

**FACILITATING DISCLOSURE OF CHILD SEXUAL ABUSE VICTIMS IN
THE MIDDLE CHILDHOOD: A SEVEN-PHASE FORENSIC INTERVIEW
PROTOCOL**

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ABSTRACT

Conducting forensic interviews are challenging and the impact of a poorly conducted interview has a detrimental impact on all persons concerned. This study aimed at developing, implementing and evaluating a seven-phase forensic interview protocol for social workers and allied professionals. Twenty girls in the middle childhood, allegedly been sexually abused, were purposively selected in an experimental and comparison group in order to determine if the proposed seven-phase forensic interview protocol is implementable and which parts of it appears to be probably used in the social work profession in South Africa. The statistical analysis showed that in five of the seven phases a statistically significant difference was found between the experimental and comparison groups. The results propose that the seven-phase forensic interview protocol was successfully implemented, and could probably be considered a new development to the social work profession. However further research with a larger sample of children is needed.

INTRODUCTION

Child sexual abuse is not new to contemporary society. However, it remains a pressing social concern (Bromberg & Johnson, 2001; Fouché, 2001) 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). It is prevalent all over the world, across cultural and societal boundaries (Laror, 2004; Back, Jackson, Fitzsgerald, Shaffer, Salstrom & Osman, 2003; Tang, 2002), and has a remarkably injurious impact on human development (Berlinger, 2003; Ney, 1995).

According to national, provincial and regional statistics of sexual crimes in South Africa for the period 2001/2002 to 2004/2005 (South African Police Service, 2005) - despite awareness campaigns and crime prevention strategies from the police - a slight increase in reported sexual crimes against children is observed every year. Due to legislation, cases of child sexual abuse are reported most often either to the police or social workers. In South Africa the Prevention of Family Violence Act, 1993 (Act No. 133 of 1993), Domestic Violence Act, 1998 (Act No. 116 of 1998), the Child Care Act, 1983 (Act No. 74 of 1983), and the new Children's Act, 2005 (Act No. 38 of 2005) state the obligation of all care givers and professionals to report ill treatment of children to police officials, commissioners of children's courts, or social workers.

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Also, the Sexual Offences and Related Matters Amendment Act, 2007 (Act No. 32 of 2007) states clearly in section 54 that all suspicions of alleged child sexual abuse should be reported to a police official. This legislation, among other, should result in that parents (as well as professionals working with children and concerned community members) to report suspecting child sexual abuse to police officials and/or social workers on a daily basis. 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 a statement of the child will be taken (Majokweni, 2002; South African 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, there are a number of reasons for referral to a professional for purposes of a forensic assessment interview: When state prosecutors are uncertain about proving a *prima facie* case and hesitant to make a *nolle prosequi* decision (an entry made on record, by which the prosecutor declares that s/he will proceed no further); 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, have learning disabilities and communication problems, a high level of suspicion that sexual abuse has occurred but no response to a primary investigative interview, and where there have been considerable delays since the first allegations were made (Fouché, 2006; Lock, 2004; Venter, 2006).

In South Africa a child must testify irrespectively of the statement taken by the South African Police Services or assessment reports from professionals. However a person could be arrested or a child might be removed on the basis of a single statement of an assessment report compiled by a professional such as a social worker or psychologist. It is thus imperative that the professional conducting either the initial investigative interview, or the assessment interview, follows a legally sound protocol to ensure that not only is the child's statement not "contaminated", but that the process is also fair towards the alleged offender.

Several international guidelines exist concerning the interviewing of children, for instance, *The National Institute of Child Health and Human Development (NICHD) Investigative Protocol* (Cronch, Viljoen & Hansen, 2006; Hershkowitz, 2006; Orbach, Hershkowitz, Lamb, Sternberg, Esplin & Horowitz, 2000), *Memorandum of Good Practice* (Home Office, 1992) and its updated version *Achieving Best Evidence* (Bull, 2003), *Step-Wise forensic interview protocol* developed by Yuille (Poole & Lamb, 1998) and *Extended forensic evaluation model* (Carnes, 2005). However, in the South African context there is no such protocol or guidelines.

Conducting interviews with child sexual abuse witnesses is one of the most demanding interview situations due to the sensitivity of the topic, the uncommunicativeness of the victims and the potential conflict between evidentiary and therapeutic goals (Spencer & Flin, 1990). Children, like adults, may experience difficulties remembering and/or giving accurate accounts of events (Bruck & Ceci, 2004; Loftus, 2006). In the past, and still among some legal professionals (Morison, Moir & Kwansa, 2000) 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; Hershkowitz, 2001; Morison *et al.*, 2000:113).

The aim of the forensic assessment interview is not debriefing or therapeutic in nature. It is however a fact-finding process and should only be conducted by trained professionals. As professionals could be *subpoenaed* to testify in court at any given time after intervening in a sexual abuse allegation, they need to ensure that they always conduct the interviews in a legally defensible way. It is imperative for professionals such as social workers, psychologists or criminologists to understand the difference between clinical assessment 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 (Kuehnle, 1996; Mash & Wolfe, 2005). Second-stage forensic interviews usually occur after the initial stages of an investigation and are usually conducted by specially trained professionals (Fouché, 2006; Practice Notes, 2002). These interviews are characterised by “sceptical neutrality” on the part of the interviewer.

The purpose of the forensic interview is according to Müller (2001) and Poole and Lamb (1998) to obtain truthful accounts from the child in a manner that will best serve the interests of the child whilst being simultaneously legally defensible. Another form of forensic interviewing with children which needs to be mentioned here is when victim impact statements are obtained. Criminologists are often utilized as expert witnesses in South African criminal courts to among others assist the State with victim impact statements (Herbig & Hesslink, 2009). The focus in this study 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. However, it does not exclude other professionals conducting forensic interviews with children. Other professions may want to adjust the proposed protocol to fit their needs within the scope of their practice.

MEHODOLOGY

The study aimed to equip and empower social workers and allied professionals to be able to receive an intake of alleged sexual abuse and to follow a structured forensic interview protocol. The researcher aimed to firstly develop, test and evaluate the new intervention and to confirm whether it is indeed implementable and whether it suggests that parts or the whole intervention has not already been utilized in practice. The hypothesis formulated for this study is:

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

Due to the fact that the researcher did not focus on obtaining qualitative data, the quantitative approach was chosen (Fouché & Delpont, 2002). This provided the pathway for the quasi-experimental design, comparing an experimental and comparison group (Fouché & De Vos, 2002) with the assistance of the Department of Statistics at the University of Pretoria. The five phases of intervention research provided a structured guideline and empowered the researcher to firstly analyse the research problem, gather information, design the protocol, develop and pilot-test it,

and afterwards, evaluate it by means of a self-developed checklist and effect advanced developments (De Vos, 2005). 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 served as the experimental group and was thus exposed to the independent variable X (newly developed seven-phase forensic interview protocol) (Kerlinger & Lee, 2000; Leedy, 1985). The other group, the comparison group, was not exposed to X (newly developed seven-phase forensic interview protocol). A seven-phase forensic interview protocol was developed after a thorough literature study, consultations with experts and extensive experience of the researcher. Both groups were evaluated against a self-developed checklist, consisting of 119 researched, legally defensible interview fundamentals which were grouped into 23 clusters to simplify the data analysis process. Sampling was purposive and not random (Fouché & De Vos, 2002; Strydom & Venter, 2002).

LIMITATIONS OF THE STUDY

The researcher acknowledges that for quantitative data analysis, the relatively small number (20) of respondents who participated in the research proved to be a limitation. Due to the small number of children involved in this study it can thus be concluded that the results should not be generalised, but rather, to be viewed as suggestive in nature. Despite the small number of participants involved in this study, this research nevertheless reflects some interesting trends and is a step forward opening the field for further research. As it is practice in South Africa, the researcher did the coding herself, however a sample of 50% of the interviews were independently coded to measure agreement and reliability.

PARTICIPANTS

The seven-phase forensic interview protocol was applied to the experimental group which consisted of ten girls in the middle childhood. All referred to the researcher by welfare organisations in the Vaal Triangle due to allegations of child sexual abuse. These girls were in the age groups 7-12 years. Two of the children were seven years old, two were eight years old, two were nine years old, two were ten years old, one was eleven years and one twelve years old. The alleged crime committed was of a sexual nature. A comparison group, conducted by an independent social worker from a clinic in Gauteng 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 newly developed protocol as well as which part/s of it has already being used in social work practice. Ethical issues has been adhered to such as written permission from parents, guardians and the child in order to audio-record the interviews (Fouché, 2006; Practice Notes, 2002; Wakefield, 2006). Both the child subjects and their parents were informed that they could withdraw from the research at any time.

DATA CODING

All interviews were audio-recorded and the self-developed checklist measuring researched fundamentals included in the seven-phase forensic interview protocol, was completed by the first author to evaluate whether the social workers' interviews were legally defensible. During the course of coding, 50% of the audio-tapes were independently coded to ensure reliability and measure agreement. All data was submitted to the Department of Statistics at the University of Pretoria who determined an average agreement of 82.8%.

SEVEN-PHASE FORENSIC INTERVIEW PROTOCOL

The seven-phase forensic interview protocol consists of seven definite phases. It includes the most important phases or steps found in international protocols namely: Rapport-building; ground rules; conducting a truth-and-lie check; questioning; closure. It is however important to note that although this protocol has specifically been developed to assist professionals in the investigation of allegations of child sexual abuse, the researcher is of the opinion that professionals like criminologists and psychologists can utilise the fundamentals and phases when conducting forensic interviews with children for pre-sentencing investigations.

Phase one: Rapport-building and facilitation of initial verbal disclosure

During rapport-building (Bull, 2003; Carnes, 2005; Orbach *et al.*, 2000; Poole & Lamb, 1998) the child is put at ease, while the interviewer completes a semi-structured questionnaire (Fouché & Joubert, 2003) to determine a developmental baseline with regard to the child's communication abilities, suggestibility and process. Hereafter specific play-related communication techniques are used to facilitate the initial disclosure (Fouché, 2006). For the purpose of this study "the initial disclosure" refers to the child's first voluntarily verbal indication to the interviewer that s/he is a possible victim of sexual abuse.

Both social workers from the comparison- and experimental groups used different play-related communication techniques to facilitate the initial disclosure. The techniques utilised by the author, 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 (traffic light) technique (Fouché, 2001).

During the interviews children might indicate through one or more of the play related communication techniques that they have dislike a certain person or place or would indicate violation of boundaries. The interviewer will then explore reasons for e.g. "not feeling safe" with someone. Often 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" (Cronch *et al.*, 2006; Fouché, 2006). 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. The interviewer will follow up an initial disclosure like amongst others "he did naughty things" or "he raped me" with clarifying questions (Fouché, 2006; Louw, 2005; Starks & Samuels, 2002) to determine if the label the child is referring to is indeed possible sexual abuse. If an interviewer does

not clarify the label, s/he could misunderstand the child, resulting in the creation of a false memory. After the interviewer has determined that the topic to be discussed is indeed possible sexual abuse, s/he will move on to the next phase, namely ground rules.

Phase two: Ground rules

Due to children in the middle childhood being concrete in their thoughts (Berger, 2003; Newman & Newman, 2003; Woolfolk, 2001) the child needs to be made aware that the topic to be discussed is very important and that it is not an usual conversation, but that certain rules apply. The interviewer should follow through on the following ground rules, it should not only be explained but the child's comprehension of it be tested with neutral topics: Emphasise the importance of telling everything; inform the child that s/he must indicate when s/he does not understand / does not know the answer / cannot remember / does not want to answer the question; empower the child to rectify summarised information (Bull, 2003; Fouché, 2006: Practice Notes, 2002; Sternberg, Lamb, Hershkowitz, Yudilevitch, Orbbach, Esplin, & Hovav, 1997; Wakefield, 2006). Hereafter the interviewers should conduct a "truth- and-lie" and morality check.

Phase three: Truth-and-lie and morality check

It is imperative that the child's ability to distinguish between the truth and lies is tested (Keuhnle, 1996; Starks & Samuel, 2002). The interviewer will determine whether the child understands the difference between the truth and lies and test with a neutral topic after which a morality check will be done (Orbach *et al.*, 2000; Wakefield, 2006). The child will then be reminded to tell the truth as lying has negative consequences. If the interviewer is confident that the child understands the importance to tell the truth s/he will proceed to phase four, namely inviting free narrative.

Phase four: Free narrative

Children are more likely to accurately provide important details in free recall (Aldridge & Cameron, 1999; Bruck, Ceci & Principe, 2006) 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) (Fouché, 2006). The child will then be invited to relate 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 s/he prefers to disclose.

Neutral encouragements (Faller, 2003:382; Wood & Garven, 2000:112 and SOLER skills (Egan, 2005:89) will be used through the interviewing process; For purposes of legal procedure it is crucial to determine the identity of the alleged perpetrator or perpetrators (Heiman, 1992; Venter, 2006), as well as his/her relationship with the child. It is also necessary to clarify any nicknames or labels that the child uses (Louw, 2005; Starks & Samuel, 2002) as children under 10 years tend to use nicknames and labels without fully comprehending it. 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?" (Faller, 1993; Heiman, 1992;) "How do you know him/her?" If the child does not know the name of the alleged perpetrator, the

interviewer may ask questions such as: "Tell me about the people in his family." After the child has disclosed the identity of the perpetrator, the interviewer could proceed to determine how many times the alleged abuse took place. It is stressed by state prosecutors and police officials (Lock, 2006; Venter, 2006) that the number of times the alleged abuse occurred is a very crucial part of the statement, as this will determine the charge against the alleged perpetrator. However, it is usually difficult for children to accurately describe how many times the alleged sexual abuse has taken place (Louw, 2005). The interviewer should rather start off by asking whether the abuse happened "once or more than once" (Orbach *et al.*, 2000; Starks & Samuel, 2002). 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 (Fouché, 2006; Jones & McGraw, 1987; Kuehnle, 1996). 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). According to Cole and Cole (2001) and DeLoache, Pierroutsakos and Utaal (2003) children from the ages of 6 years are able to draw how they actually view an object and are able to make representations of events (Berk, 2003). The interviewer will ask "anywhere else?" and if anything is mentioned, note 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 (Fouché, 2006; Orbach, *et al.* 2000). After the child has labelled the different pages with incidents, the interviewer will focus the child's attention on one incident at a time. The child will be asked to draw what happened, the interviewer will continue to follow up with abuse-focused questions as described in phase five. If the child is unable to draw due to developmental difficulties, the interviewer should skip this step and focus only on interviewing. Phase five will focus on the actual questioning skills and strategies.

Phase five: Questioning phase

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. The following linguistic aspects need to be taken into consideration when any child is interviewed: Avoid legal words and phrases (Amacher, 2000; Muller, 2002; Clarify labels / concepts / names / "big" words and use the label used by the child (Louw, 2005; Starks & Samuels, 2002); Use pronouns selectively and avoid vague referents (Massengale, 2001; Poole & Lamb, 1998); Avoid using double negative sentences (Hershkowitz, 2001; Starks & Samuels, 2002), "why" questions (Wakefield, 2006), questions starting with "do you remember" (Poole & Lamb, 1998), close-ended questions and questions starting with "can", "have you", "do you" (Bull, 2003; Waterman, Blades & Spence, 2001); Keep questions and sentences simple and use one main (new) thought per utterance (Massengale, 2001).

It is important that the interviewer 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 it if not offered during the initial free narrative (Orbach *et al.*, 2000). From the free narrative the interviewer will follow up by identifying themes regarding the alleged sexual abuse. 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" (Fouché, 2006). The interviewer will explore through non-leading abuse-focused questions until enough information is obtained. A specific process to introduce and explore these topics is proposed (Bull, 2003; Massengale, 2001; Starks & Samuel, 2002): The interviewer will summarise main facts and then the next theme to be explored will be introduced. If the interviewer does not know what it is that s/he specifically requires from the child, s/he may miss important information.

Free narrative should be followed with open-ended questions and these types of questions should be encouraged in all phases of the interview, regardless of the child's age (Hershkowitz, 2001; Lamb, Sternberg & Esplin, 2000) as it elicits more credible information. Open-ended questions starting with "who", "what", "where", "when" and "how" may be asked to children in middle childhood (Bull, 2003; Schoeman, 2006). When specific information cannot be accessed by using open-ended questions, specific non-leading questions may be asked (Wakefield, 2006). Specific questions are referred to as questions focusing on exploring the events surrounding the abuse, thus abuse-focused questioning. These questions as in the case of open-ended questions usually start with "what", "where", or "when" (Aldridge & Cameron, 1999; Waterman *et al.*, 2001).

Multiple choice questions are leading if the list of choices offered is not exhaustive (Faller, 2003) and should be avoided as far as possible as it may be regarded as leading (Massengale, 2001). Leading and suggestive questions should be avoided at all times (Bull, 2003; Clarke-Stewart, Malloy, Allhusen, 2004; De Voe & Faller, 2002) as it suggest of course the answer. It includes questions that contain information which the interviewer assumes are correct. 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 (Kuehnle, 1996).

Topics to be covered during questioning phase

During the questioning stage the interviewer should ask questions which will explore the sexual acts and behaviour of the alleged abuse (Carstens & Fouché, 2006; Fouché & Joubert, 2003; Faller, 1993; Fouché, 2006; Heiman, 1992; Venter, 2006): The following themes should be covered: Which body parts of the child, if any, were involved; if any movements occurred; has the child seen any genitals, labels for private parts; what the child was wearing; determine what the offender was wearing; whether any clothing was removed; the alleged perpetrator's actions involving the child; what the child felt physically, heard, saw and smelt during the alleged incident; whether the alleged perpetrator said anything about telling or not telling; assess if the child underwent a grooming process; when the child experienced the first boundary violation; if any other type of sexual abuse happened other than what was revealed.

Exploration of the context explanation should also take place and the following topics need to be explored (Faller, 1988:18; Heiman, 1992; Jones & McGraw, 1987; Kuehnle, 1996): Where the alleged abuse happened; what the address is or who is living there; where in the house/flat/venue the alleged abuse took place; how the child got there; furniture/objects in the room/venue; where were other people at the time; how the child got to be alone with the perpetrator; what the alleged perpetrator said or did to obtain the child's involvement; whether any threats were posed to the child by the perpetrator, exposure to explicit television programmes or MMS

(multimedia messaging service) messages on cell phones or pornographic material; how the child got out of the room/venue; explore when it happened and try to link it to other happenings that day; where the child went after the abuse and evaluate his/her emotional reactions; whether the perpetrator went away after the alleged abuse; what the perpetrator's reactions were in the period after the alleged abuse; if there are possible eyewitnesses; whether the child has told anyone and their reactions, 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. The interviewer should also explore the child's thoughts, emotional and behavioural reactions during and after the alleged sexual abuse as well as the child's feelings while talking about the abuse. 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 verbalized (Holmes, 2000). 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 to be played with (Fouché, 2006). 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. It is imperative that after the child has shown what has happened, that the interviewer would clarify who the dolls represent. The child's account of the alleged sexual abuse must be tested for consistency by following up on inconsistencies in the child's statement and incongruence between the child's verbal and nonverbal behaviour (Fouché, 2006). The next phase aims to investigate multiple hypotheses.

Phase six: Investigate multiple hypotheses

It is important to investigate multiple hypotheses (Bruck & Ceci, 2004; Wakefield, 2006) as the child could have been a victim of alleged sexual abuse by someone else, or gained the sexual knowledge in a different way as disclosed by the child (Poole & Lamb, 1998), or is coached and forced by parents and/or family members. It is not unusual during criminal court hearings that lawyers would use different hypotheses to attack the child's credibility. Exploration of prior knowledge about sexual abuse and victimisation of others and exposure to sexual acts as well as what parents and others say about abuse, have to be explored to assess whether it could have had an impact on the child's statement (Fouché, 2006; Keuhnle, 1996; Wakefield, 2006).

Phase seven: Closure

After the finalisation of the abuse-focused questioning, the interviewer should ask the child if there is any information revealed that s/he is not sure about, or is not the truth (Fouché, 2006). The interviewer should provide honest information about what could take place in the criminal justice system. The interviewer should also ensure that the child will be safe when going back to his/her circumstances. The interviewer has to end the session with a positive topic, e.g. talking about something nice, activities that the child is looking forward to, etc. (Practice Notes, 2002). Children should never be sent out of an office while still in tears or not emotionally contained.

DISCUSSION

The statistical analysis for the comparison between the experimental and comparison groups will now be discussed. The Mann-Whitney test has been conducted to measure the p-value in order to determine whether there was a significant difference between

the experimental en comparison groups. A statistical significant difference implied a new development. However due to the small sample in this research, further research with a bigger sample is recommended. The p-value is often called the level of significance and can be utilised 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.

Phase one: Rapport-building and initial disclosure

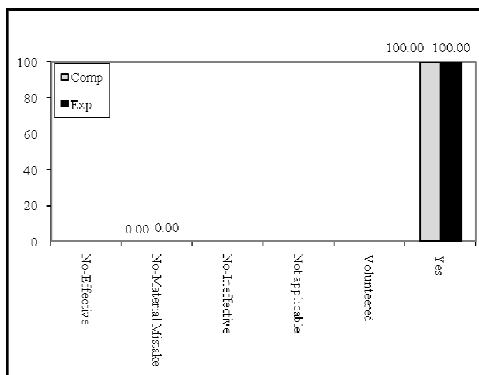


Figure 1 Phase one: Rapport-building and initial disclosure

From figure 1 it appears that the proposed first phase of the 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. However, the researcher is not sure whether less experienced social workers would be able to conduct the first phase successfully. There is thus no statistical difference between the comparison and experimental groups.

Phase two: Ground rules

From figure 2 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. It thus shows that it is achievable to implement the ground rules before the start of abuse-focused questioning. It is also evident that although professionals know what the right thing is to do, several factors like circumstances, the child's process or human error may cause the interviewer not to act in accordance with what is expected.

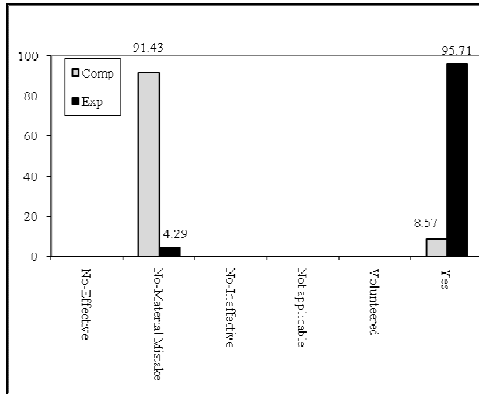


Figure 2 Phase two: Ground rules

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. It thus suggests 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. This phase may perhaps 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.

Phase three: Truth-and-lie and morality check

Figure 3 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%). 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%).

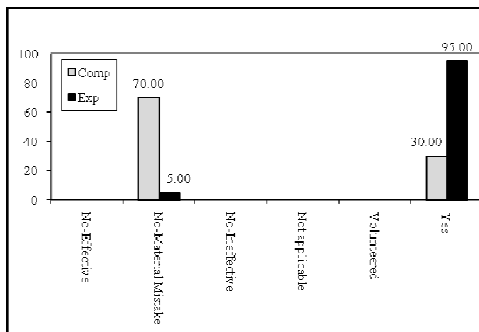


Figure 3 Phase three: Truth-and-lie and morality check

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. The statistically significant difference between the comparison group and the experimental group, indicate that a truth-and-lie and morality check (phase three) 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 proposed that this phase may not currently be 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. This phase suggests a possible contribution to the social work profession.

Phase 4: Inviting free narrative

Figure 4 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%.

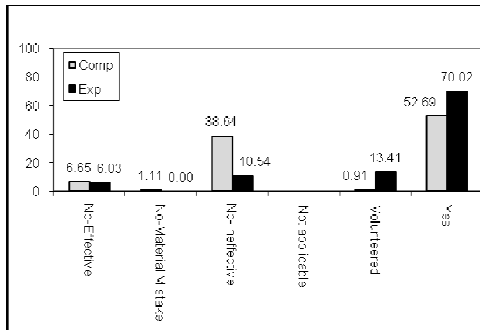


Figure 4 Phase four: Inviting free narratives

The statistics revealed interesting trends suggesting that social workers in practice might 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. Although social workers are aware that a free narrative should take place prior to abuse-focused questioning, 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, appears not to be used in practice or reported in international protocols. It is, however, implementable and works very effectively in practice.

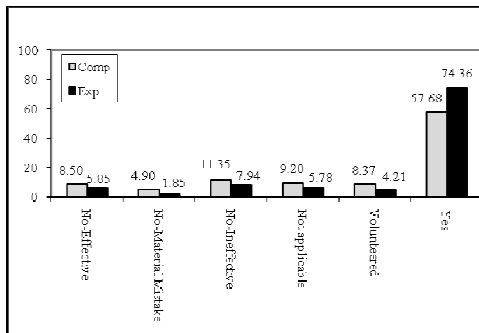
Phase five: Questioning phase

Figure 5 Phase five: Questioning phase

It is evident from figure 5 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 5 statistics show that the questioning format as discussed are perhaps not being optimally used in practice and suggest that this phase is a possible contribution to the social work profession in the context of forensic assessment interviews.

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 thus shows 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.

Phase 6: 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%.

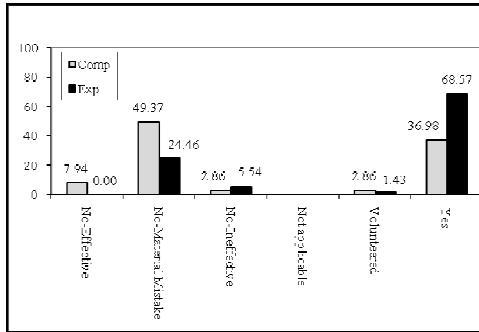


Figure 6 Phase six: Investigating multiple hypotheses

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. Exploring multiple hypotheses (phase six) as proposed by the seven-phase forensic interview protocol was not found in 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 defence lawyers. There is a statistically significant difference between the comparison group and the experimental group, suggesting that the phase “investigate multiple hypotheses” has not been implemented in practice. It can be noted 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.

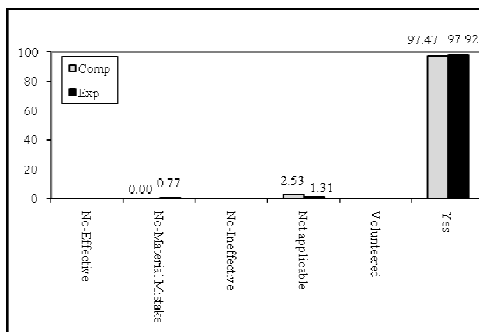


Figure 7 Phase seven: Closure

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 7 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 suggest that this phase may well not be a new contribution to the social work profession. The truth-and-lie check after abuse-focused questioning (phase seven) 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 shows 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. This phase thus appears to be not a new contribution to the social work profession in South Africa. Other professionals among others, psychologist and criminologists may as well test the feasibility of the protocol within the scope of their practice adjusting it to their needs.

CONCLUSION

From the above study it is clear that a perfect interview does not exist. Conducting forensic interviews is a challenging task and an ongoing learning process even for experienced professionals. 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 forever. However, the seven-phase forensic interview protocol promises to provide professionals – young and old, inexperienced and experienced – with structured guidelines to assist them to conduct their interviews in a legally defensible manner. The seven-phase forensic interview protocol was successfully implemented and data analysis suggests that this protocol is currently not in its entirety used in practice. The results further suggest that this seven-phase forensic interview protocol may be considered a possible new contribution to the social work profession as well as allied disciplines in South Africa. If implemented with the necessary awareness and preparation, it will assist social workers and other professionals to facilitate the disclosure of child sexual abuse in a legally defensible manner. However further research with a larger sample of children is considered necessary.

REFERENCES

- Aldridge, J. & Cameron, S. (1999). Interviewing child witnesses: Questioning techniques and the role of training. *Applied Developmental Science*, 3(2): 136-147.
- Amacher, E. (2000). Interviewing the child victim. (O). Available: www.childabuse.gactr.uga.edu/both/amacher.html. Accessed on 2002/9/03
- Back, S.E., Jackson, J.L., Fitzgerald, M., Shaffer, A., Salstrom, S. & Osman, M.M. (2003). Child sexual and physical abuse among college students in Singapore and the United States. *Child Abuse and Neglect*, 27(11): 1259-1275.
- Berger, K.S. (2003). *The Developing Person Through the Life Span*. 5th ed. New York: Worth Publishers.
- Berk, L.E. (2003). *Child development*. USA: Pearson Education Inc.
- Berlinger, L. (2003). Intervention in sexual abuse. *Child Abuse Research in South Africa*, 4(1): 12-15.

- Bromberg, D.S. & Johnson, B.T. (2001). Sexual interest in children, child sexual abuse, and psychological sequelae for children. *Psychology in the schools*, 38(4): 343-355.
- Bruck, M. & Ceci, S.J. (2004). Forensic developmental psychology. Unveiling four common misconceptions. *American Psychological Society*, 13(6): 229-232.
- Bruck, M., Ceci, S.J. & Principe, G. (2006). The Child and the Law. Damon, W. & Lerner, R.M. (Eds.) In. *Handbook of Child Psychology*. 6th ed. USA: John Wiley & Sons Inc.
- Bull, R. (2003). Good practice in child interviewing. *SAPSAC Conference Paper nr. 1. Fourth Annual National Conference Towards Multidisciplinary Expertise in Handling Child Abuse*. 13-15 May, Pretoria.
- Carnes, C. (2005). *Extended forensic evaluation*. (O). Available: <http://www.nationalcac.org/professionals/model/forensic-eval.html>. Accessed on 2006/9/16
- Carstens, R.C. & Fouché, A. (2006). *Play techniques in the assessment of sexually abused children*. Unpublished Training Manual. Vereeniging.
- Clarke-Stewart, K.A., Malloy, L.C. & Allhusen, V.D. (2004). Verbal ability, self-control and close relationships with parents protect children against misleading suggestions. *Applied Cognitive Psychology*, 18:1037-1058.
- Cole, M. & Cole, S.R.(2001). *The development of children*. 4TH ed. Worth Publishers: New York.
- Cronch, L.E., Viljoen, J.L. & Hansen, D.J. (2006). Forensic interviewing in child sexual abuse cases: Current techniques and future directions. *Aggression and Violent Behavior*, 11:195-207.
- DeLoache, J.S., Pierroutsakos, S.L. & Uttal, D.H. (2003). The origins of pictorial competence. *Current Directions in Psychological Science*, 12(4): 114-119.
- De Voe, E.R. & Faller, K.C. (2002). Questioning strategies in Interviews with children who may have been sexually abused. *Child Welfare*, LxxxI, (1): 5-31.
- De Vos, A.S. (Ed.). Strydom, H.; Fouché C.B. & Delpont, C.S.L. (2002). *Research at grass roots. For the social sciences and human service professions*. 2nd ed. Pretoria: Van Schaik Publishers.
- De Vos, A.S.(2005). Intervention research. In De Vos, A.S. (Ed.), Strydom, H.; Fouché C.B. & Delpont, C.S.L. 2005. *Research at grass roots for the social sciences and human service professions*.3rd ed. Pretoria: Van Shaik Publishers.
- De Vos, A.S. (Ed.), Strydom, H.; Fouché C.B. & Delpont, C.S.L. (2005). *Research at grass roots for the social sciences and human service professions*.3rd ed. Pretoria: Van Shaik Publishers.
- Egan, G. (2005). *The skilled helper*. USA:Brooks/Cole.
- Faller, K.C. (1988). *Child Sexual Abuse*, New York: Columbia University Press.
- Faller, K.C. (1993). *Child sexual abuse: Intervention and treatment issues*. Washington DC: USDHHS Administration for Children and Families. (O). Available:<http://www.calib.com/nccanch/pubs/usermanuals/sexabuse/index.cfm>. Accessed on 2000/05/17
- Faller, K.C. (2003). Research and practice in child interviewing. Implications for children exposed to domestic violence. *Journal of Interpersonal Violence*, 18(4): 377-389.
- Fouché, A. (2001). *Speltegnieke in die assessering van seksueel misbruikte swart kinders*. Pretoria: University of Pretoria. (MA Dissertation).

- Fouché, A. (2006). Assessment of the sexually abused child. In Spies, G.M. (Ed.) *Sexual Abuse: Dynamics, assessment and healing*. Pretoria: Van Schaik Publishers.
- Fouché, A. & Joubert, J.M.C. (2003). Play techniques in the assessment of sexually abused black children. *Acta Criminologica*, 16(4): 12-20.
- Fouché, C.B & Delpont, C.S.L. (2002). Introduction to the research process. In De Vos, A.S. (Ed.), Strydom, H.; Fouché C.B. & Delpont, C.S.L. *Research at grass roots. For the social sciences and human service professions*. 2nd ed. Pretoria: Van Schaik Publishers.
- Fouché, C.B. & De Vos, A.S. (2002). Quantitative research designs. In De Vos, A.S. (Ed.) Strydom, H.; Fouché C.B. & Delpont, C.S.L. *Research at grass roots. For the social sciences and human service professions*. 2nd ed. Pretoria: Van Schaik Publishers.
- Heiman, M.L. (1992). Annotation: Putting the puzzle together: Validating allegations of child sexual abuse. *Journal of Child Psychology and Psychiatry*, 33: 311-329.
- Herbig, F.J.W. & Hesselink, A.E. (2009). The role and function of criminologists within the criminal justice and private sector. *Paper accepted for publication in the Journal of Psychology in Africa*, September, 19(3).
- Hershkowitz, I. (2001). Children's responses to open-ended utterances in investigative interviews. *Legal and Criminological Psychology*, 6: 49-63.
- Hershkowitz, I., Orbach, Y., Lamb, M., Sternberg, K.J. & Horowitz, D. 2006. Dynamics of forensic interviews with suspected abuse victims who do not disclose abuse. *Child Abuse & Neglect*, 30(7): 753-769.
- Holmes, L.S. (2000). Using Anatomical Dolls in Child Sexual Abuse Forensic Interviews. *American Prosecutors Research Institute Update Update*, 13 (8). (O). Available: www.ndaa-apri.org/publications/newsletters/update-volume-13-number-8-2000.html. Accessed 2001/05/07
- Home Office, (1992). *Memorandum of Good Practice*. London: HMSO.
- Jones, D. & McGraw, J.M. 1987. Reliable and fictitious accounts of sexual abuse in children. *Journal of Interpersonal Violence*, 2:27-45.
- Kerlinger, F.N. & Lee B.L. (2000). *Foundations of behavioural research* USA: Thomas Learning Inc.
- Kuehnle, K. (1996). *Assessing allegations of child sexual abuse*. Florida: Professional Resource Press.
- Lamb, M.E. Sternberg, K.J. & Esplin, P.W. (2000). Effects of age delay on the amount of information provided by alleged sex abuse victims in investigated interviews. *Child Development*, 71(6):1586-1596.
- Laror, K. (2004). Child sexual abuse in sub-Saharan Africa: A literature review. *Child Abuse and Neglect*, 28: 439-460.
- 'Lectric Law Library. (Sa). *The 'Lectric law library's lexicon on "Nolle prosequi"*. (O). Available: <http://www.lectlaw.com/def2/n061.htm>. Accessed on 2009/06/25.
- Leedy, P.D. (1985). *Practical Research and Design*. New York: McMillan Publishing Company.
- Lock, L. (2004). *Interview with detective*, South African Police Service. [Transcript]. 15 May. Vereeniging.
- Loftus, E.F. (2006). Planting misinformation in the human mind: A 30-year investigation of the malleability of memory. (O). Available: <http://www.learnmem.org/cgi/doi/10.1101/lm.94705>. Accessed on 2007/2/17.

- Louw, A.E. (2005). Die bevoegdheid van kinders as getuies: die rol van taalvaardigheid. *Child Abuse Research in South Africa*, 5(2):16-24.
- Majokweni, T. (2002). Expert evidence. *Sexual Offences Bulletin*, 1(3): 10-13 .
- Mash, E.J. & Wolfe, D.A. (2005). *Abnormal child psychology*. 3rd ed. Wadsworth. Wadsworth group.
- Massengale, J.L. (2001). Facilitating children's testimony. *American Prosecutors Research Institute Update*, 14(6). (O). Available: www.ndaa-apri.org/publications/newsletters/update-volume-14-number-6-2001.html.
- Morison, M., Moir, J. & Kwansa, T. (2000). Interviewing children for the purposes of research in primary care. *Primary Health Care Research and Development*, 1: 113-130.
- Müller, K. (2001). Clinical and forensic interviews and the child witness. *Child Abuse Research in South Africa*, 2 (2): 8-14.
- Müller, K. (2002). *The Judicial Officer and the Child Witness*. The Author
- Newman, B.M. & Newman, P.R. 2003. *Development through life. A Psychosocial Approach*. 8th ed. Thomson Wadsworth: USA.
- Ney, T. (1995). *True and false allegations of child sexual abuse: Assessment -and case management*. New York: Brunner/Mazel Inc.
- Orbach, Y., Hershkowitz, I., Lamb, M.E., Sternberg, J., Esplin, P.W. and Horowitz, D. (2000). Assessing the value of structured protocols for forensic interviews of alleged child abuse victims. *Child Abuse and Neglect*, 24(6): 733-752.
- Orbach, Y. & Lamb, M.E. (1999). Assessing the accuracy of a child's account of sexual abuse: A case study. *Child Abuse and Neglect*, 23(1):91-98.
- Poole, D.A. & Lamb, M.E. (1998). *Investigative Interviews of Children*. Washington: American Psychological Association.
- Practice Notes, (2002). *Forensic interviewing and child welfare*, 8(1). (O) Available: <http://ssw.unc.edu/fcrp/Cspn/cspn.htm>. Accessed on 2006/4/11
- Schoeman, U.C.W. (2006). *A Training programme for intermediaries for the child witness in South African courts*. Pretoria: University of Pretoria. (PhDThesis).
- South African Law Commission, (2002). Project 107. *Sexual Offences. Executive Summary*. Pretoria: Government Printers.
- South African Police Services, (2005). *Sexual crimes in South Africa*. (O). Available: <http://www.saps.gov.za/statistics/reports/crimestats/2005/pdf/crimes/rape.pdf> Accessed on 2007/10/30.
- Spencer, J.R. & Flynn, R. (1990). *The Evidence of children: The Law and the Psychology*. London: Blackstone.
- Spies, G.M. (2006). *Sexual Abuse: Dynamics, assessment and healing*. Pretoria: Van Schaik Publishers.
- Starks, J. & Samuel, S. (2002). A Child-Centered Multi-Disciplinary Introduction to Child Sexual Abuse. *SAPSAC Conference Paper nr. 2. 3rd Annual National Conference Towards multidisciplinary expertise in handling child abuse*. 14-16 May, Pretoria.
- Sternberg, K.J., Lamb, M., Hershkowitz, I., Yudilevitch, L., Orbbach, Y., Esplin, P.W. & Hovav, M. (1997). Effects of introductory style on children's abilities to describe experiences of sexual abuse. *Child Abuse and Neglect*, 21(11): 1133-1146.
- Strydom, H. & Venter, L. (2002). Sampling and sampling methods. In De Vos, A.S. (Ed.); Strydom, H.; Fouché C.B. & Delpont, C.S.L. *Research at grass roots. For the social sciences and human service professions*. 2nd ed. Pretoria: Van Schaik Publishers.

- Tang, G.S. (2002). Childhood experience of sexual abuse among Hong Kong Chinese college students. *Child Abuse and Neglect*, 26(1):23-37.
- Van Rensburg, E. & Barnard, C. (2005). Psychological resilience among sexually molested girls in the late middle-childhood: A case study approach. *Child Abuse Research in South Africa*, 6(1):1-12.
- Venter, E. (2006). Interview with state prosecutor, Sexual offences court [Transcript]. 23 January. Sebokeng.
- Wakefield, H. (2006). Guidelines on Investigatory Interviewing of Children: What is the Consensus in the Scientific Community? *IPT Library Resources*. (O). Available: <http://www.ipt-forensics.com/library/ajfp1.htm>. Accessed on 2006/07/06.
- Waterman, A. H., Blades, M. & Spencer, C. (2001). Interviewing children and adults: The Effect of Question Format on the Tendency to Speculate. *Applied Cognitive Psychology*, 15: 521-531.
- Wood, J.M. & Garven, S. (2000). Interviewing sexually abused children. *Child Maltreatment*, 5(2):109-129.
- Woolfolk, A. (2001). *Educational psychology*. 8th ed. Needhaw Heights: Allyn & Bacon.

Acts

- Child Care Act No. 74 of 1983 (as amended)*. Pretoria: Government Printer.
- Children's No 38 of 2005*. Government Gazette, Vol. 492, No. 28944. (19 June 2006). Pretoria: Government Printer.
- Domestic Violence Act, No 116 of 1998*. Government Gazette, Vol. 402, No. 19537 (2 December 1998).Pretoria: Government Printer.
- Prevention of Family Violence Act No. 133 of 1993*. Pretoria: Government Printer.
- Sexual Offences and Related Matters Amendment Act No 32 of 2007*. Government Gazette. (16 December 2007). Pretoria: Government Printer.