ineffective	Yes	No
9. Determine number of times abuse happened	Did the interviewer:								
	• Determine whether the alleged sexual abuse happened once or more than once?								
10. Use pictures to explore	• Ask the child about the different places the alleged abuse happened, and requested her to name the different places (first, last, any other) – label different blank pages?								
	• Take labelled blank pages one by one asking the child to close her eyes and think back to the specific incident and thereafter draw the different events one by one?								
	• Use pictures and explore the happenings by asking questions about the picture the child has made?								
11. Determine the identity of the perpetrator	Did the interviewer								
	• Determine who the child claims to be the alleged perpetrator?								
	• Determine the relationship with the alleged perpetrator?								
12. Explicit accounts of sexual abuse	Did the interviewer?								
	• Instruct the child to draw and/or list the happenings step by step?								

Cluster	Fundamentals	YES			NO			For coding use only	
		Most of the times	Sometimes	Seldom	Effective	Not allowed	Ineffective	Yes	No
	• Determine which body parts of the perpetrator, if any were involved in the alleged sexual abuse?								
	• Determine if the child has seen any sexual parts from the alleged perpetrator and, let the child describe and draw it? (If applicable)								
	• Determine which body parts of the child, if any were involved in the alleged sexual abuse?								
	• Explore if any body movements occurred (if applicable)?								
	• Explore any sexual behaviour mentioned?								
	• Explore the naming for sexual parts?								
	• Explore who has taught her these names? (If applicable)								
	• Explore what the child was wearing?								
	• Explore what the offender was wearing?								
	• Explore whether any clothing was removed?								
	• Explore the offender's actions to involve the child?								
	• Explore what the child physically felt?								
	• Explore what the child heard, saw, smelt during the alleged incident?								
	• Explore whether the offender said anything?								
	• Explore whether the offender said anything about telling or not telling?								
	• Assess if the child reveals a grooming process?								
	• Explore the experience of initial boundary violations?								

Cluster	Fundamentals	YES			NO			For coding use only	
		Most of the times	Sometimes	Seldom	Effective	Not allowed	Ineffective	Yes	No
	• Ask the child if anything else happened than those incidents she revealed?								
	• Explore any other information revealed by child or that is unclear?								
13. Context explanation	Did the interviewer?								
	• Explore where the alleged abuse happened?								
	• Explore what the address is or who's living there?								
	• Explore where in the house/car/venue the alleged abuse took place?								
	• Explore how the child got to that specific venue?								
	• Explore about furniture/objects in the room/venue?								
	• Explore where other people were at the time?								
	• Explore how the child got to be alone with the perpetrator?								
	• Explore what the alleged perpetrator said to obtain the child's involvement?								
	• Explore whether any threat were posed to the child by the perpetrator ?(If applicable)								
	• Explore how the child got out of the venue/room/house?								
	• Explore when the alleged sexual abuse happened?								
	• Attempt to link the time it happened to any other happenings during that day/period?								
	• Explore the child' reactions after the alleged abuse?								
	• Explore where the perpetrator went after the alleged abuse?								

Checklist

Cluster	Fundamentals	YES			NO			For coding use only	
		Most of the times	Sometimes	Seldom	Effective	Not allowed	Ineffective	Yes	No
	• Explore what the perpetrator's reactions were towards her, after the alleged sexual abuse?								
	• Explore the possibility of any eyewitnesses?								
	• Explore whether the child has told anyone, and if so, what were their reactions?								
	• Explore reasons for not immediately telling someone? (If applicable)								
	• Explore whether the alleged sexual abuse happened anywhere else?								
	• Explore whether any pornographic material were used? (If applicable)								
	• Explore/follow-up any context information that is unclear?								
14. Emotional content	Did the interviewer?								
	• Explore the child's emotional reactions during and after the sexual abuse?								
	• Explore the thoughts of the child during the abuse?								
	• Explore and respond on the child's emotional reactions during disclosure?								
15. Internalisa-tions	Did the interviewer explore/evaluate?								
	• Stigmatisation?								
	• Powerlessness?								
	• Betrayal								
	• Traumatic sexualisation								
	• What changed in the child's life since the abuse happened?								
16. Observing	Did the interviewer?								

Cluster	Fundamentals	YES				NO		For coding use only	
		Most of the times	Sometimes	Seldom	Effective	Not allowed	Ineffective	Yes	No
nonverbal and follow up appropriately	• Follow up on nonverbal information coming from the child?								
17. Explore multiple hypotheses	Did the interviewer explore ?								
	• If any other person/s also sexually abused the child?								
	• If the child has seen similiar sexual acts anywhere else?								
	• Exposure to explicit television programmes?								
	• If the child knows any other person that has also been a victim of sexual abuse and clarify if the details are not identical?								
	• When the child heard the first time that "sexual abuse" exists and explore the circumstances around that?								
	• Who taught the child about prevention?								
	• What parents and/or caregivers said about the alleged abuse?								
18. Anatomical dolls	If the interviewer utilised anatomical dolls, did she?								
	• Use it in a non-leading way?								
	• Only use it to clarify information revealed?								
	• Avoid instructing the child who must be represented by the dolls?								
19. Test for consistency	Did the interviewer?								
	• Test the child's account of the alleged sexual abuse for consistency?								
20. The interviewer's	Did the interviewer portry the following behaviour during the interview?								

Cluster	Fundamentals	YES			NO			For coding use only	
		Most of the times	Sometimes	Seldom	Effective	Not allowed	Ineffective	Yes	No
conduct	• SOLER position?								
	• Acceptance?								
	• Nodding?								
	• Reassurance?								
	• Show neutral encouragements?								
	• Avoid suggestive utterances?								
	• Avoid suggestive verbalisations?								
	• Avoid suggestive actions?								
21. Practical arrangements	Did the interviewer?								
	• Avoid giving the child a treat?								
	• Avoid allowing the parent/care giver/guardian to be present during the interview?								
	• Allow breaks as often as the child needed it?								
22. Global check	Did the interviewer								
	• Stay in the child's world by framing her questions in terms of the child's experience?								
	• Avoid taking the child's comprehension of language for granted?								
	• Avoid reflecting advanced empathy								
	• Avoid doing theraphy								
23. Closure of interview	Did the interviewer?								
	• Ensure that the child was contained when she left the interview room?								
	• Ensure child's personal safety?								
	• Use discretion regarding explanation of legal process? (If applicable)								

BACKGROUND INFORMATION

Age of child	
Relationship between child and perpetrator	
Number of times alleged abuse occurred	
Time period when the abuse happened	
Time lapse between occurrence and disclosure	
Nature of the abuse	
Existence of grooming process	
Therapy involved	
Existence of support systems	
Current circumstances of the child (place of safety, children's home, foster care, parents, family)	