

Effectiveness of interviewing techniques with the Black child
during forensic social work assessments: a South African
perspective

by

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Declaration

I, Selelo Frank Rapholo, hereby declare that this thesis titled: **“Effectiveness of interviewing techniques with the Black child during forensic social work assessments: a South African perspective”** is my own work and that all the sources I have used and quoted have been acknowledged by means of complete references.

.....

SF Rapholo

.....

Date

Dedication

This thesis is dedicated to the following keystones in my life:

- My late grandmother, Selepe Tidikwane Rapholo, for the role that she has played in my life from infancy through to when I reached a point where I can stand for myself. She has taught me how to respect and to earn the very same respect. She taught me that education is power and encouraged and supported me to go to school and to be educated. Today I am educated, grandma! May your soul rest in peace ***Selepe sa makgowa.***
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Table of Contents

Declaration.....	i
Dedication.....	ii
Acknowledgements.....	iv
Abstract.....	xiii
CHAPTER 1.....	1
GENERAL ORIENTATION TO THE STUDY	1
1.1 Introduction	1
1.2 Operational Definition of Concepts	6
1.2.1 Assessment	6
1.2.2 Child	7
1.2.3 Forensic social work	7
1.2.4 Interviewing	7
1.2.5 Techniques.....	7
1.3 Problem Statement	8
1.4 Aim and Objectives of the Research.....	10
1.4.1 Aim of the research	10
1.4.2 Objectives of the research.....	11
1.5 Rationale for the Study	11
1.6 Outline of the Study	12
1.7 Conclusion.....	12
CHAPTER 2.....	13
THEORETICAL FRAMEWORK OF THE STUDY.....	13

2.1 Introduction	13
2.2 Ecosystems Theory	13
2.3 Afro-Centric Theory.....	20
2.4 Conclusion.....	23
CHAPTER 3.....	24
LEGAL FRAMEWORKS FOR CHILD PROTECTION IN SOUTH AFRICA	24
3.1 Introduction	24
3.2 Common Law (Sexual) Crimes	24
3.2.1 Rape.....	25
3.2.2 Sexual assault	26
3.2.3 Sodomy	27
3.2.4 Incest.....	27
3.3 Statutory Law Crimes in terms of Criminal Law (Sexual Offences and Related Matters) Amendment Act 32/2007	28
3.3.1 Consensual Sexual Penetration	28
3.3.2 Consensual sexual violation	30
3.3.3 Sexual exploitation of children	30
3.3.4 Sexual grooming of children	31
3.3.5 Exposure or display of child pornography.....	32
3.3.6 Compelling or causing children to witness sexual offences, sexual acts, self- masturbation and exposure, or display of or causing exposure or display of genital organs, anus, or female breasts to children.....	33
3.4 The Strong Points and Weak Points of the Criminal Law (Sexual Offences and Related Matter) Amendment Act 32/2007	34

3.4.1 Strong points	34
3.4.2 Weak points.....	35
3.5 Reporting of Crimes against Children in terms of the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007	36
3.5.1 The stance of the act regarding reporting of sexual abuse	36
3.5.2 Obligation to report crimes against children.....	37
3.6 Other Relevant Legal Frameworks that Address Sexual Offences against Children ...	38
3.6.1 Children’s Act 38 of 2005 as amended and the Children’s Amendment Act 41 of 2007	38
3.6.2 Domestic Violence Act 116 of 1998.....	39
3.7 Conclusion.....	40
CHAPTER 4.....	41
AN OVERVIEW OF CHILD SEXUAL ABUSE AND ITS DYNAMICS.....	41
4.1 Introduction	41
4.2 Background of child sexual abuse	42
4.2.1 International incidence of CSA and specifically in the United State of America.....	42
4.2.2 The incidence of child sexual abuse in South Africa.....	44
4.3 Constitutional Protection of Children.....	47
4.4. The Nature of Child Sexual Abuse.....	49
4.4.1 Areas of sexual abuse against children	49
4.4.2 Forms of child sexual abuse	51
4.4.2.1 Direct contact	52
4.4.2.2 Indirect contact.....	52
4.5 The Disclosure of Child Sexual Abuse.....	53

4.5.1 Forms of disclosure	55
4.5.1.1 Accidental disclosure.....	55
4.5.1.2 Purposeful disclosure	55
4.5.1.3 Prompted or elicited disclosure	56
4.5.1.4 Behavioural or verbal disclosure	56
4.5.1.5 Triggered disclosure.....	56
4.5.2 Process of disclosure of child sexual abuse	56
4.6 Factors Influencing the Disclosure of Child Sexual Abuse.....	59
4.6.1 Authorities.....	60
4.6.2 Children’s characteristics.....	60
4.6.2.1 Disability.....	60
4.6.2.2 Age.....	61
4.6.2.3 Gender	61
4.6.3 Family functioning and fear of the perpetrator	62
4.6.4 Fear of being stigmatized	63
4.6.5 Relationship with the perpetrator	64
4.6.6 Caregiver/familial reactions	64
4.6.7 Culture.....	65
4.6.8 Fear of negative consequences to self and others	66
4.6.9 Fear of embarrassment and shame.....	67
4.6.10 Fear of the perpetrator.....	67
4.7 Conclusion.....	68

CHAPTER 5.....	69
THE DYNAMICS OF DISCLOSING CHILD SEXUAL ABUSE DURING FORENSIC ASSESSMENTS.....	69
5.1 Introduction.....	69
5.2 Comparative Analysis of Forensic and Therapeutic Interviews.....	70
5.3 Factors Influencing the Process of Forensic Assessments.....	75
5.3.1 Language development.....	75
5.3.1.1 Phonology.....	76
5.3.1.2 Semantics.....	76
5.3.1.3 Morphology.....	78
5.3.1.4 Syntax.....	78
5.3.1.5 Pragmatics.....	79
5.3.2 Socio-Cultural Influences and the use of Translators.....	79
5.3.3 Child Development and Inappropriate Sexual Behaviours.....	81
5.3.3.1 Causes of inappropriate sexual behaviours.....	84
5.3.4 The Interview Setting.....	85
5.3.4.1 Time and place of the forensic interview.....	86
5.3.4.2 Presence of other people during the interview.....	86
5.3.5 Interviewing Techniques and Strategies.....	87
5.3.6 Parent Child Attachments.....	88
5.3.6.1 Bowlby's ethological theory.....	88
5.3.6.2 Ainsworth theory of attachment.....	90
5.4 Conclusion.....	90

CHAPTER 6.....	91
FACILITATION OF DISCLOSURE OF CHILD SEXUAL ABUSE DURING FORENSIC SOCIAL WORK ASSESSMENTS.....	91
6.1 Introduction	91
6.2 Interviewing Techniques and Strategies	92
6.2.1 Cognitive interviewing technique	92
6.2.2 Allegation blind interviews	93
6.2.3 Open-ended questions	94
6.2.4 Truth–lie discussions or competency assessment.....	96
6.2.5 Touch survey	98
6.2.6 Anatomically detailed dolls	99
6.2.7 Rapport building	101
6.2.8 Free call.....	103
6.2.9 House and community plan	104
6.2.10. The egg technique.....	104
6.2.11 Family graphic and emotion cards.....	105
6.2.12. The robot	105
6.3 Models for Assessing Child Sexual Abuse.....	106
6.3.1 The child interview model	107
6.3.1.1 The strengths of Child interview model	108
6.3.1.2 Weaknesses of child interview model.....	109
6.3.2 The joint investigation model	110
6.3.2.1 The strengths of the joint investigation model	111

6.3.2.2 The weaknesses of the joint investigation model	112
6.3.3 The parent-child interaction model	113
6.3.3.1 The strength of parent–child interaction model.....	113
6.3.3.2 The weaknesses of parent-child interaction model.....	114
6.3.4 Comprehensive assessment model.....	114
6.3.4.1 The strength of the comprehensive assessment model	115
6.3.4.2 The weaknesses of the comprehensive assessment model.....	116
6.4 Forensic Interviewing Protocols	116
6.4.1 National Institute for Child Health and Development (NICHD) Investigative Model	119
6.5 Conclusion	123
CHAPTER 7	125
RESEARCH METHODOLOGY	125
7.1 Introduction	125
7.2 Research Approach	125
7.3 Research Design	126
7.4 Population and Sampling Methods	126
7.4.1 Population.....	126
7.4.2 Sampling methods.....	127
7.5 Data Collection Methods.....	128
7.5.1 Literature Review.....	128
7.5.2 Semi-structured interviews	129
7.6 Data Analysis Methods	131

7.7 Ethical Aspects	132
7.7.1 Permission to conduct the study.....	132
7.7.2 Informed consent and voluntary participation	132
7.7.3 Confidentiality and anonymity.....	133
7.7.4 Benefits and risks	133
7.7.5 Deception of participants	134
7.7.6 Release and publication of the findings	134
7.8 Quality Criteria/Trustworthiness.....	134
7.9 Limitations of the Study.....	137
7.10 Conclusion	137
CHAPTER 8.....	138
QUALITATIVE DATA PRESENTATION, ANALYSIS AND INTERPRETATION	138
8.1 Introduction	138
8.2 Biographical Details of the Forensic Social Workers.....	138
8.2.1 Age of forensic social workers	139
8.2.2 Gender of forensic social workers	139
8.2.3 Race of forensic social worker	140
8.2.4 Employer of forensic social workers	141
8.2.5 Rank of forensic social workers	142
8.2.6 Province employment of the forensic social workers	142
8.3 Discussion of the Findings	143
8.3.1 Theme 1: Experiences of forensic social workers on various forms of CSA in a South African context	143

8.3.1.1 Subtheme1: Rape	143
8.3.1.2 Sub-theme 2: Sexual assault.....	145
8.3.1.3 Sub-theme 3: Sexual exploitation.....	146
8.3.1.4 Sub-theme 4: Sexual grooming.....	147
8.3.1.5 Sub-theme 5: Exposure to explicit sexual material/pornographic material	149
8.3.2 Theme 2: Forensic social workers' knowledge regarding the disclosure of child sexual abuse in relation to Black children.....	151
8.3.2.1 Sub-theme 1: The disclosure of child sexual abuse as a process	151
8.3.2.2 Sub-theme 2: Accidental disclosure of child sexual abuse.....	152
8.3.3 Theme 3: Forensic social workers' experiences on factors influencing the disclosure of sexual abuse when assessing Black children.....	153
8.3.3.1 Sub-theme 1: Fear of the perpetrator	154
8.3.3.2 Sub-theme 2: Relationship with the perpetrator	155
8.3.3.3 Sub-theme 3: Boundaries of culture	156
8.3.3.4 Sub-theme 4: The environmental setting.....	157
8.3.3.5 Sub-theme 5: Fear of embarrassment and shame	158
8.3.3.6 Sub-theme 6: The development/age of the child	159
8.3.3.7 Sub-theme 7: Language competency.....	160
8.3.3.8 Sub-theme 8: Poverty.....	161
8.3.3.9 Sub-theme 9: South African justice system.....	162
8.3.4 Theme 4: Interviewing techniques during forensic assessments with the Black child	164
8.3.4.1 Subtheme 1: Pre-forensic interviewing techniques.....	164
8.3.4.2 Subtheme 2: Forensic interviewing techniques	181

8.3.5 Theme 5: Dynamics of disclosing child sexual abuse with the Black child during forensic assessments	188
8.3.5.1 Sub-theme 1: Personal characteristics of the child and the interviewer	188
8.3.5.2 Sub-theme 2: Communication skills	193
8.3.5.3 Sub-theme 3: Blind assessments and informed allegation interviews	194
8.3.6 Theme 6: Forensic Social Workers' suggestions in addressing the disclosure of child sexual abuse amongst black children	196
8.3.6.1 Sub-theme 1: Forensic Social Workers' suggestions in addressing the non-disclosure of child sexual abuse with the black child.....	196
8.3.6.2 Sub-theme 2: Forensic Social Workers' suggestions in addressing the effectiveness of interviewing techniques with the black child during forensic assessments	200
8.4 Conclusion	206
CHAPTER 9.....	208
SUMMARY OF THE FINDINGS, CONCLUSIONS AND RECOMMENDATIONS	208
9.1 Introduction	208
9.2 Re-statement of Background Information and Problem Statement.....	209
9.3 Theoretical Orientation.....	211
9.4 Re-statement of the Aim and Objectives of the Study.....	212
9.4.1 Aim of the study.....	212
9.4.2 Objectives of the study	212
9.5 Findings of the Study	213
9.5.1 Experiences of forensic social worker on CSA in the South African context.....	213
9.5.2 Forensic social workers' knowledge regarding the disclosure of CSA in relation to Black children	214

9.5.3 Forensic social workers' experiences on factors influencing the disclosure of sexual abuse when assessing Black children.....	215
9.5.4 Interviewing techniques during forensic assessments with the Black child	217
9.5.5 Dynamics of disclosing child sexual abuse with the Black child during forensic assessments.....	218
9.5.6 Forensic social workers' suggestions for addressing the disclosure of child sexual abuse amongst Black children.....	218
9.6 Conclusions	220
9.7 Recommendations.....	222
References	224
Annexure A: Interview Schedule.....	256
Annexure B: Consent Form	260
Annexure C: Letter to Request Permission from the SAPS	264
Annexure D: Approval Letter from the Faculty of Humanities	268
Annexure E: Approval Letter from Turfloop Research Ethics Committee	269
Annexure F: Approval Letter from the South African Police Service	270
Annexure G: Letter from Language Editor	271
Annexure H: Map of South Africa	272

List of Figures

Figure 8.1 Age of forensic social workers	139
Figure 8.2: Gender of forensic social workers	139
Figure 8.3 Race of forensic social workers	140
Figure 8.4 Employer of forensic social workers	141

Figure 8.5 Rank of forensic social workers142

Figure 8.6 Province employment of the forensic social workers142

List of Tables

Table: 5.1 Difference between forensic interviews and therapeutic interviews70

Table 7.1: Standards, strategies and applied criteria to ensure trustworthiness134

Abstract

Child sexual abuse is a serious social and health issue that affects people worldwide. A variety of professions is trying to address this problem. It has numerous consequences, such as psychological, physical, social and emotional effects. An integral part of fighting child sexual abuse is disclosure. Forensic social work has been introduced in South Africa recently to facilitate the disclosure of child sexual abuse. This study aimed at evaluating the effectiveness of interviewing techniques with the Black child during forensic social work assessments in a South African perspective. The ecosystems theory was used in this research study to zoom into the nature of child sexual abuse and the environmental systems in South Africa that may affect the effectiveness of the interviewing techniques during forensic assessments with Black children. The study employed qualitative and evaluation designs. Non-probability sampling and probability sampling methods aided triangulation. Stratified random sampling, purposive sampling and convenient sampling techniques were followed to select fourteen (14) forensic social workers in South Africa. Out of these forensic social workers, thirteen (13) were females and one (1) was a male. Data were collected by means of a literature review and semi-structured in-depth interviews guided by an interview schedule with open-ended questions. The collected data were analysed thematically with the help of the Nvivo programme.

The study revealed that rape is the most common sexual offence against Black children that forensic social workers across South Africa address. For the purpose of this research, rape is defined in accordance with the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007. Other sexual offences such as sexual assault, sexual grooming, and sexual exploitation/labour are barely reported because some South African communities regard them as minor things or taboos that could be addressed within families. As a result, they are not given the same recognition as rape in South Africa. Forensic social workers therefore have fewer such cases. The study also revealed that child pornography or exposing children to explicit sexual materials takes place more in urban areas than in rural areas, and as a result, it is not assessed among Black children in rural areas.

This study further reveals that the disclosure of child sexual abuse is a process where children only disclose to someone whom they trust. In this regard, the environment where children are raised contributes to the disclosure of child sexual abuse. In rural areas, child

sexual abuse is mostly disclosed accidentally. Children from urban areas disclose more deliberately. Findings point to factors such as fear of the perpetrator, relationship with the perpetrator, boundaries of culture, the environmental setting, fear of embarrassment and shame, age of the child, language competency, poverty and the South African justice system as factors that play a role in disclosure of child sexual abuse during forensic social work assessments.

In the facilitation of the disclosure of child sexual abuse, there is a variety of dynamics that professionals should be watchful of that may influence the disclosure rate. Personal characteristics of the child and the interviewer may affect disclosure of child sexual abuse during forensic interviews. For forensic social workers to ensure the protection of children and the conviction of perpetrators in child sexual abuse cases, they have to conduct skilful forensic interviews. There are specific interviewing techniques that aid disclosure. Some of these techniques appear to be very effective at eliciting detailed and accurate disclosures. Research reveals that in South Africa, cultural background, developmental level, language barriers and the manner of questioning children have an impact in the effectiveness of interviewing techniques during the assessments of allegations of child sexual abuse. Techniques should be contextualized in terms of cultural backgrounds and one should consider developmental level (age in particular), types of questions and language of the child, especially for Blacks.

Once again, the disclosure of sexual abuse is a process with definable phases and characteristics. Many children find it difficult to talk about their sexual abuse experiences. It is therefore imperative that forensic social workers have an understanding of the diagonal process of disclosure when conducting forensic assessments. Forensic social workers have to be watchful of varied dynamics that are likely to affect the disclosure rate. The findings reveal that personal characteristics of the child and the interviewer, communication skills, blind assessments and informed allegation interviews have an impact on making the interviewing techniques effective during the disclosure of child sexual abuse. As a result, the study recommends that the forensic social worker should come to the developmental level of the child, speak the language of the child or use interpreters for the child to understand, and follow blind assessments interviews as opposed to informed allegation interviews. However, informed allegations interviews are recommended when assessing children below the age of four (4) years.

CHAPTER 1

GENERAL ORIENTATION TO THE STUDY

1.1 Introduction

Child sexual abuse (CSA) is a serious social and health issue that affects citizens worldwide. It has numerous consequences such as, psychological, physical, social and emotional in nature (Myers *et al.*, 2002:59; Segal *et al.*, 2007:169). An integral part of child sexual abuse is the disclosure. CSA has been present for centuries, but it has not always been an acceptable topic of public conversation (Klein, 2010:11). Klein states that for years, it was taboo to discuss any disturbing intimate details of family life and public knowledge about sexual abuse was minimal. These findings correlate with the findings by Rapholo (2014:29) and Wickham and West (2002:51), who established that, in some cultures, it is a taboo for children to discuss issues related to sex with older people. These customs have left cases of CSA unreported. Children of any background can be forced to engage in unwanted sexual behaviour and sometimes it is not reported due to denial or shame.

The researcher is of the opinion that sexual abuse is always harmful to children and may even have educational value. Spies (2012:44) confirms that there are many researchers on the field of sexual abuse who confirm through their research that sexual activities between children and adults will always have a negative effect on a child's life. The effects of CSA can be long lasting and affect the entire family (Klein, 2010:05). Klein continues to say although CSA has been going on for centuries, society has recently become increasingly aware of it and of its impact on child victims. Victims of CSA develop physical and psychological problems that contribute to a lifelong struggle. For instance, children can have a hard time coping with CSA because they are not yet ready for the sexual behaviour that is forced upon them. Klein (2010:06) states that symptoms such as nightmares, behavioural regression, depression and isolation can trouble victims in childhood and can continue into adulthood. Some may even have symptoms similar to post-traumatic stress disorder because CSA is an extremely traumatic experience. The shame, guilt or even anxiety caused by CSA can put a strain on relationships and negatively influence other aspects of life, such as self-esteem and social interaction.

The process of disclosure may exacerbate the CSA. Disclosure may be accidental, whether through observation by a third party, signs of physical or genital injury, diagnosis of sexually transmitted diseases or the occurrence of pregnancy (Ferarra, 2002:121; Spies, 2012:47; World Health Organization, 1999:69). With accidental disclosure, intervention may be difficult because neither the child nor the other family members may be willing to reveal the secret (Spies, 2012:48). Children are understandably reluctant to disclose information about abuse (Cronch *et al.*, 2006:196). Spies (2006:11) emphasizes that many sexually abused children never disclose because they are silenced by threats, blame and bribery. In a perfect world, when a child discloses sexual abuse, s/he 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 (Spies, 2006:11; Fouché, 2006:211). This, unfortunately, is not always the case. Children are often not believed after disclosure of sexual abuse and are blamed for the consequences of the disclosure.

A study conducted 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 abused girls in the study never told anyone about the incident (Diaz & Manigat, 1999:142). Research conducted by Sauzier (1989:455) with 156 sexually abused children who 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). Children are understandably reluctant to disclose information, as it is a very private, embarrassing and shameful topic to discuss (Cronch *et al.*, 2006:196). The disclosure of sexual abuse is a process with definable phases and characteristics. Many children find it difficult to talk about their sexual abuse experiences (De Voe & Faller, 2002:217; Hendricks, 2012:27; Paine & Hansen, 2002:279). Understanding the diagonal process of disclosure within families is very important.

Forensic social work has been introduced as an area of specialization to address CSA. Barker (cited in Maschi & Killian, 2011:12), defines forensic social work as “the application of social work to questions and issues relating to law and legal systems.” The South African Council for Social Service Professions (2010:1) defines forensic social work as a “specialized field of social work that focuses on the interface between society’s legal and

human systems and is characterized by the social worker's primary function of providing expert testimonies in courts of law with the primary client being the judiciary system." For a person to conduct forensic social work interviews, that person must be skilled enough to do so. According to Kaliski (2006:62), the majority of forensic social workers in South Africa who conduct assessments on sexually abused children and testify in courts on this matter, do so without proper qualifications or specialization in this field. According to Smith (2014:10), this can cause a dilemma, because if the professional that interviews the child is not equipped to perform this kind of interview, there may in the end simply not been enough evidence to prosecute someone. Skilful forensic interviews in CSA cases are extremely important to ensure the protection of innocent individuals and the conviction of perpetrators. Smith (2014:09) states that concerned parents, teachers and community members who suspect possible sexual abuse amongst children refer such cases to the South African Police Service, welfare organizations or private practitioners on a daily basis. In return, these professionals may refer the child to social workers and psychologists with specialized knowledge and training in forensic interviewing of children. Berliner (2003:13) is of the opinion that intervention in cases of child sexual abuse has several important goals, namely:

- to assess the risk children are exposed to and to establish a safe environment;
- in order to identify sexual offenders, to hold them accountable and to protect the community;
- to treat the psychological consequences of the sexual abuse experience;
- to promote healthy development that will reduce the risk of long-term negative outcomes because of the sexual abuse.

Forensic social workers who assess sexually abused children use a variety of interviewing techniques to facilitate the disclosure of CSA. The purpose of the forensic interview is to gather facts regarding the incident that is being investigated (American Professional Society on the Abuse of Children [APSAC], 2012:4; Faller, 2007:6; Fouché, 2006:205; Müller, 2001:8; Poole & Lamb, 1998:108; Saywitz & Comparo, 2009:114). In addition, Spies (2006:206) states that these interviews help social workers to get an account from a child in a developmentally sensitive, unbiased, independent and truth-seeking manner to support accurate and fair decision making in the criminal justice system. According to

Fouché (2006:206), the purpose of conducting forensic interviews is to elicit an account from the child that is truthful and in a manner which will best serve the interests of the child while, at the same, is legally acceptable. APSAC (2012:03), De Voe and Faller (2002:06) and Hewitt (2012:121-122) in Smith (2014:10) all concur that the child's statement of the sexual abuse involvement with adults is often the only available evidence that the sexual abuse had actually occurred, and the way the child is questioned is often the most critical component of the investigation process.

During these interviews, numerous interviewing techniques are applied to uncover facts regarding CSA. Cronch *et al.* (2006:198) and Spies (2012:226) found that open-ended questions and invitations elicit longer, more detailed and more accurate responses than other types of interviewer utterances in school age children and adolescents. These questions do not suggest specific answer. Spies (2012:226) further submits that in practice, such questions begin with what, how, when, who, or where. However, this type of question is not effective with very young children and often elicits shorter and less detailed responses than other types of questions. Spies (2012:226) also indicates that interviewers should remember to test hypotheses throughout the process, for example, "sometimes children make up a story and later believe that it is true, but it is not. Did that happen to you?"

Cognitive interviewing is also effective when conducting forensic interviews involving CSA. Cronch *et al.* (2006:199) propose that this technique includes mentally reconstructing the event, reporting every detail of the event, recalling the event in different sequences and describing the event from various perspectives. The cognitive interview is effective in improving children's recall of events, although according to the above authors, it appears to be more practical and effective with older children. According to Spies (2012:225), this technique is also named free recall. He denotes that questioning children by using this technique often produces accurate information. By using this technique, interviewers allow children to use free recall of any events and encourage them to provide a free narrative accounts (e.g. "Tell me all about what's been happening to you" and "Tell me more").

One current technique that Cronch *et al.*, (2006:200) examine is a truth-lie discussion where interviewers assess children's understanding of the difference between the "truth" and a "lie" prior to asking abuse-focused questions. According to Cronch and his colleagues, this discussion may demonstrate the child's competency and increase the

credibility of his or her statements in court. Children in these cases are asked if they have ever told a lie and what consequences result from telling lies (APSAC, 2002:09; Cronch et al., 2006:200). The APSAC recommends that interviewers should use concrete examples during truth-lie discussions (APSAC, 2002:09). For example, the child can be engaged in an exercise of differentiating between a table and a chair, such as to states if what s/he says before him is a table or a chair and thereafter indicates the implications of telling a lie if s/he did not tell the truth. Sometimes children state that if one tells a lie they will go to hell. It is often useful to obtain a verbal agreement from the child to tell the truth throughout the forensic interviews.

Touch survey has also been examined as a popular technique in the recent years (Cronch et al., 2006:200). Because children lack self-representational skills, Hewitt (1998) recommends that the touch survey be used with children over three years of age. A touch survey includes a discussion of various touches that the child has experienced (i.e., hugging, kissing, hitting and sexual touch, just to mention few), feelings associated with the touch, locations on their body where they were touched and who touched them.

Spies (2012:228) suggests the use of anatomical dolls as the effective technique during the interviewing of CSA victims. He further denotes that it is not obligatory to use these dolls during every forensic interview. Anatomical dolls are not used to facilitate the disclosure, but are used once the child has already made a verbal statement regarding the allegation (Faller, 2007:113; Kuenhle & Connell, 2009:370; Spies, 2012:228). They are used for clarification purposes to allow children to demonstrate internal consistency, allowing them to communicate what they cannot or will not say (APSAC, 1997:6; Spies, 2012:228). According to the study conducted by Cronch et al. (2006:201), some professionals claim that anatomical dolls are useful in helping children to remember and describe the details of the abuse, while others argue that they may decrease the quality of children's responses and can elicit sexual play even from non-abused children. The results may also be skewed by cultural norms. For example, Pedi culture prohibits children from talking to persons who are older than they are about sex. This was validated by the study conducted by Rapholo (2014:29). Wickham and West (2002:51) established that the adult world predominates in Northern Sotho culture, so that children are not allowed to talk about sex with the elders. Cronch et al. (2006:201) found that the use of anatomical dolls during forensic interviews includes more suggestive utterances and less detailed responses from children. During forensic interviews, forensic social workers should avoid

the use of anatomical dolls when assessing pre-school children since children from this age group lack self-representation skills. Cronch *et al.* also assert that anatomical dolls may be useful tools with school age children, but should be used with care and only when necessary to facilitate communication. Spies (2012:229) concludes that the use of anatomical dolls is a specialized forensic interviewing technique and that the professional should receive intensive training in this regards. In light of the above, the researcher saw the need to evaluate if the mentioned interviewing techniques are effective or not when used with the Black child in a South African context given the cultural diversity of the country.

The ecosystems theory, which is commonly used in social work, is used as a lens to evaluate the effectiveness of forensic interviewing techniques during forensic assessments. The ecosystems theory looks at the interrelatedness of the people and their environment (Weyers, 2011:20). It explains the nature of social problems as a lack of adaptive fit between the two. This theory is relevant and appropriate to explain the relationship between Black children and the environmental systems with which they interact. For example, in Northern Sotho culture, children sometimes are taught by their caregivers to abide by family and societal rules, norms and standards; compelling them (unintentionally) to keep sexual abuse secret. This affects the effectiveness of forensic interviewing techniques during forensic assessments.

1.2 Operational Definition of Concepts

Important key terms used in this study are defined below for the sake of clarity.

1.2.1 Assessment

Assessment is the 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; Spies, 2012:206). In addition to the above, assessment is the process of determining the nature, cause, progression and prognosis of a problem and the personalities and situations involved therein; the social work function of acquiring an understanding of a problem, what causes it, and what can be changed to minimize or resolve it (Barker, 2003:30). For the purpose of this study, an assessment is the evaluation of all the information and facts gathered during the investigation. Assessments in cases of CSA differ from other assessments, as the process followed must be legally defensible.

1.2.2 Child

The Children's Act no. 38 of 2005 as amended defines a child as a person under the age of 18 years. Grinnell's (2001:13) definition partially agrees with the above in that a child is any person under the age of 18 years. In certain circumstances it refers to a person who is 18 years or older, but under the age of 21 years. In this study, a child refers to a Black person below the age of 18 years.

1.2.3 Forensic social work

Barker (cited in Maschi & Killian, 2011:12) defines forensic social work as "the application of social work to questions and issues relating to law and legal systems." The South African Council for Social Service Professions (2010:1) describes forensic social work as a "specialized field of social work that focuses on the interface between society's legal and human systems and is characterized by the social worker's primary function of providing expert testimonies in courts of law with the primary client being the judiciary system." According to Stutterheim and Weyers (1999:12), one should take the historical background of statutory social work and forensic social work in South Africa into account. They argue that forensic social work should not simply replace statutory social work because forensic social work has a narrower meaning. They recommend that forensic social work should in South Africa be defined as: "...a specialized field of social work practice that is characterized by the social worker's primary function of providing expert testimony in courts of law." The definition of forensic social work by both the South African Council for Social Service Professions and Stutterheim and Weyers is adopted for the purpose of this study.

1.2.4 Interviewing

Adeniran (2002:01) defines interviewing as the collection of data by asking people questions and following up or probing their answers. This definition is adopted for the purpose of this study.

1.2.5 Techniques

Techniques are defined as specific, repeatable, demonstrable and measurable actions to be applied in the appropriate context (Pippard & Bloforkland, 2003:103). Pippard and

Bloforkland (2003:103) suggest that techniques are used to assist in the implementation of intervention models. In the context of this study, techniques refer to the way of in which forensic social workers carry out forensic assessments with sexually abused children.

1.3 Problem Statement

According to Calitz (2011: 06), sexual violence against women and children is a reality in South Africa, which has been branded as the rape capital of the world. As a result, these vulnerable groups remain at risk and under attack. Sexual abuse happens to children of every class, race, culture, religion and gender (Meadow *et al.*, 2007:42; Spies, 2006a:45). The prevalence of CSA in South Africa is alarming and is a cause of concern for child protection officials. In 2002, Jewkes and Abrahams (2002:123) reported that a child is sexually abused every four minutes. Between March 2003 and March 2015, 63 968 cases of sexual abuse children were reported in Limpopo according to the South African Police Services (SA 2013/2014).

Wickham and West (2002:51) state that in the Western world and in South Africa, children are supposed to be safe, valued and encouraged to grow and develop. In South Africa, a legislative framework was established to protect them in the form of the Children's Act 38 of 2005 as amended. However, in many cultures, the adult world carries more weight and sexually abused children find themselves in-between the two worlds. Eastwood *et al.* (2006:81) argue that the successful criminal prosecution of a sexual offence against a child is more difficult than for any other offence.

One of the problems encountered in combating the sexual abuse of children is the process of disclosure. According to Lamb *et al.* (2008:203), disclosure as a "clinically useful concept to describe the process by which a child that has been abused gradually comes to inform the outside world of his plight." Children often fail to report abuse for a number of reasons, such as fear of losing loved ones, fear of being harmed, fear of blame and not being believed and fear of being ashamed (Tabacloaon, 2010:01). According to the study conducted by Holm (2010:7), CSA survivors may deal with the shame, fear and victimization, but might struggle with almost every area of their functioning. Myers *et al.* (2002:59) and Segal *et al.* (2007:169), support this research by adding that children who endure sexual abuse develop a wide range of social and psychological problems that may affect them into adulthood.

According to the researcher's practical experience of assessing children, children are reluctant to disclose information about abuse. Cronch *et al.* (2006:196) substantiate the above notion by pointing out that CSA is often a very private, embarrassing and shameful topic to discuss and many children are unlikely ever to tell their story. Several factors that appear to influence the disclosure of sexual abuse have been explored in the literature. According to Dawes and Higson-smith (2005:103) and Lamb *et al.* (2008:196), such factors include maternal or parental support, relationship to perpetrator, age, gender, culture, severity and duration of abuse, dissociation, post-traumatic stress and modesty. Lamb *et al.* (2008:196) further state that children may also lack adequate communication skills to report an event and to provide the necessary details. Cronch *et al.* (2006:196) are of the opinion that during the forensic interview, the interviewer can also be a contributory factor towards the reluctance of children to provide details about the abuse. In some instances, children do not disclose sexual abuse immediately following the event. The reluctance to disclose sexual abuse tends to stem from their fear of the perpetrator. The perpetrator may have made threats such as: "If you tell anyone, I will kill you/kill your mother" (Ferrara, 2002:212).

Rapholo (2014:03) has established that differences in age, gender and social status continues to create an imbalance of power in decision-making powers between adults and children. Children are sometimes taught by their caregivers to abide by family and societal rules, norms and standards; therefore, forcing them (unintentionally) to keep sexual abuse a secret. As a result, children become targets for adult men and women, be their relatives and friends, who obtain sex by force. They also become vulnerable to significant others, such as teachers, and other men and women in authority who they trust and who may force them into undesired sexual intercourse (Dawes & Higson-Smith, 2005:101; Ferrara, 2002:213; Meadow *et al.*, 2007:43). According to the study conducted by Rapholo (2014:27), in some Black communities, specifically among the Northern Sotho-speaking people, children are not allowed to talk about sex-related issues with people who are older than they are.

The factors discussed above make skilful forensic interviews in CSA cases extremely important to ensure the protection of innocent individuals and the conviction of perpetrators. While the personal characteristics of the child and the interviewer may affect the disclosure rates, specific interviewing techniques were found to play a greater role during forensic assessments in the United State (Cronch *et al.*, 2006:195). According to

Cronch *et al.* (2006:195), research has been examining new directions in forensic interviewing, such as structured interview protocols and extended forensic evaluation models. Several techniques are discussed in the literature, some of which appear to be very effective at eliciting detailed and accurate disclosures. Such interviewing techniques include allegation blind assessment interviews, open-ended questioning, cognitive interviewing, the touch survey, truth–lie discussions and anatomical dolls/drawings.

According to the American Professional Society on the Abuse of Children (APSAC, 2002:09) and Cronch *et al.* (2006:198), it is acceptable to gather information about the allegation of CSA before conducting the interview. This information may be useful in orienting and clarifying the child’s statements. However, prior knowledge of allegations may increase interviewer bias and lead to suggestive and leading questions (Cronch *et al.*, 2006:198). These authors compare allegation blind interviews (the interviewer has no information about allegations) to allegation informed interviews (the interviewers have prior information about allegations) across several CSA cases over a certain period. They discovered high rates of disclosure with allegation blind interview techniques. However, regardless of prior knowledge of the allegations, the interviewer should always take an objective and non-judgemental stance towards the interview. Faller (2007:34) argues that conducting forensic interviews with information regarding the child may affect the interviewers’ neutrality and contaminate the whole interview. He suggests that the interviewer should only know the name and age of the child prior to the interviews.

Spies (2012:211) states that many sexually abused children never disclose because they are silenced with threats, blame and bribery. The child retracts previous formal allegations of abuse, even after they have been maintained over some time. This occurs when the family, the offender or court procedures pressurize the child. Given that several forensic interviewing techniques are employed in CSA cases and that forensic social work is a newly introduced area of specialization in South Africa, the researcher was induced to evaluate their effectiveness with the Black child in the South African context.

1.4 Aim and Objectives of the Research

1.4.1 Aim of the research

The aim of the research was to evaluate the effectiveness of forensic interviewing techniques with the Black child during forensic social work assessments.

1.4.2 Objectives of the research

The objectives of this study were as follows:

- to assess forensic social workers' knowledge of CSA in the South African context when assessing Black children;
- to assess forensic social workers' knowledge of the disclosure of CSA amongst Black children;
- to establish factors that influence the disclosure of CSA by means of a literature review and empirical research;
- to find out which forensic interviewing techniques are effective or not when applied to the Black child during forensic assessments;
- to find out the impact of the child's communication skills towards the effectiveness of forensic interviews;
- to find out the impact of personal characteristics of both the child and the interviewers towards the disclosure of CSA;
- to find out the impact of having prior knowledge about the allegation of CSA during forensic assessments;
- to find out what the forensic social worker can do to address the disclosure of CSA amongst Black children.

1.5 Rationale for the Study

The rationale of this study is to contribute to the social work profession in the country and to forensic social work in particular so that it is recognized as a specialized field by South African Council for Social Service Professions (SACSSP). It should also be offered as a specialized field/course of social work at all the institutions of higher learning. This research also aims to contribute to the social work discipline and especially towards social work that focuses on the investigation of CSA cases, as there are currently no guidelines for the South African context. With this information, professionals can assist the court of law as expert witnesses when the child is the witness. There is a gap when it comes to a

scientifically researched and contextualized forensic social work programme that is responsive to the South African context and this research aims to fill that gap. This research will be published in journals such as *Child Abuse Research in South Arica* (CARSA) and *Social Work/Maatskaplike Werk*.

1.6 Outline of the Study

The study is organized as follows:

Chapter 1: General orientation to the study

Chapter 2: Theoretical framework of the study

Chapter 3: Legal frameworks for child protection services in South Africa

Chapter 4: An overview of CSA and its dynamics

Chapter 5: The dynamics of disclosing CSA during forensic assessments

Chapter 6: Facilitation of disclosure of CSA during forensic social work assessments

Chapter 7: Research methodology

Chapter 8: Qualitative data presentation, analysis and interpretation

Chapter 9: Summary of the findings, conclusions and recommendations

1.7 Conclusion

This chapter offered an overview of the study, including a definition of concepts, problem statement, aim and objectives of the study, the rationale for conducting this study and the outline of the study. The next chapter focuses on the theoretical framework of this study.

CHAPTER 2

THEORETICAL FRAMEWORK OF THE STUDY

2.1 Introduction

This chapter introduces the theories employed to evaluate the effectiveness of interviewing techniques with the Black child during forensic social work assessments. The concept “theory” according to De Vos *et al.* (2005:36) is a set of interrelated constructs/concepts, definitions and propositions that present a systematic view of phenomena by specifying relations between variables with the purpose of explaining and predicting the phenomena. Many theoretical frameworks can be used to evaluate the effectiveness of interviewing techniques with the Black child during forensic social work assessments. The following theoretical perspectives are used to pursue the aim of this study: the ecosystems theory and Afro-centric theory. However, the ecosystems theory forms the over-arching theory for this study.

2.2 Ecosystems Theory

Urie Bronfenbrenner, a Russian American psychologist found the ecosystems theory in 1979. A system is a combination of elements with mutual reciprocity and identifiable boundaries that form a complex or unitary whole. Bronfenbrenner’s idea was that for one to understand a particular situation, it is necessary to observe the interaction between various systems at different levels (Visser & Moleko, 2012:13). Payne (2005: 142) denotes that systems perspectives are paramount to social work practice because they emphasize its social focus. Social work is concerned with people’s social connections and relationships. To that point, the ecosystems theory is commonly used in social work today (Weyers, 2011:20) to study the relationship that clients have with the systems around them.

In this study, this theory is used to evaluate the effectiveness of forensic interviewing techniques with the Black child during forensic assessments. The ecosystems theory looks at the interrelatedness of the people and their environment (Weyers, 2011: 20; Colton *et al.*, 2001:45). It explains the nature of social problems as a lack of an adaptive fit between the two. This theory is therefore relevant to explain the relationship between Black children

and the environmental systems with which they interact. It is imperative during the assessment of sexually abused children that practitioners be vigilant of traditional ways of understanding child development by focusing on the child's immediate settings and wider societal influences on how they develop (Smith *et al.*, 2003:08; Spies, 2006: 160). For example, in Northern Sotho culture, children sometimes are taught by caregivers to adhere to family and societal rules, norms and standards; therefore forcing them (unintentionally) to keep sexual abuse a secret (Rapholo, 2014:27). As a result, the effectiveness of forensic interviewing techniques with these Black children during forensic assessments may be hampered.

The ecosystems theory provides a conceptual lens through which human behaviour and social structures could be viewed and analysed concurrently. It is made up of the ecological theory and systems theories, which are known as person-in-environment approaches (Weyers, 2011:20). The science of human ecology emphasizes the relationship, reciprocity and adaptations among organisms (individuals, couples, families, groups, organizations and communities) and between these organisms and their bio-psycho-socio-cultural-economic-political-physical environments. The latter, according to Weyers, brings an ordering of the complex and multiple variables found within human ecological systems. A system is a combination of elements with mutual reciprocity and identifiable boundaries that form a complex or unitary whole. There is a relationship and reciprocal and adaptive transactions among systems and between these systems and their environments. Social work values person-in-environment, because it focuses on individuals, their environment and the transactions or relationships between the two.

The ecosystems theory gives the guiding framework for understanding practices (Franklin & Jordan, 1999:20). The ecosystems theory asserts that the systems are always subsystems of the larger systems in an environment, but can be divided into smaller subsystem units at the same time. The subsystems influence each other behaviourally (Potgieter, 1998:130). The ecosystems theorists believe that to view sexually abused children and their reluctance to disclose abuse in isolation from their family and environment, is tantamount to ignoring the influence of the home in which they learn to perceive how they fit into the world, as well as the influences others have on their behaviour. Therefore, any risk behaviour an individual may manifest or display threatens the balance of the family of origin where roles and perceptions are nurtured. In support of the above, Fontes (2005:02) states that there are different levels in the ecological system

when considering CSA, such as the home, family, ethnic culture and social systems like the neighbourhood and school. Fontes and Plummer (2010:491) posit that cultural norms affect the likelihood that CSA will be discovered by an adult or disclosed by a child. These authors further state that cultural norms also affect whether abused children's families will report CSA to authorities. According to Guma and Henda (2007:98), culture to large extent sets guidelines that individuals inherit as members of a particular society and which influence how they experience and interpret their historically constituted world. When dealing with CSA during forensic social work assessments, it is important to be aware of the role culture plays in the families' lives (Pence, 2011:326). Gogela (2013:20) and Rapholo (2014:34) both concluded that culture plays an important role in why families do not want to disclose the sexual abuse of the child. According to Rapholo (2014:34), families of the Northern Sotho culture secretly resolve the matter of CSA within the family, especially if it is intra-familial sexual abuse.

According to Weyers (2011:20), the environment is divided into two spheres: the nurturing environment and the sustaining environment.

- **The nurturing environment**

The nurturing environment consists of systems with which a person interacts frequently and that have an impact on his or her identity and functioning. These systems contribute to or detract from his or her social well-being. These could be family, friends, and so on.

- **The sustaining environment**

The sustaining environment comprises a wide range of institutionalized and other less intimate services, resources and opportunities that can sustain, enhance, aid or damage a person's well-being. These could be the cultural environment, social environment, physical environment, economic environment, political environment and so on.

Although not specifically designed as such, ecosystems theory (Colton *et al.*, 2001:45; Cottrell & Monk, 2004:1075; Spies, 2006:161) offers a valuable perspective from which to understand the multiple factors involved in the assessment of CSA allegations during forensic social work interviews. When used to conceptualize the disclosure of CSA in the South African communities and families, this theory outlines the reciprocal interaction

between the four primary levels of influence: the macrosystem, exosystem, microsystem, and mesosystem.

- **The macrosystem**

Colton *et al.* (2001:46) and Spies (2006:162) define the macrosystem (larger layer) as the consistencies in the form of the lower order (micro, meso and exosystems) that exist at the level of the subculture or culture as a whole along with the belief systems or ideology underlying such inconsistencies. It includes the organizations and social institutions in the society or subculture in which an individual functions. Spies (2006:162) states that at the level of the macrosystem, children internalize values in relation to gender, disability, race, sexual orientation and so forth. It further includes broad cultural values and belief systems that condone, influence and legitimize the use of violence against others (Cottrell & Monk, 2004:1075). For example, from the researcher's experience of working with sexually abused children, certain cultures see certain sexual acts with children as the norm and not as sexual abuse. The definition of CSA varies among the various cultures in South Africa. Dawes and Higson-Smith (2005:98) and Ngubane (2010:27) contend that the notion of CSA depends sometimes on what a specific ethnic group validates as sexual abuse. It is a traditional expectation from children in the African culture that they should adhere to the cultural beliefs and norms of the society. What hampers these beliefs, according to Shumba and Moorad (2000:173), are that even though the Children's Act expands on existing human rights and norms and focuses exclusively on children and their rights, some cultures still view this act as a radical idea that violates the African culture and tradition. According to Maliba-Ramagoshi *et al.* (2007:445), CSA in the Setswana culture "often results from the belief of 'ownership of the other'." Parents and society in general often regard children as their property in the same way that many men believe they own women. Chabeletsane (2015:04) states that this is reflected in the Setswana saying "*Logong lo ojwa lo sa le metsi*", which justifies the disciplining of children through physical punishment or deprivation. Chabeletsane reveals that this mostly occurs in the knowledge that children will not fight back or defend themselves. Therefore, children who are being physically or sexually abused or whose rights are being denied by their parents (or guardians/relatives), are not entitled to seek assistance from the courts or *Lekgotla* (traditional court). They are usually left powerless, not knowing where to go for help. The result of the above-mentioned is that many children who are physically or sexually abused will go unheard, unassisted and unprotected (Fontes, 2008:136-139). Collins *et al.*

(2010:145) point out that at this level, social values create social blueprints. Macrosystem values trickle down through the various layers of the ecosystem to shape attitudes and behaviours (Collins *et al.* 2010:145; Garbarino, 1992:45). It is imperative that professionals look at what risk factors are at play during the facilitation of the disclosure of CSA with Black children in the South African context. Recognizing risk factors will put social workers in a position to remove them. The concept “risk” refers to how one is likely to experience a probable adverse event (Collins *et al.*, 2010:146). A variety of factors contributes to the risk of a problem developing **(See the example provided above in terms of culture)**. When assessing sexually abused children, the forensic assessor should take into account the level and cultural context of the child and make use of the possible techniques that will better suits the background of the child.

The developmental assessment of a child should therefore incorporate factors of the macrosystem, as they have a significant impact on the child and his or her situation.

- **The exosystems**

The exosystem refers to social structures that influence individual and family functioning to create an environment in which the potential for violence is exacerbated (Cottrell & Monk, 2004:1075). Spies (2006:162) refers to the exosystem (outside system) as one or more settings that do not involve the developing person as an active participant, but in which events occur that affect or that are affected by what happens in the setting containing the developing person. It refers to links to settings to in the individual does not participate directly, but which affect him or her. Collins *et al.* (2010:144) argue that family does not directly participate in the exosystem, but its effects ripple down to the family and its members. Many of these effects trickle down through social institutions in which families participate, such as schools, churches, just to mention few. This simply means that even though the family is the primary source of socialization, other institutions that have partnership with children also have an impact on their upbringing.

“The family is the first setting in which socialization takes place and where children learn to live with mutual respect for one another. A family is where children learn to display affection, control their tempers and pick up their toys” (Cottrell & Monk, 2004:1075).

According to Chabeletsane (2015:290) and Fontes (2005:02), there are different levels in the ecological system when considering CSA, such as the home, family, ethnic culture and

social systems like the neighbourhood and school. Culture to large extent sets guidelines that individuals inherit as members of a particular society and that influence how individuals experience and interpret their historically constituted world (Guma & Henda, 2007:98). Pence (2011:326) recommends that when dealing with CSA, it is important to be aware of the role culture plays in the families' lives.

- **The microsystems**

The microsystem refers to the interactive patterns in a family that contribute to violence, and these may include unequal power dynamics, negative communication styles and limited conflict-resolution skills (Cottrell & Monk, 2004:1075). Spies (2006:160) argues that the microsystem (small system) involves the patterns of individuals, roles, and interpersonal reactions experienced by the developing person in a given setting with particular physical and material characteristics. The examples of this are home (with parents and siblings), school (with teachers and peers) and the workplace (with colleagues). It is important that forensic assessors understand that there are microsystems for each child, and that they have an understanding of systems that increase as the child grows older. In the microsystem, the first layer of relationship is within the family (Collins *et al.*, 2010:140). These authors argue that this set of relationships is small and starts with primary caretaker, usually the mother. As the child grows, the relationship expands to embrace the father, siblings and extended kin when available. The social riches of a child is measured by enduring reciprocal, multifaceted relationships that emphasize playing, working and loving (Garbarino, 1992:22). As the child grows, his or her skills also grow to envelope peers and family friends.

It is imperative that professionals build a good relationship with children during forensic assessments while the disclosure of CSA is a process. Victims of sexual abuse are not always willing to share their secret with anyone until they gain trust of that person. Children usually disclose to their mothers. However, according to Ferarra (2002:212) and the World Health Organization (1999:69), mothers are sometimes also victims of the same sexually abusive behaviour by the same perpetrator. If caregivers of children can be provided with support in terms of the disclosure of CSA, the issue of sexual violence of women and children can be minimized.

De Voe and Faller (2002:6) mention that many children find it difficult to talk about their experiences of being sexually abused; therefore the caregiver's reactions or anticipations

are likely to affect the willingness to disclose abuse. According to Spies (2006b:274), caregivers of children play a very fundamental role, not only in recognizing the sexual abuse of the child, but also in supporting these children “to speak out against the person who sexually abused them.” The researcher has learnt from his practical experience that most children talk freely to professionals who have gained the support of the caregivers, especially on embarrassing issues like sexual abuse. Ntlatleng (2011:02) shares this view by pointing out that the caregiver’s role during the disclosure process is to support the sexually abused child. The caregiver has to handle the child very carefully. Getz (2013:01) emphasizes that the sexually abused child reveals more information about sexual abuse in the disclosing process when a caregiver is involved. Gogela (2013:24) recommends that parents should always offer their sexually abused children all the support they need. Crosson-Tower (2005:175-176) contends that parents of a sexually abused child mostly experience a high degree of emotional pressure, which affects the whole family in some way or another, and that this may lead to the non-disclosure of the sexual abuse of that child. The way the child is treated after disclosure of the sexual abuse has a great impact on the level of stigma and on how the child feels (Goodyear-Brown, 2012:453). Parental response and support is therefore vital in the recovery of the child from sexual abuse. Pollio *et al.* (2011:267) state that the child’s ability to overcome the consequences of sexual abuse is often associated with the protection and support of others, such as the parents.

- **Mesosystem**

Cottrell and Monk (2004:1075) state that the mesosystem involves the ontogenetic factors. The ontogenetic factors include the individual characteristics and experiences that an abusive individual brings to the relationship, and these factors are influenced by or nested in the other three levels. Examples of ontogenetic factors include communication skills, emotional and mental health, attachment/intimacy style, and various learned behaviours. Among these, the most powerful influencing factor involves the connection between early childhood victimization and the use of violence by that individual against others later in life. Collins *et al.* (2010: 143) and Spies (2006:160) refer to these factors as the mesosystem (small system). These authors argue that the mesosystem involves the relationship between micro systems, such as the family and the school. Garbarino (1992:23) states that richness of the child’s mesosystem is measured by the number and quality of connections. Strong relationships are those in which important people work together for

the child's best interest as a friendly and caring environment for the child. If these systems are strong, the child is more likely to develop skills and abilities to navigate through different systems. Contrary to the above systems, children alternatively may disclose sexual abuse to friends, peers, or a teacher if they have found them to be trustworthy.

When these four primary levels of influence are applied, a comprehensive and flexible template emerges from which we can understand the individual, interpersonal and societal dynamics involved in the disclosure of CSA. Based on the available research and on the researcher's clinical experience, an ecological approach would predict that in a case where a child is reluctant to disclose sexual abuse, the potential influencing factors could include (a) what culture validates as sexual abuse (macrosystem); (b) the role played by culture in families, for instance, how the family addresses CSA, more especially if it is an incest (exosystem); (c) negative/ineffective parenting styles, parental conflict, and the minimization of family problems and who is the child is close to from in the family (microsystem); and (d) factors such as low parental attachment and the relationship that the child has with systems outside the family, such as friends and teachers (ontogeny).

The ecosystems theory, in a nutshell, emphasizes the importance of cultural values and belief systems on the disclosure of CSA—which to date has been inadequately addressed in the literature. Therefore, this theory is relevant when assessing children who have allegedly been sexually abused. For example, as stated above, cultural practices and beliefs in South Africa and Africa as a whole, play a role in children's reluctance to disclose abuse. Therefore, forensic social workers should have an adequate knowledge of the culture in which children who are sexually abused come from. Primarily, children should be interviewed by the forensic social worker who come from same culture as them.

2.3 Afro-Centric Theory

The theory of Afrocentrism was found by Mofe Kete Asante in the 1970s even though the idea of Afrocentricity existed back in the 1960s (Asante, 2003:30; Dwain, 2007:170). Asante as the principal theorist, founder and authority of the theory's initial aspiration came when he travelled in Africa and realized that it is crazy that Black man be given a European name (Asante, 2003:716; Dwain, 2007:170). He admits the conclusion that the primary social crisis for Black Americans is one of culture. According to Dwain (2007:170), such crisis is based on the idea that Eurocentric misrepresentation of African history

psychologically dislocates Black Americans. This is the philosophy which reconstructed the African American history in the 1960s. Such has influenced Asante to develop the Afrocentric theory (Asante, 2003: 30). From there, many scholars from different disciplines such as education, history, and anthropology started to have a debate and criticized this theory in the 1980s. According to Dwain (2007:170), these debates prompted Asante to further develop and defend this new theory. Afrocentric theory then became a framework to articulate an alternate voice for understanding African culture. Now, Afrocentricity has emerged as a theoretical perspective for social work practice (Dwain, 2007:170).

Asante (2003:30) argues that Afrocentricity is a paradigm based on the idea that African people should re-assert a sense of agency in order to achieve sanity. As a philosophical and theoretical perspective, Afrocentric theory provides a pathway towards evaluating the effectiveness of interviewing techniques with the Black child during forensic social work in the context of South Africa. Afrocentrism refers to placing African ideas at the centre of any analysis involving African culture and behaviour (Asante, 1998:02; Makhubele, 2008:29). Asante (1988:6) argues that: "Afrocentricity is the belief in the centrality of Africans in the post-modern era: It is our history, our mythology, our creative motif, and our ethos exemplifying our collective will." Furthermore, Adeleke (1998:508) concludes that "Afrocentricity developed as a response to the intellectual challenges and perceived threat of a mainstream historiography that was deemed Eurocentric." In the same vein, Daniels (2001:301) and Asante (1998:02) further describe Afrocentrism as a worldview through which people should interpret events and define reality. Makhubele (2008:29) posits that Afrocentrism is about affirming tradition and validating or promoting people's cultural worldview in their environment. The main goal of Afrocentricity according to the above author is to elucidate historical fallacies about African people and their cultural values, traditions, practices, and customs and to re-construct a historiography that precisely embodies and acknowledges African contributions to human growth and development. During the assessment of sexually abused children, professionals must note that the African culture and expression of African values, beliefs, traditions and behaviours may have an influence (Leashore, 1995). The researcher is of the opinion that when investigating allegations of CSA, forensic social workers should look for an information from the child from "a black perspective" as opposed to what had been considered the "white perspective". Sundiata (1996:nd), Bennet (2001:179) and Asante (2007:nd) contend that Afrocentrism enables researchers to view African identity from the perspective of

African people. It is centred, located, oriented, and grounded in African values, beliefs and practices. Concepts and theoretical terminology rooted in a Western frame of reference are inappropriate when conducting studies with people of other cultures in developing countries (Ling, 2004:339). The western researchers use standard concepts that may have little relevance to the experience of people from other cultures as it reflects their Euro-centric values.

Even though Afrocentric theory appears to be useful during social work practice, especially with sexual abused children, the researcher is of the view that it has both the strong and weak points. For example, by using this theory as a lens to zoom into the nature of CSA, forensic social workers will obtain as much intensive information on the culture of the child in relation to the allegation of sexual abuse. This is in line with Dwain (2007:181) who asserts that for social workers to be competent practitioners with the Afrocentric client, they should require insight into the culture of the client they are working with.

The weak point of this theory during forensic assessments of alleged sexually abused children is that, sometimes, forensic social workers can miss a lot of information as some African black children are living in the westernized communities. It is therefore, advisable that forensic social worker be as much flexible as possible and assess the culture of the child and the position in which they are at during the pre-forensic assessment stage.

As one of the theoretical frameworks, Afrocentrism could help forensic social workers to acquire a working understanding of the uniqueness and special qualities of different children in South Africa with special reference to cultural values, traditions, practices and customs in a particular environment. The disclosure of CSA is a concern during forensic assessments. Children at times do not disclose because of their cultural environments. Through the use of Afrocentric theory, the forensic interviewing techniques can be contextualised to cultures of diverse children in South Africa and that can as well help forensic social workers working with sexually abused child to obtain as much accurate information on the allegation of abuse as possible.

2.4 Conclusion

This chapter discussed the two theoretical frameworks that guide and direct this study. The discussion examined the ecosystems theory and its primary levels, followed by the Afrocentric theory and its values. The next chapter deals with the legal frameworks for child protection in South Africa. Forensic social workers should pay attention to these frameworks during the assessments of CSA allegations.

CHAPTER 3

LEGAL FRAMEWORKS FOR CHILD PROTECTION SERVICES IN SOUTH AFRICA

3.1 Introduction

When investigating sexual offences as a forensic social worker, one has to be guided by legislative frameworks. Arts *et al.* (2016:17) have established from their Optimus Study that there are three primary pieces of legislation that govern sexual offences against children in South Africa. These are: (i) The Criminal Law [Sexual Offences and Related Matters] Amendment Act no. 32 of 2007, The Children's Act no. 38 of 2005 as amended and the Children's Amendment Act no. 41 of 2007. These do not only provide detailed definitions of what constitutes rape in a legal context and define a range of sexual offences specifically related to children, but they also outline relevant mechanisms for child protection and support services. Legal definitions of CSA 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. In this chapter, the focus is more on the Criminal Law (Sexual Offences and related matters) Amendment Act no. 32 of 2007. Before discussing the above legal framework in detail, the discussion provides an overview of common sexual crimes. Furthermore, other relevant frameworks such as the Children's Act no. 38 of 2005 as amended, the Children's Amendment Act no. 41 of 2007 and Domestic Violence Act no. 116 of 1998 discussed in this chapter. Forms of sexual abuse and the practical implications of applying the South African law to sexual offence cases are also addressed in this chapter, both in terms of common law and statutory law.

3.2 Common Law (Sexual) Crimes

According to Pienaar (in Fouché, 2007:52), the general terms used to describe criminal acts against children are "child sexual abuse", "sexual molestation" and "child molestation." The South African law provides for specific protection for children (Lawrence & Janse van Rensburg, 2006:127). There are a number of offences relating to children that 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). With reference to sexual abuse, the common law crimes of indecent assault, rape and incest are relevant (Lawrence & Janse van Rensburg, 2006:129) and are discussed for the purposes of this study.

3.2.1 Rape

Section 1 of the Criminal Law (Sexual Offences and Related Matters) Amendment Act no. 32/2007 refers to rape as non-consensual sexual penetration. This includes any act that causes penetration to any extent by the genital organ of one person into or beyond the genital organs, anus or mouth of another person, any other body part of one person or any object, including any part of the body of an animal into or beyond genital organs, anus, or mouth of another person. In terms of section 15(1) of the said Act, a person who commits an act of sexual penetration with a child, despite the child's consent (meaning with or without) to the commission of the act, is guilty of the offence of having committed an act of non-consensual sexual penetration with a child. Before the promulgation of the said act, there was a gap in that rape in the South African law used to exclude non-consensual anal and oral sex and penetration with objects other than a penis. The definition of 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 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 was changed with effect from 16 December 2007. Some cultures see the inclusion of other kinds of penetration in the act as offensive. Rapholo (2014:19) found in his masters study conducted amongst the Northern Sotho-speaking people that rape in their view only includes forceful sexual penetration by a male person with a penis into the vagina of a female person. Dawes and Higson-Smith (2005: 98) and Ngubane (2010:27) also warn that the understanding of CSA depends on what culture validates as being sexual abuse. This includes a set of common beliefs, ideas, moral values and a collection of standard norms adopted by individual members to shape a particular lifestyle and a standard moral behaviour.

The researcher is of the opinion that the task of the forensic social worker when conducting forensic interviews is not 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 verbalized it. It is the task of the forensic social worker and the state prosecutor to charge the alleged perpetrator and the duty of the court to make a finding with regard to the case.

3.2.2 Sexual assault

According to Spies (2006:131), indecent sexual assault is the unlawful and intentional assault, touching or handling of another in circumstances in which either the act or the intention with which it is committed, is indecent. The definition for sexual assault (before 16 December 2007 known as indecent assault) according to the Criminal Law (Sexual Offences and Related Matters Amendment Act No. 32 of 2007) Act 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.

Section 1 of the act further states that sexual violation includes any act that causes direct or indirect contact between:

- the genital organs or anus of one person or, in the case of a female, her breasts, and any part of the body of another person or animal or any object, including an object resembling or representing the genital organs or anus of a person or an animal;
- the mouth of one person and the genital organs or anus of another person, or in the case of a female, her breasts, which could be used in an act of sexual penetration, or cause sexual arousal or stimulation.

In terms of Section 16(1) of the Criminal Law (Sexual Offences and Related Matters) Amendment Act no. 32/2007, a person who commits an act of sexual violation with a child, despite the child's consent, is guilty of the offence of having committed an act of consensual sexual violation. However, some cultures do not view sexual assault as a criminal offence as there is no penetration involved. Rapholo (2014:22) established during his research study that in Northern Sotho culture, sexual violation against children is not viewed as such a grievous sexual offence as rape.

3.2.3 Sodomy

In the past, sodomy was defined as unlawful and intentional anal sexual intercourse between human males (Pienaar, 2000:20). Lawrence and Janse van Rensburg, 2006:132) established that the Constitutional Court declared that the crime of sodomy is unconstitutional as the nature of the crime is inconsistent with the constitutional rights related to equality, dignity and privacy. Non-consensual anal intercourse is considered rape in terms of the Criminal Law (Sexual Offences and Related Matters Amendment Act no. 32 of 2007) Act.

3.2.4 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 (Lawrence & Janse van Rensburg, 2006:132; Snyman, 2002:355; Spies, 2006:132).

Section 20(4) of the Child Care Act no.74 of 1983 prohibits an adoptive parent from marrying his/her adopted child, and sexual intercourse between them therefore constitutes 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. The researcher's experience with Black children in rural communities is that various cultures in South Africa find incest acceptable. This creates a contradiction between legal frameworks and cultural practices that view incest in some forms as a norm. What is more, in some cultures a girl culturally ceases to be regarded as a child the moment she starts to experience her menstrual cycle. From there, she is ready to be married, and mostly or preferably by cousins. Kenny and McEachern (2002:905) also document that an incest has existed at all times in all societies and that presently, data on sexual abuse demonstrate that the perpetrator of sexual abuse is most likely to be a family member (42% is a parent, 22% is a relative).

3.3 Statutory Law Crimes in terms of Criminal Law (Sexual Offences and Related Matters) Amendment Act no. 32/2007

There is a range of behaviours that Chapter 3 of the Criminal Law (Sexual Offences and Related Matters) Amendment Act no. 32/2007 describes as sexually abusive to children. The Criminal Law (Sexual Offences and Related Matters) Amendment Act no. 32/2007 outlines the legal definition of CSA. Chapter 2 of this Act sets out the range of offences considered sexual offences in South Africa, namely (a) rape; (b) compelled rape; (c) sexual assault; (d) compelled sexual assault; (e) compelled self-sexual assault; (f) compelling or causing persons 18 years or older to witness sexual offences, sexual acts or self-masturbation; (g) exposure or display of or causing exposure or display of genital organs, anus or female breasts ('flashing'); (h) exposure or display of or causing exposure or display of child pornography to persons 18 years or older; (i) engaging the sexual services of persons 18 years or older; (j) incest; (k) bestiality; and (l) sexual acts with a corpse. In addition to the above sexual offences, Chapter 3 of the same Act deals specifically with offences against children, which include: (a) acts of consensual sexual penetration with certain children, also referred to as statutory rape; (b) acts of consensual sexual violation with certain children, also referred to as statutory sexual assault; (c) sexual exploitation of children; (d) sexual grooming of children; (e) exposure or display of or causing exposure or display of child pornography or pornography to children; (f) using children for or benefiting from child pornography; (g) compelling or causing children to witness sexual offences, sexual acts or self-masturbation; and (h) exposure or display of or causing exposure or display of genital organs, anus or female breasts to children (flashing). The Criminal Law (Sexual Offences and Related Matters) Amendment Act no. 32 of 2007 defines a child as a person under the age of 18 years, or in relation to the offences of statutory rape or statutory sexual assault, a person 12 years or older, but under the age of 16 years. The main objective of the above-mentioned act is to implement the laws relating to sexual offences and to deal with all legal aspects relating to sexual offences.

3.3.1 Consensual Sexual Penetration

According to The Criminal Law (Sexual Offences and Related Matters) Amendment Act no. 32 of 2007 (SA, 2007) which was promulgated on 17 December 2007, rape, which was

before then prosecuted under common law, is now governed by statutory law in criminal courts in South Africa. The statutory definition of rape in terms of the above-mentioned Act includes all forms of sexual penetration and is gender-neutral, meaning 'any person' can commit an act of rape or be raped. The Act views children under the age of 12 as incapable of consenting to sex. The Act further separates sexual offences into acts of penetrative (rape) and non-penetrative (sexual assault) offences. The definition of sexual penetration in terms of Section 3 of the said act considers penetration to any extent whatsoever of the genital organs into or beyond the genital organs, anus or mouth of another person to be considered an act of sexual penetration. This means, for instance, that a penis does not have to be inserted more than slightly into or 'beyond' these openings (or be erect for that matter). Section 15(1) of the said act outlines that a person who commits an act of sexual penetration with a child, despite the child's consent (meaning with or without) to commit the act, is guilty of the offence of having committed an act of consensual sexual penetration with a child.

According to Jewkes *et al.* (2002:01), child rape is more common and becoming more common across the globe. Dunn (2011:155) supports this claim by lamenting that violence against women and children has reached epidemic proportions in South Africa. Child rape violates human rights and causes immediate and long-term social and health problems for the child. According to Advocates for Youth (2013:04), "females are more likely than males to experience child sexual abuse. Advocates for Youth further assert that 12–40 per cent of females and 4–16.5 per cent of males in the U.S. have experienced at least one instance of sexual abuse in childhood or adolescence." Such abuse constitutes a profound violation of human rights and has been associated with long-term mental and physical health consequences.

When assessing allegations of CSA, the forensic social worker must pay attention to both the common and statutory law in terms of what constitutes rape in the South African context. If one overlooks the sexual offences acts stipulated above, cases that should be categorized as rape may be withdrawn because of a lack of understanding of what constitutes rape in terms of the law.

3.3.2 Consensual sexual violation

Consensual sexual violation is regarded as indecent sexual assault in terms of the common law. After the promulgation of the Criminal Law (Sexual Offences and Related Matters) Amendment Act no. 32/2007, it is now regarded as a statutory sexual offence. Section 1 of the said act states that sexual violation includes any act that causes direct or indirect contact between:

- the genital organs or anus of one person or in case of female, her breasts, and any part of the body of another person or animal or any object, including an object resembling or representing the genital organs or anus of a person or an animal;
- mouth of one person and genital organs or anus of another person, in case of a female, her breasts, which could be used in an act of sexual penetration, or cause sexual arousal or stimulation.

In terms of Section 16(1) of the Criminal Law (Sexual Offences and Related Matters) Amendment Act no. 32/2007, a person who commits an act of sexual violation with a child, despite the child's consent, is guilty of the offence of having committed an act of consensual sexual violation.

3.3.3 Sexual exploitation of children

Section 17(1) of the said act stipulates that a person who unlawfully and intentionally engages the services of the child complainant, with or without the child's consent for financial reward, favour, or compensation to the child or to a third person, is guilty of an offence of sexual exploitation of children. Section 17(2) adds that a person who does the above for the purpose of committing a sexual act by inviting, persuading or inducing the child to allow another person to commit a sexual act; or by participating in, being involved in, promoting, encouraging or facilitating the commission of sexual act; or by making available, offering, or engaging a child for the purpose of the commission of sexual act; and by detaining a child whether under threat, force, coercion, deception, abuse of power or authority for the purpose of commission of a sexual act with a child by a third person is guilty of an offence of having being involved in the sexual exploitation of children.

Rapholo's (2014:21) study shows that cultures can have a very different view of what constitutes CSA, especially when it comes to the definition of child sexual

exploitation/labour. According to his research, findings child sexual labour is not always seen as CSA. Northern Sotho culture regards child sexual labour as a normal occurrence, rather than a sexual offence. For example, it is a norm that children are allowed to be married when they are below the age of 18 years.

Another sexually abusive behaviour that is defined as sexual exploitation of children is stated in Section 17(3) of the act. It stipulates that any person who intentionally allows or permits the commission of a sexual act by a third person with a child, with or without the consent of that child, while being a primary health care giver as defined in Section 1 of Social Assistance Act 13/2004, or a parent or a guardian of a child, or who owns, leases, rents, manage, occupies or has control of any movable or immovable property and intentionally allows or knowingly permits such movable or immovable property to be used for the purpose of commission of a sexual act with a child, with or without the consent of that child, is guilty of offence of furthering the exploitation of the act.

Section 17(4) of the act states that a person who intentionally receives a financial or other reward, favour or compensation from the commission of a sexual act with the child complainant, with or without the consent of a child by the third person, is guilty of benefiting from the sexual exploitation of a child.

Section 17(6) states that any person, including a juristic person, who makes, organizes any travel arrangements for or on behalf of a third person, whether that person is a resident within or outside borders of the republic, with the intention of facilitating the commission of sexual act with a child, with or without the child's consent, is guilty of offence of promoting child sex tours.

3.3.4 Sexual grooming of children

According to the Vermont Department of Children and Families (2013:01), grooming is a subtle, gradual and escalating process of building trust with a child. It is deliberate and purposeful. Abusers may groom children for weeks, months, or even years before any sexual abuse actually takes place. It usually begins with behaviours that may not even seem to be inappropriate." In terms of the Criminal Law (Sexual Offences and Related Matters) Amendment Act no. 32/2007, grooming is regarded as a sexual offence against children. Sexual grooming of children in terms of Section 18(1) of the said act involves a person who manufactures, produces, possesses, distributes or facilitates the manufacture,

production of an article or films that are intended to facilitate and promote the commission of a sexual act with or by a child. That person is guilty of an offence of promoting sexual grooming of children. Section 18(1)(d) stipulates that a person who arranges or facilitates a meeting or communication between a child and the third person by any means from, to or in any part of the world with the intention to perform a sexual act with a child is also guilty of promoting sexual grooming of a child.

In terms Section 18(2) (a), a person who exposes, supplies or displays to a child an article intended to be used in the performance of a sexual act, child pornography or publication of a film with the intention to encourage or persuade a child to perform a sexual act, is guilty of the offence of sexual grooming of a child.

A person who commits any act with or in the presence of a child with the intention to encourage or persuade a child to perform a sexual act with him/her or with a third person or to perform an act of self-masturbation in his/her presence or the presence of a third person is also guilty of an offence of sexual grooming of a child in terms of Section 18(1) (b).

3.3.5 Exposure or display of child pornography

Child pornography, according to Spies (2006:133), is defined as including any image, however created, or any description of a person, real or simulated, who is depicted or described as being under the age of 18 years as

1. engaged in sexual conduct,
2. participation in or assisting another person to participate in sexual conduct, and
3. showing or describing the body or parts of the body of such person in a manner or in circumstances that, within the context, amounts to sexual exploitation or in such a manner that it can be used for the purpose of sexual exploitation.

Spies further argues that exposing children to pornography, apart from being a paedophilic act itself, forms part of a grooming process to seduce children into accepting sexual activities as normal and acceptable. It is therefore important in all cases of CSA that forensic assessors screen for the possibility that the child has been exposed to

pornographic material, as this exposure itself can have the same impact on the child as sexual abuse.

Section 1 of the Act defines pornography as any image created or any description of a person, real or simulated, who is 18 years or older, of an explicit or sexual nature that is intended to stimulate feelings of such person to engage in a sexual act.

In terms of Section 20(1) of the Criminal Law (Sexual Offences and Related Matters) Amendment Act no. 32/2007, a person who unlawfully and intentionally use a child with or without his/her consent, whether for financial or other reward, favour or compensation to a child or a third person, any image, publication, depiction, description, or sequence in any manner of child pornography, is guilty of an offence of using a child for pornography. Section 20(2) of the said act stipulates that any person who knowingly and intentionally gains from the above as a result of the commission of any act contemplated in Subsection (1), is guilty of the offence of benefiting from child pornography.

3.3.6 Compelling or causing children to witness sexual offences, sexual acts, self-masturbation and exposure, or display of or causing exposure or display of genital organs, anus, or female breasts to children

In terms of Section 21(1) of the said act, any person who unlawfully or intentionally, whether for his own sexual gratification, or of that of a third person or not, compels or causes a child, despite his consent, to be in the presence or watch them while he/they commit a sexual act, is guilty of the offence of compelling or causing a child to witness a sexual act. Section 21(3) states that a person who unlawfully or intentionally, whether for his/her own sexual gratification or of a third person or not, compels or causes a child, despite the child's consent, to be in their presence or to watch them while they engage in an act of self-masturbation is guilty of an offence of compelling or causing a child to witness self-masturbation. In terms of Section 22 of the act, a person who unlawfully and intentionally, whether for their sexual gratification or not, exposes or displays or cause the exposure or displays of the genital organs, anus, or female breasts to a child despite the child's consent, is guilty of the offence of exposing or displaying or causing the exposure of genital organs, anus or female breasts to a child.

3.4 The Strong Points and Weak Points of the Criminal Law (Sexual Offences and Related Matter) Amendment Act no. 32/2007

The act discussed above has both strengths and weaknesses, which are as follows:

3.4.1 Strong points

- The act does not consider cultural practices with regard to sexual penetration and sexual violation. Some cultures, like the Northern Sotho culture, believes that at a certain age, rituals must be performed on the children's genital organs by adults. The fact that the act does not recognize these cultural practices protects children from sexually transmitted diseases or unhygienic practices during these rituals.
- Guilt for sexual offences committed against children is extended to the third persons who might be involved, even if that person did not directly abuse children. For example, a person who manages a certain property and knowingly allows that property to be used for the purpose of the commission of a sexual offence, whether for financial gain or anything else, is guilty of promoting the sexual exploitation of children.
- The act emphasizes the fact that a child cannot provide consent, so that a person who engages in a sexual act with a child, despite that child's consent, is guilty of a sexual offence.
- The act criminalizes all forms of sexual abuse and exploitation.
- The act promotes the spirit of "*batho pele*", people first, when dealing with sexual offences. This golden rule pervades the act (*Do good unto others as you expect them to do good unto you*).
- The act encourages the reporting of sexual abuse by any person who witnesses the occurrence of an offence and the development of a national register that prohibits offenders from working with children.
- The act dwells much on victim empowerment.

- The stipulations on sexual grooming of children promote the privacy of sex activities among adults.
- The act prohibits the display of adults' genitals in the presence of children.
- The act creates room to report sexual offences committed against mentally ill persons.
- The act encourages the integration of services by various stakeholders, such as the SAPS, courts, social workers etc.
- The definition of sexual penetration included in the Act is not object-specific. It creates an assumption that any other object or body part inserted into (or beyond) the genital organs or anus of another person, also constitutes sexual penetration. The fact that objects are not defined allows for the penetration of any object to be considered when considering an act of sexual penetration.
- The definition of sexual penetration also extends to cases where the genital organs of an animal are inserted into or beyond the mouth of another person.

3.4.2 Weak points

- Unlike penetration with a genital organ, the insertion of an object into the mouth of another person does not constitute sexual penetration.
- Even though the positive effect of the act's views on cultural practices has been discussed above, there is also a negative side to this. The act does not consider cultural practices with regard to sexual activities. For example, in some Black cultures, for instance in Northern Sotho culture, when a child reaches adolescence, rituals are performed. The act doesn't stipulates anything regarding cultural practices, yet there are laws that state that cultural practices must be respected and that we should not judge cultures.
- In Section 1 of the act, sexual violation is defined as any act that causes direct or indirect contact between the genital organs, anus, or breasts in case of females, of a child and an adult. It doesn't stipulate the extent of the contact, because in almost all households, children are assisted with bathing and the genital organs are exposed or touched. The Children's Act 38/2005 as amended regards failure to

care for a child in this manner as neglect and abuse, while the Criminal Law (Sexual Offences and Related Matters) Amendment Act no. 32 of 2007 regards it as a sexual offence.

- The act focuses only on sexually abused children and mentally ill persons, yet everyone is vulnerable to sexual offences, for instance women.
- The act encourages the reporting of sexual offences by any person who witnesses its occurrence, but does not provide any legal protection for the person who reports it in case the offenders discover who it is that disclosed the information.

3.5 Reporting of Crimes against Children in terms of the Criminal Law (Sexual Offences and Related Matters) Amendment Act no. 32 of 2007

The focus of this section is on the position the Criminal Law (Sexual Offences and Related Matters) Amendment Act no. 32/2007 takes on the obligation of individuals to report crimes against children.

3.5 1 The stance of the act regarding reporting of sexual abuse

Section 54 of the Sexual Offences Act is critical as it provides for the mandatory reporting of sexual offences, stating that any person:

- Who has knowledge that a sexual offence has been committed against a child must report such knowledge immediately to a police official. If that person fails to report such knowledge, he or she is guilty of an offence and is liable on conviction to a fine or to imprisonment for a period not exceeding five years or to both a fine and such imprisonment.
- Who has knowledge, reasonable belief or suspicion that a sexual offence has been committed against a person who is mentally disabled must report such knowledge, reasonable belief or suspicion immediately to a police official. A person who fails to report such knowledge, reasonable belief or suspicion is guilty of an offence and is liable on conviction to a fine or to imprisonment for a period not exceeding five years or to both a fine and such imprisonment.

- A person who in good faith reports such reasonable belief or suspicion shall not be liable to any civil or criminal proceedings because of making such report.

The Criminal Law (Sexual Offences and Related Matters) Amendment Act no. 32/2007, prohibits persons who committed sexual offences against children and persons who are mentally disabled to take certain types of employment. For example, Section 4(1) states that any person who has been convicted of the commission of a sexual offence against a child or who is alleged to have committed a sexual offence against a child, and whose particulars appear in a register may not be employed to work with a child in any circumstances or hold any position for any commercial benefit for the care of a child.

The said act encourages the establishment and designation of a national register for sex offenders. Section 43(a)(i)(ii) states that the objective of the register is to protect children and persons who are mentally disabled from sex offenders by establishing and maintaining records of persons who have committed sex offences against the above-mentioned vulnerable groups and by informing the employer in terms of Section 43(b) of the said act, by informing the licencing officer in terms of Section 43(c), and by informing the relevant authorities dealing with fostering kinships caregiving, temporary safe caregiving and adoption in terms of Section 43(d) of the said act.

Section 46(1) of the act states that any employee in the employ of the employer who has been convicted of sexual offence against a child or a person who is mentally disabled, irrespective of whether the offence was committed or alleged during the course of his/her employment, must without delay disclose such conviction or finding to his/her or employer.

Chapter 7 of the act encourages the reporting of the commissioning of a sexual act from a mentally disabled person. For instance, in Section 54(1) (a), the act states that a person who knows that a sexual offence has been committed against a child must report such knowledge immediately to a police official. In terms of Section 54 (1)(b), failure to report is an offence and such a person is liable on conviction of fine or to imprisonment for a period of not exceeding 5 years or both a fine and imprisonment.

3.5.2 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, which is reinforced by the Department of Social Services, professionals must report all cases of CSA to their regional offices, and it 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 (Act no. 32 of 2007) creates a duty to report sexual offences committed with or against children or persons who are mentally disabled, also as stated above.

It is the experience of the researcher that many social workers and psychologists working in private practice nation-wide are not attending to cases of CSA as they fear testifying in a criminal court. There is also confusion when a case of CSA must be reported to the South African Police Service. Even though the professionals in private practice do not deal with such cases, it is still relevant that such cases be reported either to a welfare organization or by means of an affidavit at a local police station.

3.6 Other Relevant Legal Frameworks that Address Sexual Offences against Children

3.6.1 Children's Act no. 38 of 2005 as amended and the Children's Amendment Act no. 41 of 2007

The Children's Act (No 38 of 2005) covers reporting of sexual offences against children. Section 110(1) of this act states that if there is a reasonable suspicion (on the part of particular professionals dealing with a child) that the child is being abused in a way that causes physical injury, sexual abuse or neglect, it must be reported. Professionals in this category include legal practitioners, medical practitioners, traditional and religious leaders, psychologists and social workers, teachers and persons working in care facilities, to mention few. In terms of Section 110(2) of the same act, any person who suspects that a child is being abused or is in need of care and protection, must report that to a social worker, a designated child protection unit or organization, or to the police. It is crucial that all public officials in South Africa be made aware of their legal mandate of reporting any suspicious sexual abuse and any other kind of abuse against children in South Africa. Section 111 of the Act also provides for protective mechanisms in the form of a National Child Protection Register that must be kept and maintained by the Director General of the Department of Social Development in South Africa.

There are two parts to this in terms of the Children's Act no. 38 of 2005, as amended.

- Section 114 of the Act outlines that a record must be kept of all reports of abuse of any kind, such as deliberate neglect of a child, all convictions of all persons on charges involving the abuse or deliberate neglect of a child and all evidence discovered by a children's court that a child is in need of care and protection because of the abuse and deliberate neglect of the child. In terms of Section 118 of the same Act, a record should be kept of all people who are deemed unsuitable to work with children as a result of an offence and the registration of these people on the national register.
- Section 113 of the said Act outlines the purpose of the National Child Protection Register as follows:
 - (a) it is a record of abuse or deliberate neglect inflicted on specific children;
 - (b) it is a record of the circumstances surrounding the abuse or deliberate neglect inflicted on the children referred to in paragraph (a);
 - (c) to use the information in the register to protect these children from further abuse or neglect;
 - (d) to monitor cases and services to such children;
 - (e) to share information between professionals who are part of the child protection team;
 - (f) to determine patterns and trends of abuse or deliberate neglect of children; and
 - (g) to use the information in the register for planning and budgetary purposes.

The Children's Amendment Act no. 41 of 2007 is more detailed and provides for psychosocial, rehabilitation and therapeutic services for abused children in South Africa. It is therefore imperative that forensic social workers pay attention to these legal frameworks when dealing with allegations of CSA in their respective geographical locations in South Africa to address this social phenomenon as professionals.

3.6.2 Domestic Violence Act no.116 of 1998

There are numerous mechanisms for child protection in South Africa. For instance, the Domestic Violence Act (116 of 1998), allows a child who is experiencing any form of

abuse, whether it is physical, sexual, psychological or emotional (among other acts of harm including harassment, intimidation or stalking), to apply for a protection order. According to this Act, the child, a parent or legal guardian, or any other person with a material interest in the protection of the child may apply for this order. A person with material interest according to Arts *et al.* (2016:17) can include a counsellor, a health service provider, a member of the South African Police Service, a social worker or a teacher who has a material interest in the well-being of a complainant in terms of Section 4(3) of the same act. The researcher is of the view that the application for a protection order may also be brought by a child, or someone on behalf of a child, without the assistance of a parent or guardian. However, Art and his colleagues maintain that a parent or legal guardian can apply for a protection order on behalf of the child as a main order or as part of an order to protect the parent/legal guardian. For instance, where a parent is applying for a protection order against another parent in a case of domestic violence, the child may be included in the protection order.

3.7 Conclusion

Sexual offences are regarded as very serious in South Africa, as they degrade and humiliate the dignity and privacy of children and their families. The establishment of legal frameworks and policies serves the purpose of caring and protecting such vulnerable individuals and to convict perpetrators of such incidents. Perpetrations of such crimes should be brought to the justice system to empower the survivors of sexual abuse. The Criminal Law (Sexual Offences and Related Matters) Amendment Act no. 32/2007 could be used as a guide. It has stipulations with regard to the reporting of sexual abuse that should receive attention. However, the researcher is of the view that the act still has limitations for the South African way of doing things. It is more Eurocentric than Afrocentric in approach when defining what constitutes CSA in the South African context. The next chapter provides an overview of CSA and its dynamics.

CHAPTER 4

AN OVERVIEW OF CHILD SEXUAL ABUSE AND ITS DYNAMICS

4.1 Introduction

CSA has become a major problem in the society today because the physical and mental harm endured by children is extremely destructive (Klein, 2010:05). The World Health Organization (2014:nd) defines CSA as “the involvement of a child in sexual activity that he or she does not fully comprehend and is unable to give informed consent to, or for which the child is not developmentally prepared, or else that violate the laws or social taboos of society”. The term “child sexual abuse” includes a range of activities such as intercourse, attempted intercourse, oral-genital contact, fondling of genitals directly or through clothing, exhibitionism or exposing children to adult sexual activity or pornography, and the use of the child for prostitution or pornography (Klein, 2010:5). Klein further states that CSA is not isolated to one demographic or social class, rather children of many different backgrounds have been forced to engage in unwanted sexual behaviour. This social issue has numerous effects for both children and their significant others. The effects of CSA can be long lasting and affect an entire family. The World Health Organization (2002:10) regards it as a public health issue. Rapholo (2014:04) adds that CSA is a social and health issue that affects people worldwide with numerous consequences that are psychological, social and emotional in nature. Townsend (2016:08) states that CSA rarely results in death, but its consequences to the child victim can be serious and persist through adulthood. Although physicians and other individuals responsible for the welfare of children are morally and, in most countries, legally responsible for reporting their suspicion of CSA, all physicians and behavioural therapists have to recognize the adult consequences of CSA. Disclosure of this phenomenon is complex and difficult. According to Cromer (2006:01), intervention, whether it is social support, social services, therapy, or providing material needs, can have lasting positive outcomes for victims’ well-being. However, access to these resources usually requires disclosure. Societal factors may thwart victim disclosure and may therefore significantly exacerbate this public health concern. Most women do not report or disclose their CSA experiences because they are

afraid of not being believed (Lundqvist *et al.*, 2004:396). Many incidents of CSA go unreported due to variety of factors such as shame or denial, which means current statistics, which are already shocking, are still an underestimation.

It is imperative for one to have sound knowledge of the phenomenon of CSA before working in the field of CSA as a professional, and more specifically as a forensic interviewer (Fouché 2007: 43). Therefore, this chapter provides a brief historical background of CSA incidence, the constitutional protection of children, the nature of CSA, legal definitions of CSA, and the dynamics of CSA.

4.2 Background of child sexual abuse

The following is a background discussion of CSA in the United State of America and in South Africa.

4.2.1 International incidence of CSA and specifically in the United State of America

CSA has been part of history for centuries, but it has not always been an acceptable subject of public conversation (Klein, 2010:11). Klein states that for years, it was taboo in society to discuss any disturbing intimate details of family life and public knowledge about sexual abuse was minimal. These correlate with the findings by Rapholo (2014:29), who conducted a study in South Africa and Wickham and West (2002:51) who established that certain cultures regard it as a taboo when children talk with older people about issues relating to sex. Such instances have left the cases of CSA unreported. Many people, if they know anything about CSA, think that it only happens among the poor and ethnic minorities (Klein, 2010:11; Whittier, 2009:271). Awareness and public discourse about CSA did not occur until the late 20th century. According to Klein (2010:11), this is when people started to speak openly about CSA and started making concerted effort to fight it. CSA was first widely exposed in the public eye in the early 1970s when feminists led an anti-rape movement and used CSA as one example of a repressive patriarchal society in the United State of America (Whittier, 2009). Public figures and other non-feminists soon joined in the fight against CSA during the 1970s and 1980s (Whittier, 2009:270). Gillham (1991:08) maintains that research shows that sexual abuse of children has only been addressed in the United Kingdom and United States of America since 1980. According to

Klein (2010:11) and Whittier (2009:269), politicians took matters into their own hands to try to create government policy to protect children. The authors state that part of the motivation for politicians to take action was to gain positive public attention, but political and public interest in the issue of CSA slowly decreased. Feminist organizations were still the leaders in the movement to build awareness of CSA by the 1980s, calling for a new campaign strategy that vocalized the abuse so that victims could tell their stories and let go of the pain (Whittier, 2009:270). There was growing influence from institutions and individual psychologists who argued that telling the truth about abuse as a child would help survivors heal (Hunter, 2010:177).

Recently, a sexual abuse scandal involved scores of priests across Northern America, and this brought public attention to the topic (Klein, 2010:12). Klein further states that newspapers, television stations, magazines and radio stations started covering childhood sexual abuse, something they had long avoided. Most people who told their stories were adults and they were discussing crimes that were committed many years, even decades, before, during their childhoods (Whittier, 2009:271). Media coverage on this subject made it a current public concern, because the narratives illustrated that CSA was present in all parts of society—not just among low socio-economic groups. The personal stories made sexual abuse a real concern for the public because it resonated with many people; encouraging them to get involved in creating policies to protect children. Since the 1970s, when public awareness and open discussion about CSA became more common, many organizations and advocates for CSA victims have collected data about child abuse across the country. 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 organizations underestimates the actual number of cases. From the study conducted by Cronch *et al.* (2006:196) in the United States of America, the reports from child protective service agencies reveal that about 78 188 children were sexually abused in 2003 at the rate of 1.2 per 1 000 children. Another study in the United States of America (Diaz & Manigat, 1999:141) revealed that approximately half of all children who are the victims of sexual abuse are between 6 and 12 years of age, with the median age for girls at the time of the abuse at 9 years and 6 months.

Klein (2010:12) denotes that it is as a result of victims speaking up and telling their stories that people started to learn how personal and intimate the experience is for children and why it has such an impact on their lives. This new awareness has led to extensive

research in the area of CSA and an improved knowledge base about its causes and possible treatments.

4.2.2 The incidence of child sexual abuse in South Africa

CSA in South African has been alarmingly high in the past years and such incidents were historically not reported due to variety of reasons. This has left children vulnerable for many years. According to WHO (2010:nd), research on CSA has predominantly stemmed from high income settings with limited work from low to middle income countries, like South Africa. While the research base is insufficient, Mathews *et al.* (2012:87) state that a report on health and violence in Africa suggests that the social context creates conditions for CSA to be perpetuated, increasing the children's vulnerability to CSA. These authors assert that societal and cultural norms related to the social position of children, child-rearing practices, and the breakdown of immediate and extended family systems, orphaned children and child-headed households all contribute to children's vulnerability to CSA.

Jewkes *et al.* (2005:1812) established from their ethnographic study in South Africa and Namibia that a missing aspect in the discourse on CSA is the gendered nature of the act. CSA affects both girls and boys, although girls are particularly vulnerable due to their gendered position in South African society (Jewkes *et al.*, 2005:1812), but very little is known about the sexual abuse of boys.

Dominant patriarchal constructions in South Africa legitimate male control over women and children and promote ideas of male sexual entitlement (Mathews *et al.*, 2012:87; Seedat *et al.*, 2009:1011; Townsend & Dawes 2004:50). In some instances, sexual abuse is used as a means to punish a mother or the girl-child, with rape used as a display of control (Jewkes *et al.*, 2005:1812). Children are socialized to respect and be obedient to their elders, with harsh methods of discipline still used to enforce parental control (Guma & Henda, 2004:99). This unquestionable authority of adults, allows sexual violence to occur without much resistance from children (Townsend & Dawes, 2004:50).

Teachers, in their position of authority, also hold significant power over school children, therefore, sexual abuse by teachers have been found to be a significant problem in South African schools (Abrahams *et al.*, 2006:249; Brookes & Higson-Smith, 2004:112; Human Rights Watch, 2001:nd).

These unequal power relations, therefore, provide men with the space to sexually abuse children. Perpetrators are mainly male adults and youths who are known to the child, in particular relatives and acquaintances (Makoae *et al.*, 2009:89; Mathews *et al.*, 2012:87). These contributing factors cause repetitive CSA in South Africa. For example, perpetrators are more likely to have a history of childhood sexual or physical abuse or to have witnessed violence towards their mothers (Townsend & Dawes, 2004:52). An international review and meta-analysis of risk factors for perpetration of CSA found that a history of sexual abuse, harsh discipline as a child, and difficulty with intimate relationships, antisocial behaviour and loneliness were found to be positively associated (Whitaker *et al.*, 2008:530).

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). The researcher is of the view that by then there were no thorough legal frameworks to address CSA. CSA is a universal phenomenon that occurs across cultures and socio-economic groupings (Lalor, 2004:440). It is important to understand the social context that increases children's vulnerability and that provides the environment for such acts to occur if we hope to reduce its occurrence. According to Arts *et al.* (2016:14), the year 1994 with its political transition from apartheid to a democratic state brought with it new efforts to address CSA. The South African government, with the support and technical input of child protection advocacy specialists within the non-governmental sector, has gone some way towards securing the protection of children. The authors state that critical reforms included the overhaul of child protection and sexual offences legislation and the development of criminal justice, health and social development policies and programmes that promote and support relevant interventions, investigations and service provision for children in need of care and protection. Central to these reforms were new legal definitions of what constitutes CSA and other forms of maltreatment and concomitant laws, regulations and protocols for addressing these abuses.

South Africa's various laws, such as the Domestic Violence Act No 116 of 1998, the Criminal Law (Sexual Offences and Related Matters) Amendment Act No 32 of 2007 and the Children's Act No 38 of 2005, as well as other policies and protocols, such as the Service Charter for Victims of Crime in SA (2004), not only unambiguously define the nature of offences that have been criminalized, but provide for a range of mechanisms to report and manage abuse of and maltreatment against children through positive legal

duties prescribed within the substantive law and comprehensive regulations (Arts *et al.*, 2016:17). These laws and regulations support preventative measures to address child abuse and maltreatment in South Africa. According to Jewkes *et al.* (2005:53) and Richter and Dawes (2008:85), the responsiveness of the social welfare sector with respect to the protection of vulnerable children and the criminal justice system's involvement in punishing perpetrators are important features of societal responses to CSA. However, a study on the attrition of rape cases in Gauteng found that the prosecution drops 45.5% of cases of young girls (Vetten *et al.*, 2008:77).

According to Mathews *et al.* (2012:88), South Africa has recently undergone a legislative reform process aimed at providing children with increased protection and to bring South Africa's child policy framework in line with our constitutional and international obligations. These key pieces of legislation, the Sexual Offences Act No 32 of 2007, the Children's Act No 38 of 2005 and the Children's Amendment Act No 41 of 2007 have all been introduced to strengthen the South African child protection system. The Sexual Offences Act no 32 of 2007 broadens the definition of rape, therefore recognizing the rape of boys (anal sex) and acknowledging a wide range of non-penetrative acts as sexual assault (See Chapter 3 of this study).

As indicated in Chapter 3, the Children's Amendment Act No 41 of 2007 provides the framework for psychological, rehabilitative and therapeutic services for abused children, but key to the effectiveness of this legislation is the appropriate resources for the act to be fully implemented (Proudlock & Jamieson, 2008:37). Due to the nature of CSA, child protection requires an integrated collaborative response from social services, the police, the courts, medico-legal services, health care services and education, as all these sectors are important in preventing and managing CSA with the aim of effectively protecting the child. Although child protection is a statutory function, historically, child protection services were primarily delivered by the non-government sector until in 1986 when SAPS was introduced, with large gaps in services, particularly in rural areas with shortages of skilled staff and resources (CASE, 2005). Despite the huge public health burden, services have primarily been focused on statutory processes, with alternative care used as a mechanism to ensure children's safety (Loffel, 2004:260). Internationally, it has been proposed to effectively address CSA it has to be managed in specialized units functioning with a multi-disciplinary team (Killian & Brakarsh, 2004; Maniglio, 2009:370).

The challenge facing South Africa is the provision of effective services within a large diverse population (Higson-Smith *et al.*, 2004:333). Specialist services in South Africa are, however, still limited, as it is predominantly accessible only to those living in urban areas (Higson-Smith *et al.*, 2004:334). Forensic social work has just been introduced in South African with very limited staff to address CSA across the country. The challenge is that the regulatory body does not recognize it yet, this body being the South African Council for Social Service Profession.

As discussed in Chapter 3 of this study, the Children's Act No 38 of 2005 as amended provides for the mandatory reporting and registration of child abuse. Richter and Dawes (2008:85) maintain that systems on reporting and registering child abuse should function at a national level to provide national data on patterns and trends to assist in planning. Loffel (2004:255) and Richter and Dawes (2008:85) argue that whether or not this is the appropriate strategy, given our budgetary constraints and limited resources, it can only be effective in partnership with well-resourced child protection services that are monitored and evaluated.

4.3 Constitutional Protection of Children

According to Fouche (2007:44), Kruger and Spies (2006:157), children have the right to be heard, the right to privacy and the right to be represented legally and children are persons and not property. These authors state that Section 6(2) of the Children's Act 38/2005 as amended stipulates that all proceedings, actions or decisions in matters concerning children 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;
- recognize a child's need for development and to engage in play and other recreational activities appropriate to the child's age; and
- recognize a child's disability and create an enabling environment to respond to the special needs such a child has.

The government has a constitutional duty to create legislative and policy protection of rights, and in this context the rights of children (Bekink & Brand, 2000:188; Fouché, 2007: 45). Fouché indicates that the 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) and the Constitution of the Republic of South Africa, 1996 (Act No.108 of 1996).

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 that every child has the right:

- to a name and a nationality from birth;
- to family care or parental care, or to appropriate alternative care when removed from the family environment;
- to basic nutrition, shelter, basic healthcare services and social services;
- to be protected from maltreatment, neglect, abuse or degradation.

Kruger and Spies (2006:170) and Fouché (2007:45) remind us that sexual abuse seriously violates children's human dignity. The researcher has experienced from practice that children's rights are being violated in South Africa and that is constitutionally wrong. According to Fouché, 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 the right to receive social worker services [Section 28(1)(c)]. The Children's Act, 2005 (Act No. 38 of 2005) which took effect on 1 January 2007, prescribes specific strategies for child protection. Section 106(4) (c) states that designated child protection services should carry out investigation and assessments in cases of suspected abuse, neglect or abandonment of children. Therefore, the legal mandate for the introduction of forensic social work in South Africa is imperative. Skilled professional social workers in this field assess such children to facilitate the disclosure of sexual abuse

following the appropriate protocols. Allegedly sexually abused children have 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 CSA (Dutschke, 2007:11; Fouché, 2007:45).

4.4. The Nature of Child Sexual Abuse

This section focuses of areas and forms of sexual abuse against children.

4.4.1 Areas of sexual abuse against children

CSA occurs in different ways and in different areas. There are different types of sexual abuses (Fouche, 2007: 50; 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, 2006:03).

- **Familial sexual abuse**

Familial sexual abuse, according to Spies (2012:03), is also called incest. Spies denotes that many scholars regard this as intra-familial abuse. Spies defines this type of abuse as sexual contact or genital intercourse between close relatives. In addition to this, Snyman (2002:355) and Janse van Rensburg (2006:132) state that 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. 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. According to Klein (2010:15), this type of abuse takes place over many years and one or both parents are unaware of it. However, all the above definitions overlook the legal definition of this CSA as the law prohibits certain inappropriate sexual activities, for example, exposing children to sexually enticing media. Spies (2012:5) identifies four types of incest, namely father–daughter incest, sibling incest, mother–son incest, and incest involving extended family members. In addition to the above, children can still be abused by strangers or people whom they are not related to by blood.

- **Non-familial sexual abuse**

Crosson-Tower (2005:180) states that there was previously a myth that strangers do not sexually abuse children. What was known at the time was that a significant percentage of sexual abuse is perpetrated by family members or by surrogate caregivers who are close to the child. From the researcher's experience of working with sexually abused children, many cases are reported for social work intervention where strangers are sexually abusing children. Extra familial/non-familial sexual abuse is mostly perpetrated by strangers, acquaintances, authority figures, including abuse by unrelated caregivers and educators, friends of the family, friends and romantic or sexual partners. Crosson-Tower (2005:180) also concurs that recently there has been an increased danger that friends, acquaintances, and, yes, even strangers, abuse and exploit children. According to the Rape and Abuse Crisis Centre's statistics (nd), 93% of juvenile sexual assault victims know their attacker. Family members account for 34.2% of all perpetrators, and acquaintances account for 58.7%. Only 7% of perpetrators are strangers to their victim.

Crosson-Tower (2005:180) is of the opinion that the perpetrator's ability to molest in an extra-familial situation often depends on lack of parental judgment or inadequate parental supervision. This statement seems to imply blame, but parents allow access to their children for different reasons, some unrelated to intent or irresponsibility. There are varied reasons why parents would not sense potential harm from a perpetrator. First, the perpetrator may have an emotional bond with the parent. The individual may be a family friend who has gained the trust of the parent, or the abuser may be a babysitter who is assumed reliable. Abuse may not be within the parents' frame of reference. Parents who have had no experience with abuse, or who have blocked the memory of their own experiences, do not expect other adults to sexually abuse children. According to Tower (1996:192), parents may not provide enough supervision for their children for several reasons:

- Parents may feel that their children can take care for themselves. Parents who allow children the freedom to walk home from school or to play in the neighbourhood by themselves, may not consider the danger of potential abuse.
- Parents may feel unable to provide supervision. Childcare is expensive and some parents feel financially unable to provide an alternative. Parents may not be able to find a sitter to supervise.

- Parents may be unaware that their child is unsupervised. The child who misses a ride is left unsupervised, and is vulnerable despite the parents' good intentions.
- Parents may be so occupied that they are not able to concern themselves with their children's whereabouts.

The child may separate themselves from supervising declaration.

According to Bolen (2002:95), studies indicate that extra-familial abuse of children is by far the most prevalent type of abuse. A comparison of prevalence studies and incidence studies indicates sharp discrepancies between abuse that occurs in the general population and abuse that is identified. These findings suggest that whereas the majority of all abuse that occurs is extra-familial, the vast majority of identified abuse is inter-familial.

Perpetrators, according to Doyle (1995:19), sometimes seek out homes with children and young people when they look for lodgings. The closer the bond between the perpetrator and the victim, the greater the potential for the child to be abused (Russell, 1983:50). Russell found that 15% of victims had been molested by strangers, 40% by acquaintances, 14% by friends of the family and 2% by friends of the family.

The increased reports of abuse in day-care settings, schools and by babysitters point out that parents are not always discerning about the providers of those services. The parents trust the potential abuser. Parents who trust the coaches, youth group leaders, ministers and priests, may not realize that these individuals could be harmful (Tower, 1996:191).

In conclusion, stranger do sexually abuse children in some cases. However, a number of sexual abuses are perpetrated by family members or by surrogate caregivers who are close to children.

4.4.2 Forms of child sexual abuse

CSA can be a sexual activity through sexual contact with the child, also called touching sexual abuse. It can also be a sexual activity without sexual contact with the child, known as non-touching sexual abuse, but with sexual intent, which would then constitute sexual abuse (Carstens, 2001:23). According to Fouche (2007:50), the nature of the sexual contact may be either direct contact or indirect contact. Bromberg and Johnson

(2001:343), Johnson (2004:462) and Jones (1992:1) describe the following two forms of sexual abuse:

4.4.2.1 Direct contact

- 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 a finger(s) in the child's vagina or anus.
- Penetration – anal, vaginal or oral (digital penetration).
- Offender inducing the 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 the 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).

4.4.2.2 Indirect contact

- Making sexual comments towards 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 a cell phone.

- Using a child in the production of pornography.
- Encouraging two children to have sex with each other.
- Exposing the child to pornographic materials.
- Inducing the child to undress and/or masturbate.
- Voyeurism (peeping).
- Sexual exploitation over the Internet or cell phone.
- Forcing or encouraging a child to do sexual acts with animals or with any object.

Non-physical/indirect contact does not imply that no emotional harm was done to the child (Fouché, 2001:18). The child is not emotionally or physically ready for the situation or the sexual nature of the actions. It is imperative that forensic social workers be aware that perpetrators may use indirect methods to sexually abuse children. If they do not accommodate this during their forensic interviews, the outcome of an investigation into a case where indirect methods were used would be that no sexual abuse occurred, which may have serious implications for the child concerned. The interviewers must therefore not only focus on touching behaviour, but his/her interview protocol must make provision for play-related communication techniques that can facilitate a disclosure of contact and non-contact sexual abuse (Fouche, 2007:51). The researcher is of the view that interviewers should not overlook the background and developmental level of the child when using the above techniques. Children come from varied background and the use of these techniques should be responsive to where the child comes from.

4.5 The Disclosure of Child Sexual Abuse

CSA is an umbrella term describing illegal and civil offences in which an adult engages in sexual activity with a minor or exploits a minor for the purposes of sexual gratification. CSA is outlawed nearly everywhere in the world, generally with severe criminal penalties, including in some jurisdictions life imprisonment or capital punishment or entry onto a national register for sex offenders (Faller & Henry, 2000:1215). Faller and Henry (2000:1215) state that CSA is a major universal concern and that it is extensive in Africa. An integral part of this social phenomenon is the disclosure.

The disclosure of CSA refers to the revelation of an incident of abuse by a child to a third party (Allnock, 2010:5; Goldstein, 1999: 232). In addition, a report by Esposito (2012:09) states that disclosure is used to describe when a child tells someone about sexual abuse for the first time during an interview, describing an abuse experience to a friend or peer, making a statement about the abuse to authorities (such as police or child welfare workers), telling small pieces of an abuse story or a person recalling and recounting an experience of abuse from memory.

On the contrary, Jones (cited in Esposito, 2012:09) argues that, “the concept of disclosure is essentially inadequate because of its general absence of specificity and the variation in the way the term is used.” It is often not clear whether the term refers to the act of simply telling someone, or if it is an official act of reporting the event to an authoritative body.

Disclosure can be either formal or informal. Formal disclosure involves someone making a formal statement to the authorities and informal disclosure occurs when the disclosure content is brief, unclear and lacks details regarding the incident and where confidants are predominantly family members or friends (Kogan, 2004:148). South Africa has a statutory framework for the mandatory reporting of abuse of children. The statutory duty to report incidents of abuse of children is set out in Section 4 of the Prevention of Family Violence Act No 133 of 1993 (SA, 1993). In South Africa, mandatory reporting (formal) of CSA occurs where a designated person reports the abuse, such as nurses and social workers who are under obligation to report cases of child abuse that come to their attention under certain specified circumstances. There is also voluntary reporting (informal), where there is no obligation on a person to report abuse, even if they gain knowledge of abuse in the context of their profession. This could be a report of abuse by family members or friends who accidentally disclose abuse, not knowing they are doing so even if they have a specific qualification in the field of sexual abuse.

Furthermore, Alaggia (2004:1214) states that the word disclosure is commonly used in reference to a child reporting abuse, while telling is often used when adults share the abuse experiences. However, the importance of a child’s self-disclosure of sexual abuse extends beyond the individual child and the family and this may lead to identification of an offender who poses a danger to other children (Paine & Hansen, 2002:272). In addition to the above, the word “disclosure” is used in relation to the child being the one reporting the

crime. There is less emphasis on the role the family and the community play in relation to the disclosure of CSA.

4.5.1 Forms of disclosure

The disclosure process is varied and unique to each child. Children may make a full and detailed account of their abusive experience or they may reveal little bits of information over time, not in chronological order and to a range of different people. A broad range of categories of disclosure can be found within the global literature (Alaggia, 2004:1215; Campis *et al.*, 1993:920; Keary & Fitzpatrick, 1994:543; Hendricks, 2012:25; Nagel *et al.*, 1997:137). In the study that involved an in-depth interview with female and male survivors of CSA, Alaggia (2004:1216) reported the following types of disclosure:

4.5.1.1 Accidental disclosure

According to Sorenson and Snow (1991:03) and Spies (2012: 212), accidental disclosure entails the revelation of sexual abuse by chance rather than due to a deliberate effort on the victim's part. It is mostly common amongst pre-schoolers, for example a child who imitates sexual intercourse with a teddy bear. The question may initially be: where did s/he learn it? Accidental disclosure, as implied in the term, occurs accidentally and not as a result of the child willingly revealing the incident of sexual abuse. It occurs when a third party detects the abuse by witnessing physical symptoms that indicate abuse. For example, it occurs when a child is being examined by a medical doctor, displays behaviour indicating trauma, where a parent sees or notices strange behaviour by the child, investigates further and the child ends up disclosing the abuse (Putman *et al.*, 1997; Shackel, 2009:379; Tlakula, 2002:14:137). In addition, Rapholo (2014:03) states that the disclosure of CSA is often initiated after an enquiry about a physical complaint, for example, pain when washing the genital area, or bloodstain on the panties.

4.5.1.2 Purposeful disclosure

Purposeful disclosure is described as an intentional and deliberate revelation of the abuse with the clear intent of revealing its existence (Mian *et al.*, 1986:226 cited in Esposito, 2002:9). It occurs when the child has made a conscious decision to disclose the incident of abuse (Spies, 2012:212; Tlakula, 2002:14). In simple terms, the child decides to tell an outsider.

4.5.1.3 Prompted or elicited disclosure

Prompted or elicited disclosure occurs in supportive environments where survivors are either encouraged to disclose or disclose due to a precipitating event (Jones, 2000; Hershkowitz & Terner, 2007; Paine & Hansen, 2002; Sorenson & Snow, as cited in Esposito, 2002:09). For example, it occurs when a child is disclosing to an older person with the help of a friend.

4.5.1.4 Behavioural or verbal disclosure

Behavioural or verbal disclosure occurs when the survivor attempts to tell through behaviour, non-verbal communication or indirect hints (London *et al.*, 2005:224). Children use a variety of techniques as a way to disclose the abuse, such as writing letters and drawing pictures for adults (Esposito, 2002:9). Children tend to play with their dolls in an aggressive way as an attempt to disclose that they have been sexually abused and if the parents are observant, they will be able to read the signs.

4.5.1.5 Triggered disclosure

Triggered disclosure refers to disclosure through recall of repressed memories of abuse (London *et al.*, 2005:224). It occurs when an event prompts or triggers a memory of the abuse and the victim ends up disclosing (Campis *et al.*, 1993:271), for example, when an event (abuse) similar to the one that happened to them happens to someone close to the victim. Although the above-mentioned patterns may define the multi-dimensional and complex nature of disclosure of CSA, few consistent CSA disclosures have emerged from clinical and research studies (Collings *et al.*, 2005:270). Higson-Smith *et al.* (2005:334) found that purposeful disclosure is often the predominant approach in CSA. On the contrary, Berliner and Conte (1995:371) found that this only occurs in a minority of CSA cases. As far as disclosure of CSA is concerned, children do not disclose purposefully; certain events contribute to the disclosure of CSA.

4.5.2 Process of disclosure of child sexual abuse

Many children find it difficult to talk about their sexual abuse experiences (De Voe & Faller, 2002:217; Hendricks, 2012:27; Paine & Hansen, 2002:279). Understanding the diagonal process of disclosure within families is very important. According to Hendricks (2012:26), a qualitative study conducted in Norway among 20 families and 22 children (15 girls and 7

boys) who have experienced CSA found that three phenomena emerged, namely: opportunity, purpose and connection. Jansen *et al.* (2005:1400) state that disclosure is prompted when a child perceives an opportunity to talk, has a purpose for speaking and a connection to what they are talking about. As much as this statement stresses the importance of children disclosing when given the opportunity to talk, this process will only be effective in families that do not have indirect and closed communication. For example, in single parent families where the children stay with their father in a culture that prevents direct communication between children and their fathers, such parents do not provide children with the opportunity to talk and this will hinder the disclosure.

Staller and Nelson-Gardell (2005:1415) and Sorensen and Snow (1991:05) discovered three phases of disclosure during their study of CSA, namely the self-phase, the confidant selection-reaction phase and the consequences phase. Staller and Nelson-Gardell (2005:1415) found that the participants experienced a process of disclosure where they initially had to make a decision to disclose by themselves and understand their feelings about the abuse and perpetrator. Secondly, they had to find the time, place and a person to communicate with and reflect on that person's possible reaction to the disclosure. Thirdly, they experience a wide range of institutional responses and insider/outsider communities (Staller & Nelson-Gardell, 2005:1425). This simply means that before children disclose sexual abuse, they first think about the consequences and the society's reaction towards them.

The disclosure of sexual abuse is a process with definable phases and characteristics, and not a single event (Sorenson & Snow, 1991:03; Spies, 2012:211). These characteristics are:

- **Denial** – The child's initial statement to any individual may be that s/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. Spies (2012: 211) validates this statement by stating that many sexually abused children never disclose because they are silenced by threats, blame and bribery.
- **Recantation** – This refers 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 pressurized by family, the offender or court procedures. Spies (2012:212) states that children who recant tend to:

- o demonstrate avoidance behaviour during the interviews. In other words, they dissociate from what the interview is doing. They become very defensive about the alleged perpetrator. They try to protect the reputation of the alleged perpetrator by all means. From the researcher's experience, such incidents are mostly caused by the threats by perpetrators and grooming/bribery.
- o tell only good things about the alleged perpetrator and cannot identify any negative or annoying feature of the alleged perpetrator;
- o minimize the perpetrator's behaviour;
- o take responsibility for the events;
- o blame themselves for misinterpreting the behaviour of the perpetrator; and
- o want their lives to go back to normal, especially those that were removed from their parents.
- **Reaffirmation** – This refers to the child's reassertion of the validity of a previous statement of sexual abuse that has been recanted. In other words, the child discloses the allegation of sexual abuse that s/he retracted first.

According to Sorenson and Snow (1991:3) and Spies (2012:211), disclosure may be described as taking place in two stages:

- **Tentative disclosure** – This refers to the child's partial, vague acknowledgement of sexually abusive activity. Children reveal less threatening incidents of the abuse to evaluate the reactions of parents and sometimes friends. Victims of sexual abuse are not always willing to share their secret with anyone until they gain the trust of that person. According to De Voe and Faller (2002:6), many children find it difficult to talk about their experiences of being sexually abused. Parental reactions or anticipations are likely to affect the willingness to disclose abuse. The researcher has realized from his practice experience with assessing children who have allegedly been sexually abused, that the disclosure of sexual abuse often takes time.

- **Active disclosure** –This indicates a personal admission by the child of having experienced a specific sexually abusive activity. At this stage, children admit that they have been sexually abused and they inevitably disclose.

Spies (2006:212) and Fouché (2007:69) denote that the issue of recantation is perceived in many studies as a concern during the assessments of CSA. The occurrence of recantations, no matter how small, is still cause for exploration and concern (Ney, 1995:27). Malloy *et al.* (2007:162) found that abused victims who are more vulnerable to familial influences, like those abused by a parent figure and who lack support from the non-offending caregiver, are more likely to recant.

Based on the literature and the researcher's experience, it is apparent that a child will not always disclose immediately after the abuse took place, and that a retraction of a sexual abuse allegation does not always mean that the allegation was false. An allegation 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 (Spies, 2012:212). 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 trust that is appropriate for the age of the child is imperative during the assessment of sexually abused children.

4.6 Factors Influencing the Disclosure of Child Sexual Abuse

It is very important to gain a better understanding of factors that affect CSA disclosure to create environments that are more supportive and encourage disclosure instead of discouraging it (Tang *et al.*, 2007:03). Variables such as age of the child, gender, the relationship with the perpetrator, perceived lack of support, cultural considerations and so forth may affect disclosure of CSA (Alaggia, 2004:1220; Kogan, 2004:155). Lovett (2004: 356) and Gries *et al.* (2000:49) add that social and parental support also encourages disclosure of CSA and facilitate recovery for the child. The following are factors that influence the disclosure of CSA:

4.6.1 Authorities

Child protection professionals working on cases of CSA fulfil an essential role, both prior and after disclosure. They attempt to create a safe and supportive environment for children to disclose by providing protection and presenting the case in court. However, their involvement sometimes causes children to be anxious and distressed, which results in non-disclosure of CSA. Allnock and Miller (2013, cited by Esposito, 2012:44) state that only a minority of young people reach out to child protection professionals. These authors emphasize that the role of child protection professionals has an enduring negative reputation that prevents disclosure. According to Esposito (2012:9), victims of sexual abuse do not report to authorities because they think no one will believe them, especially when the abuse happened long ago. This is affected by how they conduct their interviews. Child protection professionals affect the disclosure of CSA because of poor adherence to best practice interview guidelines regarding CSA.

Lack of collaboration between legal authorities is also viewed as having an impact on the disclosure of CSA (Davis & Petretic-Jackson, 2000:291). Children have little or no understanding of legal processes. They are not provided with information regarding court proceedings. At times children do not understand the question they are being asked. They experience fear and anxiety due to lack of support from child protection professionals.

4.6.2 Children's characteristics

4.6.2.1 Disability

Disability can increase vulnerability to disclose CSA. This often happens indirectly as a function of society's response to the disability rather than this factor being the cause of non-disclosure. For example, adults may decide against making any formal reports of the abuse because of the child's disability status and this makes the abuse of the child easier for the abuser (Sullivan & Knutson, 2000:1258). In a case of a child who is deaf, it may be difficult to disclose the abuse to someone who does not know or understand sign language and this may affect the disclosure of CSA. Physically disabled children who are sexually abused by their parents, for example a child who cannot walk, may be abused continuously because the parents know that the child will not disclose abuse to the authorities. Children with disabilities are more likely to be victims of sexual abuse and may

encounter more difficulty than their typically developing peers to disclose the experiences (Hershkowitz *et al.*, 2007:631).

4.6.2.2 Age

According to Campis *et al.* (1993:923) and Sorenson and Snow (1991:3), pre-school children appear more likely to disclose accidentally due to a triggering event, while older children disclose purposefully. Developmental factors, particularly cognitive limitations, may inhibit disclosure in young children (Keary & Fitzpatrick, 1994:546). Adolescents are more self-sufficient than young children are and have a willingness to seek help from trusted adults or professionals (Crisma *et al.*, 2004:1037; Hendricks, 2012:25). However, sometimes maltreated adolescents seek help when the abuse has been continuing for a long time and disclosure becomes even harder (Bacon & Richardson, 2000:377). Although age is a common factor that influences disclosure of sexual abuse, there is no relationship between the age and disclosure of CSA. Young children may lack cognitive competence to disclose abuse, but they may make indirect comments that may alert adults about the possibility of sexual abuse, for example using objects on their genitals. It is the opinion of the researcher that school-aged children are more likely to disclose the abuse during a formal investigation that takes into consideration their home circumstances.

Contrary to the above, Dawes and Higson-Smith (2005:101) and Ferrara (2002:213) argue that the difference in age sanctions imbalance of power in decision-making powers between adults and children. Therefore, children are sometimes taught by caregivers to adhere to family and societal rules, norms and standards, which (unintentionally) force them to keep sexual abuse secret. As a result, children become targets for adult males and females, relatives and friends who obtain sex by force. They also become vulnerable to the significant others, such as teachers, and people in authority who they trust that may force them into undesired sexual intercourse (Dawes & Higson-Smith, 2005:101; Ferrara, 2002:213; Meadow *et al.*, 2007:43). In other words, if the child discloses the abuse to the outsiders, s/he will be deemed as having deviated from that family rules and to be disrespectful.

4.6.2.3 Gender

Boys are significantly less likely than girls to disclose their abuse (Gries *et al.*, 2000:37; Hendricks, 2012:27; Keary & Fitzpatrick, 1994:547; Lamb & Edgar-Smith, 1994:308;

Rapholo, 2014:22). Gries *et al.* (2000:44) and Goldstein (1999:42) state that boys and girls encounter distinct difficulties and make different decisions when they disclose their experience of sexual abuse. Boys may not disclose out of fear of being viewed as homosexuals or not living up to male norms, including self-reliance, emotional control and pursuit of status.

According to Lamb and Edgar-Smith (1994:311), boys can talk in-depth if prompted. However, gender norms about masculinity have to be considered when assessing a child's sexual abuse. Girls share personal problems and other issues and they do not bottle things up like boys, which fosters the disclosure of sexual abuse, whereas boys are brought up to believe that they are supposed to deal with things on their own, that they should not seek help and should not show emotions. This means that gender norms have an impact on the disclosure of CSA.

In some African cultures, an emotional reaction by boys or men is regarded as a sign of weakness. Men are not allowed to cry or express their emotions, and as a result, male children from societies that hold this strong belief will encounter difficulties with disclosing CSA. In addition, boys who are sexually abused by females are faced with societal norms that recommend or even praise older woman/young boy sexual relationships and fantasies (Hecht & Hansen, 1999:303; Paine & Hansen., 2002:275). Some cultures perceive sexual abuse of a boy by a man as a taboo and that makes younger boys who have been sexually abused likely not to disclose because they might be labelled as homosexuals (Rapholo, 2014:22).

Currently in South Africa the idea of "sugar mamas" (older women dating younger boys)", "sugar daddies" (older men dating younger girls) and "Ben Tens" (younger boys dating older women) is being praised, giving the impression that there is nothing wrong with the age differences in a relationship. Perpetrators of CSA may take advantage of children, blackmail, molest and abuse them and end up claiming that the child was in a relationship with them.

4.6.3 Family functioning and fear of the perpetrator

Family functioning can affect a child's decision to disclose sexual abuse (Esposito, 2013:06; Shackel, 2009:379). Fixed and rigid gender roles within families that have indirect and closed communication styles can prevent a child from disclosing. Children who are

sexually abused by a family member or by someone they are somehow related to, find it very hard to disclose. This may be the result of socially agreed norms that affect the relationship between the child and the family member (perpetrator). If a child is living in a family characterized by domestic violence (especially abuse of one parent), they may fear that their disclosure will lead to further violence towards the other parent. This correlates with Ferrara (2002:212) and Rapholo (2014:23), who state that the reluctance to disclose abuse stems from a fear of the perpetrator. Ferrara further states that perpetrators make threats such as “If you tell anyone, I will kill you/kill your mother.”

Shackel (2009:392) states that a significant proportion of disclosures are prompted by direct inquiry by friends, family and caregivers. Being asked directly or indirectly about sexual abuse can provide children with the opportunity and purpose for disclosing their abuse. Family members may ask children questions that inquire about a child’s general well-being and this may help them feel more at ease to disclose. Furthermore, taking time to develop rapport, helping children feel safe and in control, having general and regular conversations with children, will help them share their stories (Shackel, 2009:393). The relationship the child has with family members has an impact on the disclosure of CSA. Shackel emphasizes that communication is very important. Talking to children about their activities, hopes and anxieties on a daily basis increases the likelihood that a child who is worried about something, will be able to tell someone. The sooner adults recognize potentially concerning situations, the better protected children will be.

4.6.4 Fear of being stigmatized

Taylor (2003:66) postulates that community members may close ranks to inhibit proper investigation and stigmatize victims of sexual abuse. Communities that have a low understanding and awareness of CSA may be hostile towards the child and not believe the disclosure account. Behaviours that may become obstacles to disclosure consist of hostility towards the child or disbelief of the victim’s claims and the limited range of protection options available in the communities (Alaggia & Turton, 2005:230). Taylor and Norma (2012:115) and Rapholo (2014:24) add that once the child has been stigmatized as the victim of CSA, there is the possibility of the continuation of the abuse since everyone within the community will take advantage of that child.

4.6.5 Relationship with the perpetrator

Madu (2001:09) and Rapholo (2014:23) have discovered that the relationship between children and perpetrators has an influence on the disclosure of CSA. Many children do not disclose because they want to protect the perpetrator (Hershkowitz, *et al.*, 2006:756). Wyatt and Newcomb (1990:758) found that the closer related the child is to the perpetrator, the less likely they are to disclose their CSA, specifically when the perpetrator is a significant caregiver (Alexander, 1992:187; Paine & Hansen, 2002:280). This correlates with the findings by Rapholo (2014:24) and Goodman-Brown *et al.* (2003:20), who confirm that perpetrators are often the fathers and are regarded as close relatives to children.

Perpetrators often establish trust with the family and the child, affording greater access to control and power (Elliott *et al.*, 1995:580; Hendricks, 2012:26). Children may feel powerless, angry and act aggressively and end up disclosing if they cannot cope with the abuse because of its severity. At some point, the actions the child displays toward the perpetrator may indirectly contribute to the disclosure process. Their reasons for not disclosing include 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 completely dependent on the perpetrator, and if the child has a strong bond with the mother.

4.6.6 Caregiver/familial reactions

De Voe and Faller (cited by Rapholo, 2014:03) point out that many children find it difficult to talk about their experiences of being sexually abused and that the caregiver's reactions or anticipations are likely to affect the willingness to disclose abuse. Spies (2006b:274) maintains that caregivers play a very important role, not only in recognizing the sexual abuse of the child, but also in supporting these children "to speak out against the person who sexually abused them. The caregiver's role during the disclosure process is to support the sexually abused child and to handle him/her very carefully (Ntlatleng, 2011:02). Getz (2013:01) states that the sexually abused child fares better in the disclosing process when a caregiver is involved. Non-offending caregivers' reactions are important, not only in the aftermath of CSA discovery, but also in terms of children's willingness to disclose in the first place (Malloy & Lyon, 2013:01).

Plummer (2000:1228) states that the role of mothers in the protection of children and in helping them to heal after trauma caused by sexual abuse can hardly be overstated. In order to reap benefits of disclosure and minimize adverse effects, the caregiver must show a positive reaction to disclosure (Gries *et al.*, 2000:34). Parental reactions or anticipated reactions are likely to influence the preparedness to disclose the sexual abuse (Hendricks, 2012:26). Studies conducted by Elliot and Briere (1994:261) about the role of abuse-specific parental support in relation to disclosure have shown that the child's willingness to disclose in a professional context increased when the mother was supportive and believed in the child's disclosure (Heflin *et al.*, 2000:167).

According to Makhubu (2005:58), children learn from a very early age that they should not be rude or even talk about rude things. Some adults have inconsistent and angry reactions when children do so. Doyle (1995:48) emphasizes that anything involving private parts, makes children reluctant to admit they have been involved in activities. Doyle further states that only very young children are free from embarrassment and shame due to their developmental level. However, young children often do not have the vocabulary to tell adults about what has been happening to them. Makhubu (2005:58) maintains that once children learn that they simply do not talk to grown-ups about "willies," "totties" and "fannies" or "koekies", they can not tell adults that someone has touched those private parts. Many small children do not have a word for the vagina or penis apart from bottom. Sexually abused children often feel silly and ashamed because such abuse involves the parts of the body often referred to as rude and associated with toileting. They are naturally reluctant to let others know how "dirty" they are feeling.

The information provided above show that the caregiver's reaction to the disclosure of CSA is of paramount importance.

4.6.7 Culture

Cultural factors influencing an individual's willingness to disclose CSA are related to the response of their family, to the disclosure and the family's willingness to seek legal, social and therapeutic support (Paine & Hansen, 2002:269). The cultural factors related to disclosure of CSA includes language barriers, social isolation, discrimination, lack of knowledge and familiarity with community support system, racism and cultural sensitivity in the mainstream programmes (Hendricks, 2012:33; Kazarian & Kazarian., 1998:320).

According to Higson-Smith *et al.* (2005:332), children are often socialized into a set of preconceived male ideologies that uphold the concepts of control, power and patriarchy. Bower (2014:110), who believes that the process towards the full realization of the rights of women and children is still undeniably slow, confirm these views. According to Cossins (2000:163), sociological feminist theorists see the issue of power and powerlessness as the core cause of the perpetration of CSA. For example, in the African culture a man (father) is regarded the head of the family, given the fact that he holds all the power in the family. The gender inequality that is inherent in many families result in women being accorded a lower status than men. This means that even if a child decides to disclose that they were sexually abused, if the father is not willing to respond to the child's disclosure, she or he will not disclose. Men have power over women, so the women will not disclose the abuse if the head of the family does not want to disclose. It is regarded as disrespectful to the head of the family (Bronstein, 2006:262).

Rapholo (2014:26) adds that what culture validates as CSA is an influential factor in the non-disclosure of CSA. Dawes and Higson-Smith, (2005:98) support this by saying that what is viewed as CSA depends on what culture validates as sexual abuse. Rapholo (2014:26) maintains that such cultural validations leave children to suffer in the name of culture. Chabeletsane (2015:04) conducted a study in the North West of South Africa among the Setswana and found that CSA often resulted from the belief of ownership of the other. Chabeletsane states that parents and society in general repeatedly regard children as their property in the same way that many men believe they own women. This is reflected in the Setswana saying *Logong lo ojwa lo sa le metsi* (which justifies the disciplining of children through physical punishment or deprivation). This is mostly done in the knowledge that children will not fight back or defend themselves. Therefore, children who are being physically or sexually abused or whose rights are being denied by their caregivers are not entitled to seek assistance from the courts or *kgoro* (traditional court), and are usually left powerless, not knowing where to go for help. Fontes (2008:136-139) concludes that the results of the above-mentioned is that many children who are physically or sexually abused will go unheard, unassisted and unprotected.

4.6.8 Fear of 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, 2002:39)

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. Goodman-Brown *et al.* (2003:526) confirm 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. Rapholo (2014:25) established that children from a Northern Sotho background are reluctant to disclose abuse due to fear of witchcraft. In other words, it is believed that if you disclose abuse to the external forces, the perpetrators' family might bewitch you and your family.

4.6.9 Fear of embarrassment and shame

Children are reluctant to disclose abuse because they don't want to be embarrassed and ashamed. 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 events (Hershkowitz *et al.*, 2006:758) are commonly found in older children. Goodman-Brown *et al.* (2003:527) found that children are less likely to disclose quickly if they feel responsible for the abuse. Older children are more likely to feel that they had some responsibility for the incidents and argue that they could have escaped or ended the abuse (Goodman-Brown *et al.*, 2003:528). Roesler and Wind (1994:337) established that children often don't disclose their victimization due to shame and self-blame. According to Wieland (1997:39), children become accustomed to meeting the needs of the perpetrators, who are mostly adults. The child has to take 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, because should they disclose to the outsiders, it will be a shameful and embarrassing topic.

4.6.10 Fear of the perpetrator

Ferrara (2002:212) and Rapholo (2014:22) have established that fear of the perpetrator influences the disclosure of CSA during forensic assessments. Makhubu (2005:58) maintains that children who have been sexually abused at times may behave in a compliant manner and not seek to escape because of a real fear of the threats uttered by the perpetrator. The perpetrator may say, "should you attempt to escape, I will kill you." Such threats cause children to keep quiet about their experiences of being sexually

abused. Children who have been sexually abused are sometime required by the perpetrator to keep silent about their experience. The above authors are in an agreement that children's reluctance to disclose sexual abuse often stems from a fear of the perpetrator.

4.7 Conclusion

CSA is a global concern that affects children's physical, emotional and social health. Today, many professionals and paraprofessionals pay attention to the problem, whereas it was previously just avoided. It has long-lasting effects on both the victims and their families. One of the crucial pieces of the puzzle is disclosure. Several things make children less likely to tell someone about what had happened to them. If they do disclose, it will be to their friends or other people who they trust. Disclosure is a process, sometimes starting with a parent who notices that something is wrong. Sometimes CSA is not disclosed due to what a culture views as sexual abuse. There is still confusion on the definition of sexual abuse. The next chapter deals with the dynamics of disclosing CSA during forensic assessments.

CHAPTER 5

THE DYNAMICS OF DISCLOSING CHILD SEXUAL ABUSE DURING FORENSIC ASSESSMENTS

5.1 Introduction

Herman (2009:247) point out that Forensic Assessors base their judgments about the validity of allegations or suspicions of CSA on two types of evidence: (1) hard evidence such as perpetrator confessions, medical evidence, photographs or videos of the abuse, and other physical evidence and (2) soft psychosocial evidence. With regard to psychosocial evidence, Herman further distinguishes them into two: (Actuarial and Clinical methods). Clinical methods rely on an Assessor's holistic judgment of all of the data, and decision rules are usually implicit rather than explicit. Forensic social workers provide psychosocial evidence. In South Africa, they should at least possess a master's degree in social work, specifically in forensic practice, or at least a certificate in forensic assessments.

Forensic social work has been introduced in South Africa as a field in social work recently to address the disclosure of CSA. Barker (cited in Maschi & Killian, 2011:12) defines forensic social work as "the application of social work to questions and issues relating to law and legal systems." Forensic social work according to the South African Council for Social Service Professions (2010:01) is a "specialized field of social work that focuses on the interface between society's legal and human systems and is characterized by the social worker's primary function of providing expert testimonies in courts of law with the primary client being the judiciary system." Therefore, forensic social work assessments should be/are conducted by acute, well-trained practitioners. A person who wants to conduct forensic social work interviews must be registered as a social worker with the South African Council for Social Services Professions and must have adequate generic social work interviewing skills. Skilful forensic interviews in CSA cases are extremely important to ensure the protection of children who have been sexually abused and the conviction of such perpetrators. In addition, Johnson (2004:462) points out that the disclosure of sexual abuse by a child requires access to a trusted adult. Conversely, Modelli *et al.* (2012) support the idea by saying that the diagnosis of sexual abuse is of

unquestionable importance, but the wrong diagnosis can lead to irreparable damage to the child, family, and suspects.

5.2 Comparative Analysis of Forensic and Therapeutic Interviews

The table below gives critical comparison on the difference in the roles of a Forensic Assessor and a Therapist. A variety of professionals, such as social workers, police officers, mental health practitioners and psychologists, are involved when interviewing victims of sexual abuse. Each of the above professionals must be careful about their roles and responsibilities. There are different roles in forensic interviews that differ from those provided in therapeutic services. The purpose of interview, the role of the interviewer, format and types of questions differentiate the forensic interviews from the therapeutic ones (Silovsky, 2000:2). Therefore, it is imperative that professionals should know their roles when they assess children who have been sexually abused.

Table: 5.1 Difference between forensic interviews and therapeutic interviews.

Forensic interviews	Therapeutic interviews
<p>1. Goal: To obtain information as reliable and accurate as possible. The primary goal of forensic interviews is to gain facts (Silovsky, 2000:02; Walker, 2002:151)</p>	<p>1. Goal: To assess and provide treatment on symptoms. The Therapist considers the multiple depictions of the child’s reality that needs to be weight before deciding which approach will be the most appropriate (Silovsky, 2000:2).</p>
<p>2. Fact finding focus: Accurate recollection of events is important. As already indicated above that the goal of forensic interviews is to gain facts, the Forensic assessor must ensure that</p>	<p>2. Therapeutic focus: Attributions and perceptions of events are important. In therapeutic interviews, the collaterals are not always interviewed. The therapist considers the child’s reality before</p>

<p>h/she does not rely on assumptions maybe made from the child's statements, instead h/she could interview collaterals to gain the facts. As a result, the hypothesis will be tested.</p>	<p>considering the appropriate approach.</p>
<p>3. Objectivity, neutrality, and avoidance of biases.</p> <p>In forensic interviews, the forensic assessor maintains objectivity and neutrality, and avoids bias with the aim of helping the child recall the events witnessed or experienced (Silovsky, 2000:3).</p>	<p>3. Empathy, therapeutic alliance, and support of a child.</p> <p>In therapeutic interviews, the therapist enters the subjective world of the child, and maintains empathy. According to Silovsky (2000:3), this results in the therapist being biased rather than having objective perception of the case. The focus is on the wellbeing of a child. The therapist attempts to establish harmony or an understanding with the child, and develop means to improve the child's adjustment.</p>
<p>4.Client: Court</p> <p>The court is the one that make a request for forensic assessment (Silovsky, 2000:2; Robbins, 2011:6).</p>	<p>4. Client: A child</p> <p>In the therapeutic interviews, the child and his or her family are the clients.</p>
<p>5. Confidentiality: restricted</p> <p>When conducting forensic interviews, there is a limit of information provided by a child (Silovsky, 2000:2; Wickham & West, 2002:26). Confidentiality in</p>	<p>5. Confidentiality: traditional</p> <p>In therapeutic interview, the information provided by the child is kept confidential. Sometimes confidentiality can be broken, but the child must be informed about</p>

<p>restricted.</p>	<p>that.</p>
<p>6.Documentation:recorded</p> <p>As information will be used in the legal system, the forensic interviewer must record the information (Silvosky, 2002:4). The interview may be videotaped, audio typed or written account of the interview. According to Sattler (1998:20), videotaping the interviews in coordination with all professionals such as child protection workers, police officers and attorneys, may prevent the need for multiple interviews with the child. The children videotaped interviews prevents a child to testify in court.</p>	<p>6.Documentation:private</p> <p>The information is kept privately at all times, unless if there is a request by court.</p>
<p>7. Consent to obtain information outside and disclose it is understood prior to the proceedings with the interviews.</p> <p>In forensic interviews, all parties should understand and provide consent for the interviewer to obtain information and release it to the appropriate authorities, such as attorneys (Silovsky, 2000:3). The forensic interviewer may gather information from the previous disclosures, or the child. This involves determining what the child has disclosed,</p>	<p>7. A child's consent is required to seek external verification of information and to provide information to the outside.</p> <p>The child must consent to the disclosure to the information to outside sources (Silovsky, 2000:03; Wickham & West, 2002:26). For example, if the child can reveal further abuse in the process of forensic assessment, the therapist must let the child know that the report will be taken to the authorities and that the therapist will help the child with the</p>

<p>if any, to who, when, where, and under what conditions.</p> <p>Contrary to this, some other interviewers do not prefer to have information prior to interviewing a child. The concern is that the previous information may lead to biases and increase the use of leading questions. The interviewer must use caution when using information known prior to the interviews with a child.</p>	<p>process.</p>
<p>8. Data gathering methods: No leading questions.</p> <p>According to Silovsky (2000:8), leading questions must be avoided at all times. He recommends the used of opens ended questions during the forensic interviews. Open-ended question allows the child to give her or his own answers. For example, when asking a child “what happened?”, no specific details are provided in the question nor are limit to possible responses.</p>	<p>8. Data gathering methods: some leading questions.</p> <p>In therapeutic interviews, leading questions are sometimes used.</p>
<p>9.Context:legal</p> <p>A Forensic assessor must be competent in forensic assessment procedures and psycho-legal issues that are relevant to the case (Silovsky, 2000:8). The assessor must know the basic law as it relates to the assessment of a particular</p>	<p>9.Context:Therapeutic</p> <p>A Therapist gives attention to his or her clinical assessment and treatment. The therapist must be familiar with literature on diagnosis and treatment interventions (Silovsky, 2000:08).</p>

<p>offence, for instance Sexual Offences Act, Criminal Procedure Act, and Child Justice Bill etc.</p>	
<p>10.Interviewing environment: No toys</p> <p>According to Silovsky (2000:4), the atmosphere where forensic interviews take place must be child friendly. The use of toys, games, and many objects in the interview room can be destructing to the child and interfere with the interview process. The author suggests that objects that are helpful in the interview room include crayons, markers, paper, and child size chairs and tables. The forensic interviews are formal and restrictive.</p>	<p>10.Interviewing environment: Toys</p> <p>Objects such as toys, games, books, stuffed animals and child size table and chairs are used. The interviewing strategies are variable in therapeutic interviews.</p>
<p>11.Collateral contacts: Extensive</p> <p>Only the child should be allowed into the interview room (Silovsky, 2000:4). Family members and caregivers should not be allowed to be in the interview room. Their presence can disrupt the interview process and may accidentally modify the information provided by the child. Some children at times give difficulties in separating with their caregivers during the forensic assessment. In these cases, the sessions may be needed to establish rapport with the child before the interview can be conducted. For example, children</p>	<p>11.Collateral contacts: Less extensive</p> <p>The family members and caregivers are involved during the assessment process. In therapeutic interviews, some sessions will require that the caregiver and the child be involved in the same interview room.</p>

<p>may be given car keys and or teddy bear when going into the interview room so that the child can separate with his or her caregiver in the hope that the caregiver will not leave. In some instances, the forensic assessors must interview various significant others outside the child's company, so that the hypothesis present in the child's statements can be tested.</p>	
<p>12.Length:Maximum of 8 sessions</p> <p>According to Robbins (2011:8), the assessor should conduct eight sessions.</p>	<p>12.Length:Unspecified</p>

5.3 Factors Influencing the Process of Forensic Assessments

When conducting forensic interviews, there are a variety of factors that may affect the assessment process, i.e. child language development, socio-cultural influences and the use of translators, child development and inappropriate sexual behaviours that children might present, the interviewing techniques and strategies and lastly parent-child attachment. It is therefore important that a Forensic Assessor knows his or her role as opposed to that of a Therapist and must be skilled on how to approach such incidents.

5.3.1 Language development

Language development can be a contributory factor during forensic interviews. Language is a form of communication, whether sign language, that is based on a system of symbols such as letters, dots, and dashes (Denhart *et al.*, 2004:236; Jansen *et al.*, 2012:107). For one to learn a language, s/he must master a number of skills and rules. For example, s/he must learn to recognize and produce the basic sounds of that language, to understand the meaning of word and combine these words into grammatical sentences. During forensic

interviews, the assessor relies on the verbal statements made by children to gain information about sexual offence. The understanding of language development plays a crucial role during the forensic assessments.

Flowing from above, hereunder is an analysis of language development of children and explanation on the impact it may have during the forensic interviews. Language development is comprised of five components, namely, phonology, semantics, morphology, syntax, and pragmatics (Denhart *et al.*, 2004:237; Harris & Butterworth, 2002:165; Jansen *et al.*, 2012:107).

5.3.1.1 Phonology

Phonology refers to the system of sounds used in a language, the rules of combining those sounds to make words and the use of stress and intonation in spoken sentences (Denhart *et al.*, 2004:237; Harris & Butterworth, 2002:165; Jansen *et al.*, 2012:107). Every language has its own sets of phonemes that are defined as speech sounds that contrast with one another and can change the meaning of the word. For example, in English the sound “P” in *pat* differs from the sound “b” in *bat*. These words have different meanings. In some instances, children add, delete, substitute, assimilate, and reverse sounds and as a results, the meanings of words change. For example, in adding sounds, children may use the word “click” instead of “lick”.

It is therefore necessary during forensic assessment that the assessor use proper pronunciation when talking to a child and a baby language must be avoided at all times. If a child uses improper words, the assessor should not guess what the child means. Instead s/he must ask the child to repeat the word if it is not interpretable. At times children interpret words differently than adults, like as indicated above, children use the word “bat” instead of “pat”. A forensic assessor must clarify the meaning of such words to children by asking follow up questions.

5.3.1.2 Semantics

Denhart *et al.* (2004:237) state that semantics consists of the meanings of words and sentences. During the forensic interviews, children may use sentences that are perfectly correct grammatically but confusing because they break semantic rules. For example, a pre-schooler may state that, “my daddy is having a baby.” The assessor must ask a

clarification because the meaning of “daddy” is inconsistent with the meaning of the phrase “having a baby.”

Harris and Butterworth (2002:165) state that semantics refers to vocabulary. Most children, more especially the pre-schoolers, starts to acquire the meanings of the words and sentences. Children learn the meanings of the new words. In contrast to this, most children say their first identifiable first words around their first birthday (Denhart *et al.*, 2004:240; Jansen *et al.*, 2012:110). The first words usually refer to familiar persons such as “mama”; body parts “nose, feet”; animal “doggie” and objects “shoe, ball”. Children’s vocabularies are dominated by words referring to objects and people they regularly interact with. First words sometimes may also express feelings (naughty, good boy); movements (up, down; all gone, bye bye). For example, Marry watches the car disappear down the street, she might comment “bye” or “all gone” although all gone is the two words for adults. Many toddlers treat them as one.

Jansen *et al.* (2012:110) further contend that sometimes children overextend or under extend the meanings of the first words they use. Overextension refers to the tendency to apply words to objects that are not related to the word’s meanings or inappropriate to it. For example, when children learn to say “dog”, they often also apply to other four-legged animals. Under extension refers to the tendency when children apply the word narrowly. It occurs when children fail to use the word to name a relevant object. For example, a child might use the word bottle referring to a plastic bottle h/she drinks from, but not to describe other kinds of bottle.

In addition, Denhart *et al.* (2004:244) indicate that children overextend words, not because they are not aware, but because it is the word in their vocabulary that comes closest to what they want to say. It is therefore necessary that during the forensic assessment, the forensic assessor correct the children in such instances. For example, as indicated above, children may use the word *dog* to refer to all four-legged animals such as goats, cats sheep etc. The assessor must correct the child by saying that no, it is not a dog, it’s a goat, depending on the issue that will be forming part of the discussion. This helps children to learn new words, but those words must be familiar to them. The assessor must use the words that children already volunteer to use and avoid new words, more especially legal terms.

5.3.1.3 Morphology

Morphology refers to a system of rules for combining units of words or to modify word meanings (Harris & Butterworth, 2002:165; Jansen *et al.*, 2012:110). Many words that children use may consist of single morphemes. For example, the word, *unspeakable* has three morphemes, i.e. the prefix “un” (meaning not), the word “speak”, and the suffix “-able” (meaning capable of doing something). Children start learning to combine words at the age of two years. During forensic interviews, children use complex sentences. As the utterances that children produce become longer, they tend to become more complex. It is important at all times to clarify the meanings of the words a child uses. The forensic assessor him/herself must avoid asking children complex questions, because this may result in children producing complex sentences.

5.3.1.4 Syntax

It refers to the rules of organizing words into phrases and sentences (Denhart *et al.*, 2004:237). Children form grammatical sentences and convey the meaning they intend. For example, “The boy kissed the girl” and “The girl kissed the boy” are both grammatical sentences, but they mean different things because of their word order. *Kissed the boy* is hard to interpret because it does not follow rules in other cultures.

When children start saying recognized words, they use only one word at a time. For example, the child might use the name “mama” simply referring to her mother or she may be trying to express some idea in a phrase or sentence. For instance, if the child says “mama” when her aunt enters the room, she might be trying to communicate that “here is mama” or if she says “mama” holding her aunt’s purse, she might be referring to “this belongs to mama.”

It is important for the forensic assessor to pay attention to the context of the child’s gestures, facial expression and tone of the voice during the assessment process. Assessors should follow up on non-verbal communication. Sentences and phrases used in passive voice must be avoided during the assessment process. For example, “Was it your uncle who penetrated you?” is a leading question that may affect the assessment process and result in bias. One open question must be asked at a time.

5.3.1.5 Pragmatics

Denhart *et al.* (2004:237) define pragmatics as a set of rules governing conversation and social use of language. It includes knowing how to use language to accomplish social goals. For example, if you want someone to open a window, you could say, "Open the window", or "Would you open the window?", or even "It's hot in here." These are all requests, but they vary in terms of politeness and directness. Pragmatics allows the forensic assessor to adjust the language of children to fit different situations. Children and adults will not use the same language. Denhart *et al.* (2004:250) state that children acquire linguistic competence and communication competence so that they can carry on conversations and can recognize and repair the breakdowns in conversations. They learn to use language in a socially appropriate manner. In other words, children can participate in the conversation.

Another aspect of pragmatics is children learn the social routines and conversations for communication and language use in ones' culture (Denhart *et al.*, 2004:250). Routines and conversations vary according to cultures. In other words, different cultural groups have different ways of communication and have different norms. For instance, in a Black community, there are different conventions to talk about sex with the parents compared to the White community. This may complicate the forensic assessment. Another practical example is, in the Black community it is disrespectful to greet an old person with the word "hi." The forensic assessor must familiarize him- or herself with various cultural standards, values, and beliefs. Pragmatics can be direct or indirect.

In conclusion, on language development, the forensic assessor must have an understanding of the above components of language development when gathering information from the children.

5.3.2 Socio-Cultural Influences and the use of Translators

Spies (2012:214) states that ideally every child should be interviewed in his or her home language and by someone from his or her culture. Fontes and Fishelsman (2016:04) established the importance of interviewing children and adolescents in their primary language. They noted that even youth who are fluent in English might be more comfortable speaking their first language when discussing sensitive and potentially traumatic issues related to CSA. In their study, they have also developed the recommendations for the

need of the interpreter or bilingual interviewers. Unfortunately, the reality is that such trained and multilingual interviewers from different cultures are not available in many communities. The child's cultural background and its impact on the child's ability to relate possible sexual abuse needs to be assessed. For example, in certain cultures, the value of respect is of paramount importance wherein children are informed not to talk with people above their age about sexual activities (Fouche, 2007:64; Rapholo, 2014:27). In most instances, a Black child who has never seen or spoken to a White interviewer *visa-a-vis* may react in fear during the assessment. According to Spies, it is important that the translator be present when the child arrives and that the known, trusted and adult accompany the child to relieve anxiety. The issue of diversity during forensic assessments should receive attention. Failure to do so may disadvantage the interviewer to get as much accurate information from the child as possible. When such children are referred for assessment interviews, the professionals should establish the need for a translator by simply asking the language the child uses at home. Even if the child studies English at school, it is still necessary to get a translator as the child might talk about things that s/he can only describe in his or her home language. For example, body parts, sexual activities, or any other contextual information. Spies also advises that the interviewer can alternatively refer the child to the colleague who can speak and understand the language of the child.

During the interview, the professional must prepare the translator prior to the interview. According to Spies (2012:214), the following should be ensured:

- The purpose of the interview and logistics such as aids to be used.
- The translator should know that s/he should not change the question and sentence structure.
- The use of developmentally appropriate language.
- Everything should be interpreted and the interviewer will determine the relevance.
- Caution against touching and gesturing.
- The physical space: The interviewer faces the child and the translator sits slightly behind and to the side of the interviewer.

The child should be prepared regarding the role of the translator and reasons for why the presence. It is of the opinion of the researcher that such translators should be trained on the developmental issues regarding interviewing children and the dynamics of CSA.

5.3.3 Child Development and Inappropriate Sexual Behaviours

Eriksson accepted the basic elements of Freud's psychoanalytic theory on development (Makhubu, 2005:27). According to Van der Zander (as cited in Louw *et al.*, 1998:345) children's understanding of their emotions and emotional expressions change noticeably between the ages of six and eleven. Such children increasingly attribute emotions to internal causes, they become aware of the social rules governing the expression of their emotions, and they learn to "read" facial expressions with greater accuracy. As children become older, they also become capable of identifying emotional labels such as anger, fear and happiness, and of attributing inner feelings to them.

The different concepts of emotional development were structured by Erickson's explanations of the "stages of man" These stages or phases were divided in five important phases. These phases will be discussed briefly as follows:

- **Basic trust versus mistrust**

At this stage the infant develops a sense of basic trust and essential trustfulness of others and a fundamental sense of one's own trustworthiness. If the mother is warm, consistent and reliable in her care giving, the infant learns that she can be trusted. If the ability to trust others is not developed when it is appropriate to do so, the individual will have difficulty forming intimate relationships later in life.

- **Autonomy versus shame and doubts**

Children between ages one and three and half years have a challenge to achieve a strong sense of autonomy while adjusting to increasing social demands. The parents should provide a supportive atmosphere that allows children to achieve self-control without the loss of self-autonomy. In turn if children are subjected to severe punishment or shame they may come to doubt their abilities.

- **Initiative versus guilt**

Eriksson saw the time between 4 and 6 years as a period during which to identify with, and learn from their parents. The child is setting goals, building a high tower of blocks and working to achieve. The aim of the child is to achieve a balance between initiative and guilt.

- **Industry versus Inferiority in puberty**

The stage lasts from age 6 to puberty and it is crucial for ego development. During this stage children master cognitive and social skills that are important in their culture and they learn to work industriously and to play well with peers. Eriksson pointed out that teachers are important in this stage.

- **Identity versus Role Confusion**

Erikson put emphasis to adolescence seeing the stage as critical for the achievement of a core sense of identity. The dramatic physical changes of puberty and the emergence of strong sexual urges are accompanied by new social pressures, including a need to make educational and occupational decisions. Adolescents must resolve the question of who they really are or like in confusion about what roles they should play as adults.

In the context of the study sexually abused children experience a form of sexual stimulation for which they are developmentally unprepared for. This results in experiences that disastrously disrupt their normal sequence of sexual development. As a result abused children are forced into a premature genital stage of psychosexual development, whereas legitimate prior development needs go un-addressed. From the researcher's point of view, in the event of sexual abuse, the child is confronted with sexual over-stimulation, which is overwhelming and can result in poor development of ego functions. Functionally the ego is supposed to act as the mediator of drives. As a result of the sexual abuse, the ego becomes fixated to the particular stage in which the abuse occurred. Therefore, during forensic interviews, some children present inappropriate sexual behaviours. A forensic assessor must have an understanding of sexual development of children.

Below its a critical discussion on what inappropriate sexual behaviour entails at the concrete operational phase. What makes behaviour inappropriate, is when it is the sexual activity by children, that involves, coercion, bribery, aggression, and violence, behaviour

that is abnormal by age or developmental capability, compulsives, excessive and degrading (Department of Education and Children Services, 2010:07). Therefore, inappropriate sexual behaviour involves behaviours that are developmentally dissimilar.

The National Child Traumatic Stress Network (2009:21), states that sexual exploration and play are natural part of childhood development, and help children not only learn about their own bodies, but also about social and cultural rules that govern sexual behaviour. Some sexual behaviours indicate more harm curiosity. In some cases, sexual behaviours may pose a risk to the safety and well-being of children. Such behaviours includes the following characteristics:

- Behaviours that are beyond the child's developmental stage. For example, an 8 year old attempting to kiss an adult's genital.
- Behaviours that involves threats, force, and aggression.
- Behaviours that involve inappropriate or harmful use of sexual body parts. For example, inserting objects in the rectum or vagina.
- Behaviours that are associated with strong emotional reactions, such as anger or anxiety.
- Behaviours that interfere with childhood interests and activities.
- Robbins (2011:04) makes an addition that, inappropriate sexual behaviours during forensic interviews may include the following: Imitation of sexual intercourse and Children make sexual sounds. Robbins state that when these behaviours are present, it is possible that abuse has occurred.
- Ziegler (2005:5) states that during the concrete operational phase, children, may present the following sexual behaviours:
 - Persistent masturbation
 - Sexual activity e.g oral or intercourse
 - Arranging a face to face meeting with acquaintance who is not known to or approved by protective parents.

- Sending nude or sexually provocative images to set or others electronically.
- Coercion of others, including same age, younger or less able children, into sexual activity.
- Presence of sexually transmitted infection.
- Use of sexual language.
- Having girl or boyfriends.
- Increased need of privacy.
- Consensual kissing with peers.
- Use of internet to chat with peers online.

5.3.3.1 Causes of inappropriate sexual behaviours

Some of social, physical, and emotional situations are more likely to be experienced by children who tend to display an appropriate sexual behaviours (Staigher 2005:23; O'Brien, 2005:27). These factors includes:

- Exposure to traumatic experiences at home such as abuse, loss, disasters and accidents.
- Exposure to violence at home.
- Excessive exposure to adult sexual activity at home. For example, media exposure through television or the internet.
- Inadequate rules about privacy at home.
- Inadequate parental supervision at home, often as a result of parental factors such as depression and substance abuse.

These children often show behavioural and social difficulties (The National Child Traumatic Stress Network, 2009:20). These includes:

- Impulsiveness and a tendency to act before they think.

- Difficulties following the roles of authorities.
- Problem making friends of their age or a tendency to play much with young children.
- A limited to self-soothe (calm themselves down), they may touch their own genital and masturbate as a way of releasing stress and calm down.

5.3.4 The Interview Setting

Spies (2012: 215) states that the interview environment should be child friendly and play related communication techniques should be used. Müller (1999:108) makes an emphasis that the more comfortable the child is, the more information s/he 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. Cronch *et al.* (2006:205) recommend that forensic interviews should preferably be conducted in a neutral, safe and if possible friendly environment. It is also important that the interviewer sits at the same level as the child (Faller, 1993:50). The interviewing media used should also be age appropriate for the child, for example dolls and visual representations for young children; pencils, crayons, and clay for children in the middle childhood. (Spies, 2012:215).

Extremes should also be avoided, such as a room full of toys that give the child the impression it is a playroom 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).

The interviewer should be friendly, patient, and give the child full attention without interruptions. According to Spies (2012: 215), it is very imperative that the interviewer makes contact with the child's level, for example bending down to the child's eye level; saying something funny or interesting to put the child at ease. The interviewer should also explain his role in age appropriate terms, for example "My job is to talk with children about things that makes the happy and those that do not make them happy at home and at school." The interviewer must be familiar with TV programmes, children's books and sports activities offered at schools to establish some common ground. For instance, pre-school

children like to talk about their friends whom they play with during the day at school, teenagers like to talk about cell phones, their friends, and their favourite teachers. It is imperative during the forensic interviews to take into account the developmental level of the child.

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, and 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 are other important aspects that the interviewer should consider regarding the setting of a forensic interview.

5.3.4.1 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 is said in the interview room (Müller, 1999:108).

5.3.4.2 Presence of other people during the interview

It is recommended that in the interview room, the child is allowed only (Makhubu, 2005; Fouche, 2007:204; Silovsky, 2000:204 ;). Family members and caregivers are not allowed to be in the interview room. The presence of them can disrupt the interview process and may accidentally modify the information provided by the child. Some children at times give difficulties in separating with their caregivers during the forensic assessment. In these cases, the sessions may be needed to establish rapport with the child before the interview can be conducted. For example, children may be given car keys and or teddy bear to the interview room so that a child can separate with his or her caregiver with the hope that he or she will not leave. 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.

5.3.5 Interviewing Techniques and Strategies

While personal characteristics of the child and the interviewer may influence the disclosure rates, specific interviewing techniques were found to be playing a greater role during forensic assessments in the United State (Cronch *et al.*, 2006:195). According to these authors, new directions in forensic interviewing have been examined, such as structured interview protocols and extended forensic evaluation models. Several techniques have been examined in the literature, some of which appear to be very effective at eliciting detailed and accurate disclosures. Such interviewing techniques include allegation blind assessment interviews, open-ended questioning, cognitive interviewing, the touch survey, truth-lie discussions and anatomical dolls/drawings (Cronch *et al.*, 2005:195).

According to the American Professional Society on the Abuse of children (APSAC, 2002: online) and Cronch *et al.* (2006:198) it is acceptable to gather information about the allegation of CSA before conducting the interview. This information may be useful in orienting and clarifying the child's statements. However, prior knowledge of allegations may increase interviewer bias and lead to suggestive and leading questions (Cronch *et al.*, 2005:198; Cronch *et al.*, 2006:198). These authors compare allegation blind interviews (no information about allegations) to allegation informed interviews (prior information about allegations) across several CSA cases over a certain period. They have discovered high rates of disclosure with allegation blind interview techniques. However, regardless of prior knowledge of the allegations, the interviewer should always take an objective and non-judgemental stance towards the interview. Faller (2007:34) argues that conducting forensic interviews with information regarding the child may affect the interviewers' neutrality and contaminate the whole interview. He suggests that the interviewer should only know the name and age of the child prior to the interviews. However, from the researcher's

experience it is appropriate to follow informed allegations of CSA more especially when working with very younger children, e.g. those below the age of two year.

5.3.6 Parent Child Attachments

Attachment is the strong, affectionate tie one has with special people in their lives that leads to the feeling of pleasure when interacting with them, and to be comforted by their nearness during times of distress (Berk, 2006:419; Berndt, 1992:218; Bornstein *et al.*, 2011:160; Buckatko, 2008:247; Denhart *et al.*, 2004:206; Patterson, 2009:227; Santrock, 1996:349; Trawick-Smith, 2010:170). By the second half of the first year, infants become attached to familiar people who respond to their needs of physical care and stimulation (Patterson, 2009:227). Many theorists have offered many ways to understand these ties. Bowlby and Ainsworth theories will be discussed to describe the phases and styles of attachment.

5.3.6.1 Bowlby's ethological theory

John Bowlby is a British Psychiatrist who studied mental health problems with British children who separated from their parents during World War II (Berk, 2006:420; Berndt, 1992:215; Patterson, 2009:228). Mostly influential on Bowlby's thinking were ideas from ethology. He believed that the human infant, like young of other animal species, is endowed with set of built-in-behaviours that keep the parent nearby to protect the infant from danger and provide support for exploring and making the environment. According to Bowlby, infants' relationship with parents begin with a set of innate signals such as crying, that call adult to the baby's side (Berk, 2006:420; Patterson, 2009:228). Berk (2006:420) further states that, overtime, a true affectionate bond develops, supported by newer emotional and cognitive capacities and warm and sensitive care. Bowlby suggests four phases of attachment, namely, Pre-attachment phase; Attachment-in-the-making phase; Clear-cut attachment phase; and Formation of reciprocal relationships phase

5.3.6.1.1 Pre-attachment phase

The pre-attachment phase lasts for six to eight weeks from birth (Berk, 2006:420; Patterson, 2009:228). During this phase, the new-born infant is equipped with an array of behavioural capabilities, including attachment behaviours bring the caregivers closer to the infant, for example, crying, smiling, grasping and gazing. When an infant cries, a caregiver

approaches and pick up the infant, attempting to calm the infant's distress. Crying is an attachment behaviour to bring the caregiver near the infant for protection and care. According to Berk (2006:240), infants at this age recognize their own mother's smell and voice and will soon recognize her face. Berk argues that they are, however, not yet attached to her, since they do not mind being left with an unfamiliar adult.

5.3.6.1.2 Attachment-in-the-making phase

This phase extends from 2 to approximately 7 months of age (Berk, 2006:420; Patterson, 2009:229). At this stage, infants start to recognize familiar people. The interaction qualities between babies and caregivers change. For example, babies smile, laugh, and babble more freely to the mother and quiet more quickly when she picks him up. As infants interact with the caregiver, they tend to experience relief of distress, and develop a sense of trust. They still not protest when separated from her.

5.3.6.1.3 Clear cut attachment phase

This phase extends from seven to 24 months (Berk, 2006:420; Patterson, 2009:229). During this phase, attachment to the caregiver emerges. Babies display separation anxiety. In other words, they become upset when caregivers on whom they have come to rely, leaves. The baby is crying upon separation reveals the desire to remain near the attachment figure. Using their new locomotor abilities, babies may approach the mother, climb on her or cling to her clothing. During this phase, the presence of a caregiver allows the baby to feel safe.

5.3.6.1.4 Formation of reciprocal relationships

This phase begins at about 24 months of age and extends well into the childhood years (Berk, 2006:420; Patterson, 2009:229). As children grow more able to use language and to understand parent's explanations, they become better able to tolerate separations. As a result, separation anxiety declines. Now children start to negotiate with other caregivers using requests and persuasion to alter their goals. For example, a three-year-old may ask her mother to read a story before leaving her with a baby sitter. Berk (2006:420) states that the extra time with her parent, along with a better understanding of where they are going (e.g. to have dinner with Uncle Charlie) and they would be back (e.g. right after you go to sleep), help children to withstand the parent's absence.

5.3.6.2 Ainsworth theory of attachment

Infants and toddlers form attachment relationships with their caregivers during the 1st to 2nd year of life (Berk, 2006:250; Patterson, 2009:229). The quality of these relationships differ from a child to a child. Some infants appear secure in the presence of a caregiver whilst other appear uncertain and anxious. Ainsworth has devised a laboratory procedure called strange situation to measure the security of infant-mother attachment (Berk, 2006:421; Berndt, 1992:223; Patterson, 2009:230; Trawick-Smith, 2010:173). In developing strange situation techniques, Ainsworth states that if the development of attachment has gone well, infants and toddlers should use the parent as a secure base from which to explore an unfamiliar playroom. When a parent leaves a play room, an unfamiliar adult should be less comforting than a parent. The strange situation takes the baby through eight episodes to evaluate the security of infant attachment to parents.

5.4 Conclusion

When conducting forensic interviews, there are a variety of factors that may affect the assessment process, i.e. child language development, socio-cultural influences and the use of translator and child development and inappropriate sexual behaviours that children might present, interviewing techniques and strategies that forensic interviewers apply, and parent-child attachment. It is therefore important that a Forensic assessor knows his or her role as opposed to that of a Therapist and must be skilled on how to approach such incidents. The next chapter is about the facilitation of disclosure of CSA during forensic social work assessments.

CHAPTER 6

FACILITATION OF DISCLOSURE OF CHILD SEXUAL ABUSE DURING FORENSIC SOCIAL WORK ASSESSMENTS

6.1 Introduction

Cronch *et al.* (2006:195) denote that for one to ensure the protection of innocent individual and the conviction of perpetrators in CSA cases, one should conduct skilful forensic interviews. According to APSAC (2002:02), forensic interviews are aimed to elicit as complete and accurate a report from the alleged child or adolescent victim as possible to determine whether the child or adolescent has been abused (or is in imminent risk of abuse) and, if so, by whom. In South Africa, these interviews are typically conducted by law enforcement officers, child protective services personnel, or specialized forensic interviewers such as forensic social workers, although medical and mental health professionals often participate as well (APSAC, 2002:02; Cronch *et al.*, 2006:195). Unexpectedly, Wood and Garven (2000:109) state that bad interviewing during forensic interviews can lead to serious consequences which may include eliciting false allegations, putting children and families through unnecessary stress, decreasing a child victim's credibility in court, contaminating facts, reducing probability of conviction, draining resources through unsuccessful trials and investigations, and reducing resources available for legitimate abuse cases. Therefore, to avoid these negative outcomes, professionals have to be well trained on how to conduct forensic assessments/interviews to facilitate the disclosure of CSA. Facilitating a child's account of abusive experiences is a process rather than a single event, and it should not be assessed in isolation (Bentovin, *et al.*, 1995:246; Fouche, 2007:183). The researcher observed that children sometimes give a partial or vague account of events perhaps to a friend, family member and even during the investigative interview. This chapter is therefore aimed at to discussing the current forensic interviewing techniques and strategies used by forensic social workers during CSA allegations, as well as the models and protocols that are being followed during such incidents.

6.2 Interviewing Techniques and Strategies

It is imperative for forensic social workers to apply and pedantically execute interviewing techniques and strategies when facilitating the disclosure of CSA. In reference to the above peroration, Cronch *et al.* (2006: 198) denote that personal characteristics of the child and the interviewer may influence the rate of disclosing CSA during forensic interviews. These authors further indicate that there are specific interviewing techniques, which often play a greater role in disclosure. Some of these techniques appear to be very effective at eliciting detailed and accurate disclosures. Therefore, the focus of this discussion will be on techniques that are commonly used in forensic interviews. These include allegation blind interviewing, open-ended questioning, cognitive interviewing, truth-lie discussions, the Touch Survey, and anatomically detailed dolls.

6.2.1 Cognitive interviewing technique

The cognitive interview was developed by Geiselman and colleagues in the 1980s for use with adult witnesses and victims and it is mostly used recently (Cronch *et al.*, 2006:199). On the same wavelength, in spite of the cognitive technique used with adults and victims, it has proven to be essential and yielding desired results with sexually abused children. Several authors have sparingly avowed that the cognitive interview technique is effective in improving children's recall of events, although they appear to be more practical and effective with older children (APSAC, 2002:02; Faller, 2003:381; Hayes & Delamothe, 1997:99; Holliday, 2003:730; Cronch *et al.*, 2006:199). Categorically, Aldridge (1999:104); Cronch *et al.* (2006:199); Faller (2003:380); and Holliday, (2003:730) and outline that cognitive interviewing technique has four retrieval mnemonics, namely:

- Mentally reconstructing the event, i.e., mental context reinstatement
- Reporting everything, regardless of perceived importance.
- Recalling the event in different sequences.
- Recalling the information from different views and perspectives.

In support of the above retrieval prompts, Hershkowitz *et al.* (2006: 753) maintain 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. In order for mental context reinstatement to be useful, Poole and Lamb (1998:87) propose that 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.

Pragmatically, the researcher supports, in the background of mental context reinstatement technique application, that, it is very useful after the child has verbally indicated that s/he 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 that focus on the abuse will only be asked after the above process has been followed. Fouche (2007:206) maintains that from his experience it appeared that children might remember more clearly if this process is followed.

6.2.2 Allegation blind interviews

In the execution of this technique, it is important that the forensic social worker enters the session without prior knowledge about the case in question. During blind assessment interviews, the interviewer's knowledge is only limited to age and gender of the child prior to the interviews with the child. The forensic interviewer does not have any knowledge about the perpetrator prior to the sessions with the child. No collaterals are interviewed prior to the child. Cronch *et al.* (2006:198) assert that during this process, there is no information about allegation. However, regardless of prior knowledge of allegation, Cronch

and his colleagues state that the interviewer should all times take an objective and non-judgemental stance towards the interview. The researcher has learnt from his practical experience that when assessing children who are very young, one can conduct informed allegation interviews prior to assessing children. APSAC shares the same sentiments that it is acceptable for the forensic interviewer to gather information about the allegation before conducting the interview (APSAC, 2002:02) to be orientated and clarified based on children's statements. However, it has been reported by APSAC (2002:05), Ceci and Bruck (1995:272), and Cantlon *et al.* (1996:1113) that having knowledge of allegations of CSA prior to forensic interviews may increase interviewer bias and lead to suggestive and leading questioning. Cantlon *et al.* (1996:1113) compared allegation blind interviews (no information about allegations) to allegation informed interviews (prior information about allegations) across 1535 CSA cases over a 4-year period. To that end, allegation blind interview technique resulted with higher disclosure rates (Cronch *et al.*, 2006:198) than allegation informed interviews. According to Cronch and his colleagues, various authors attributed this finding to increased attentiveness and patience on the part of the interviewer in allegation blind interviews that increases a good working relationship between interviewers and children. Based on these findings, Cantlon *et al.* (1996:1113) concludes that interviews should be allegation blind whenever possible to result with the higher perceived objectivity in the courts.

When conducting forensic social work interviews, the researcher is highly recommending the use of allegation blind interviews rather than informed allegation interviews because it enables the interviewer to be at a neutral stance and prevents subjectivity, leading and suggestive questions. As indicated above that when the interviewer conducts forensic social work interviews having a whole lot of information concerning the allegation, the interview process is contaminated and this leads to the child not disclosing. This kind of interview also encourages objectivity.

6.2.3 Open-ended questions

Open-ended questions and invitations (probing) elicit longer, more detailed, and more accurate responses than other types of interviewer utterances in school age children and adolescents (Craig *et al.*, 1999:77-85; Cronch *et al.*, 2006:200) Similarly, Fouche (2007:219) and Aldridge and Cameron (1999:140) state that 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. Pragmatically, some researchers have accentuated that in practice, such questions begin with what, how, when, who or where (Aldridge & Cameron, 1999:140; Bull, 2003a:03; Faller, 2003:382; Lamb *et al.*, 2000:1586; Spies, 2006:226). Interestingly, other researchers advance a different view that children's responses to these types of questions are less accurate (De Voe & Faller, 2002:05), whilst some state that children are as accurate as adults, but they spontaneously provide less information (Waterman *et al.*, 2001:522).

In corroboration of the above findings, research conducted by Hershkowitz (2001:49) and Orbach *et al.* (2000:733) in which children between four and thirteen years of age were interviewed about incidents of alleged sexual abuse made use of highly number of open-ended questions and it was discovered that such questions yielded longer and more detailed responses than did the focused prompts. These findings correlate with a study conducted by Davies *et al.* (2000:81) who 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). Bull (2003a:3) argues that by asking open-ended questions, the opportunity arises for the child to provide more information without being leading or pressurizing 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, 1993:42).

In another study by Lamb *et al.* (2003:930) that 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) and that 66% of all children identified the suspect through open-ended questions (60% for pre-schoolers). Therefore, this shows that interviewers do not need to bombard children with suggestive and close-ended questions to elicit information. Open-ended questions invite a wide range of replies and do not suggest a specific answer.

Cronch *et al.* (2006:199) recommend that open-ended questions should be used when interviewing school-aged children and adolescents. These type of questions are not as effective with very young children and often elicits shorter and less detailed responses than other types of interviewer utterances (Davies *et al.*, 2000:81; Hershkowitz *et al.*, 2002:429; Cronch *et al.*, 2006:200 and Sternberg *et al.*, 1996:439). From the study conducted by Lamb *et al.* (2003:926) with children between 4 and 8 years it was established that more information elicited from children was because of open-ended questions. Although older children provided more details overall in Lamb's study, the proportion of details elicited by invitations and open-ended questions did not differ with age. However, cued invitations such as "You mentioned that he touched you...tell me more about that") proved to be useful with younger children, particularly as a safer alternative than option-posing or closed questions (Cronch *et al.*, 2006:200).

Open-ended questions may also be less likely to elicit self-contradictions in children's statements (Cronch *et al.*, 2006:200). Lamb and Fauchier (2001:485) examined 24 forensic interviews of seven children who were allegedly sexually abused in a day-care centre and whose allegations led to convictions. The authors found that every self-contradiction that occurred was in response to a focused question. In contrast, no self-contradictions occurred in response to open-ended questions.

Based on the above discussion, one can take note the open-ended questions are highly recommended than any other type of questions when assessing allegations of sexual abuse amongst children to get more accurate and detailed information. 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.

6.2.4 Truth–lie discussions or competency assessment

It is imperative that forensic social workers assess children's understanding of the difference between the "truth" and a "lie" before beginning the abuse-focused questioning often when conducting forensic interviews (Cronch *et al.*, 2006:200). Because of this, children's competency will be demonstrated and that will increase the credibility of their statements in court (APSAC, 2002:09; Huffman *et al.*, 1999:10; Cronch, 2006: 200). Orbach *et al.*, 2000:750; Spies (2006:200) and Wyatt (1999) recommend that children be asked if they have ever told a lie and what consequences result from telling lies. Wyatt

also suggests that interviewers further test children's understanding of these concepts through the use of examples ("Tell me a lie about this chair"). APSAC also recommends that interviewers use concrete examples during truth–lie discussions (APSAC, 2002:09). Starks and Samuel (2002a:22) and Kuehnle (1996:101) state that it is imperative that the interviewer emphasize 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; APSAC, 2002:05).

The researcher has observed from conducting assessments of allegations of sexual abuse with children that true-lie discussions works towards establishing the rapport with children. Smith (2014:269) shares the same sentiment that the competency assessment is an extension of the rapport-building phase. Flowing from rapport establishment, it is often useful to obtain a verbal agreement from the child to tell the truth throughout the interview (Huffman *et al.*, 1999:6-15; Talwar *et al.*, 2002:395). In the South African jurisdiction, it is required that all witnesses must undergo a competency examination before giving their testimony (Fouche, 2007:230). For example, 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 is done by the presiding officer. Forensic social workers are also summoned to assess children's competency following this technique of truth-lie discussions. The focus during this competency test is to determine whether the child can distinguish between the truth and a lie. The child would 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 (Fouche, 2007:230). Connell (2009:460) is of the opinion that the truth and lie assessment may increase the likelihood of children telling the truth.

The researcher is of the view that it is important to determine the child's comprehension about the difference between the truth and a lie, and the consequences of lying, right before the abuse-focused questioning start. Children should be made to know and understand that talking about the allegation of sexual abuse is a serious matter. 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. Therefore, it is crucial to continually remind the child during the assessment process about the importance of telling only the truth.

6.2.5 Touch survey

Another interviewing technique that has gained popularity in recent years is the Touch Survey, developed by Sandra Hewitt in the early 1980s (Carnes, 2000:70; Hewitt, 1999:226; Hewitt & Arrowood, 1994:35). This technique was developed as a screening for child abuse and was based on the idea that touches fall along a continuum, ranging from good to neutral to bad (Hewitt, 1999:226). Touch Survey in particular screens for possible abuse in several areas, namely: Physical abuse, which is, screened looking at spanking, hitting or pinching; sexual abuse by asking about genital touches and lastly emotional abuse or neglect by asking about hugging and kissing. It is imperative during CSA allegation to screen for multiple forms of abuse since abuse does not occur in isolation.

According to Hewitt (1999:226), Touch Survey requires that a child be able to use drawings as a representation of him or herself. Hewitt recommends that due to children's lack of self-representation skills, the Touch Survey be used when assessing children of the age of four (4) years and above. By using this technique, children of the ages between 4 to 8 are given a warm up exercise, which involves reviewing different feelings and face associated with each. The intention of this warm up exercise is to assess children's self-representational skills, to establish rapport and subsequently assess their attention span (Cronch *et al.*, 2006:200). Cronch and his colleagues have established that this exercise is not necessarily intended for children above the age of 8 years. The researcher has learnt from his practical experience that the systematic Touch Survey includes the discussion of different touches experienced by children which amongst others include; hugging, kissing, hitting, sexual touches, and feelings associated with these touches, locations on their body where they have received the touches, and who gave them the touches. Hewitt and Arrowood (1994:37) have establish from their pilot study where they compared the results from the systematic Touch Survey to the results of complete case investigations for 42 children between the ages of 4 and 8 years that none of the children claimed that abuse had occurred when the full evaluation determined it had not occurred (no false positives were found). However, few (29%) of the children from their study did not disclose that abuse had occurred when the full evaluation determined that it had occurred. To this point therefore, it can be concluded that the Touch Survey appears to more accurate to bring about more disclosures of CSA. Cronch *et al.* (2006:200) suggest that as the Touch Survey is likely to be a useful tool during forensic interview, one should use it in combination with other empirically supported interviewing techniques. From the

researcher's experience of assessing children who have been allegedly sexually abused, the Touch Survey is useful if children did not disclose the possibility of abuse. It is therefore used to examine such if other techniques did not work out.

6.2.6 Anatomically detailed dolls

One of the most contentious interviewing techniques discussed in the literature is the use of anatomically detailed dolls. Dolls are regarded as an excellent communication/clarification tool, if used appropriately (APSAC Guideline, 1997:06). The anatomical dolls are referred to as anatomically detailed, anatomically or sexually correct (Faller, 2007:113) and are used when there is an allegation of CSA (Faller, 2007:113; Kuenhle & Connell, 2009:370). They could be used to clarify previous statements made by the child about sexual abuse other than relying on the children's statements only (Faller, 2007:119; Spies, 2006:228). In other words, they are used after the child has disclosed sexual abuse (Spies, 2006:228).

The anatomical detailed dolls are used under the following guidelines according to Faller (2007:114) and Holmes (2000):

- Not to children below the age of 4 years as they require specific cognitive abilities.
- 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 (Spies, 2006:228).
- The child will not be told whom the doll represent (Spies, 2006:229).
- No assumptions about the child's demonstrations should be made;
- Children should not be forced to use the dolls in demonstrations.

- The dolls are used to a child whose language skills are limited or who are reluctant to talk, as a medium for clarifying verbal statements or a way of corroborating disclosure (Faller, 2007:126).
- If interviewing a White child, white dolls should be used, and if a Black child, then a black doll should also be presented to a child. Faller (2007:127) states that when conducting forensic interviews, the interviewer must assist the child choose dolls of same number, age, race, and gender.
- Immediately after the exercise of anatomical dolls, interviewers should put the dolls away from the child and avoid putting them laying before the child.

Kuenhle and Connell (2009:370) state that anatomical dolls have three functions namely:

- ✓ Anatomical models
- ✓ Demonstration aids
- ✓ Screening tool or memory stimuli.
- **Anatomical models**

They refer to the dolls used to identify the child's names for body parts or explore the child's sexual knowledge and knowledge about body functions. They serve as body maps for identifying information about touch and serve a visual cues for direct inquiries about what allegedly happened to the child.

- **Demonstration aids**

The anatomical dolls allow the child to show rather than to tell and to clarify, elaborate or confirm the interviewer's interpretation of what the child said.

- **Memory stimulus or screening tool**

Anatomical dolls trigger or cue the child's recall of specific actions or incidents of sexual nature.

The use of anatomical dolls on the other hand has disadvantages. It has been argued that they are more suggestive because they have private parts (Faller, 2007:114; Kuenhle & Connell, 2009:370). These findings validate what Santtila *et al.* (2004:22) has discovered from their study conducted in Finland on 27 transcribed forensic interviews that anatomically detailed dolls that were used included more suggestive utterances and less detailed responses by the children. It has been found that anatomical dolls can elicit sexual play even from non-abused children (Ceci & Bruck, 1995:274; DeLoache, 1993:67; Santtila *et al.*, 2004:23). In other words, they also cause children who have been sexually abused to say that they have been sexually abused. The anatomical dolls demand specific cognitive abilities if used appropriately (Kuenhle & Connell, 2009:371). For example, they are not suitable for very young children in that they may not have the requisite cognitive abilities to use them appropriately.

Due to suggestibility of anatomical dolls and children's lack of self-representational skills, the researcher is of the opinion that anatomically detailed dolls should be avoided when forensic social workers assess preschool children. APSAC (2002:09) and Carnes (2000:70) maintain that anatomical dolls should be used with caution and only when it is necessary to facilitate communication during forensic assessments. The researcher concurs with the opinion that anatomical dolls only be used when children have already disclosed possible 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 use of anatomical dolls is a specialized interviewing technique, and professionals should receive intensive training.

6.2.7 Rapport building

Rapport refers to the positive relationship essential develop between the forensic social worker and the child during forensic assessments. According to Wilson and Powell (2001:47), rapport also implies that there is a strong element of trust between the investigator and the child. Investigators, who are overly sympathetic or concerned about the child, can destroy rapport. Rapport with children during the assessments of sexual abuse allegations can be established in a variety of ways. An environment that is comfortable, a warm investigator demeanour, attentive listening, good facilitation skills, as well as developmentally sensitive questioning, contributes to building rapport with a child.

Investigator demeanour combined with a child friendly environment can assist in communicating that it is a safe place for the child (Cordisco-Steele, 2012:106).

In addition, ground rules are very important during the rapport-building phase (Warren *et al.*, 1999:131; Bull, 2003b:37; Wakefield, 2006:101). The researcher has observed from his practical experience in engaging with children that in the first sessions with children, the establishment of ground rules make children relax and start to have hope in the facilitator. The researcher has observed from his practical experience that children are sometimes anxious when they come for forensic assessment, more especially during pre-forensic assessments. The reasons to these is that for them the forensic social worker is a stranger as they are meeting him or her for the first time and that they do not know what is expected of them. The New York State Children's Justice Task Force (2003:16) also warns that children become confused, especially about the purpose of the interviews. They may even be afraid that they are in trouble. Children usually relax after ground rules have been established. Wilson and Powell (2001:49) are of the opinion that this can even lead to disclosure. Bull (2003b:37) and Spies (2006:225) both recommend that the interviewer should give the child permission to indicate whether s/he understands by either indicating verbally or by using a "don't know" or "don't understand" card, or by saying they do not remember or do not understand, or to even correct the interviewer or to ask clarification of a question. It is vital 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.

Spies (2006:225) states that after the child has made verbal statement about possible sexual abuse, the interviewer should take great care not to ask any leading questions (e.g. Did he touch your bums?) nor to suggest anything to the child (e.g. He took off your pants), nor assume that s/he knows what the child means. From the researcher's experience of assessing children who are being sexually abused, open-ended questions are useful in establishing rapport with children. Wilson and Powell (2001:47) support the researchers' endeavour in that to listen, the investigator cannot keep on talking and to establish rapport, the forensic social worker must ask open-ended questions. Establishing rapport with open-ended questions produces more accurate information than utilizing direct questions (Faller, 2007:72; Irwin & Johnson, 2005:824; Roberts *et al.*, 2005:198; Saywitz *et al.*, 2011:344; Vallano & Compo, 2011:961). 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 (Fouche, 2007:215). Sternberg *et al.* (1997:1133) and Wakefield (2006:101) state 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 s/he does not know the answer.

It is the opinion of the researcher that after the initial disclosure of the possible sexual abuse, ground rules be emphasized to the child. If the interviewer sets the ground rules before the disclosure, the possibility exists that the child has forgotten about the ground rules by the time the initial disclosure occurs (Fouché, 2006:225). In the light of the above, it can be seen that rapport building during forensic social work assessment is of importance to relax children and ultimately build a trusting relationship with the forensic social worker.

6.2.8 Free call

Children are more likely to accurately provide important details in what is termed free recall (Bruck *et al.*, 2006:785; Spies, 2006:225). However, they tend to be less spontaneous than adults. The interviewer can then get further information through specific questions about the event. Interviewers should allow the child to provide a free narrative account in any order that the child wishes (e.g. Tell me about your school holidays); and "Tell me more" (Aldridge & Cameron, 1999:140; Home Office, 1992:17; Spies, 2006:225). 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. Aldridge and Cameron (1999:140), Orbach *et al.* (2000:736), and Wood and Garven (2000:112) state that the interviewer should not interrupt the narrative with questions.

The following types of questions are recommended to invite free narrative (Bull, 2003a:3; Fouche, 2007: 215; Starks & Samuel, 2002a:27; Aldridge & Wood, 1998:72):

- "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 summarizing it, e.g.: "He did naughty things with me," which the interviewer would follow up with questions like:

- "Please tell me everything that happened"

Children must be allowed to give a free narrative of any incident in whatever order they like. The interviewer should provide a structure in a developmentally sensitive and non-leading manner to assist the child to tell his/her story. The researcher experienced that when children are requested to give a free narrative, they very often only relate the core events and will not necessarily start from the beginning to the end. It is therefore imperative not to interrupt the child, but to allow the child to recount whatever is on his/her foreground at that moment.

6.2.9 House and community plan

This technique was developed from a number of related techniques like eco-cards and genograms (Butler & Karp, 1996:87; Fouche, 2007:212; Kaduson & Schaefer, 1997:104; Perry & Wrightman, 1991:111; Spies, 2006: 218) and focuses on the child's daily movements from his/her home to other secure or threatened places (Fouché & Joubert, 2003:16). This technique helps the child to identify the places where s/he feels secure and those in which s/he feels threatened. With the child's assistance, the interviewer draws a plan of the child's home, including furniture. They then make clay models that represent family members. The area surrounding the house, with the inclusion of neighbouring houses or places where the child often pays visits to, is also drawn. Exploration of boundaries also takes place in the process. The interviewer asks questions to explore daily routine and movement. 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; Fouche, 2007:212; Spies, 2006:219). Both safe and unsafe ticks are explored. If the child indicates that s/he has been sexually abused, abuse-focused questioning (Cronch *et al.*, 2006:200) regarding the allegation of sexual abuse will take place. Spies indicates that this approach can be used even in the egg technique.

6.2.10. The egg technique

According to Spies (2006:219), the purpose of the egg technique is to make children aware of their own personal boundaries and to enable them to identify when someone intrudes on them. The interviewer presents the child with a picture that the child has to complete by connecting the dotted outline around the figure and by colouring the personal space inside the dots. This enables the child to conceptualize the boundaries. The child

could stretch out his or her arms to depict personal boundaries, or engage in a game where s/he tries to enter the interviewer's egg and vice versa. During the application of this technique, the interviewer tests the child's comprehension with a neutral topic and then move on to ask the child which of the people identified in the house and community may enter his or her egg and which of them may not. After each response that the child gives, the interviewer then explores the reasons for the child's decision and focuses on anyone the child has refrained from mentioning.

6.2.11 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. By using this technique, children are more likely to disclose possible sexual abuse committed mostly by the child's acquaintances. Fouche and Joubert (2003:18), Spies (2006:220) and Venter (1993:12) support the claim that this technique is developed to evaluate relationships. By using different colour of clay shaped into little balls, the child becomes able to visualize and represent friends, family members and other people s/he has contact with.

The child is requested to represent all of his/her family members and other persons that are important by choosing a strip of coloured clay and making it into a little ball (Fouché & Joubert, 2003:16; Spies, 2006: 220). The child then draws two large circles, which then will represent happy and unhappy faces (Fouché, 2006: 210: Spies, 2006:220). Hereafter the child places the people (clay balls) either in the circle with the "make me feel happy" face or in the circle with the "make me feel unhappy" face. The interviewer at this point has to clarify whether the child understands the difference between happy and sad and to test the child's understanding within the context of a neutral subject (Spies, 2006:220). The interviewer then explores the people the child has place into the two categories. Should the child disclose possible sexual abuse, the interviewer will start with the abuse-focused questioning (Cronch *et al.*, 2006:200). Spies (2006:220) adds that the interviewer then proceeds with forensic interviewing techniques to assess the allegation.

6.2.12. The robot

In order to facilitate the disclosure of CSA, some forensic social workers use the robot technique. The aim of this technique is to explore the possibility that the child may have been a victim of physical or sexual abuse (Fouche & Joubert, 2003: 19; Spies, 2006:220).

Forensic social workers expose children to three different touches with the use of the colours of a robot. In order to explain this, Spies (2012:220) introduces the term touching trouble whereby she describes by differentiating between three touches as follows; the first touch is a bad touch (when somebody hurts you); the second touch is a secret touch (genitals are touched); and the third type of touch is a good touch (positive contact). The different types of touches are explained by comparing them to a traffic light (also known as a robot in South Africa) (Fouché & Joubert, 2003:17; Fouche, 2007:214; Spies, 2006:221). The red light (stop) symbolizes a bad touch, the orange light a secret touch (careful/ be aware) and the green light a nice touch (go ahead).

When applying this technique, the interviewer should clarify with the child whether s/he knows the function of the different lights of the robot and thereafter explain that humans also have a robot in their bodies that one cannot see, but that 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, 2007:214), or when someone does something and asks us to keep it a secret.

The child is requested to place the clay balls that were used in the family graphic on the appropriate colours of the traffic light. The interviewer will clarify and explore each clay on the relevant colours of the traffic light. If the child discloses sexual abuse, forensic interviewing techniques such as abuse-focused questioning are the followed by the interviewer.

Play-related communication techniques should be used to conduct the interview in a developmentally sensitive environment; to interview the child on the child's level; to build rapport; to facilitate the initial verbal disclosure of alleged sexual abuse; to conduct a risk assessment; and to explore multiple hypotheses.

6.3 Models for Assessing Child Sexual Abuse

When screening for the possibility of CSA, there are a variety of approaches and guidelines that the professionals follow. For instance, professionals (forensic social workers) must decide which people, who may inform the likelihood of sexual abuse, to

see, and in what configuration when assessing for sexual abuse. This section therefore will focus on the evaluation of various models and processes through which one can conduct forensic interviews.

6.3.1 The child interview model

According to Faller (2003:142), the child interview model is necessary for assessing the probability of CSA wherein the essential part is the interview with the suspected victim (child). Faller (2007:36) states the child interview model is the dominant strategy for assessing the likelihood of sexual abuse. In other words, when one conducts forensic interviews, only the child is interviewed, and not collaterals. As a result, alternative hypotheses from verbal statements made by the child will not be tested. In some agencies and programmes, this is called single interview (Bourg *et al.*, 1999:506; Faller, 2007:16; Merchant & Toth, 2001:70). According to Faller (2007:36), this model is used mostly in Child Protection Service investigations. The alleged offender is forbidden from being present when employing this model. The presence of the offender will make the child doubt the interviewing facility as a safe place to disclose if there is something to disclose. The accompanying adult, who brings the child for the interview, is not present when the child is interviewed, but is interviewed later on to gather information that will facilitate the interview with the child. They are asked what behaviour, statements or physical findings had led to suspicions of sexual abuse and occasionally, the names the child uses for private body parts. The child concerned might also be medically examined (Faller, 2003:142). As a result, the researcher holds a view that the process of disclosure is not taken into account when employing this model. There is no single offender profile at this model. The term "profile" is used to describe a group of characteristics that indicate that a particular type of person is likely to engage in certain behaviour (Van den Bos, 2007:738). The belief is that children are usually reliable and rarely make false allegations (Faller, 2007:37). In other words, the assumption is that whatever the child says is true. Furthermore, it is believed that if the child can deny that s/he has been sexually abused, the interviewer tends to believe that no abuse took place.

According to Smith (2014:126), the child interview model is the most parsimonious and widely employed model in South Africa when investigation allegations of CSA during forensic social work assessments. It is applicable to the majority of extra-familial cases of sexual abuse, but also to many intra-familial cases of sexual abuse. (Faller, 2007:37)

denotes that the volume of referrals to many agencies that conducts forensic interviews is large and most cases end up not receiving a more involves and complex assessment.

Having read about the child interview model, the researcher has compiled both its strengths and weaknesses as follows:

6.3.1.1 The strengths of Child interview model

Madu and Peltzer (2001:312) state that CSA in South Africa has called the attention of various professionals to address it. To support this, Fouché (2006:206) maintains that parents, teachers and community members who suspect CSA refer cases to the South African Police Service, welfare organizations, or private practitioners on a daily basis. The researcher has observed from his practice that professionals in South Africa who work with cases of CSA have a high caseload. Therefore, the child interview model is appropriate for such professionals as it usually involves only one session with the child during forensic social work assessments, and does not make use of extensive collateral sources. In other words, it saves time. Only the child is interviewed and not the collaterals, and as a result, the high caseload decreases.

The child interview model does not have a profile for sexual offenders (Faller, 2007:36; Smith, 2014:128). Robertiello and Terry (2007:509) and Smith (2014: 128) state in their research that sex offenders constitute a heterogeneous group of individuals that start abusing for myriad reasons. Many sexual offenders do not fit into discreet categories as they have unique personal and criminal histories. The attitudes and beliefs that support their deviant behaviour may vary. Smith (2014:128) and Van Niekerk (2006:107) state that it is a myth that offenders have a personality profile and explains that offenders represent all personality types, all cultures, social strata, ages, genders, occupational groups, etcetera. Prentky *et al.* (2012:107) state that child sexual abusers are highly dissimilar in terms of their personal characteristics, life experiences and criminal histories and that no single “molester profile” exists. The researcher shares the opinion of the above researchers as it was clear from his practical experience of working with sexually abused children that there is no profile for sexual offenders and that they come from all spheres of the community.

The child interview model may secure a sense of safety with the child, as the investigator does not allow the offender on the same premises as the child (Faller, 2007:36; Smith,

2014:128). The APSAC guidelines (2012:10) have the following opinion on that: “No one suspected of committing abuse should be present or in the vicinity during an interview. This recommendation would also prevent a suspected offender from accompanying the child to or from the interview site.” The child is usually accompanied by a supporting adult, which will also be interviewed. This accompanying adult will be questioned on the behaviour, statements, or physical findings that have led to the suspicions of sexual abuse. The researcher values the fact that the victim must feel safe at all times and that the victim will not disclose in unsafe circumstances. The forensic investigator must, however, take care not to “convict” someone of sexual abuse. According to the Constitution of the Republic of South Africa, Act 108 of 1996 as amended, a person is innocent until proven guilty. It is not the forensic investigator’s role to convict anyone, to defend anyone, or to excuse, blame, acquit or condemn anyone (Carstens, 2006:191).

6.3.1.2 Weaknesses of child interview model

The process of disclosure is not taken into account because it is only a single interview. Faller (2003:142-143) states that the child interview model has been criticized because it does not take into consideration all the information that might be available. Those using this model also limit themselves to the child’s current account.

Alternative hypotheses from verbal statements made by children are not tested as collaterals are not interviewed. Müller (2001:8) states that the purpose of the forensic interview is to establish the facts of the incident under investigation. Forensic interviews are hypothesis testing, rather than hypothesis confirming, with the implication that the investigator must consider other possible explanations for the child’s behaviour (Cordisco-Steele, 2012:100; Faller, 2003:172-177; Fouché, 2006:206; Saywitz & Camparo, 2009:105; Smith, 2014:130). When considering this information, it surfaces that the child interview model is not in line with this principle. The forensic investigator must generate and consider a range of possible hypotheses to explain the information gathered from the child (Faller, 2003:177). The researcher is of the opinion that the forensic investigator cannot explore all these possible hypotheses by only conducting a single interview with the child and his or her accompanying adult and not interviewing other collateral sources (Smith, 2014: 130).

The researcher holds the view that this model leads to subjectivity and it is too therapeutic. Professionals making use of this model must ask themselves whether they are neutral and

objective, as the investigator heavily relies on the child's statement and does not consider other facts. This is contradictive to the role of the forensic investigator as a neutral and objective fact finder (Carstens, 2006:192; Cordisco-Steele, 2012:100; Faller, 2007:5; Saywitz & Comparo, 2009:105; Smith, 2014:130).

The use of child interview model leaves children vulnerable because they are only interviewed once. Offenders plan and calculate their approach to victimizing children, often employing strategies to involve children, maintain their cooperation and forbid them to report the abuse (Berliner, 2011:220).

The dynamics of sexual abuse are not considered. Most of the time, the child is only interviewed once. On the other hand, if they deny the sexual abuse, or are non-responsive in the interview, the assumption is that they were not sexually abused (Faller, 2003:142; Faller, 2007:36-37). In ideal situations, a full disclosure would be obtained in a single interview, but children are understandably reluctant to disclose information about abuse. Sexual abuse is often a very private and sensitive topic. It is embarrassing and shameful to discuss, and many children are unlikely to ever tell their story (Bottoms *et al.*, 2007:135; Cronch *et al.*, 2006:196-203; Lyon, 2009:30; Smith, 2014:130).

In light of the above, it is clear that a single interview during the forensic process will not be sufficient to obtain all the necessary facts. However, Faller (2007:37) finds that the child interview model is the most widely employed model. When one selects a model for forensic investigations, the child interview models may not be the best for use in the South African context. Katz and Hershkowitz (2012:01) recommend the application of repeated interviews to forensic investigations with children. Although it can be utilized in heavy caseloads, the quality of forensic interviews must not be sacrificed for the sake of quantity. When making life-changing decisions in children's lives, working at face value is simply not scientific, ethical or good enough (Smith, 2014:131).

6.3.2 The joint investigation model

This model involves collaborative investigation by child protection services and law enforcement or the legal system, for example the prosecutor (Faller, 2007:37). The author states that it happens in a variety of ways, for instance, it involves conjoint interview of the child by law enforcement and child protection services such as forensic social workers. The joint investigative model may be implemented in various ways. There may be a

primary interviewer and a secondary interviewer. The secondary interviewer takes notes and asks additional questions after the primary interviewer has made his/her inquiry. It can also be implemented by having one professional behind a one-way mirror while the other is interviewing the victim (Smith, 2014:132). The joint investigation model emerged mainly because of a lack of successful criminal court outcomes (Faller, 2003:143). The goal of the joint investigation model is to minimize a large number of interviews by gathering information from both the protection and prosecution in the same interview (Faller, 2003:143; Faller, 2007:38). Data gathering is not only limited to the child, even other parties such as suspects, non-suspected parents and other potential witnesses are interviewed. Law enforcement, which will be the South African Police Service in the South African context, has the responsibility of collecting and preserving physical evidence that might be obtained from the crime scene, or it might be collected by a medical practitioner (Faller, 2003:143; Faller, 2007:38). It is the most positive case outcome of successful criminal prosecution.

The joint investigation model, like other models, is useful during forensic interviews. The strengths and weaknesses include the following:

6.3.2.1 The strengths of the joint investigation model

Joint investigation model minimizes large number of interviews. Connell (2009:426) recommends that duplicative interviewing must be avoided. Children suffer from stressful and upsetting interviews by multiple interviewers if they are repeatedly and unnecessarily interviewed (Cronch *et al.*, 2006:203; Müller, 2009:82; Smith, 2014: 132). Not only are children traumatized by multiple interviews, but multiple interviews can also lead to the contamination of information provided by the child, or it can suggest false information to the child if making use of suggestive interviewing methods (Ceci & Bruck, 1995:44-45; Saywitz *et al.*, 2011:353).

It leads to more successful conviction rate. Faller (2007:38) states that when the joint investigation model is implemented, a more successful conviction rate can be expected. The joint investigations of sexual abuse cases can be very successful in eliciting confessions from suspects, obtaining pleas, and avoiding children's testimony at trial (Faller & Henry, 2000:1222).

The researcher is of the following opinions about the strengths of the joint investigative model:

- The role players such as CPS and law enforcement share information.
- It leads to more successful conviction rate.
- It speeds up the process as there are not many interviews.
- It encourages teamwork.
- There are limited interviews by multiple interviewers.
- The information is available immediately to all role players as they conduct the interview jointly.
- Information obtained from suspects can make it possible for a child not to give a testimony at trial as corroborated by Faller (2007:38).

6.3.2.2 The weaknesses of the joint investigation model

It is difficult in child welfare and law enforcement professionals to work together (Faller, 2007:38). In other words, the use of the joint investigative model obliges various stakeholders to come together and work as a team and in reality that sometimes is not practical. The researcher's experience of working with other stakeholders jointly during cases of CSA is that every officer wants to own the case and guard their professional practice domain.

When evidence does not support criminal prosecution, the case is closed and the child is left vulnerable (Faller, 2007:38). In other words, the case is closed if CSA cannot be proven beyond reasonable doubt. Cronch *et al.* (2006:196) states that most of children are not prepared to fully disclose their encounters. The researcher is of the opinion that the issue of recantation is not taken into consideration. If the child recants the disclosure of the events of the sexual abuse, the case cannot be proven beyond a reasonable doubt when applying the joint investigative model.

The presence of the police may have an impact on the child. Children often have a fear of the police and other law enforcement officers. As a result, they recant. Therefore, the

researcher is of the opinion that the joint investigation model can only be utilized with success when the child is ready to make and maintain a full disclosure.

6.3.3 The parent-child interaction model

Smith (2014:135) states that Investigators that employ this model may use additional means to understand the nature of the child's relationship with the parent. The author has established from her study that most investigators use this model where there are sexual abuse allegations during a divorce. The primary method is to have a parent-child session that is observed by the investigator, who may be in the interview room or behind a one-way mirror (Faller, 2003:145-146; Faller, 2007:3839). The motive to employ this model is that, clinicians assume that victims and offenders would engage in sexualized interaction while being observed and/or the child would show fear of or avoid contact with sexually abusive parent (Faller, 2007:38). Observing how the child behaves with the accused and the non-accused parents respectively helps investigators differentiate true from false allegations. Faller further states that the utilization of this model can have implications for ethics, especially if the child has been sexually abused. Faller (2003:267) continues by saying that there are ethical considerations when applying this model. If the child trusted the investigator enough to disclose the sexual abuse and the investigator then requires the child to face the abuser, the child may experience this as a violation of the trust relationship.

Sexual abuse allegations can be tested by observing parent-child interaction, unlike children's statements (Faller, 2007:41). Sometimes children's statements are not trustworthy, as children can be coached or may lie about sexual abuse and may make false allegations. As a result, the dynamics of sexual abuse and grooming are not taken into account. A parent is allowed to confront a child when one uses this model.

The parent-child interaction model, like other models useful during forensic interviews, has both strengths and weaknesses. These are as follows:

6.3.3.1 The strength of parent-child interaction model

The interviewer can observe how the child behaves with his/her parent. In other words, observing the interaction between parents and children may be valuable to evaluate interaction between the parent and the child. A model that includes the observation of the

parent-child interaction is both appropriate and widely employed in making decisions about custody and visitation in divorce when there are no allegations of CSA (Faller, 2007:39; Smith, 2014:135).

6.3.3.2 The weaknesses of parent-child interaction model

The presence of a parent may have an influence on the child, especially if the child has been sexually abused. This view is supported by literature. Smith (2014:135) has established that when the alleged offender confronts a child, it can be very traumatic for the child. Sexual abuse evaluation guidelines do not recommend a suspect–child interview (Faller, 2007:41).

The dynamics of sexual abuse and grooming are not taken into account either. Spies (2006:47) and Smith (2014:317) state that the perpetrator will use his or her power to dominate, bribe, threaten, or blackmail the child emotionally into keeping the secret. The victims may also experience fear as they realize that they cannot disclose the abuse without losses. Some children fear that the abuser will hurt them even further if they speak out or confront them. These threats serve the purpose of keeping them under the control of the abuser (Lown, 2001:118). The presence of threats will create anxiety and fear in the child. These threats have the tendency to prevent children from disclosing the abuse, especially if the safety of the child or their loved ones is involved (Spies, 2006:51).

6.3.4 Comprehensive assessment model

Faller (2007:41) states that the comprehensive assessment model has evolved because of criticisms, especially in court, against a simpler model. This model encourages data gathering from a variety of sources such as siblings, parents and others involved in the allegation of sexual abuse such as stepparents, teachers, day care providers etcetera (Faller, 2003:145; Faller, 2007: 41). Multidisciplinary teams such as social workers, lawyers, psychologists, physicians, and nurses conduct comprehensive assessment). Decision making when using this model may be collaborative, involving several professionals that form part of a team, or other professionals working with the family. According to Faller (2007:41), the professionals who use this model, have to appear in court. Faller (2007:42) states that this model helps to answer questions such as, “Has the child been sexually abused”? In other words, hypotheses are tested (Faller, 2003:145). The author further states that this model helps to determine the type of treatment that the

offender and non-offending parent should receive and their prognoses, the victim's treatment and placement needs, the advisability of intimate family re-unification and the impact and possible success of criminal prosecution.

Faller (2007:42) states that this model assumes that the child interview is only one of the several types of information that should be considered. The child interview is the most important part of this model. In other words, the child can be interviewed more than once. This model, however, has some drawbacks. Faller (2007:42) explains that this model is very time consuming, costly and intrusive to family life.

The comprehensive assessment model, like other models useful during forensic interviews, has both strengths and weaknesses. These are as follows:

6.3.4.1 The strength of the comprehensive assessment model

Alternative hypotheses can be tested. The comprehensive assessment model is also used to answer questions in addition to whether the child has been sexually abused (Smith, 2014:139). If one thinks that there is a possibility that the child has been sexually abused, the interview with collaterals would validate this.

The comprehensive assessment model encourages the extensive data gathering from a variety of sources involved in the allegation of sexual abuse. Guidelines provided by the APSAC (2012:07) recommends the active participation as part of a multi-disciplinary team and say whenever possible, the investigator should consult with other professionals involved with the child, or the child's family. There are multiple professionals involved when one uses the comprehensive assessment model.

It encourages interviewing the child more than one time. Smith (2014:1390) has established from her research study that most programme making use of a comprehensive assessment model recommend interviewing the child more than once and engaging in direct inquiry of the child about sexual abuse at some point during these interviews. The researcher is of the view that the comprehensive assessment model is the best as it helps professionals effectively facilitate the disclosure of CSA. If the child is interviewed more than once, the likelihood is that even where s/he recants, disclosure could be effected.

6.3.4.2 The weaknesses of the comprehensive assessment model

The comprehensive assessment model is the costly model to employ and very time consuming. It is also intrusive to family life (Faller, 2007:42). However, Smith (2014:140) states that when involving the entire family in the investigation, it is evident that the investigator is objective, neutral and tests different hypotheses.

From the researcher's experience of working with children, the use of the comprehensive assessment models may be a challenge to other professionals due to varied reason. For example, high caseload makes it difficult to do thorough forensic investigation due to lack of resources such transport so see various collaterals at their respective places and even to conduct more interviews with the child more especially in rural areas.

From the researcher's experience, one of the administrative requirements is to compile comprehensive reports where most collaterals are interviewed to gather more information concerning the matter under investigation. The comprehensive assessment model could be the model with the most suitability because various collaterals, such as siblings, parents, and other persons involved in the allegation are interviewed. Hypotheses can also be tested from verbal statements made by the child. Multidisciplinary teams are also interviewed, including lawyers, psychologists, nurses etc. As a result, teamwork is encouraged.

The researcher is also of the view that the advantage of the comprehensive assessment model is that, the court report becomes more detailed and factual. Lastly, the comprehensive assessment model helps to gather information about the child's family structure, and that can help the interviewer to make evaluations and recommendations concerning the allegation.

6.4 Forensic Interviewing Protocols

Cronch *et al.* (2006:201) state that while current techniques are continuously being examined through research and updated as needed, there are a few directions in which the field of forensic interviews in CSA cases appears to be headed. The appropriate approach to forensic interviews in CSA cases is the use of structured interviews or protocols, in which the interviewer utilizes a specific interviewing format (Orbach *et al.*, 2000:734; Sternberg *et al.*, 2001:1002). In addition, Faller (2007: 66) and APSAC

(2012:04) state that professionals who interview children about sexual abuse come from different professions with different trainings about how to structure an interview. The author also deems the use of structured interviews as crucial during forensic interviews.

The advantage of using a structured approach includes among other things limited training requirements, user-friendly and flexible protocols, and improvement in quality of interviews (Wood & Garven, 2000:110). Therefore, it is the duty of forensic investigators to be familiar with current interview methods and the supporting literature (Smith, 2014:148; Tully, 2011:200). Smith continues to states that structured protocols as one of the interviewing methods prevent defective interviewing, and standardization increases adherence to evidence-based practices.

Smith (2014:148) established that structured protocols are designed in such a manner that it includes different phases. Wilson and Powell (2001:45) are of the opinion that the interview protocol can be equated with a funnel where the interview begins with the most open-ended questions and then progresses down to more specific questions. These researchers state that the following phases are standard to most interviewing structures or protocols:

- Greeting and establishing rapport with the child.
- Introducing the topic of concern.
- Eliciting a free narrative account from the child
- Specific questioning.
- Closure.

Faller (2003:107) describes another guideline that can be followed for interviewing children that may have been sexually abused. This guideline comprises the following phases:

- Initial phase
- The investigator explains his or her role.
- Rapport building
- Provision of ground rules.

- The investigator assesses the child's overall functioning.
- Assessment of the child's developmental level.
- Abuse-Focused phase
- Open-ended inquiry.
- Follow -up regarding disclosure.
- Specific questioning.
- Closure phase
- Explanation of what will happen next.
- Investigator calms the child, if needed.

Faller (2007:69) incorporates the interviewing phases found in existing protocols and guidelines as follows:

- Documenting people, time and place for the video.
- Informing the child about the interview.
- Competency assessment.
- Rapport building.
- Developmental assessment.
- Assessing overall functioning.
- Explaining the rules.
- Practise interviewing.
- Introduction of topic of concern.
- Obtaining a narrative from the child.
- Obtaining additional details.

- The cognitive interview.
- Closure.

The literature suggests that forensic interviewing protocols must be divided into phases. It is also recommended that investigators make use of either structured or semi-structured interviews, as this will elicit more information from the child regarding the abuse than unstructured interviews. This validates the study conducted by Smith, who established from her study that most forensic investigators use both semi-structured and structured interviews, whereas some only use either semi-structured interviews or structured interviews when conducting forensic investigations (Smith, 2014:149).

Whilst following the above phases, it is imperative that professionals use the appropriate protocol or guideline depending on the child's age and the circumstances of the investigation (Smith, 2014: 152). The literature review reveals that most forensic investigators prefer the National Institute for Child Health and Development Investigative Model (hereafter referred to as the NICHD) for the facilitation of the allegations of CSA (Cronch *et al.*, 2006:201; Smith, 2014:152). Herman (2009:261) states that although other interview guidelines and protocols exist, no other protocol or guideline has levels of empirical support equal to those of the NICHD protocol. The NICHD protocol is currently the golden standard for forensic interviewing in cases where sexual abuse is suspected. It should be adhered to in all cases of CSA.

6.4.1 National Institute for Child Health and Development (NICHD) Investigative Model

The NICHD investigative protocol was published in 2000 to translate professional recommendations into everyday practice in the field (Cronch *et al.*, 2006:201; Lamb & Fauchier, 2001:998). Michael Lamb, Yael Orbach and their colleagues developed it based on research regarding effective interviewing techniques. The researcher is of the opinion that forensic investigators in the South African context must utilize this protocol. By making use of this protocol, field researchers have examined the quality of children's memory reports in relation to factors such as age, rapport building, open-ended questioning, the use of drawings, and other interview-relevant factors. (Smith, 2014:153). Based on a whole lot of NICHD Protocol interviews conducted in countries such as Israel, Lamb and his colleagues have worked on pinpointing interviewing techniques that will produce the

best quality of information from children (Saywitz *et al.*, 2011:340). Lamb *et al.* (2009:84) make an emphasis that this protocol is a flexibly structured guide incorporating a wide range of strategies believed to enhance the retrieval and accurate reporting of information about the experienced events. The authors state that prior to the substantive part of the interview, the forensic interviewer must ensure that s/he promotes a relaxed and supportive environment. The environment must be free from distractions such as other peoples, noises, toys, and incoming phone calls. They further state that the interviewer must ensure that s/he establish rapport with the child early in the interviews. As a result, the child may feel comfortable and may be free to disclose information (Cheung, 1997:277; Lamb *et al.*, 2009:85; Powell & Thomson, 1994:210). Smith (2014: 135) adds that this protocol also makes provision for other dynamics of sexual abuse, such as gaining information on the disclosure process. Several studies s have demonstrated the NICHD protocol's effectiveness in reducing leading and suggestive questioning, increasing the use of open-ended questions, and increasing the number of details elicited from children (Cronch *et al.*, 2006:201; Smith, 2014:152).

The NICHD protocol according to Cronch *et al.* (2006:201) and Lamb *et al.* (2009:85) has the following strategies or phases to follow when conduction forensic investigations:

- Introductory phase
- Rapport building phase
- Narrative training phase
- Substantive part of interview
- The free recall phase
- Information about disclosure
- Closure

The introductory phase

During this phase, the interviewer introduces him/herself and states his/her role, such as “My name is Frank Rapholo, my job is to talk to children about things that happened to them.” Then the interviewer also clarifies the tasks of the child such as the need to tell the

truth and to describe the events in detail. The competency assessment has to take place during this phase in that the interviewer explains to the child that s/he must tell the truth as s/he is a unique source of information as the interviewer was not present when the incident took place (Faller, 2007:70; Lamb *et al.*, 2009:85). The investigator then asks the child to evaluate several statements are true or false, for example, "If I say that my shoes are white (or green), is that true or false?" The child will then answer with reference to the colours s/he sees. The interviewer will make sure that the child understands the importance of telling the truth.

The ground rules and expectations are also outlined during this phase according to NICHD protocol. During the establishment of ground rules, the interviewer will introduce the video camera or microphones if he will use them and their purpose such as, "the video will help me to remember everything we are talking about." The interviewer will explain to the child that s/he can and should admit lack of knowledge or understanding during the forensic interviews by saying "I don't remember", "I don't know", "I don't understand", and should correct the interviewer when appropriate. The interviewer will also check with the child if s/he has any ground rule that s/he wants to add.

The rapport building phase

Lamb *et al.* (2009:87) state that a rapport-building phase follows the introductory phase. The establishment of rapport is sometimes prior to the substantive part of the interview (Faller, 2007:71; Lamb *et al.*, 2009:84). It is designed to create a relaxed and supportive environment and to establish rapport between the child and the interviewer, primarily by getting to know the child. According to the researcher's opinion, when rapport has been built between the child and interviewer, the child might feel free to disclose the allegation of sexual abuse.

During this phase, the interviewer encourages the child to talk both positively and negatively about issues and to respond in detail to gentle questions (Faller, 2007:72; Lamb *et al.*, 2009:87). For example, the interviewer may ask this, "Now that I know you better, tell me about things you like to do." If for example, the child has mentioned during the pre-forensic interviews that he likes soccer and that he was going to play soccer, then during this phase of forensic interviews, the interviewer may phrase this statement, "You remember that last time we spoke, you told me that you were going to play soccer? How did it go?" The interviewer then explores on verbal statements mentioned by the child.

The narrative training phase

During this phase, the interviewer makes sure that the child is aware of how much detail is expected of him/her while training him/her to provide more descriptive responses and to narrate the experienced events (Lamb *et al.*, 2009:88). Before the interview, the interviewer may identify the recent event that the child experienced such as a first day at school, holiday, and birthday party celebration, to ask questions about that event. For example, "I want to know more about you and things you do, on 9 August 2016 it was a holiday, tell me everything that happened on that day." The interviewer will then follow up on every statement made by the child.

The substantive part of the interview

During this phase, the recollection process commences after the pre-substantive phase has past (Lamb *et al.*, 2009:90). The interviewer phrases word like "Now that I know you better, I want us to talk about everything that happened to you from the beginning to the end." The interviewer uses open-ended questions to explore on verbal statements that the child makes. The questions of who, when, where, what, how are asked. Lamb *et al.* (2009:92) state that during this phase the interviewer elicits more details about the allegation, such as the location and time of the abuse, without mentioning the name of the suspect or any details of the suspected abuse to avoid possible contamination. The author further states that if the child does not confirm or make any allegation, the interviewer then should turn to the neutral event and terminate the interview leaving that possibility of another interview at the later date.

The free recall phase

This phase commences when an allegation has been made (Lamb *et al.*, 2009:94). The interviewer uses open-ended questions such as, "Tell me anything that happened from the beginning to the end as best as you can remember," followed by open-ended prompts such as, "Then what happened?" or "Tell me more about that." The contextual information with reference to events, actions, people, places or things mentioned by the child is gathered during this phase.

Information about disclosure

During this phase, the interviewer uses statements like “You have told me why you came to talk to me today, you have given me lots of information and that really helps me to understand what happened.” According to Lamb *et al.* (2009:99), the child could also be asked “Tell me what happened after the incident”, “Tell me more about that.” The entire section of questioning is repeated with respect to each of the incidents described by the child.

Closure

The interviewer at this point concludes the questioning phase by asking the child whether they have additional information to report before thanking him/her for cooperation and then shift to the neutral topic for discussion. The examples of how the interviewer may close the interview are as follows:

“You have told me lot of things today, now I want to thank you for helping me.”

“Is there anything else you think I should know?”

“Are there any questions you want to ask me?”

“If you want to talk to me again you can talk to me on this number, 079 970 7404.”

“What are you going to do today after leaving here?”

Then after all these, the interviewer might talk to the child about a neutral topic for a couple of minutes and close the interview.

6.5 Conclusion

Forensic interviewing in CSA cases in South Africa is still a concern, as various professions still do not know how it helps. However, it has evolved greatly through the years in the United States of America. Research in this area of forensic interviewing has provided treasured evidence regarding effective and appropriate interviewing techniques. Even though more research in this field is needed to explore the effectiveness of interviewing techniques during forensic assessments in the South African context, forensic social workers can benefit considerably from the guidance that such research provides. It

should also be noted that when conducting forensic investigations about the allegations of CSA, one should be skilled and well trained about various techniques, media, models for conducting such interviews and follow the ones that are applicable. One must also be knowledgeable about how to structure such interviews and select the appropriate protocol(s) that is conducive and user friendly to the child considering the environmental systems and the cognitive development of children concerned. In other words, interviewers should always come to the level of the child. The next chapter will provide an overview of the research methodology used in this study.

CHAPTER 7

RESEARCH METHODOLOGY

7.1 Introduction

The focus of this chapter is on the framework that guides and directs the research project that was conducted for this study. Fouché and Schurink (2011:323) and De Vos *et al.* (2002:33) define research methodology as a process that involves the application of a variety of standardized methods and techniques in the pursuit of knowledge. The most common methodologies in social research involve qualitative, quantitative and participatory research approaches or methods. The essence of the research methodology is that it stipulates how the researcher possibly may go about practically studying what s/he believes can be known (Durrheim in Terre Blanche, Durrheim & Painter, 2006:06). The qualitative research approach involved an evaluative research design to pursue the aim of this study. These two aspects will be discussed in detail in this chapter. This chapter also deals with research approach, research design, the population that was considered during this study and sampling techniques that were used. Lastly, data collection methods and data analysis methods are discussed in this chapter.

7.2 Research Approach

The researcher followed qualitative approach. A qualitative approach is an approach for exploring and understanding the meaning individuals or groups ascribe to a social or human problem (Creswell, 2014:04). When working from a qualitative perspective, a researcher attempts to gain a first-hand, holistic understanding of the phenomena and data collection is shaped as the investigation progresses (Babbie & Mouton, 2001:53; De Vos *et al.*, 2002: 364). According to Fouché and Schurink (2011:308), qualitative researchers apply an emerging qualitative approach to collect data in a natural setting sensitive to the people and places under study and are concerned with understanding rather than explanation, with naturalistic observation rather than controlled measurement. Qualitative methods allowed the researcher to use tools that have explored issues in detail and allowed inductive methods in evaluating interviewing techniques during forensic social work assessments. According to Makhubele (2008:111) and Denzin and Lincoln

(1994:08), a qualitative research design emphasizes processes and meaning that are not rigorously examined or measured in terms of quantity, amount, intensity and frequency. It uses techniques aimed at gaining insight into the underlying issues surrounding a research problem by gathering non-statistical feedback and opinions rooted in people's feelings, attitudes, motivations, values and perceptions.

7.3 Research Design

The researcher used programme evaluation as a type of research (De Vos *et al.*, 2005:367). An evaluative design was followed to evaluate the effectiveness of interviewing techniques in forensic assessments with the Black child. De Vos *et al.* (2005:368) asserts that programme evaluation focuses on measuring attainment of goals and objectives, that is, finding out if a programme works, for instance, if it is effective. Programme evaluation is the systematic collection of information about activities, characteristics, and outcomes of programmes to make judgements about the programme, improve its effectiveness and/or inform decisions about future programming (De Vos *et al.*, 2005: 369; Patton, 2002: 10). These authors further state that evaluative research can include any effort to judge and enhance human effectiveness through system-based inquiry. Rossi *et al.* (2004:16) add that evaluative research is used for social research methods to systematically investigate the effectiveness of social intervention programmes so that programmes can be adapted to their political and organizational environments. Such research is designed to inform social action to improve social conditions.

7.4 Population and Sampling Methods

7.4.1 Population

A population refers to individuals in the universe who possess specific characteristics (Strydom, 2005:193). In contrast, population is any group that is the subject of research interest (Melville, 2001:34; Wysocki, 2004:230). The population of this study were forensic social workers. The researcher has made use of the forensic social worker who is working for South African Police Service (SAPS) in Polokwane in Limpopo to give the names of other forensic social workers according to the provinces in South Africa and the details of the manager to gain approval to conduct the study. These forensic social workers were selected for their significance to the proposed study and selection ended when data

saturation was reached. Data saturation, as Strydom and Delpont (2011:393) describe it, is the collection of data to the point where a sense of closure is reached because new data yield redundant information.

7.4.2 Sampling methods

Sampling means taking a portion or smaller number of units of a population as representative or having particular characteristics of that particular population (De Vos *et al.*, 2011:222; De Poy & Gilson, 2008; Thomas & Smith, 2003:225). The study used a triangulation of three sampling designs was used, namely stratified random sampling, purposive sampling and convenient sampling designs. The researcher used stratified random sampling to purposefully collect data from forensic social workers who were convenient or most available for the purpose of this study.

It is essential to use stratified purposive sampling design when the population can be divided into a number of strata that are mutually exclusive and the members are homogenous with regard to some characteristics such as gender, home language, income levels, level of education, or age (De Vos *et al.*, 2011:230; Singleton *et al.*, 1993:164). The researcher used purposive sampling to select forensic social workers in South Africa. The forensic social workers in Limpopo was approached first and they provided a list of the said population and the details of the gatekeepers within the SAPS. Moreover, in purposive sampling design the emphasis is entirely on the judgement of the researcher in that the sample is composed of elements that contain the most characteristics representative or typical attributes of the population that serve the purpose of the study (Grinnell & Unrau, 2010:237). The researcher has ensured that stratified random sampling method is adhered to with control list of forensic social workers at SAPS. To make the sampling process effective in this study, the researcher has used the list of forensic social workers given by the forensic social worker in Limpopo and randomly selected two forensic social workers per province as the strata except for Limpopo as it has only one forensic social worker within SAPS (De Vos *et al.*, 2011:230). The selection of the sample as representative of the population was determined by their availability (De Vos *et al.*, 2011:232).

Inclusion criteria

- Forensic social workers who have an experience of conducting forensic assessments.

- Forensic social workers that gave a written consent to be part of the research and for the interview to be recorded.

Exclusion criteria

- Forensic social workers that do not have practical experience of conducting forensic assessments.

7.5 Data Collection Methods

According to Neuman (2000:30), data gathering can be divided into two categories, namely qualitative and quantitative. Durrheim, cited in Terre Blanche and Painter (2006:51), add that data are basic material with which researchers work. Data are generated from observation, which can take the form of numbers (quantitative) or language (qualitative). For the purposes of this study as outlined in Paragraph 8.2, a qualitative approach was used. Grinell (2001:111) states that qualitative data collection typically involves multiple data collection methods. To obtain qualitative data in this study, the researcher conducted literature review and semi-structured face-to-face interviews.

7.5.1 Literature Review

A literature review involves a search and study of current writings on the problem under investigation (Bless *et al.*, 2013:49). It serves to put the researcher's efforts into perspective, situating the topic in a larger knowledge pool. It creates a foundation, based on existing related knowledge (Fouché & Delport, 2011:134; Neuman, 2000:466). Literature is an excellent source for selecting or focusing on a topic and refining a problem (Bless *et al.*, 2013:49). When compiling this research study, the researcher read articles and scholarly books to trace topics such as the effectiveness of interviewing techniques in forensic social work assessments. There are few books on the topic, but no research project could be found that has been conducted on this topic. A literature review was conducted to refine the relevant topic. Literature review in this study also helped the researcher to select and scrutinize sources of information on the subject of study stated above (Mouton, 2001:86).

Bless *et al.* (2013:49) identify the following as the main purposes of conducting a literature review:

- To sharpen and deepen the theoretical framework of research. In other words, the literature review determines the researcher's ability to identify the most appropriate theory to serve as a lens/lenses to zoom into the problem identified.
- To familiarize the researcher with the latest developments in the area of research. This helps to avoid duplication of efforts of other researchers
- To identify gaps in knowledge and weaknesses in previous studies. This is to determine what has been already done and what is yet to be studied or improved.
- To discover connectedness, contradictions or other relations between different research results by comparing various investigations.
- To identify variables that must be considered in the research and those that might be irrelevant.
- To identify advantages and disadvantages of research methods used by others to improve or adopt on them in one's own research.

A variety of sources, such as scholarly books, articles, acts, internet, dissertations, research reports, and thesis were consulted for purposes of this study. A database on the subject of CSA was also consulted. Here, the researcher traced statistics from SAPS. The following databases were also consulted: EBSCO Host, Science Direct, Psych lit, ERIC, South African journals, Social Sciences Index, Google Scholar, The Nexus of South African Magazine articles and the Catalogue – Ferdinand Postma Library and Potchefstroom Campus of, North-West University and University of Limpopo.

7.5.2 Semi-structured interviews

De Vos *et al.* (2011: 342) state that interviewing is the predominant mode of data collection in qualitative research. Interviewing entails direct exchange with the individual or group that is known or expected to possess the knowledge they seek. In this study, the researcher opted for one-to-one interviewing wherein semi-structured interview method was followed. Semi-structured interviews are utilized to gain a picture of participants' beliefs about or perceptions of or accounts on a particular topic (Botma *et al.*, 2010:208 and Greeff, 2011:352). Semi-structure interviews encouraged flexibility in this study in that it helped both the researcher and the respondents to follow up every interesting issue that

emerged during the interview and the respondents were enabled to give a clear picture. A semi-structured interview involves a basic individual interview that is open and allows the object of the study to speak for him/herself rather than to provide respondents with a battery of own predetermined hypothesis-based research questions. The interviews were guided rather than dictated by the interview schedule (Babbie & Mouton, 2001:58; Greeff, 2011:352). The main aim with the semi-structured interviews in this study was to gain a detailed picture of the effectiveness of interviewing techniques with the Black child in forensic assessments. Each interview conducted lasted between forty-five (45) minutes to sixty (60) minutes per respondent and data collection was conducted over a period of two weeks wherein in each province out of nine in South Africa one (1) to two (2) forensic social workers were interviewed.

The research schedule consisted of open-ended questions for semi-structured interviews until data saturation was reached. A general question is an open-ended inquiry about something (Faller, 2003:111; Faller, 2007:93) and requires a multiple-word response (Poole & Lamb, 1998:52; State of Michigan, 2005:18). Open-ended questions are phrased in a manner to invite more detailed responses and do not lead or pressurize the person into giving a particular answer. Open-ended questions have made the respondents to be at an ease to feel free and express their answers as they wished in detail (Bless *et al.*, 2013:209). The researcher did not suggest or guide respondents about how to respond to the questions. The use of open-ended question is the most recommended when conducting qualitative studies. Bless *et al.* (2013:215) support this statement that open-ended questions enable researchers to follow up using respondents' ordering and phrasing. For example, it involves attentive listening and possibly some note taking during the process of narration to enable the researcher to follow up themes in the narrated order. By so doing, the respondents 'own words and phrases are used to show respect and retain the interviewee's meaning frames. The interview schedule is a written questionnaire to guide interviews and called an interview schedule (Greeff, 2011:352). The researcher compiled this interview schedule himself. The interview schedule was evaluated by experts from the Department of Social Work at the University of Limpopo with the assistance of the experts from the Potchefstroom Campus of the North-West University who are knowledgeable regarding the interview schedule construction and of forensic social work. The North-West University-Potchefstroom Campus was chosen as it is the only university in South Africa that offers the course of forensic social work. The

schedule was also evaluated with one forensic social worker who was not part of the research to determine the clarity of the questions. Immediately after the schedule was evaluated, adjustments were made to it. The language regarding the interview schedule for the respondents was in English.

Audiotape recordings were made during the interviews with the consent of the forensic social workers. The main task, according to Monette *et al.* (2005:79), is to record the responses of the respondents. Rubin and Babbie (2005:457) and Greeff (2005:234; 298) feel that a tape recorder is a powerful tool because it allows the interviewer to pay full attention, focused on respondents. Greeff *et al.* (2011:359) states that the recorded interviews allow much fuller record than notes taken during the interview. These help later during data transcription leading to data analysis. Field notes by the researcher were written in English after each interview (Greeff, 2011:373).

7.6 Data Analysis Methods

After data collection had been completed, it was necessary to quantify and interpret the qualitative data. It was imperative to organize the raw data and to present them in a fashion that would provide answers to the research questions and/or objectives. Data analysis is the process of bringing order, structure and meaning to the mass of collected data (De Vos, 2005:333; Monette *et al.*, 2008:489; Sarantakos, 2000:201). This involves data reduction, presentation and interpretation. Babbie and Mouton (2001:490) expand on this definition by explaining that data analysis involves all forms of analysis of data gathered using techniques regardless of the paradigms used to govern the research.

In analysing the data, the researcher considered words, context, and frequency of comments, what was said and what not, and determined the main idea (Greeff, 2011:373). The data analysis involved the analysis and interpretation of open-ended responses from the research participants where the researcher divided the data into meaningful analytical units. The qualitative data were analysed thematically with the use of Nvivo data analysis programmes. Botma *et al.* (2010:213) and Schurink *et al.* (2011:402) identify the following guidelines when analysing data:

- The initial research was borne in mind
- All data were transcribed

- The correctness of transcripts was ensured by an external person who transcribed the data and the researcher verified the correctness
- During transcription, enough space was left on both the left and right margin to allow the researcher to make notes during analysis
- Where translation was needed, an external person verified the information
- Topics were coded

The researcher used audiotape recording to transcribe data, to ensure the accuracy of the data and verified the correctness by listening to the recorded data and working through the field notes (Botma *et al.*, 2010:221). The researcher has determined the accuracy of the findings with the respondents by discussing the data received from them (member checking). This was done by means of a follow-up interview with each participant in private to ensure confidentiality (Botma *et al.*, 2010:231).

7.7 Ethical Aspects

Ethics are a set of moral principles suggested by an individual or group and offers rules and behaviour expectations about the current conduct towards experimental subjects and respondents (Strydom, 2011:114; Gray, 2009:576). Strydom (2011:114) states that the researcher ought to pay attention to ethical aspects to ensure that the study is ethical.

7.7.1 Permission to conduct the study

Written permission was obtained from Turfloop Research Ethics Committee of the University of Limpopo to conduct the research as part of an umbrella project with the project number **TREC/31/2016: PG** and the South African Police Service national office. The ethical issues in this study included amongst others informed consent and voluntary participation, confidentiality and anonymity, benefits and risks, deception of participants, release and publication of the findings, and information dissemination.

7.7.2 Informed consent and voluntary participation

Informed consent involves telling the participants about the procedures that will be followed, advantages and disadvantages and dangers to which the respondents may be

exposed during the study (Strydom, 2011:117; Monette *et al.*, 2005:53). In this study, the researcher gave adequate information to the respondents regarding the expected duration of involvement, confidential and voluntary participation and self-termination. Written consent was obtained from the respondents to show that they agree to the terms and conditions of the research. The respondents were informed that they may freely participate in the study and that they are able to withdraw from research at any stage of the research without negative consequences (Butz, 2008:249). This was done prior to them consenting to participate in the study. Adequate opportunity was provided for questions before the study commences.

7.7.3 Confidentiality and anonymity

Confidentiality is linked to the principle of anonymity. The participants' data must not be associated immediately and obviously with his/her name or any other identifier (Bless *et al.*, 2006:143). The researcher preserved the confidentiality of the respondents' identity and data. All tape-recorded materials and completed interview schedules were safely stored in a locked cabinet in the researcher's office to which no one has access. Thereafter, it will be stored in a storeroom at the Department of Social Work at the University of Limpopo for five years, prohibiting all people, including the researcher and study leader, from having access to the material. Interviews were held with each respondent separately in a quiet, private office, to avoid interruptions. Each respondent was allocated a number in advance, such as respondent 1, 2 etcetera, to maintain confidentiality. The information provided remained confidential through that the results of the participants were reported anonymously to protect their identity. The researcher is the registered social worker and adheres to the code of conduct laid down by the South African Council for Social Services Professions. This code emphasizes the issue of confidentiality between professionals and clients.

7.7.4 Benefits and risks

Benefits from the respondents in this study were to evaluate the effectiveness of interviewing techniques with the Black child in forensic assessments. The information gathered from the respondents will add to the motivations for forensic social work to be treated as a specialized field by South African Council for Social Service Profession and that it be offered as a course at the institutions of higher learning. With this information,

professionals can assist the court of law as expert witnesses when the child in the witness. The respondents received no payment for their participation.

7.7.5 Deception of participants

The respondents were briefed on the aim of the research and no information was withheld from them, with a view to allow them to make an informed decision regarding their participation in the research and to ensure no deception (Strydom, 2011:118-119).

7.7.6 Release and publication of the findings

The researcher explained that the respondents would be informed about the findings of the research and without offering too many details or impairing the principle of confidentiality (Strydom, 2011:126). The findings of the study will also be introduced to the reading public in written form by means of a theses and an article in an accredited journal. The managers of the of the institutions where the interviewees are working in forensic social work unit also will be informed about results that will be published regarding the research project seeing that Creswell (2009:29) deems it necessary.

7.8 Quality Criteria/Trustworthiness

Trustworthiness is an important aspect of qualitative research and credibility is the primary criterion when evaluating qualitative research (Mc Millan, 2011:277). Trustworthiness, according to Botma *et al.* (2010:232) and Schurink *et al.* (2011:419) has four epistemological standards attached to it, namely truth value, applicability, consistency and neutrality.

Table 7.1: Standards, strategies and applied criteria to ensure trustworthiness

Epistemological standards	Strategies	Application
Truth Value	Credibility can be defined as the extent to which data, data analysis and conclusions	Credibility refers to internal validity. The researcher must have confidence in the truth of the findings with regard to the participants and the context in which the research was undertaken. For purposes of

	<p>are believable and trustworthy (Mc Millan, 2011:277). The goal is to demonstrate that the research was conducted in a manner that ensures that the phenomena were accurately identified and described (Schurink <i>et al.</i>, 2011:419).</p>	<p>this study, the researcher had ensured credibility through prolonged engagement, member checking and peer examination (Botma <i>et al.</i>, 2010:232 & Shenton, 2004:64). Field notes were written directly after each interview with a respondent.</p>
<p>Consistency</p>	<p>Dependability refers to the replication of the study done in the same context; making use of the same methods and with the same participants, and in such conditions the findings should stay consistent.</p>	<p>Dependability refers to the replication of the study done in the same context; making use of the same methods and with the same participants, and in such conditions the findings should stay consistent. To enable dependability the researcher has included the following:</p> <ul style="list-style-type: none"> o Dependable audit: the researcher provided a detailed account on how data were collected. o Description of the methodology: The researcher included in the research design what was planned and executed during the study. o The researcher had ensured that data are correctly coded. o Peer examination of the study was done (Botma <i>et al.</i>, 2010:232 & Shenton, 2004:64).

<p>Applicability</p>	<p>It is the transferability of one set of findings to another context and is the alternative to external validity or generalisability (Schurink <i>et al.</i>, 2011:420). Lincoln and Guba (as quoted by Schurink <i>et al.</i>, 2011:419) define triangulation as a strategy to ensure transferability</p>	<p>Transferability is determined by the degree to which findings can be generalized to the larger population. The findings of this qualitative study were specific to a small number of individuals in SAPS forensic social work unit. The researcher has improved transferability by selection of resources and sampling, saturation of data and the detailed description of the data (Botma <i>et al.</i>, 2010:232 & Shenton, 2004:64).</p>
<p>Neutrality</p>	<p>Conformability refers to the fact that it is necessary to ask whether the results of research study are confirmed by another study (Schurink <i>et al.</i>, 2011:419-412).</p>	<p>Conformability entails the research process and results are free from prejudice. The researcher had ensured that as far as possible the study's results are objective and are not based upon biases, motives and perspectives of the researcher. For purposes of the study, conformability was demonstrated by making field notes available for auditing (Botma <i>et al.</i>, 2010:232 & Shenton, 2004:64). In this study, the results could be confirmed by literature.</p>

7.9 Limitations of the Study

The researcher was aware and mindful of the following limitations to the study:

- For qualitative data analysis, a relatively small number (14) of respondents who participated in this research, proved to be a limitation. Even though the researcher did not have a specific number of forensic social workers to interview on the research plan (proposal), he had arranged with South African Police Services National Office to meet nineteen (19) but ended with fourteen (14). As a sole researcher, the research was subject to time and logistical constraints. However, data saturation was reached.
- Triangulation of both the probability sampling technique (stratified random sampling) and non-probability sampling techniques (purposive and convenient sampling techniques) was used rather than snowball sampling as planned for this research. As a point of departure, purposive sampling as a non-probability technique was used as an entry to get access to forensic social workers across the country. This sampling method was used once the sampling needs were known (De Vos *et al.*, 2011:228) even though it was not easy to access them. The population refers to professional forensic social workers from across the country involved in forensic investigations. Respondents were then randomly selected across the country and that has depended on their availability to partake in this study. Forensic social work is a relatively new field in South Africa and adequately trained forensic social workers are scarce.

7.10 Conclusion

This chapter described the methodology that was utilized in evaluating the effectiveness of interviewing techniques with the Black child during forensic social work assessments within a South African context. Detailed description of the research approach and design, subject selection, and instruments was provided. The research procedure explained how research was collected and analysed and subsequently followed by the limitations of the study. The next chapter will focus on qualitative data presentation, analysis and interpretation.

CHAPTER 8

QUALITATIVE DATA PRESENTATION, ANALYSIS AND INTERPRETATION

“Forensic testimonies assist the court in sentencing and they are a need in South Africa. In Northern Cape we are only three and there is a need to scale up the employment of forensic social workers”.

Forensic social worker in the Northern Cape

8.1 Introduction

The purpose of this chapter is to present, analyse and interpret the empirical qualitative findings of this research study. Data were collected through semi-structured face-to-face interviews from a sample of 14 forensic social workers working for South African Police Services. These forensic social workers have experience with helping children who have been sexually abused. The researcher has used a triangulation of three sampling techniques namely; stratified random sampling, purposive sampling and convenient sampling to select the respondents in this study. The research findings are related to the objectives of this study. The researcher used Nvivo software to manage and organize data that is analysed thematically as follows:

8.2 Biographical Details of the Forensic Social Workers

The biographical details of forensic social workers in this study include among other things their age, gender, race, employer, rank and the province of employment.

8.2.1 Age of forensic social workers

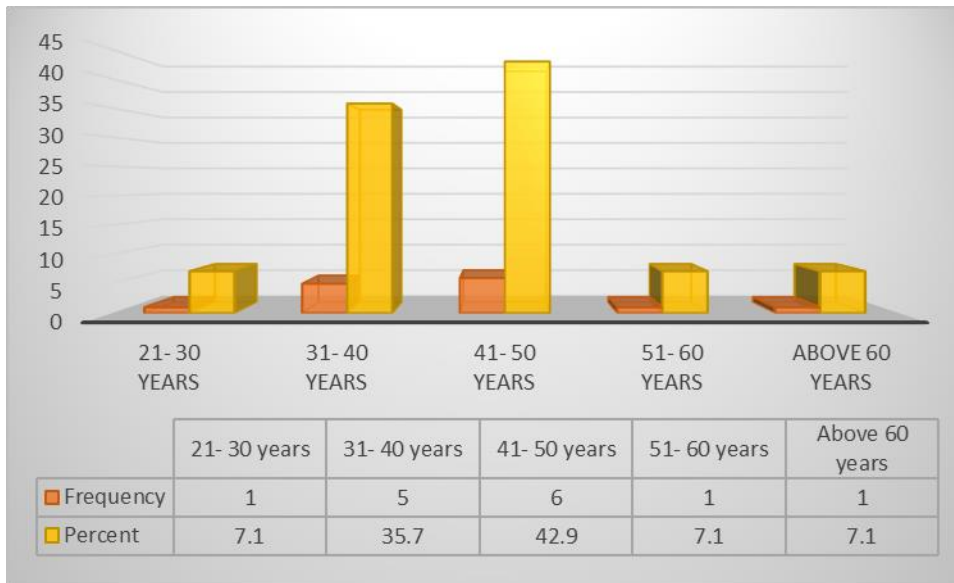


Figure 8.1 Age of forensic social workers

Figure 8.1 above illustrates that majority of the participants were aged between 41-50 years with a 42,9% representation, followed closely by participants aged from 31-40 with 35,7% representation and those aged from 21-30, 51-60 and 60 above each with 7.1% representation.

8.2.2 Gender of forensic social workers

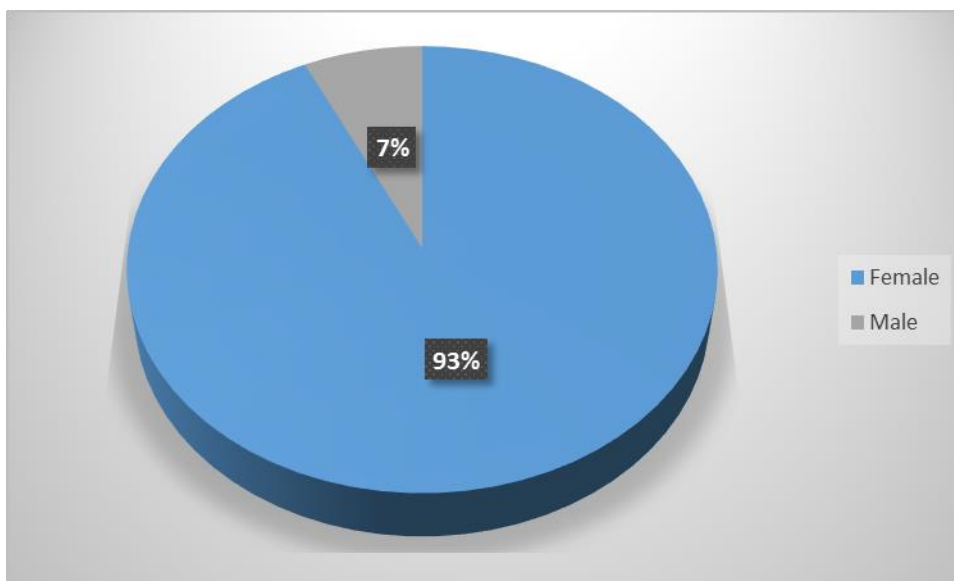


Figure 8.2 Gender of forensic social workers

The above figure shows that the majority of participants were females with 93% representation wherein only one was male and made 7% of the sample. The possible reason why this happened is that social work is traditionally viewed as a female-dominated profession. Earle (2008:23) and Hicks (2015:471) support this in that social workers are predominantly female and that the South African welfare service is a female-dominated service industry. The researcher also discovered during data collection that the majority of social workers trained in the field of forensic investigations are females than males. The researcher is of the view the issue of gender is a great concern during forensic interviews when assessing cases of alleged CSA in South Africa. The researcher has observed from his practical experience that there are many male victims of sexual abuse and occasionally it is better for victims to talk about their encounter to a person of the same sex, especially in cases where the victim is a teenager.

8.2.3 Race of forensic social worker

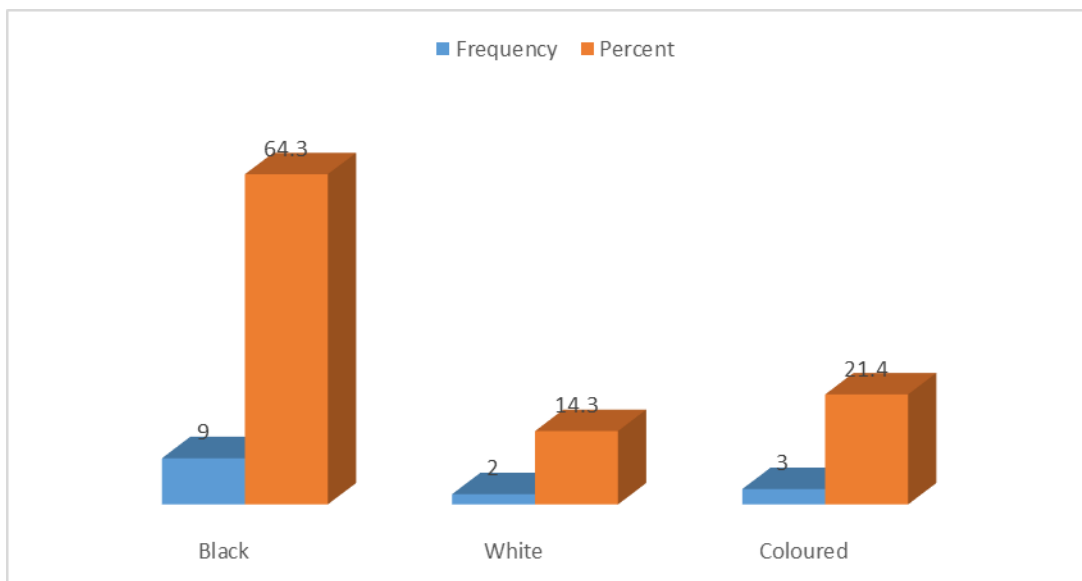


Figure 8.3 Race of forensic social workers

Figure 8.3 reveals that the majority (9) of the participants were Black as they have made 64.3% of the sample. Three participants were Coloured and made 21.3% of the sample and two were White and made 14.3% of the sample. The researcher is of the opinion that very few Whites and other races exclusive of the Black social workers practice in government sectors. However, the researcher cannot conclude that majority of forensic social workers are Black as the sample was not representative.

8.2.4 Employer of forensic social workers

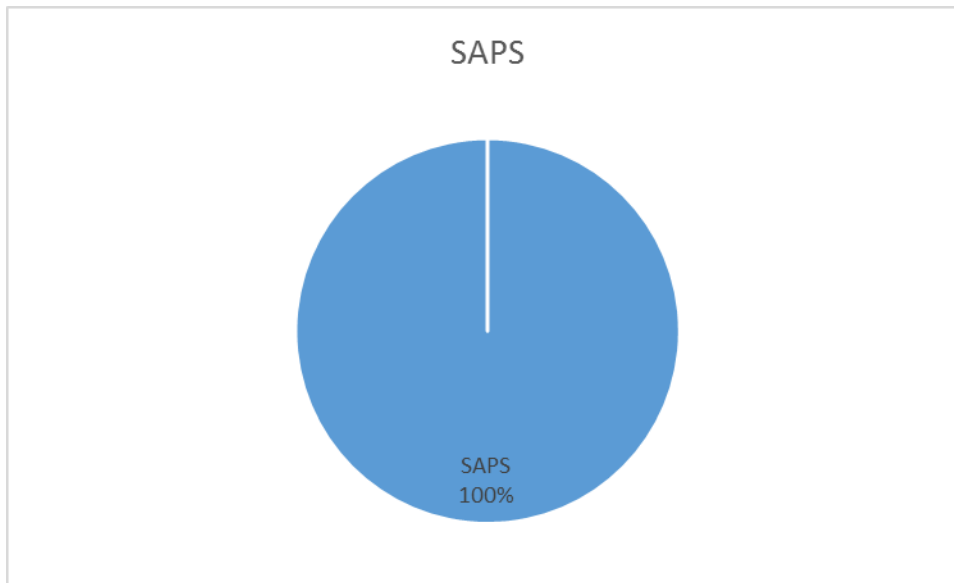


Figure 8.4 Employer of forensic social workers

The above figure shows that all the participants (14) were employed by the South African Police Service as they have made 100% of the sample. The study was specifically conducted at the SAPS and it targeted forensic social workers. The reason for this was that the South African Police Service specifically employs forensic social workers to assist in the investigation into CSA cases. It was easy for the researcher to have an access to them as they are known, unlike in the other sectors such as NGOs and private sectors. However, private practice also employs forensic social workers though it is not easy to find them.

8.2.5 Rank of forensic social workers

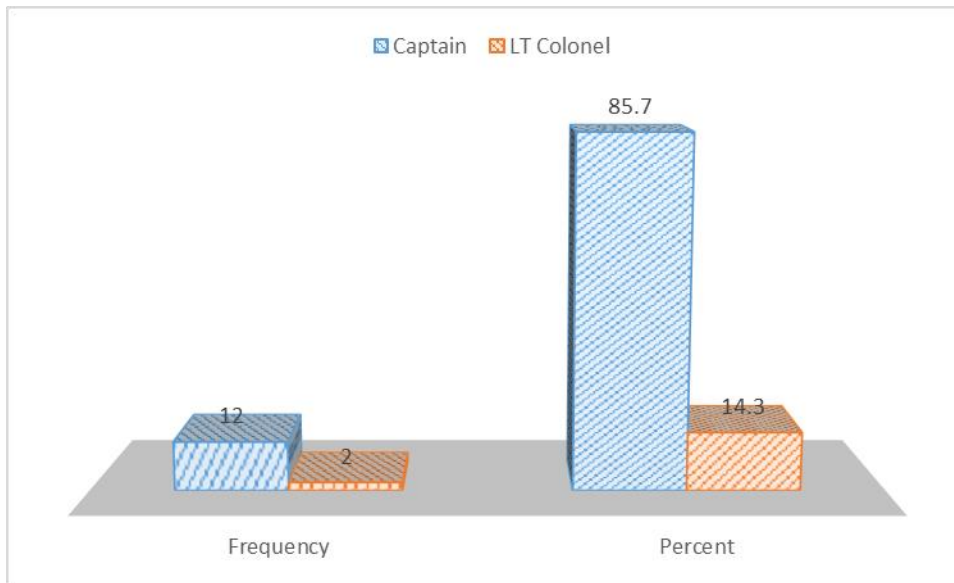


Figure 8.5 Rank of forensic social workers

The above figure illustrates that majority of the participants (12) were captains as they have made 85.7% of the sample whereas only two participants were Lt Colonel and have made 14.3% of the representation.

8.2.6 Province employment of the forensic social workers

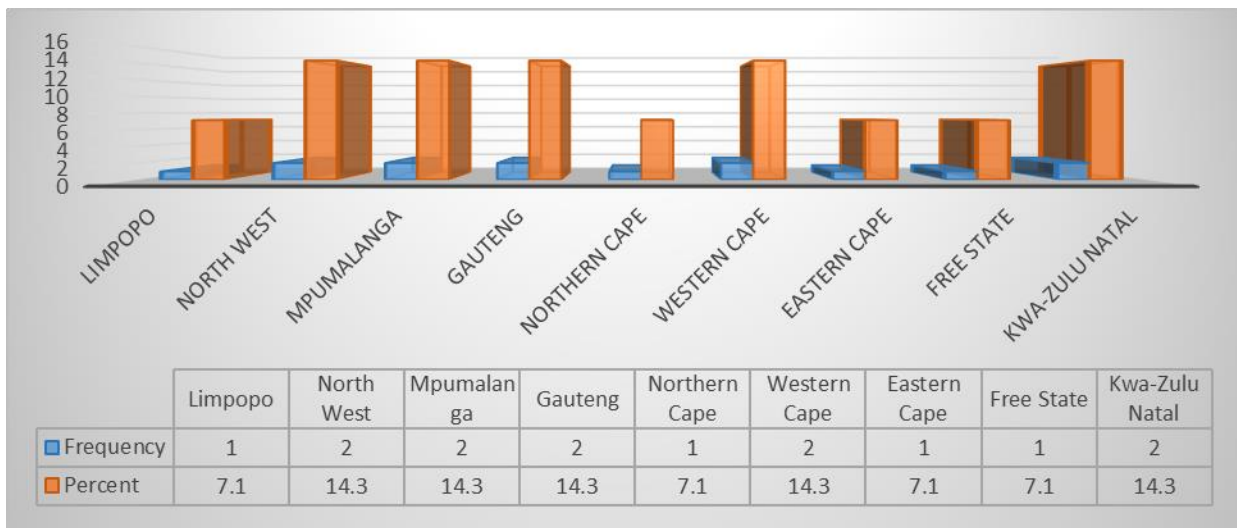


Figure 8.6 Province employment of the forensic social workers

The above figure shows that five provinces (North West, Mpumalanga, Western Cape, Gauteng and Kwa-Zulu Natal) had a representation of two participants each who made

14.3% of the sample, whereas four provinces (Limpopo, Northern Cape, Eastern Cape and Free State) had only a representation of one participant each who made 7.1% of the sample. Because forensic investigation into CSA is a relatively new field in the South African context, the researcher struggled to find more participants in other provinces to balance the number of representation.

8.3 Discussion of the Findings

A semi-structured interview schedule with qualitative open-ended questions was used to gather in-depth information from forensic social workers employed by SAPS across the whole of South Africa who are involved in the field of forensic investigations. Fourteen (14) forensic social workers were interviewed before data saturation was reached. The following were the findings:

8.3.1 Theme 1: Experiences of forensic social workers on various forms of CSA in a South African context

The main aim of this section was to gain an insight from the forensic social workers on what constitutes CSA from their experiences of assessing allegations of CSA amongst Black children in particular in a South African context. The researcher has learnt that in South Africa there are lot of cultures that play a role during the investigations of CSA. Dawes and Higson (2005:98) and Ngubane (2010:27) denote that CSA depends on what culture validates as sexual abuse. For example, this could be set of belief, ideas, moral values and a collection of standard norms adopted by individual members of a particular culture to shape a particular lifestyle and a standard moral behaviour. The subthemes associated with this theme included rape, sexual violation, sexual exploitation, exposure to explicit sexual material, and sexual grooming.

8.3.1.1 Subtheme1: Rape

Rape is a crime of violence that traumatizes the victim and introduces a plethora of associated complications such as social stigma for the victim, a risk of STD transmission, and relationship problems for victims that are in existing relationships. It violates the intimate privacy of the victim and in the instance of a serious, violent rape, bodily injurious and even more trauma follows. Nqaphi (2013) established in his study that rape incidents that involve children are a concern globally and have psychological and emotional

consequences. In this study, all participants (n=14) perceived rape as a major sexual abuse affecting children (Black children in particular) in South Africa and other sexual offences that are discussed below as not being prevalent. These findings correlate with the previous study conducted by Jewkes *et al.* (2012:11) and Cupido (2014:03) who established that rape has become a crime of concern in South Africa to such an extent that South Africa has been labelled as the rape capital of the world. In other words, South Africa experiences a high rape rate. From the participants' explanations of rape, it was noticed that some have described it as a forceful penetration by a male adult to the vagina of the child with or without his or her consent whereas others referred it to such penetration to the mouth of the child and others referred such to the anus of a child. These forceful penetrations were ascribed to both the digital and genital.

The following were some of the responses from the participants:

“Child sexual abuse refers to rape by a male adult with any anatomical object into the private parts of the child.”

“Child sexual abuse is all about a child being sexually abused by a male adult, either being penetrated on her vagina, a child being molested or anal penetration. In other instances, it includes oral sex.”

“Child sexual abuse from my areas is any form of penetration, be it anal, vaginal, oral and all. I am referring to both forceful and voluntary because a child cannot give consent.”

“Child sexual abuse from my experience of working with Black children is rape through penetration in the vagina or the mouth of the child by an adult male using a penis or the objects.”

“Child sexual abuse is where a child under the age of 18 are being sexually exploited, abused, penetrated, and touched, if inappropriate materials are shown to this child, rape, sexual assault sodomizing and digital penetration with or without the consent of children. Children cannot give a consent as they do not know what sexual abuse is.”

From these findings, the researcher has noted that the definition of rape in South Africa is in accordance with the Criminal law (Sexual Offences and Related Matters) Amendment Act no. 32/2007. Section 3 of the said act defines rape as any act that causes penetration to any extent whatsoever by: a) the genital organs of one person into the genital organs,

anus, mouth, of any other person; b) by any other part of the body of one person or, any object including any part of the body of an animal, into the mouth of another person. However, gender is still a concern. For instance, the participants only qualified rape by adult males against children. Other South African cultures still believe that CSA as being practised only when a male adult penetrates his penis into the vagina of a female child. This is in line with the study conducted by Rapholo (2014:22) who established that CSA is a taboo in a Northern Sotho culture if it can be committed by people of same sex or by a female person against the child. From the researcher's analysis, same sex sexual offences are not taken into consideration. This suggests that South Africans still have to be empowered about the said act to define what CSA is in a South African context.

8.3.1.2 Sub-theme 2: Sexual assault

According to Spies (2006:131), indecent sexual assault is the unlawful and intentional assaulting, touching or handling of another in the circumstances in which either the act or the intention with which it is committed is indecent. The majority of the participants were of the view that sexual assault against children is also regarded as CSA. They have given an indication that it is common in their areas of operation but does not get attention from citizens. These findings are in line with the study that was conducted by Cupido (2014:03), who established in his literature review that most sexual assaults incidents get no public attention. One participant indicated that sometimes the public withhold information about incidents of sexual assault because that culture regards it as a taboo. However, forensic social workers as trained professional should notice this and categorize such incidents under CSA. This is in line with the study conducted by Rapholo (2014:22) in the Capricorn district of Limpopo. He established that sexual violation/assault is not regarded as a sexual offence against children, rather it is a taboo.

“When a male person touches the genital organ of the child, it is regarded as a taboo and not an offence since no penetration is involved. The matter can be resolved within the affected families.” (Rapholo, 2014:22)

The following are some of the responses from the participants:

“Child sexual abuse is where a child under the age of 18 are being ...inappropriately touched.....sexual assault with or without the consent of children. Children cannot give a consent, as they do not know what sexual abuse is. From my experience of working with

Black children, this kind of abuse is not often reported as most people regard it as taboo for an adult to touch genitals of a child”

“Sexual abuse is when there inappropriate touching of a child’s body without the child’s consent, or sexual assault.”

“Child sexual abuse is an abuse by an adult to a child. This ranges from touching, and sexual intercourse without the child’s consent.”

“Black children explain child sexual abuse like an adult touching the genitals of the adult, the adult touching the genitals of the child, the adult sleeping with the child. With Blacks, touching the child is not yet defined as sexual abuse like if a father picks up the baby and tinkles her, it’s not abuse.”

Sexual assault in South Africa is common, even though it is not given same recognition as rape. Cultural views regard sexual assault as a taboo, but not a crime. Rapholo (2014:22); Dawes and Higson (2005:98) and Ngubane (2010:27) support this by denoting that CSA depends on what culture validates as sexual abuse.

8.3.1.3 Sub-theme 3: Sexual exploitation

Section 17(1) of the Criminal Law (Sexual Offences and Related Matters) Amendment Act no. 32/2007 stipulates that a person who unlawfully and intentionally engages in the services of child complainant, with or without the child’s consent, for financial reward, favour, or compensation to the child or to a third person, is guilty of an offence of sexual exploitation of children. Section 17(2) of the said act adds that a person who does the above for the purpose of committing a sexual act, by inviting, persuading or inducing the child to allow another person to commit a sexual act; or by participating in, being involved in, promoting, encouraging or facilitating the commission of sexual act; or by making available, offering, or engaging a child for the purpose of the commission of sexual act; and by detaining a child whether under threat, force, coercion, deception, abuse of power or authority, for the purpose of commission of a sexual act with a child by a third person is guilty of an offence of having being involved in the sexual exploitation of children. One participant was of the view that sexual exploitation is also a sexual abuse against the child, even though it is rarely discovered in her area of operation. The participant stated that members of the community that she services regard certain act of child sexual exploitation

as a norm in terms of their culture. This is in line with Rapholo (2014:22); Dawes and Higson (2005:98) and Ngubane (2010:27) who established that CSA depends on what culture validates as sexual abuse.

This is the responses\ from the participant:

“Child sexual abuse is where a child under the age of 18 are being sexually exploited. It depends on how it is done. For example, certain cultures allow children to get married and now the new legislative frameworks perceive that as child sexual abuse. There is a contradiction in terms of culture and legal frameworks.”

The findings indicate that culture sometimes contradicts the legal framework, Criminal law (Sexual Offences and Related Matters Amendment Act no. 32/2007) in particular, when it comes to the definition of child sexual exploitation/labour. Certain cultures do not deem it as a sexual offence rather a norm.

8.3.1.4 Sub-theme 4: Sexual grooming

Vermont Department of children and families (2013:01) defines sexual grooming of children as a subtle, gradual, and escalating process of building trust with the child. The abuser may groom the child for weeks, months or years before any sexual abuse takes place. Grooming or bribing, according to Gogela (2013:23), of the child by the perpetrator happens when the perpetrator gives gifts they know the child likes or which the caregivers are not able to buy. Ncanywa (2014:41) in her research concluded that grooming could be defined as the actions of the perpetrator deliberately aimed at establishing an emotional connection and trust with the child, to increase the likelihood of the child engaging in sexual behaviour. Some participants were of the view that sexual grooming is also CSA, even though it is not often discovered, and that in some cultures it is regarded as a minor thing that is dealt with by the affected families. The participants stated that children are the victims of such sexual offence due to poverty. This is in line with the study conducted by Chabeletsane (2015:24) in North West, who established that poverty contributes enormously to the sexual abuse of children. This is also supported by Coleman and Hagell (2007:11), who established that poverty is certainly a factor that leads to increased vulnerability to sexual abuse of children, yet wealth may not necessarily lead to a positive outcome either. “Many children support their families, pay their school fees, and have their uniforms and books supplied by means of sexual favours.” (Van Niekerk, 2006:103).

According to Evian (2006:21), young girls may sell sex to older men just to earn money to survive. In terms of the Criminal Law (Sexual Offences and Related Matters) Amendment Act no. 32/2007, this is treated as a sexual offence against children. Sexual grooming of children in terms of section 18(1) of the said act involves a person who manufactures, produces, possesses, distributes or facilitates the manufacture, production of an article or films which are intended to facilitate and promote the commission of a sexual act with or by a child. That person is guilty of an offence of promoting sexual grooming of children. Section 18(1)(d) stipulates that a person who arranges or facilitates a meeting or communication between a child and the third person by any means from, to or in any part of the world with the intention that a third person perform a sexual act with a child is also guilty of promoting sexual grooming of a child. In terms section 18(2) (a) a person who exposes, supplies or displays to a child an article intended to be used in the performance of a sexual act, child pornography or publication of a film with the intention to encourage, instructor persuade a child to perform a sexual act is guilty of the offence of sexual grooming of a child. Any person who commits any act with or in the presence of a child with the intention to encourage or persuade a child to perform a sexual act with him/her or with a third person or to perform an act of self-masturbation in his/her presence or the presence of a third person in terms of Section 18(1) (b) is also guilty of an offence of sexual grooming of a child.

The following are the responses from the participants:

“Child sexual abuse involves sexual grooming which is now growing rapidly. Sexual abuse against children is when an adult befriend the child in return of sexual favours at a later stage. Most children do not tell about the abuse because they think it is normal, as later on they will get money to meet their basic needs. I have had cases of people who are related to the child abusing the child as compared to strangers, and such cases are not take seriously in certain cultures. The affected families resolve them and that makes perpetrators to take advantage and later on repeat the same offence either to the same child or the other.”

“Sexual grooming is now growing in our culture where adults buy sweets for kids in return of sexual favours. This goes with special love, favouring the child in presence of others, buying her presents saying she is the quite one.”

Poverty and Culture play a role in the sexual grooming of children. Children do not disclose abuse because they use that as the opportunity to meet their basic needs. Culturally, families have their own way of dealing with sexual abuse against children and do not recognize that as a criminal offence. The affected families resolve the matter amongst themselves. That leads to the underreporting of sexual grooming as CSA. However, forensic social workers recognize this as sexual abuse because they are trained professional. Research done by Gogela (2013:20) in the Eastern Cape and Rapholo (2014:34) in the Capricorn district of the Limpopo showed that culture plays an important role in why families do not want to disclose the sexual abuse of the child. According to Rapholo (2014:34), the Northern Sotho culture resolves the matter of CSA within the family as a secret, especially if it is inter-familial sexual abuse. Goodman-Brown *et al.* (2003:20) share the same sentiment that the family is least likely to disclose when the sexual abuse is within the family.

8.3.1.5 Sub-theme 5: Exposure to explicit sexual material/pornographic material

Child pornography according to Spies (2006:133) is defined as including any image, however, created or any description of a person, real or stimulated who is or who is depicted or described as being under the age of 18 years;

1. Engaged in sexual conduct,
2. Participation in or assisting another person to participate in sexual conduct, and
3. Showing or describing the body or parts of the body of such person in a manner or in circumstances which, within the context, amounts to sexual exploitation or in such a manner that it is capable of being used for the purpose of sexual exploitation.

Spies further states that exposing children to pornography apart from being a paedophilic act itself, so part of a grooming process to seduce children into accepting sexual activities as normal and acceptable. Two participants were of the view that from their experience of working with Black children, an exposure to explicit sexual material or pornographic material by an adult to children is CSA. However, they have indicated that it is seen more in urban areas than rural areas and that if such incidents happen in rural areas, families deal with them as they are minor things. In terms of Section 20(1) of the Criminal Law (Sexual Offences and Related Matters) Amendment Act no. 32/2007, a person who

unlawfully and intentionally use a child with or without his/her consent, whether for financial or other reward, favour or compensation to a child or a third person, any image, publication, depiction, description, or sequence in any manner of child pornography, is guilty of an offence of using a child for pornography. Section 20(2) of the said act stipulates that any person who knowingly and intention gain from the above, as a results of the commission of any act contemplated in subsection (1),is guilty of the offence of benefiting from child pornography.

These are some of the responses from the participants:

“Child sexual abuse involves exposing children to pornographic materials. Most people in rural areas are not exposed to pornography. It is mostly happening in urban areas. In rural areas, such is deemed as a minor thing that families can address.”

“Child sexual abuse is any exposure of the child to sexual objects by an adult.”

The findings reveal that child pornography is mostly recognized in urban areas than in rural areas. It is therefore imperative that forensic assessors stationed in rural areas screen for the possibility that the child was exposed to pornographic material, as this exposure itself can cause same impact on the child as sexual abuse.

Briefly, one can note from the above discussions on what constitutes CSA among Black children that boundaries around culture play a role in defining what CSA is. That as a results, contradict the legislative framework in addressing sexual offences against children. It is evident from the findings that in South Africa that CSA is only believed when it is in the form of rape and other sexual offences are taboos and minor things, whereas are cultural norms. There is a serious need in South Africa to educate communities about the criminal law (sexual offences and related matters) Act no. 32/2007 to be equipped with further information. A lack of knowledge and understanding of the said act places children in these homes at risk of being sexually abused, especially by family members, because they do not get the correct knowledge from their parents. It is also important that forensic social workers be knowledgeable about the influences of various cultures when it comes to defining what CSA is as that impact the process of disclosure.

8.3.2 Theme 2: Forensic social workers' knowledge regarding the disclosure of child sexual abuse in relation to Black children

The disclosure of sexual abuse is a process with definable phases and characteristics (Sorenson & Snow, 1991:03; Spies, 2012:211). Many children find it difficult to talk about their sexual abuse experiences. It is therefore imperative that forensic social workers have an understanding of the diagonal process of disclosure when conducting forensic assessments. Children can be sexually abused by family members and non-family members (Rapholo, 2014:01) and such incidents are not always reported. The disclosure of CSA refers to the revelation of an incident of abuse by a child to a third party (Allnock, 2010:5; Goldstein, 1999: 232; Hendricks 2010:12). In addition, a report by Esposito (2012:09) shows that disclosure is when a child is telling someone about sexual abuse for the first time during an interview, describing an abuse experience to a friend or peer, making a statement about the abuse to authorities (such as police or child welfare workers), telling small pieces of an abuse story or a person recalling and recounting an experience of abuse from memory. Forensic social workers see the disclosure of CSA as a process. Sometimes it is accidental.

8.3.2.1 Sub-theme 1: The disclosure of child sexual abuse as a process

All participants know the disclosure of CSA among children as a process whereby children do not disclose sexual abuse until they gain trust of the person to whom they disclose. This is in line with the researcher's practical experience in working with children who have been sexually abused. The disclosure of sexual abuse often takes time. Sorenson and Snow (1991:03) and Spies (2012:211) also support these findings in that the disclosure of CSA is a process with definable phases and characteristics. The disclosure process is varied and unique to each child. Children may make a full and detailed account of their abusive experience or they may reveal little bits of information over time, not in chronological order and to a range of different people. Victims of sexual abuse are not always willing to share their secret with anyone until they gain trust of that person such as their caregiver (Rapholo, 2014:02). De Vos and Faller (2002:06) point out that many children find it difficult to talk about their experiences of being sexually abused. One participant has indicated that one of the solutions to overcome the process of disclosing CSA is the establishment of rapport with children. This validates the research findings by Sternberg *et al.* (1997:1133) who established that the style of interaction between children

and interviewers in the introductory phase of the interview affects the amount of information obtained in the substantive portion of the interview. These authors recommend that the child be exposed to open-ended questioning on neutral subjects during the rapport-building phase.

These are some of the responses from the respondents:

“The disclosure of child sexual abuse amongst Black children is a process and it takes about six sessions if by grace one uses appropriate techniques that children disclose the possibility of abuse. Children do not disclose until they gain trust of the person whom they talk to.”

“Disclosure of child sexual is a process and with the Black child as a result of cultural aspects, it is believed that they do not talk about private parts at home. So one has to do a lot of rapport building in order to get the child to feel at ease.”

The findings of this study point out that the disclosure of CSA amongst Black children who have been sexually abused, is a process. The researcher has learnt from his practical experience of working with children who have been sexually abused and from literature that children do not voluntarily disclose abuse until they gain trust in the person to whom they disclose. To this point, the researcher is of the opinion that forensic social workers should make use of play-related techniques when assessing Black children to build rapport with them. This might possibly results with initial disclosure of sexual abuse among children.

8.3.2.2 Sub-theme 2: Accidental disclosure of child sexual abuse

Some of the participants stated that the disclosure of CSA is mostly accidental more especially when assessing a child from rural areas than those from urban areas. These findings partially validate the findings by Alaggia (2004:1216), who established in a study that involved in-depth interviews with female and male survivors of CSA, that the process of disclosing can be accidental, purposeful, triggered, prompted or elicited, and behavioural or verbal. According to Sorenson and Snow (1991:03) and Spies (2012: 212), accidental disclosure entails the revelation of sexual abuse by chance rather than a deliberate effort on the victim's part. It is mostly common amongst pre-schoolers, e.g. a child imitates sexual intercourse with a teddy bear. Accidental disclosure, as implied in the

term, occurs accidentally and not because of the child willingly revealing the incident of sexual abuse. It occurs when a third party detect through witnessing physical symptoms leading to the suspicion of abuse. For example, it occurs when a child is being examined by a medical doctor, displays behaviour indicating trauma, where a parent sees or notices strange behaviour on the child, makes further investigation and the child ends up disclosing the abuse (Putman *et al.*, 1997; Shackel, 2009:379; Tlakula, 2002:14, 137). In addition, disclosure is often initiated after an enquiry about physical complaint, for example, pain when washing the genital area, or bloodstain on the panties.

These are some of the responses from the participants:

“It’s not easy for them to disclose sexual abuse because most children who grow up in rural areas find it difficult to disclose sexual abuse; they are not used to talk to strangers. We normally find accidental disclosures from teachers or from mothers.”

“In most cases its accidental disclosure, a mother may see some discharges and ask the child. If the genitals are swollen and all. Accidental disclosures happen after sometime.”

“There is normally no voluntary disclosure, there is delayed disclosure or accidental disclosures where the mother would see blood stains when she is bathing the child. The children do not normally disclose and its worse in rural areas but in town some of the children with the schools they go to, they volunteer to tell.”

The findings of this study reveal that Black children in South Africa disclose sexual abuse accidentally, particularly in rural areas than urban areas. Even though the sample was not representative, the researcher is of the view that in South Africa, the environment where children are raised contributes towards the disclosure of CSA. Children who are raised at urban areas are more likely to disclose sexual abuse than those from rural areas.

8.3.3 Theme 3: Forensic social workers’ experiences on factors influencing the disclosure of sexual abuse when assessing Black children

Findings point out to factors such as fear of the perpetrator, relationship with the perpetrator, boundaries of culture, the environment, fear of embarrassment and shame, the developmental level/age of the child, language competency, poverty, and the South African Justice system as influencing the disclosure of CSA. These factors play a role in disclosure of CSA during forensic assessments.

8.3.3.1 Sub-theme 1: Fear of the perpetrator

The study reveals that most of sexual offences against children are intra-familial whereby it is mostly fathers abusing their own children. All respondents have indicated fear of the perpetrator as a reason for the Black child not to disclose sexual abuse. The participants asserted that perpetrators posit threatening statements against children during the abuse scene such as “If you tell anyone, I will kill you or your mother.” These findings validate the previous studies in that the reluctance of children to disclose sexual abuse stems from fear of the perpetrator (Ferrara, 2002:212; Kinnear, 2007:4; Rapholo, 2014:23; Spies, 2006c:13). Ferrara has established from his study that perpetrators make threats such as “If you tell anyone, I will kill you/kill your mother.” In addition to these findings, Doyle (1995: 48) states that anger and fear follows hard on the heels of denial. Sometimes, the trapped victims are too frightened to turn their anger against their abuser yet they have to do something about it. Children who experience abuse within the family fear betraying a parent, or fear punishment or other negative consequences as a result of their disclosure. Such children often resort to keeping abuse as a secret between themselves and the perpetrator. Following the principle of secrecy (Chabeletsane, 2014:30) is of the view that, the perpetrator will tell the child that what he or she is doing is a secret between the two of them. The child, according to Gogela (2013:23) will listen and want to keep the secret because s/he was told by an adult and they listen to adults because the perpetrator said “this is our secret; don’t tell your mother, it will kill her” (Kinnear, 2007:16).

These are some of the responses from the participants:

“The threats by the perpetrator like I will kill you makes children not to disclose abuse. Children are threatened and told to keep abuse as a secret between themselves and the perpetrator.”

“Children are scared that they are going to be punished if they disclose abuse because perpetrators pose some threats against children such as killing their loved ones.”

An abuser requires that a child keeps silent about their experience and threaten the child. It is crucial during forensic assessments that forensic social workers approach the fearful child who may appear to be hiding something, with an open mind. Such a child may be hiding an abuse secret or may be hiding something else.

8.3.3.2 Sub-theme 2: Relationship with the perpetrator

Madu (2001:09) and Rapholo (2014:23) discovered that the relationship between children and perpetrators has an influence on the disclosure of CSA. Many children do not disclose, because they want to protect the perpetrator (Hershkowitz, *et al.*, 2006:756). Wyatt and Newcomb (1990:758) found that the more closely children are related to the perpetrator, the less likely they are to disclose their CSA, specifically when the perpetrator is a significant caregiver (Alexander, 1992:187; Paine & Hansen, 2002:280). These correlate with the findings by Rapholo (2014:24) and Goodman-Brown *et al.* (2003:20) who discovered that that perpetrators are fathers of children whom we regard as close relatives to children. In support of these research findings, some forensic social workers indicated that children do not disclose sexual abuse because they do not want to break the relationship that they have with the perpetrators. Findings point out that most sexual perpetrators against children are the biological fathers of children who are also breadwinners in their families.

These are some of the responses from forensic social workers:

“The relationship that children have with their parents lead children to not disclose abuse. For example, where most of the perpetrators are fathers of children, such children will fear to losing breadwinners and that would make their mother to cover up certain things that would be a burden unto them.”

“If the perpetrator is a family member a child might fear to break the family relationships. The presence of the perpetrator in the house might make the child not to disclose. Fear of losing the breadwinner might contribute.”

Even though the sample was not representative, the findings point out the relationship between the child and the perpetrator as playing a vital role for the non-disclosure of CSA, more especially if such perpetrators are breadwinners in the children’s families. 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 dependent on the perpetrator, and if the child has a strong bond with the mother.

8.3.3.3 Sub-theme 3: Boundaries of culture

Fontes and Plummer (2010:491) states that cultural norms affect the likelihood that CSA will be discovered by an adult or disclosed by a child. The author further states that cultural norms also affect whether abused children's families will report CSA to authorities. According to Fontes (2005:02), there are different levels in the ecological system when considering CSA, such as the home, family, ethnic culture and social systems like the neighbourhood and school. Culture, according to Guma and Henda (2004:98), sets to large extent guidelines that individuals inherit as members of a particular society - and which influence how to experience and interpret their historically constituted world. When dealing with CSA, it is important to be aware of the role culture plays in the families' lives (Pence, 2011:326). Gogela (2013:20) in the Eastern Cape, and Rapholo (2014:34) in the Capricorn district of the Limpopo both concluded that culture plays an important role in why families do not want to disclose the sexual abuse of the child. According to Rapholo (2014:34), the Northern Sotho culture resolves the matter of CSA within the family as a secret especially if it is intra-familial sexual abuse. Goodman-Brown *et al.* (2003:20) support these findings in that that the family is least likely to disclose when the sexual abuse is within the family. In support of the above previous research findings, some forensic social workers asserted that boundaries of culture amongst families have an impact in the non-disclosure of CSA. Some forensic social workers have indicated that from their experience of assessing Black children who have been sexually abused, the issue of CSA is very sensitive and it is addressed within the family, especially if it is intra-familial. These support the study conducted by Rapholo (2014:27) in Capricorn District of Limpopo who established that in the Northern Sotho cultures the disclosure of CSA is usually resolved by families affected rather than the incident being reported to the legal officials, especially if it is inter-familial abuse. This is to avoid conflict between families.

Some forensic social workers have indicated that in their area of practice, children are not allowed to talk about sexual activities with people who are older. As a result, this leaves children vulnerable. This support the study conducted by Rapholo (2014:28) and Wickham and West (2002:51) who established that the adult world predominates whereby children are not allowed to talk about sex with the elderlies yet in the western world it is agreed that children are supposed to be safe, valued and encouraged to grow. As a result, children find themselves in the two worlds. Rapholo established that a Pedi culture has a negative impact on the contribution of caregivers towards disclosing CSA of a child between the

caregiver and the child whereby children are limited to talk about sex issues with people that are above their age. In this regard, some forensic social workers had to say this:

“Some people would want to resolve the case of incest within the family. Some families report and at a later stage they would start to recant. I find it extremely important to know the culture of the community where the child comes from.”

“Black children grow up in cultural environments where they don’t talk about sexual related issues to people above their age and this makes disclosure very difficult.”

The findings of this study clearly indicate that culture in South Africa has an impact on the non-disclosure of CSA. It is therefore imperative that when assessing Black children from the various cultures in South Africa, forensic social workers should have an understanding of values that are held closely by people in a specific culture. Such knowledge will enhance one’s ability to overcome barriers to the disclosure of CSA among families within that culture.

8.3.3.4 Sub-theme 4: The environmental setting

Majority forensic social workers indicated that the environmental setting where children are raised have an impact in the non-disclosure of CSA. These forensic social workers have indicated that children who are raised in rural areas are less likely to disclose abuse as opposed to those in urban areas due to culture and level of education. In support of these findings, Aboul-Hagag and Hamed (2012:94) have established in their study that the prevalence of CSA was higher in rural than urban areas and that this may be due to the difference in culture, education and social levels between rural and urban areas.

These are some of the responses from forensic social workers:

“It’s not easy for them to disclose sexual abuse because most children who grow up in rural areas find it difficult to disclose sexual abuse; they are not used to talk strangers.”

“The children do not normally disclose and its worse in rural areas but in town some of the children with the schools they go to, they volunteer to tell”.

The above shows that the environment where children find themselves in contributes towards their reluctance to disclose sexual abuse. When assessing allegations of CSA, forensic social workers should take into account the type of environment where children are raised and apply techniques that will be responsive to their level.

8.3.3.5 Sub-theme 5: Fear of embarrassment and shame

Goldstein (1999:40) states that a child may be embarrassed about the incident of being sexually abuse. Goldstein maintains that sex is an embarrassing subject and not one that people discuss easily when it comes to personal experiences. According to Makhubu (2005:58), from a very early age children learn that they must not be rude or talk about rude things. Adults have inconsistent and often angry reactions when children do so. According to Doyle (1995:48), anything involving the private part of the child will make the child reluctant to admit they have been involved in activities in which private parts played a significant role. Only very young children will be free of embarrassment and shame, due to their developmental phases. The above literature validate the finding of this study in that forensic social workers have posited that during the assessment of sexual abuse cases with children, they find children, particularly those between the age of three to seven being shy to talk about sexual activities and that delays the process of disclosing. Forensic social workers have indicated that such children portray feelings of being embarrassed to talk about such. In contrast, embarrassment and shame to disclose children's 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 and not only on young ones. Goodman-Brown *et al.* (2003:527) found 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). Roesler and Wind (1994:337) established that children never disclose their victimization due to shame and self-blame.

These are some of the responses from forensic social workers:

“For children to talk about sexual activities, more especially those between the ages of three to seven, it is a shameful topic to talk about because it involves private parts.”

“Children are shy to talk about sexual acts, more especially if it is with someone above their age, I think that evolves around the environment in which they grow up at. Most show the feelings of embarrassment and start not to feel good to talk about that.”

These findings clearly show that sexually abused children often feel silly, embarrassed and ashamed because such abuse involves the parts of the body often referred to as rude and associated with toileting. They are naturally reluctant to let others know how "dirty" they are feeling. It is crucial that forensic social workers have an understanding of such children and come to their developmental level. Forensic social workers must accommodate the language that children feel free to express their feelings of abuse, for example, how they call private parts. Makhubu (2005:48) is of the view that children who have been sexually abused, especially those who have been abused by several abusers or have expressed emotional or physical abuse to the sexual abuse, come to view themselves as objects. These children lose a sense of their entitlement to themselves and their right to determine what happened to them. This is a sense of being diminished (shame) and of having no right to power.

8.3.3.6 Sub-theme 6: The development/age of the child

Another reason that forensic social workers stated as playing a vital role during the disclosure of CSA is the age of the child. Developmental factors, particularly cognitive limitations, may inhibit disclosure in young children (Keary & Fitzpatrick, 1994:546). Adolescents are more self-sufficient than young children and willingness to seek help from trusted adults or professionals (Crisma *et al.*, 2004:1037; Hendricks, 2012:25). Some forensic social workers asserted that older children are more likely to disclose sexual abuse purposefully. Some are less likely to do so. Some respondents were of the view that very young children accidentally disclose abuse, whereas other respondents indicated that very young children could not disclose. However, these findings are partially in support of Campis *et al.* (1993:923) and Sorenson and Snow (1991:03), who established that pre-school children, appear more likely to disclose accidentally due to a triggering event, while older children disclose purposefully.

Some of forensic social worker made the following assertion:

“This has to do with the developmental stage of the child. The younger the child, the higher the chances of telling. The older the child, sometimes it becomes difficult to disclose, however, others do.”

“Mostly it’s difficult for children to disclose due to intellectual capacity……”

“At the age of two (2) to three (3) years children can’t disclose abuse. So age for me contributes towards non-disclosure of child sexual abuse.”

Even though the sample was representative, the above illustrates that the age or cognitive development of the child varies from one person to another. For some forensic social workers, the very young are more likely to disclose, whereas to others they do not, and the same with the older children. It is crucial that forensic social workers during forensic assessments pay attention to the cognitive development of the child from the onset to use the most appropriate techniques and strategies that will be responsive to their developmental level.

8.3.3.7 Sub-theme 7: Language competency

Though most of forensic social workers did mention language as a problem during the assessments of sexually abused children, few who are affected (Whites and Coloureds) have felt that if both the interviewer and the child do not speak the same language, there is a likelihood that the three won’t be the disclosure of sexual abuse. In support of this, Spies (2012:214) states that ideally every child should be interviewed in his or her home language and by someone from his or her culture. Fontes and Fishelsman (2016:04) established the importance of interviewing children and adolescents in their primary language. They noted that even youths who are fluent in English might be more comfortable speaking their first language when discussing sensitive and potentially traumatic issues related to CSA. These forensic social workers have stated that they use interpreters during forensic assessments, as they cannot understand the language spoken by children, and vice versa. These findings are in line with what Fontes and Tishelman have recommended in their study regarding the need for interpreters or bilingual interviewers. Unfortunately, the reality is that such trained and multilingual interviewers

from different cultures are not available in many communities. These are the responses from some of the forensic social workers:

“I deal with Tswana speaking children so I use interpreters and it difficult for the child to disclose because the interpreter might put it in a different way.”

“The personal characteristics of the interviewer such as language play a role in disclosure. If both the interviewer and the child are not speaking same language, the disclosure rate might be impacted, however, I use the translator but I have learnt that most translators do not phrase statements same way as what children mean”.

Even though the sample was not representative, language differences between interviewers and children have an impact on the disclosure of CSA. From the researcher's experience of working with Black children, in most instances children who have never seen or spoken to a White interviewer vice versa may react in fear during the assessment. It is therefore crucial that during forensic assessments, children be interviewed in their own language. To add on the researcher's point of view, Spies (2012:214) states that it is important that the translator be present when the child arrives and that the known, trusted and adult accompany the child to relieve anxiety. The issue of diversity during forensic assessments should receive attention. Failure to do so may disadvantage the interviewer to get as much accurate information from the child as possible. When such children are referred for assessment interviews, the professionals should establish the need for a translator by simply asking the language the child uses at home. Even if the child studies English at school, it is still necessary to get a translator as the child might talk about things that s/he can only describe in his or her home language. For example, body parts, sexual activities, or any other contextual information. Spies also advises that the interviewer can alternatively refer the child to the colleague who can speak and understand the language of the child.

8.8.3.8 Sub-theme 8: Poverty

Ferguson (2004:137) states that a typical profile of children and families who come to the attention of child protection services experience poverty and other forms of social exclusion. If the non-offending parent is unemployed, this may bring about other risk factors such as stress of reduced material resources, a sense of powerlessness in the unemployed parent, or increased parent-child contact. In the same light, maternal

employment may contribute to other stressors in the parent-child relationship, and may also have implications on childcare arrangements, or may act as a protective factor through a range of social-psychological benefits. According to Yahaya (2014:09), poverty contributes to the high prevalence of child labour, with parents also encouraging children to improve the living standard of the household. In support of these research findings, forensic social workers indicated that children do not disclose abuse because of financial dependence on perpetrators.

These are some of the responses from the participants:

“... also a vulnerable child who is in poverty where most Black children fall under. If the alleged accused gives them what they do not get at home especially if the parents are neglecting the child, who can't easily notice, the child gets to be independent.....”

“If the perpetrator is a family member and the mother doesn't want the matter to go beyond the family for financial reasons, it makes the child not to disclose.”

“Fear of losing the breadwinner might contribute... so poverty plays a role in the children not disclosing child sexual abuse.

“With Sotho speaking children there is a lot of poverty at play and such children are at risk of abuse.”

Poverty clearly plays a role in the children's reluctance to disclose abuse. This leaves children vulnerable to lot of other social and health issues. It is very imperative that social workers run programmes that would assist children to understand how failure not to disclose sexual abuse might affect their wellbeing and citizens and leaders of tomorrow.

8.3.3.9 Sub-theme 9: South African justice system

Only one forensic social worker had a view that children do not disclose sexual abuse because of the way the South African Justice System conducts investigations. The respondent has indicated that legal representatives in real life are scary and if they are in a large number working with one child, they make the child anxious. The findings support Cronch *et al.* (2006:203), Müller (2009:82) and Smith (2014: 132) who point out that children suffer from stressful and upsetting interviews by multiple interviewers if they are repeatedly and unnecessarily interviewed. Contrary to this, the researcher is of the view

that child protection professionals working on cases of CSA perform an essential role both prior and after disclosure. They attempt to create a safe and supportive environment for children to disclose by providing protection, presenting the case in court. However, their involvement sometimes causes children to be anxious and distressful, which results in non-disclosure of CSA. Allnock and Miller, (cited by Esposito, 2012:44) state only a minority of young people reach out to child protection professionals. These authors emphasize that the role of child protection professionals has an enduring negative reputation that prevents disclosure. The forensic social worker further stated that with more than one official involved in the investigation of CSA, children tend not to believe forensic social workers. This is in line with Esposito (2012:09) who established that victims of sexual abuse do not report to authorities because they think no one will believe them, especially when the abuse happened long ago. This is exacerbated by how interviews are conducted. This is what the participants articulated:

“.....Another issue is the South African system where the child has to disclose to more than one person when abused so that child may recant especially if they have to go through the court process that takes time so they may choose to recant. Younger children when they come to us they think we know already what happened to them so I have to verbalize it in my introduction. I normally say I do not know and I was not there and this encourages them to open up. This is attached to the South African system as well.”

Even though the findings of this study discourage the joint investigation model of intervention, the researcher is of the view that it is the most effective model of conducting forensic assessments due to the following reasons:

- The role players such as CPS and law enforcement share information.
- It leads to more successful conviction rate.
- It speeds up the process, as there are fewer interviews.
- It encourages teamwork.
- There are a limited number of interviews by multiple interviews.
- The information is available immediately to all role players as they conduct the interview jointly.

- Information obtained from suspects can make it possible for a child not to give a testimony at trial (Faller, 2007:38).

Faller (2007:38) also stresses the joint investigation model is the best by stating that when it is implemented, a more successful conviction rate can be expected. The joint investigations of sexual abuse cases can be very successful in eliciting confessions from suspects, obtaining pleas, and avoiding children's testimony at trial (Faller & Henry, 2000:1222). Child protection professionals can only affect the disclosure of CSA if they adhere to poor practice interview guidelines regarding CSA.

8.3.4 Theme 4: Interviewing techniques during forensic assessments with the Black child

In the facilitation of the disclosure of CSA, there are a variety of the dynamics that professionals should be watchful of that may influence the disclosure rate. Personal characteristics of the child and the interviewer may influence the rate of disclosing CSA during forensic interviews. For one to ensure the protection of children and the conviction of perpetrators in CSA cases, they should conduct skilful forensic interviews (Cronch *et al.*, 2006:195). There are specific interviewing techniques that often play a greater role in disclosure. Some of these techniques appear to be very effective at eliciting detailed and accurate disclosures. This research reveals the common techniques categorized as pre-forensic and forensic interviewing techniques. Findings further reveal that in South Africa, cultural backgrounds, developmental levels, language competency amongst children and interviewers and types of questions have an impact in the effectiveness of interviewing techniques during the assessments of allegations of CSA. As a result, techniques should be contextualized in terms of cultural backgrounds and one should consider developmental level (age in particular) and language of the child especially for Blacks. The following is a detailed presentation, analysis and interpretation of the techniques used by forensic social workers in SAPS and the implications with the Black child.

8.3.4.1 Subtheme 1: Pre-forensic interviewing techniques

Smith (2014:205) asserts that a pre-forensic assessment is of great importance, since it will assist the investigator to conduct developmentally sensitive investigations, to view the child holistically and to direct the forensic assessment. In additions to this, a pre-forensic assessment contributes to the investigator's objectivity and neutrality, as s/he does not

start immediately with a forensic assessment, assuming abuse had occurred. During pre-forensic assessments, the forensic investigator starts to elicit abuse-specific information. Investigators must first familiarize themselves with the child's level of cognitive functioning. Fouché (2007:111) is also of the opinion that to determine children's ability to provide information on the events they had experienced, it is necessary for the investigator to have a basic understanding of the developmental milestones and the general characteristics of the applicable period. Considering this information, one can assume that it will also be necessary to evaluate the child's developmental level, especially the child's language and cognitive development (Smith, 2014:205), as this will have a significant influence on the way the child reports the sexual abuse. The following techniques are included in pre-forensic assessments:

- **Cognitive interviewing**

Though not all forensic social workers mentioned cognitive interviewing, one has indicated that she uses it during the first contact with the child to assess the cognitive level of the child. The forensic social workers stated that this technique is most effective when assessing older children than very young children. This is in line with the findings by Cronch *et al.* (2006:199) that the cognitive interview, which was developed by Geiselman and colleagues in the 1980s, is useful with adult witnesses and victims. Cognitive interviewing paves the way for the forensic interviews as the forensic social worker will be familiar with the developmental level of the child and that this enables one to select the most appropriate techniques to apply during the interviews. The forensic social worker has indicated that this technique is the most effective in making children recall the previous events and that in most cases children disclose the possibility of abuse. Faller (2003:381); Holliday (2003:730; and Cronch *et al.* (2007:199) validate this findings in that the cognitive interview is effective in improving children's recall of events, although it appears to be more practical and effective with older children. Aldridge (1999:107); Cronch *et al.* (2006:199); Faller (2003:380) and Holliday (2003:730) emphasizes that cognitive interviewing technique has four retrieval mnemonics, namely:

- Mentally reconstructing the event, i.e., mental context reinstatement.
- Reporting everything, regardless of perceived importance.
- Recalling the event in different sequences.

- Recalling the information from different views and perspectives

The following is an assertion made by the forensic social workers:

“My whole assessment will start with the cognitive play to see if the child is able to build a relationship with a stranger. It is most useful when working with older children than young ones. In my case, a Black child and a White lady, people say it’s going to be a problem but it’s not, it’s just as we don’t see colour. In the cognitive play we seek to understand the child’s vocabulary, if the child is able to talk, his language ability if it’s understandable, can I understand him. After that, we go on if there is information on sexual abuse and that paves a way to apply appropriate techniques in forensic assessments. What I like very much is the cognitive interview is that we draw the whole scene with the child and the child tells me where abuse took place. For me it’s a complementary technique to the protocol that I am using and you have got a hard copy if you go to court one day because the child draw the whole scene of the abuse and it refreshes the whole memory and you can ask open-ended questions especially for children who cannot give a free narrative.”

“I change techniques according to the child in front of me and the age of the child. I check with the developmental stage of the child, words utterance level, identification of colours. It is not a technique but I use this to guide me.these fall under pre-forensic assessment.”

Even though the sample representation was not enough, the findings point out that cognitive interviewing is the most effective technique during pre-forensic assessments more especially with older children. It is therefore imperative that forensic social workers use this technique during forensic assessment to test the cognitive development and language development of children to select the most appropriate techniques to be applied during the forensic interviews. It is useful to pave the way to the forensic interviews. The researcher finds it to be very useful after the child has verbally indicated that s/he has allegedly been sexually abused, to ask the child:

- To identify any incident that s/he 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.

- **Rapport building and ground rules**

Most protocols provide children with rules for the interview to enhance their knowledge of what is required of them (Faller, 2007:74). During the ground rules phase, the investigator motivates the child to answer accurately with a series of brief, simple instructions (State of Michigan, 2005:10). Ground rules, also known as interview instructions, must be introduced at the beginning of the interview. This will help to orientate the child to the unique expectations of a forensic interview and will explain permissible responses. Therefore, ground rules are very important during the rapport phase (Warren *et al.*, 1999:131; Bull, 2003b:37; Wakefield, 2006). Some of forensic social workers commented that the establishment of rapport with children is important, and that if one becomes vigilant about it during the interviews, children are more likely to disclose abuse. Beginning meetings appropriately is essential since first impressions are established quickly and often have lasting effects on relationships (Chang *et al.*, 2016:111; Jacobs *et al.*, 2009:20; Lloyd *et al.*, 2015:08). The first few minutes are vital in creating an atmosphere conducive to productive work together (Jacobs *et al.*, 2009:23 and Shek & Lin, 2015:67). During the first meetings, there is often some awkwardness when relationships begin (Chang *et al.*, 2016). Therefore, if the forensic social worker establishes such kinds of environments, children may feel uncomfortable and start to tell their stories. It is up to the forensic social worker during such engagements to set a stage for collaborative and interactive relationships (Chang *et al.*, 2016:111).

Forensic social workers indicated that the establishment of rapport with children starts during ground rules setting wherein interviewers and children first introduce themselves, interviewers tell children their roles and later on agree on what will be guiding their assessments and what is acceptable and not and set a stage for them to verbalize what they know or not. The issue of interviewers and children introducing one another during assessment process is important as it creates an establishment of rapport. In the critical few minutes, forensic interviewers should invite clients to introduce themselves and state the way they would want to be addressed (Chang *et al.*, 2016:111). Sometimes clients prefer specific names and ways in which they want to be addressed. It is therefore vital for the interviewer to follow the lead of the client in such instances. In support of these findings, Bull (2003b:37) and Spies (2006:225) recommend that the ground rules established during the rapport building phase includes the interviewer giving the child permission to indicate whether s/he understands by either indicating verbally or by using a

"don't know" or "don't understand" card or by saying they do not remember or do not understand or to even correct the interviewer or ask clarification of a question. It is vital that the interviewer empowers a child (Bull 2003a:03) early in the interviewing process, by assuring the child that responses like "I can't remember" or "I don't know" may be appropriate. Spies (2006:225) states that after the child has made verbal statement about possible sexual abuse, the interviewer should take great care not to ask any leading questions (e.g. Did he touch your bums?) nor to suggest anything to the child (e.g. He took off your pants), nor assume that s/he knows what the child means.

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 (Fouche, 2007:215). Sternberg *et al.* (1997:1133) and Wakefield (2006) state 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 s/he does not know the answer.

These are some of the responses from forensic social workers:

“Pre-forensic interviews work very well in establishing the rapport with the child. I always make sure that I create a good working relationship with the child to make it easy for them to open up. During these phase we set ground rules on what will be accepted or not. We introduce one another and I tell the child what my role is. The setting of ground rules itself set a platform for the establishment of rapport”.

“Firstly the most appropriate technique that I use with Black children is rapport building, putting the child at easy, verbal interviews with the child. These makes children feel comfortable to tell their stories.”

“It’s important to engage the child on ground rules and ask them if they understand why they are with you.”

It is evident from the findings of this study that establishment of rapport is very much crucial during forensic assessment and that forensic social workers engage children on ground rules to fulfil such. It is the opinion of the researcher that after the initial disclosure of the possible sexual abuse, ground rules be emphasized to the child. Fouché (2006:225) also warns that if the ground rules are communicated prior to the disclosure, the possibility

exists that the child has forgotten about the ground rules by the time the initial disclosure occurs.

- **Free recall**

Some forensic social workers have indicated that they engage children in free recall of the neutral events that they have experienced. One has given an example that she asks children to tell about their school holidays. During this process, children are more likely to disclose the possibility of abuse and that makes it easy for the forensic social worker to apply relevant techniques during forensic assessment to clarify verbal statements made by children. Bruck *et al.* (2006:785) and Spies (2006: 225) support these findings by stating that children are more likely to accurately provide important details in free recall. Further information may then be obtained through specific questions about the event. Interviewers should allow the child to provide a free narrative account in any order that the child wishes (e.g. Tell me about your school holidays); and "Tell me more" (Aldridge & Cameron, 1999:140; Home Office, 1992:17; Spies, 2006:225). 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. Aldridge, Cameron (1999:140), Orbach et al. (2000:736), Wood, and Garven (2000:112) state that the interviewer should not interrupt the narrative with questions. It is recommended that the following type of questions be asked to the child to invite free narrative (Bull, 2003a:3; Fouche, 2007: 215; Starks & Samuel, 2002a:27 ;): "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 summarizing 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).

These are some of the responses from forensic social workers:

".....and use free narrative, check whether the child is able to give the story,In engaging children to recall the events that they have experiences, I usually ask children to tell me about their school holidays...hey you will hear stories. Children are more likely to disclose abuse when this technique is put at play."

"I use free narrative of stories wherein I allow children to tell me about what their weekends or school holidays. Children disclose possibilities of sexual abuse and this helps

us as forensic social workers as it makes it easy for us to select the most appropriate technique to clarify every verbal statement uttered by children.”

The use of free recall technique is imperative when forensic social workers in South Africa assess children who have allegedly been sexually abuse. By applying this technique, findings show that the possibilities of children to disclose sexual abuse is very high. However, children should not be interrupted during this process. Children must be allowed to give a free narrative of any incident in whatever order they like. The interviewer should provide a structure in a developmentally sensitive and non-leading manner to assist the child to tell his/her story. The researcher experienced that when children are requested to give a free narrative, they very often only tell about the core events and will not necessarily start from the beginning to the end. It is therefore imperative not to interrupt the child, but to allow the child to recount whatever is on his/her foreground at that moment.

- **True-lie discussion/competency assessment**

Competency assessment according to the researcher's point of view is an extension of the rapport-building phase. There are no uniform guidelines regarding the need for discussing truth and lies during a forensic interview and some protocols do not even cover this phase. Majority of forensic social workers have mentioned the technique of true-lie discussion that which others referred it to as competency assessment as effective during forensic assessments with the Black child. However, some were of the view that the forensic interviewer must consider the age of the child when using the competency test. This supports Spies (2012:213), who established that a basic understanding of child development and developmental issues is an absolute necessity for anyone who works with child witnesses. Asking the child directly what it means to tell the truth or a lie is an abstract question and therefore it is not advisable to ask a child a question to this effect, since they often encounter problems understanding abstract terms. It is better to make use of concrete examples to test the child's ability to distinguish between the truth and a lie (Poole & Lamb, 1998:46; State of Michigan, 2005:11). The following is an example of how this ability can be tested. The investigator can present a red pen to the child and ask the child to identify the object in the interviewer's hand. After identifying the object, the investigator can tell the child: "If someone says this is a red pen, is that person telling the truth or a lie?" If the child states it is a pen, the investigator acknowledges this. The investigator can take a next object and can ask the child to identify the object, for instance

a black pen. Once the child has responded by saying it is a black pen, the investigator can ask the child: "If someone says this is a ruler, is that person telling the truth or a lie?" It is recommended that this concept be tested in this manner, rather than asking them directly to define the terms "truth" and "lie" (Poole & Lamb, 1998:46; State of Michigan, 2005:11).

One forensic social worker mentioned that culture influences the assessment of Black children using true lie discussion. For instance, in some cultures it is a sign of disrespect for children to tell an elderly person that it is a lie. This as a result compromises the truth from children. The forensic social worker has indicated that she overcomes this by indicating to the child the implications of telling a lie. This support the previous studies which indicated that it is also important to include questions regarding the moral implications of telling lies (Cronch *et al.*, 2006:200). This can be determined by asking the child what will happen if someone tells a lie. The researcher found in practice that it is best to rather say "if someone", as it might be intimidating for children to say that the investigator is lying. This is consistent with other researchers' findings (Lyon *et al.*, 2001:90)

The findings reveal that this technique should be used during the first contact with the child to establish if the child is able to distinguish between truth and lie and the consequences of telling a lie. APSAC guidelines dispute these findings in that the competency assessment may be conducted at the end of the interview (APSAC, 2012:17). However, the researcher disagrees with this statement, as he is of the opinion that the child must realize from the onset of the interview, the seriousness thereof. Forensic interviewers often assess children's understanding of the difference between the "truth" and a "lie" before beginning the abuse-focused questioning (Cronch *et al.*, 2006:200). Orbach *et al.* (2000:750), Spies (2006:200) and Wyatt (1999) recommend that children be asked if they have ever told a lie and what consequences result from telling lies. Wyatt also suggests that interviewers further test children's understanding of these concepts through the use of examples ("Tell me a lie about this chair"). APSAC also recommends that interviewers use concrete examples during truth-lie discussions (APSAC, 2002). Starks and Samuel (2002a:22) and Kuehnle (1996:101) state that it is imperative that the interviewer emphasize 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 and APSAC, 2002).

Forensic social workers further asserted that court recommend this technique highly to determine the credibility of children's statements in court. These findings support the previous studies where it was discovered that competency assessment may demonstrate the child's competency and increase the credibility of his or her statements in court (APSAC, 2002; Huffman *et al.*, 1999; Cronch, 2006:200). It is often useful to obtain a verbal agreement from the child to tell the truth throughout the interview (Huffman *et al.*, 1999; Talwar *et al.*, 2002). The findings support Fouche (2007:230) who has established that in the South African jurisdiction, all witnesses must undergo a competency examination before giving their testimony. Contrary to this the Criminal Procedure Act, 1977 (Act No. 51 of 1977) asserts that 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" (Fouche, 2007:230).

These are some of the responses from the forensic social workers:

"..... I also use the truth and lie differentiation to the old ones to check their understanding on moral implications of telling the truth. It is very much important to check the age of the child. Young children have a challenge with their language and cognitive development. So I recommend this technique for older children as it works better for me."

"Some children are not used to the truth and lie differentiation. I check the background of the child before I apply the techniques accordingly such as they developmental level and culture. For most Black children they know what happened to them so they will tell you."

"I do the competence test first using the truth and lie differentiation before I use the body parts technique. For young children under the age of 5, I use the colours to check the level of development and these assists courts to determine the reliability of children's statements."

" We were trained on the truth and lie differentiation and it is important to ask important questions for example you ask the child to explain using examples like if I say this will I be telling the truth. Culturally for a child to tell an elderly that you a lying its wrong".

The above findings show that true-lie discussion/competency assessment is very important to assist courts. However, one has to check the age and cultural background of the child to be strategic during forensic interviews to facilitate the disclosure of CSA appropriately. The researcher is of the view that it is important to determine the child's comprehension about the difference between the truth and a lie, and the consequences of lying, right before the abuse-focused questioning starts. Children should understand that talking about the allegation of sexual abuse is a serious matter. 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. Therefore, it is crucial to remind the child during the assessment process about the importance of telling only the truth. The researcher is also of the view that Investigators must also understand that it is not a guarantee that if children can distinguish between truth and lies, that they will only be telling the truth. Researchers have also found that children who pass this test are not more accurate or less susceptible to suggestion than their peers who had failed this test (Connell, 2009:461; Faller, 2007:71; Poole & Lamb, 1998:46). However, the researcher supports the statements that it is important to determine this ability from children and that it is important for children to realize the seriousness of the assessment process and that if they are lying, it can have a negative influence on someone else's life.

- **House and community plan**

This technique was developed from a number of related techniques like eco-cards and genograms (Butler & Karp, 1996:87; Fouche, 2007:212; Kaduson & Schaefer, 1997:104; Perry & Wrightman, 1991:111; Spies, 2006: 218). Some of the forensic social workers indicated that they make use of a house and community plan that is most effective with Black children. These forensic social workers indicated that house and community plan technique is useful to determine people/places whom children feel safe and/or unsafe when they are around them. These findings support Fouché and Joubert (2003:16) and Spies (2012:218) who established that the house and community plan technique focuses on the child's daily movements from his/her home to other secure or threatened places. This technique helps the child to identify the places where s/he feel secure and those in which s/he feels threatened. Forensic social workers have indicated that the essence of using this technique during pre-forensic assessments is that children might disclose the possibility of abuse. The respondents have asserted that one has to be cautious of the manner of questioning to elicit as much accurate information from the child as possible.

This supports the previous studies in that if the child indicates that s/he has been sexually abused, abuse-focused questioning (Cronch *et al.*, 2006:200) regarding the allegation should take place. Fouché, (2006:218); Fouche (2007:212) and Spies (2012:219) support this technique in that the interviewer should clarify the concepts *safe* and *unsafe* within the context of neutral topics to allow the child to indicate where s/he feels safe or unsafe. The forensic assessor should explore this further. Both safe and unsafe ticks are explored.

Forensic social workers made the following assertions:

“I have techniques like the family drawing, the house and community whereby children tell about places or people who they feel safe or unsafe when they are around their company. This technique helps a lot to facilitate the possibility of sexual abuse during pre-forensic assessment. The forensic interviewer has to be considerate of the questions to explore on whatever statements uttered by children.”

“I do the house and community plan to see who are the people in the child’s environment that she or he feels safe or not when they are around their company. If the child indicate whether they are safe or unsafe with so and so, I make sure I explore on each of what they have said because sometimes children might states that they feel safe whereas when you explore you find that such children are undergoing abuse”.

“There is also community housing plans where you check where the child is happy to go and why, if they are not happy, you check why.”

“With house and community, the child draws spaces with different sizes indicate whom she spends most of her time with. You can find where such incidences occur.”

“The most effective is the house and community especially for Black children, they can relate to it.”

Even though the sample was not representative, findings show that the house and community plan technique is effective during pre-forensic assessments in that it facilitates discussions about the possibilities of sexual abuse among children. However, the manner of questioning seems to be having an impact to elicit more information on the disclosure of such abuse. The researcher is of the opinion that when asking children questions, forensic social workers should consider the cognitive development of children and come to their level by asking open-ended questions as children are able to relate to these questions.

Aldridge and Cameron (1999:140); Bull (2003a:03; Lamb *et al.*, 2000:1586) support the researchers' opinion in that open-ended question should be encouraged in all phases of interviews regardless of the age of the child.

- **Egg technique or my world**

Though the majority of forensic social workers did not mentioned the egg technique, a few did indicate that it is effective when assessing Black children. Others see it as serving the same purpose as my world technique. Forensic social workers have indicated that the egg technique or my world helps them to get an idea of which people children would want in their own space/personal boundaries. These findings validates what Spies (2006:219) has established in that the purpose of the egg technique is to make children aware of their own personal boundaries and to enable them to identify when someone intrudes on them. Forensic social workers indicated that with this technique children are more likely to disclose the possibility of abuse if one pays attention to how he phrases question. Spies indicates that when using the egg technique, the interviewer presents the child with a picture which the child has to complete by connecting the dotted outline around the figure and by colouring the personal space inside the dots. This enables the child to conceptualize what is meant by the boundaries. The child could stretch out his or her arms to depict personal boundaries, or engage in a game where s/he tries to enter the interviewer's egg and vice versa. During the application of this technique, the interviewer tests the child's comprehension with a neutral topic and then move on to ask the child which of the people identified in the house and community may enter his or her egg and which of them may not. After each response that the gives, the interviewer then explores the reasons for the child's decision and focuses on anyone the child has refrained from mentioning.

The following are responses from some of forensic social workers:

"The most important technique that I use during pre-forensic assessments is the egg technique and I ask the child to put the people she wants to be inside and those she wants outside and give reasons. This one is very effective is children mostly disclose the possibility of sexual abuse."

"I also use the egg technique to check which people the child allows in the egg and why and whom she or he doesn't allow in the egg".

“I use my world technique or the egg technique with the African child. Both these techniques serve the same purpose. If I use my world, I cannot use the egg technique and you have to take the child step by step. Children have an understanding of houses. They say I do not want so and so in my world because they will steal and you probe the reasons even for those whom a child would allow. The world technique is working very well”.

It can be seen that the egg technique or my world is effective in the facilitation the disclosure of possible CSA. However, the manner of questioning affects its effectiveness. The researcher is of the opinion that forensic social workers should explore on whatever the child might say by using open-ended questions. Spies (2012:220) also shares the same sentiment with the researcher in that the interviewer should explore the reasons for the child’s decision and focuses on anyone the child has refrained from mentioning. The researcher considers these two techniques as connected to the house and community plan and that the child can identify the people in his or her house or community who she does not want or does want in his or her world or egg. It is therefore of the opinion of the researcher that forensic social workers starts with the house or community plan and then either egg technique or my world consecutively. Spies (2012:218,220) makes an emphasis that house and community plan can be used with the egg technique wherein after the interviewer has tested the child’s comprehension moves to ask the child which peoples identified in the house and community plan may enter his or her egg and which of them may not.

- **Emotion faces**

Fouche and Joubert (2003:18), Spies (2012:220) and Venter (1993:12) state that this technique is used to evaluate relationships. Its goal is to determine the relationship between the child and family members and other people with whom s/he has contact. Using different colours clay shaped into little balls enables the child to visualize and represent friends and family members and other people with which s/he has contact. Four forensic social workers have stated that the emotional faces technique is most effective when assessing Black children who have been sexually abused. These respondents have stated that they engage children to both the happy or unhappy emotions and explore on what children say. Fouché & Joubert (2003:16) and Spies (2012: 220) support these findings in that when using emotional faces, the child is requested to represent all of his/her family members and other persons that are important by choosing a strip of

coloured clay and making it into a little ball. Fouché (2006: 210) and Spies (2012:220) add that the child then draws two large circles, which then will represent happy and unhappy faces and later places the people (clay balls) in either the circle with the "make me feel happy" face or in the circle with the "make me feel unhappy" face. The interviewer at this point needs to clarify whether the child understands the difference between happy and sad and to test the child's understanding within the context of a neutral subject (Spies, 2012:220).

Most children demonstrate possible sexual abuse and these make it easy for forensic social workers to proceed with forensic interviewing techniques to assess the allegation of such (Spies, 2012:220). However, some forensic social workers were of the view that to make this technique more effective, one has to be cautious of the manner in which s/he questions the child to explore possible abuse. Forensic social workers indicated that open-ended questions are the most appropriate to facilitate the possibility of sexual abuse with Black children. Cronch *et al.* (2006:200) support the findings in that should the child disclose possible sexual abuse, the interviewer will start with the abuse-focused questioning.

These are some of the responses from forensic social workers:

"I use the emotional faces where I ask the child on what makes you happy and what makes you sad. The technique is very effective to ease children disclose possible abuse and it also make it easy for us as forensic social workers to have a direction into the forensic interviews."

"I uses emotional faces.....Emotional faces technique helps in understanding the feelings of the child,the forensic social worker must consider the manner of questioning children, It is advisable to use open-ended questions in order to explore on whatever statement made by children"

"I use the emotional faces more often. I involve the child to draw the face on the paper and ask the child to identify the emotions on the faces. This techniques helps to establish the relationships that they child has with those around himself or herself. The child will tell which people make him or her sad and happy and the forensic sexual worker try to find out why."

The findings point out that the effectiveness of emotion faces during pre-forensic assessments is determined by the manner of questioning. Open-ended questions are highly commendable to elicit more information on the CSA during forensic assessments. The researcher support these findings in that from his practical experience of assessing children who have been sexually abuse, he has learnt that open-ended questions elicit more of the information suggesting the possibility of CSA. It is therefore, crucial during forensic assessments that forensic interviewers follow this style of questioning and follow up on whatever statements children verbalize. Children have varied ways of disclosing abuse. To support these, Hershkowitz (2001:49) and Spies (2012:226) have established that open-ended questions should be encouraged in all phases of interview, regardless of the child's age as they yield longer and more detailed responses.

- **The robot**

The aim of this technique according to Fouche and Joubert (2003: 19) and Spies (2012: 220) is to explore the possibility that the child may have been a victim of physical or sexual abuse. Two forensic social workers support these authors by stating that through using the robot technique, children are more likely to disclose sexual abuse. One of these forensic social workers has asserted that one should consider the developmental level of the child whilst questioning children through this technique. Both these forensic social workers indicated that they expose the child to three robot colours: are red for dangerous touch, yellow for secret touch and green for good touch. Children then state which people they would prefer to place in either of these colours. The term "touching trouble" is described by Spies (2012:220) to differentiate between three touches. The first touch is a bad touch (when somebody hurts you); the second touch is a secret touch (genitals are touched); and the third type of touch is a good touch (positive contact). Fouché and Joubert (2003:17); Fouche (2007:214) and Spies (2012:221) state that the different types of touches from these findings are explained by comparing them to a traffic light (also known as a robot in South Africa). One forensic social worker has reported that the most critical colour is yellow, however, she makes follow up with all of these colours.

These are assertions made by some forensic social workers who mentioned the robot technique:

"I make use of the robot technique during pre-forensic assessment as a preparatory technique for forensic interviews. The robot one works with 3 phases like robot colours that

is red, green and yellow. On red the child indicate the people whom she is not getting along with, on green she mentions the people whom she is free to tell, yellow she mentions people who are changing sometimes she could say they don't give me money". "By exposing the child to these colours, I display a picture which has red, yellow and green colours each in a circle. The child will then, indicate which people they will prefer to be in each of these colours. I make a follow up on what the child reports during this technique. The robot technique is very much effective to enable children to disclose possible sexual abuse. If the forensic social worker can just be considerate of both the developmental level of the child and the manner of questioning, she will never go wrong."

"I use the robot technique , the red is danger, then you ask the child where did he touch you, green is when he touched in a good way, red is when he touched you in a bad way, yellow the person is touching the child on where he wasn't supposed to touch. Children are more likely to disclose possible sexual abuse with this technique."

Even though the sample was not representative, the robot technique is effective during forensic interviews. However, the developmental level of children seems to have implications when forensic social workers explore children's reports. The researcher is of the opinion that due to age of children, some children might not be able to differentiate between colours. The researcher therefore recommends that the robot technique be used not with children below the age of four years. When applying this technique, the interviewer should clarify with the child whether s/he 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, 2007:214) or when someone does something and asks us to keep it a secret.

- **Body parts**

Majority of forensic social workers have stated that they use body parts technique to gain an insight on how do children name parts of the body. Spies (2012:224) supports these findings in that body parts technique according to is used to explore the child's knowledge

about body parts and labels they use for his or her genitals and to create an environment in which the child may disclose possible sexual abuse. Some of forensic social workers have indicated that children have their own way of naming parts of the body, more especially private parts. However, cultural background was reported to be a barrier to the effectiveness of body parts technique when assessing Black children. Some forensic social workers have stated that some children are taught from home not to talk or even mention the name of private parts. This has a negative influence during assessment of Black children who have allegedly been sexually abused. Spies (2012:224) states that the use of body parts technique helps forensic interviewers to follow forensic interviewing techniques after children have disclosed possible sexual abuse.

The following are some of forensic social workers' responses:

"The one which is not effective is the body parts because children do not want to talk about body parts it's because they were taught not to talk about it."

"I use the body parts survey where the child has to identify the body parts and their functions."

"There are a number of techniques, one is body map which helps because each and every community has its own way of describing body parts. When interviewing the child, it helps on this basis."

"We also use drawing for the child to identify his or her own body. Black children are not familiar with puzzles."

The findings of the study point out that cultural background has an impact in the effectiveness of body parts technique. The researcher validates the findings from his practical experience of working with children. Most of them, more especially those who have been raised in rural communities, are taught no to mention names of private parts as it is regarded as an insult and disrespect. Therefore, it is crucial during forensic assessments that forensic social workers gather the information in terms of the cultural background of the child and start with techniques that will best suit such children. However, if one does not find anything from the child, body part techniques can be used.

8.3.4.2 Subtheme 2: Forensic interviewing techniques

Smith (2014:334) has established from her study that it is important during forensic interviews that one follows a scientific interview protocols. Smith's study shows that the NICHD is the most effective in the South African context. This is validated in this study where one forensic social worker indicated that the NICHD protocol is the most effective in South Africa, especially when assessing Black children. Lamb and his colleagues have worked on pinpointing interviewing techniques that will produce the best quality of information from children (Saywitz, *et al.*, 2011:340). According to Orbach *et al.* (2000:734) as well as Lamb *et al.* (2009:85), the NICHD is a flexible and structured protocol that incorporates a wide range of strategies believed to enhance the retrieval of information from children. Herman (2009:261) states that although other interview guidelines and protocols exist, no other protocol or guideline has levels of empirical support equal to those of the NICHD protocol. The respondent has made the following assertion:

“There is a number of techniques that I use when assessing allegations of child sexual abuse. I follow the National Institute of Child Health and Development whilst using these techniques. The National Institute of child Health and Development is the most appropriate protocol that is responsive to the South African children, more especially when assessing Black children. It is a well-researched protocol in South Africa. It is based on free directive forensic interview.”

The following techniques and their implications when assessing the Black child were identified as applicable during forensic interviews:

- **Anatomical dolls**

Spies (2012:228) states that it is not obligatory to use anatomical dolls during every forensic interview. Only two forensic social workers from the sample of fourteen (14) have mentioned that they use anatomical dolls more especially in the instances where children have disclosed the possibility of abuse to clarify such. APSAC guideline (1997:06) and Spies (2012:228) concur with these findings in that dolls are regarded as an excellent communication/clarification tools after the child has made a verbal disclosure, if used appropriately. Faller (2007:113) and Kuenhle and Connell (2009:370) adds that anatomical dolls are referred to as anatomically detailed, anatomically or sexually correct and are used when there is an allegation of CSA (They could be used to clarify previous

statements made by the child about sexual abuse other than relying on the children's statements only). However, these forensic social workers have indicated that the age of the child has an implication to make this technique effective, more especially when assessing Black children. These forensic social workers stated that anatomical dolls should not be presented to children who are below the age of four years due to their cognitive development. Faller (2007:114) and Holmes (2000:50) support these findings in that the anatomical detailed dolls should not be used to children below the age of four years, as they require specific cognitive abilities. Spies (2012:228) make an emphasis that prior to using anatomical dolls, the interviewer should determine whether the child is able to make a representational shift. The dolls are used to a child whose language skills are limited or who are reluctant to talk, as a medium for clarifying verbal statements or a way of corroborating disclosure (Faller, 2007:126).

These are the responses from forensic social workers:

"I sometimes use the anatomical dolls when the child has disclosed the possibility of child sexual abuse during pre-forensic assessments, depending on the age of the child. Anatomical dolls are used to clarify what the child has disclosed. It is for me a risky technique to use because the child sometimes does not understand. So, it is very much important that when one uses this technique, considers the age of the child."

"I also use the anatomical dolls, I will let the child disclose then I will use the anatomical dolls for clarity. However, it is important to consider the age of the child as anatomical dolls have an implication to children's cognitive distortion. Children might not understand and provide lies. When using anatomical dolls I use the unclothed to test children's representational shift. If you can present them clothed, children may associate the dolls to the irrelevant person. So one need to be careful."

The use of anatomical dolls, according to the researcher's learning experience, has disadvantages. However, they do help a lot during forensic assessments. The researcher has learnt that they suggest and lead to children. Faller (2007:114) and Kuenhle and Connell (2009:370) support this in that anatomical dolls are more suggestive because they have private parts. These findings validate what Santtila *et al.* (2004) has discovered when they examined 27 transcribed forensic interviews conducted in Finland that interviews in which anatomically detailed dolls were used included more suggestive utterances and less detailed responses by the children. Therefore, the researcher is of the view that

anatomically detailed dolls should be avoided with preschool children due to the suggestibility and lack of self-representational skills found in this age group. Anatomical dolls can elicit sexual play even from non-abused children (Bruck & Ceci, 1995, DeLoache, 1993; Santtila *et al.*, 2004). In other words, they also cause children who have not been sexually abused to say that they have been sexually abused. The anatomical dolls demand specific cognitive abilities if used appropriately (Kuenhle & Connell, 2009:371). For example, they are not suitable for very young children in that they may not have the requisite cognitive abilities to use them appropriately. They may be useful tools with school age children, but should be used with caution and only when necessary to facilitate communication (APSAC, 2002; Carnes, 2000). The researcher is further 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. The use of anatomical dolls is a specialized interviewing technique, and therefore, professionals should receive intensive training.

- **Anatomical drawings**

Four out of a representation of fourteen forensic social workers have stated that they use anatomical drawings to verify and clarify the possibility of CSA disclosed by children. Faller (2007:133) supports these findings in that anatomical drawings are useful after the child has made a verbal disclosure to clarify or corroborate the child's verbal disclosure. In other words, anatomical drawings are used to facilitate the disclosure made by the child. Faller states that the drawings are either males or females, with front and back views and indicating race, for example Black or White. One forensic social worker was of the view that the assessor should pay attention to the age of the child when using anatomical drawings to verify what the child has disclosed. This forensic social worker has stated that very young children particularly those below the age of three years do not respond positively with this technique in that they engage in play. Faller (2007:133) further states that when employing anatomical drawings, the interviewer asks the child to mark each part of the child's drawing where something happened. The interviewer then asks the child to say what happened to each part that the child has marked. The same process then is employed with the offender's drawing. The child is asked to mark each part the offender used and then explain what the offender did with each part.

The following are some of forensic social workers' responses:

"I use the anatomical drawing if I think the child is cognitively limited to verify the statements that they verbalize during forensic assessments. However, to some children more especially to those who are very young for example, below three year, it is difficult to use anatomical drawings as children may engage into play."

"We also use the anatomical drawings and we use it after the child has disclosed something where you put the drawing to verify where they are referring to, where they were hurt, with what they were hurt because sometimes when you speak with the child they know what happened but they can't say it happened on my head but with what so when you put drawings they can say with this."

"I would also use the anatomical dolls, I will let the child disclose then I will use the anatomical drawings for clarity."

The findings point out that the use of anatomical drawings is effective when assessing Black children, however, forensic social workers should pay attention to the age of the child as it has the implications. The researcher is of the view that the use of anatomical drawings has the following advantages and disadvantages:

The advantages of using anatomical dolls

1. Young children are more accomplished in communicating by demonstrating than in words. Therefore, anatomical drawings serve as a language substitute.
2. Media affords the interviewer two modes of communication, verbal or actions. For instance, when children show and tell, interviewers tend to be confident in the information provided by children.
3. The use of anatomical drawings allows the interviewer to collect more detailed information using fewer questions. More questions could lead to contamination of the child's information.
4. The use of anatomical drawings provides children cues needed to trigger their memories. For example, a body map or anatomical drawing may be needed to trigger the child's recollection of details of an experience.

5. The use of anatomical drawings help children overcome their reluctance to disclose.
6. For some children it may be less stressful to show than to tell what happened.

The disadvantages of using anatomical drawings

1. It may be a challenge in the legal arena.
2. The use of anatomical drawings may engender play or fantasy.
3. Children and their caretakers become upset by the use of anatomical drawings because they depict body parts. For example, parents may argue that their children never saw male penis and should not be exposed to penises during forensic interviews.
4. Children under the age of three years or younger are unable to use dolls or anatomical drawings as representational objects.

- **Touch survey**

The use of Touch Survey was also reported to be effective with some children and ineffective with others. The majority of forensic social workers indicated that culture and the age of the child have implications during the use of touch survey. Some were of the view that for older children touch survey is not effective for very older children such as those who are above eight years of age. To partially support these findings, Hewitt (1999:226) states that Touch Survey requires that a child be able to use drawings as a representation of him or herself. Hewitt further states that because preschool children often lack self-representational skills, Touch Survey be used with children of four years of age and above. Children between four and eight years old are first given a warm-up exercise that involves reviewing various feelings and the faces associated with each. This exercise is intended to assess the child's self-representational skills, build rapport, and assess their attention span (Cronch *et al.*, 2006:200). The warm-up exercise is not necessary for children over 8 years old. Forensic social workers have indicated that Touch survey is used as the also resort wherein children did not disclose any possible sexual abuse. This technique was developed as a screening for child abuse and was based on the idea that touches fall along a continuum, ranging from good to neutral to bad (Hewitt, 1999:226). Touch Survey in particular screens for possible abuse in several areas, namely physical abuse, which is screened looking at spanking, hitting or pinching; sexual abuse by

asking about genital touches and lastly emotional abuse or neglect, by asking about hugging and kissing. It is imperative during CSA allegation to screen for multiple forms of abuse since abuse does not occur in isolation. In other words, the Touch Survey itself includes a discussion of various touches the child has experienced (i.e., hugging, kissing, hitting, sexual touches), feelings associated with the touches, locations on their body where they have received the touches, and who gave them the touches. Some forensic social workers have stated that the touch survey works well with children who were raised in cities. Some were of the view that cultures do differ in that in some cultures it is a taboo for a boy to kiss his father, whereas in the western culture that is an expression of love.

These are some of the responses from forensic social workers:

“So it depends on the child, with the Black child I deeper on the touch survey and that technique is not efficient to all cultures. I do not get a lot of information using this technique though I love it because there is no other technique that gives you a chance to ask about oral genital abuse. Most Black children do not understand tickle, so I have to always to explain to them. So using this technique you go out to ask the whole lot of questions on who hugs you, who kisses you because most Black parents do not kiss their children. Out of 100 may be 5 Black children are victims of genital abuse. I learnt that the touch survey should be the last technique to use because it is too much of leading the child to something. With Black cultures male children cannot kiss their father or kiss amongst themselves, it is not acceptable but they can both kiss their mother or sisters so it is cultural. In White community, kissing goes across the divide and its expression of love. Things like grooming are much more observant in the White culture as compared to Black cultures. The use of touch survey depends on the way the child was raised, was the child raised very culturally. If the child is more westernized or if the child stay in the cities, they understand such much better. There more cultural beliefs in the family, the less touch survey can be used. So the technique works very well in western culture but its not cultural sensitive to Black community.”

“Touch survey is the common one. It works well with 4 years old and up depending if it is a well-developed child. I do not advice one to use it with very old children, more especially to children above 8 years”.

“I also use the touch survey and with it you need to be very cautious because sometimes when you talk about the kisses, hugging and leaking, some children are not open to talk

about such. That depend on family culture and how they were raised. The phrasing of questions must be wise especially when you ask about negative touches. To others touch survey is a surprise but to others they know about it but they become shy. It can work with others but fail to work with others.”

The findings point out that culture and the developmental level or age of the child have an effect during the forensic assessments. The researcher is of the view that, when one conducts forensic assessments, they should use the Touch Survey as the last resort and be considerate of the cultural background and age of the child. The researcher is of the opinion that Touch Survey should be used in combination with other empirically supported interviewing techniques. From the researcher’s experience, Touch Survey is useful if children did not disclose the possibility of abuse. It is therefore used to examine such if other techniques did not work out.

- **Open-ended questions**

Spies (2012:226) states that open-ended questions invite a wide range of replies and do not suggest a specific answer. Aldridge and Cameron (1999:140); Bull (2003:03) and Lamb *et al.* (2000:1586) state that in practice, such questions start with what, how, when, who or where. Three forensic social workers have stated that open-ended questions during forensic assessment help them a lot to yield lot of information about allegations of CSA from children. These findings are in line with research conducted by Hershkowitz (2001: 49) and Orbach *et al.* (2000:733) in which children between four and thirteen years of age were interviewed about incidents of alleged sexual abuse by making use of a high number of open-ended questions. It was discovered that such questions yielded longer and more detailed responses than did the focused prompts. One forensic social worker indicated that when one asks open-ended questions, s/he must be cautious of the age of the child. This forensic social worker felt that very young children do not respond well with open-ended question, unlike those who are at school and adolescent. Cronch *et al.* (2006:199) support these findings by recommending that open-ended questions should be used when interviewing school-aged children and adolescents. These type of questions are not as effective with very young children and often elicits shorter and less detailed responses than other types of interviewer utterances (Davies *et al.*, 2000; Hershkowitz *et al.*, 2002; Cronch *et al.*, 2006:200; Sternberg *et al.*, 1996).

One forensic social worker made the following assertion:

“Depending on the age of the child, I use open-ended questions. These questions are very effective more especially with preschool and adolescents children and not with very young children. Open-ended questions help children to give more information on the possibility of sexual abuse for one to explore on.”

It can be seen from the findings of this study that open-ended questions are most effective to elicit longer fact on the possibility of sexual abuse. However, the developmental level or age of the child seems to have an impact on their effectiveness. The researcher has learnt from his practical experience of assessing children who are alleged to have been sexually abused that, open-ended questions cut across all phases of interviews and interviewing techniques despite the age of the child. Spies (2012:226) validates the researcher’s practical experience when she says that open-ended questions should be encouraged in all phases of interview, irrespective of the age of the child.

8.3.5 Theme 5: Dynamics of disclosing child sexual abuse with the Black child during forensic assessments

The disclosure of sexual abuse is a process with definable phases and characteristics. Many children find it difficult to talk about their sexual abuse experiences. It is therefore imperative for forensic social workers to have an understanding of the diagonal process of disclosure when conducting forensic assessments. Forensic social workers should also be watchful of varied dynamics that are likely to impact the disclosure rate. The findings reveal that personal characteristics of the child and the interviewer, communication skills, blind assessments and informed allegation interviews have an impact in making the interviewing techniques effective during the disclosure of CSA.

8.3.5.1 Sub-theme 1: Personal characteristics of the child and the interviewer

Findings of this study have pointed out that language diversity amongst the child and the interviewer, gender of the child and the interviewer and age and cultural beliefs of the child and the interviewer have an impact when assessing Black children during forensic assessments.

- **Language competency amongst the child and the interviewer**

Majority of forensic social workers have identified language as a barrier during the assessments of Black children who have been allegedly sexually abused. These respondents have indicated that they interview children speaking different languages wherein some differ even with their own personal languages. To this point, these forensic social workers have stated that the assessment is least likely to be fruitful in that children fail to disclose the possibility of abuse or even if they disclose, the interviewer might not understand. However, some have indicated that they make use of translators whereas some refer such cases to their colleagues in other regions who speak same language as the child. Spies (2012:214) supports the forensic social workers' strategy of dealing with children who do not speak same language as they do by involving an interpreter or referring the case to someone who does speak the language. Fontes and Tishelman (2016:54) have established from their study on language competency during forensic interviews that forensic social workers in the United States also emphasized the importance of interviewing children and adolescents in their primary language. From their findings, it was noted that even youth who are fluent in English may be more comfortable speaking their first language when discussing sensitive and potentially traumatic issues related to CSA. Spies (2006:214) also shares the same sentiment in that even if children attend English school, it should be noted during forensic interviews that a child may talk about things s/he can only describe in his or her home language, for example body parts, sexual activities or other contextual information.

The following are some of the forensic social workers' responses:

"Language diversity between myself and the child is a problem. For me it's very difficult and I use interpreters as I am servicing the whole Province alone. I am only fluent in English and Afrikaans."

"It is advisable to must speak the language of the child if you can. If you can't speak the language, you have to refer to the person who speaks the language. That helps in avoiding not taking notes of certain statements that children say because you did not understand. Children have their own way of pronouncing certain words in terms of the background where they grew up at."

“Language barrier is a problem to the Black child especially children aged between 8-9 month we keep on referring to the J88. In actually fact, when our employer hires, one of the requisites should be the issue of language because child sexual abuse is a very sensitive problem that needs one to address it sensitively. One must be able to interview children in their own home language.”

It can be seen from the findings of the study that if the child and the interviewer do not speak same language, the likelihood is that the assessment process would not yield positive outcomes in terms of facilitation of the disclosure of CSA. Even though some forensic social workers have indicated that they make use of translators in such instances, the researcher supports the strategy used by those who refer such cases to their colleagues who speak the same language as children. Forensic interviews need well trained professionals in the field of forensic social work who will not overlook the developmental issues of the child and other dynamics of CSA. To support the researcher’s point of view, Spies (2012:214) recommends that ideally, every child should be interviewed in his or her own home language and by someone from his or her culture. To this point, if the child and the interviewer speak same cultural language, one will be able to assess the child’s ability to relate possible CSA. To contradict the use of translators, the researcher has observed from his practical experience of working with children that the presence of a third person (be it an interpreter) in the room as being distracting at times for both the interviewer and the child, and as interfering with the normal flow of conversation. This may cause either the interviewer and the child to feel awkward or uncomfortable having to communicate through a third person and the disclosure of possible sexual abuse might be compromised. However, one should take note that forensic social work is a scarce skill in South Africa. There are not many trained forensic social workers, therefore it is difficult to find forensic social workers who speak same language as the child.

- **Gender of the child and the interviewer**

One respondent was of the view that gender of the child and the interviewer has an impact during the assessment of Black children. This forensic social worker has indicated that CSA is a very shameful and embarrassing topic for children to talk about and that for children to do so, they usually, more especially old ones, prefer to speak to someone of sex of their preference. This was reported as having serious implications during forensic assessments. To support this findings Cronch *et al.* (2006:196) state that children are

understandably reluctant to disclose information about sexual abuse as it is often a very private, embarrassing, and shameful topic to discuss and many children are unlikely to ever tell their story. For these reasons, Cronch and his colleagues have established that individual characteristics of the interviewer inclusive of gender is a barrier to disclosure rates during forensic interviews. To support the issue of gender differences amongst children and interviewers during forensic assessments, Lamb and Garretson (2003:160) reviewed 672 forensic interviews of children between ages 4 and 14 across Britain, Israel, and the United States. Their results showed that female interviewers asked significantly more suggestive questions with boys than with girls, while male interviewers did not show a distinction. In addition, girls provided significantly more details to female interviewers than male interviewers, while boys did not show a difference. Children between four and six years old gave more detailed responses to suggestive utterances made by interviewers of the opposite gender. These results suggest that the match between interviewer gender and child gender may have an important influence on disclosure. The following is the assertion made by the forensic social worker:

“Gender inequality amongst interviewers and children during forensic social work assessments affect the assessment and disclosure processes. Children depending on their ecology have preferable sex to talk to and not to talk to. The issue of child sexual abuse is an embarrassing and shameful topic for children to talk about. I have lot of cases where female victims hardly open up and they can only open to male forensic social workers. Of course sometimes it’s a vice versa”.

Even though the sample was not representative, it can be seen from the findings of this study that gender of the interviewer and the child has influence during forensic assessments. The researcher is of the opinion that, from the first contact with the child, forensic social workers should assess the gender of the interviewer that children would prefer.

- **Age of the child and socio-cultural practices**

Some of forensic social workers have stated there is a relationship between age of the child and socio-cultural practices of the child and that these two aspects influence forensic assessments. These forensic social workers have stated that some children come from cultural backgrounds where it is believed that they should not discuss issues relating to sexual activities with older people. This hampers the effectiveness of forensic

assessments and children fail to disclose sexual abuse, more especially adolescents. Spies (2012:214) supports these findings in that the child's cultural background has an impact to his or her ability to relate possible CSA. Spies maintains that respect for elders in some cultures may influence a child not to tell about alleged sexual abuse. Rapholo (2014:29) and Wickham and West (2002:51) have also established from their studies that in certain cultures the adult world predominates. Children are not allowed to talk about sex with the elderly. This as a result influences the disclosure rate during forensic social work assessments with children who are allegedly sexually abused.

The forensic social workers have made the following assertions:

“Age and cultural background have implications during assessments of Black children during forensic assessments. When we look at our cultures, if one is talking to you as an elderly person you are supposed to look down and when such happens you say the person is lying when it's not the case. Children coming from such cultural background do not disclose the possibility of child sexual abuse during our assessments, however, because I was trained immensely in the field of forensic social work, I assess the culture of the child from the onset and come to their level even though it is not that easy. There are different interpretations and makes communication difficult. People need to be trained immensely in forensic assessments.”

“I can't say I have seen any difference, a child is a child. If the child see the authority figure in me according to her culture, if she fears the mother she can exhibit the same to me. That is why the introduction need to be exhaustive. Rapport building breaks down the fear.”

From the findings of this study, age of the child and socio-cultural practices of children have implications during forensic interviews. When a child is referred for assessment, the forensic social worker who is the recipient of the case must establish the cultural background of the child and assess the need to refer the case to his or her colleague who comes from same cultural background than the child. The researcher maintains that children should be assessed by forensic social workers who come from same culture as theirs due to the fact that it will ease them to assess the child's ability to relate to possible CSA, unlike if they are assessed by those from different cultural backgrounds. Spies (2012:214) also supports the researcher's point of view by stating that a Black child who

has never seen or spoken to a White woman may react in fear and that might influence the disclosure rate during forensic assessments.

8.3.5.2 Sub-theme 2: Communication skills

It was established from all forensic social workers (14) that there is a relationship between the developmental level (age) of the child and communication or language skills during forensic assessment. These forensic social workers have stated that very young children are difficult to guide towards disclosure of possible sexual abuse. However, some have indicated that the manner in which they ask children questions during forensic assessments helps them overcome some cases. Amacher (2000:nd) ; Kuehnle (1996:49) and Spies (2012:212) support these findings in that questions during forensic interviews with young children should be short and basic, and that the child's comprehension of complex linguistic skills should be accommodated and assessed. Some forensic social workers have stated that one has to come to the developmental level of the child during forensic assessments and seek clarity from statements that children give.

The following are some of the responses from forensic social workers:

"I normally come down to the level of the child, if they draw, I also draw, I also participate in the drawing, when you put questions to them you need not to pressurize them with questions. It is important to help them to put a story together. Personal characteristics play a role because if you are unfriendly, cold not warm, you can mess up with the whole process. Some cases are referred to me because of personal preference in my context. Child more especially very young children, have poor communication skills. As a result, forensic social workers need to always seek clarity from statements uttered by children."

"Children have very weak language skills. There are some words that they cannot pronounce, however, as forensic social workers we have been trained not to speak the way children speak but It is important to come down to their level during forensic assessments. It's important to know the developmental stage of the child. If I am dealing with a younger child, I know the techniques to use and all."

The findings of this study conclude that the developmental level of children and their language or communication skills during forensic assessments have implications during forensic assessments. The researcher has learned from his practical experience of

assessing children who have been allegedly sexually abused that very young children provide less detail than older ones. Cronch *et al.* (2006:197) share the same sentiment with the researcher in that age differences of children determines the disclosure rate of child sexual abuse. The researcher is of the view that short open-ended questions should be used with both younger and older children. However, they are mostly suitable for older children.

8.3.5.3 Sub-theme 3: Blind assessments and informed allegation interviews

All forensic social workers have mentioned that they conduct blind assessment interviews as they are more objective and non-leading than informed allegation interviews. It was established from these forensic social workers that age of the child determines the use of either blind assessments or informed allegation interviews. All these forensic social workers have stated that informed allegations interviews are effective with very young children than older children and they their disadvantages are that they are leading, suggesting and subjective. Poole and Lamb (1998:112) share the same sentiment that blind interviews require a more highly trained interviewer, and state that the blind interview might not always be successful with younger children. Therefore, forensic investigators in this instance may follow informed allegation interviews. The following were mentioned as guidelines during blind assessments:

- During blind assessment interviews, the interviewer's knowledge is only limited to age and gender of the child prior to the interviews with the child.
- The forensic interviewer does not have any knowledge about the perpetrator prior to the sessions with the child.
- Collaterals are not interviewed prior to the interview with the child.

Cronch *et al.* (2006:198) support the above findings in that during blind assessment interviews, there is no information about allegation and that regardless of prior knowledge of allegation, the interviewer should always take an objective and non-judgemental stance towards the interview. Contrary to the above APSAC (2002:170) argues that it is acceptable to gather information about the allegation before conducting the interview. This information may be useful in orienting the interviewer and clarifying the child's statements. Some forensic social workers were of the view that if one conducts forensic interviews

having an information about the child, there more likely is she might be biased or suggestive during forensic assessments. Cronch *et al.* (2006:198) support these findings in that prior knowledge of allegations may increase interviewer bias and lead to suggestive and leading questioning. Cantlon *et al.* (1996:1113) in Cronch *et al.* (2006:198) compared allegation blind interviews (no information about allegations) to allegation informed interviews (prior information about allegations) across 1535 CSA cases over a 4-year period. Higher disclosure rates were found with the allegation blind interview technique. The authors attributed this finding to increased attentiveness and patience on the part of the interviewer in allegation blind interviews, which likely increased rapport between the child and interviewer. In light of these findings and the higher perceived objectivity of allegation blind interviews in the courts (Cantlon *et al.*, 1996:1113), interviews should be allegation blind whenever possible.

The following are some of forensic social workers' responses:

"The blind assessment is the most important interviewing strategy during forensic assessments because it is history free and objective and allows one to be neutral when gathering information from the child. We only have the identifying particulars of the child not the details of the incident. The informed one is not right because it is leading. I don't recommend the informed one unless if the child is very young".

"When I get a referral, I sit down and structure the assessment, the age of the child and the nature of the referral will lead me to which form of forensic assessment strategy to follow. For a child who does not know much about what she is doing due to her age, I will do an informed assessment. For the old ones its best to use blind assessment and it helps me to be objective in my defence."

"I prefer to work according to the blind assessment because I don't want to be subjective when I start with the interview. It is better to find everything for myself than to be led. Blind assessment works towards avoiding leading questions. In certain instances it is good to have background information not what happened exactly but the blind assessment is preferable as it make one to be objective during forensic assessments. Informed interviews works well with very young children, but I always start with blind assessments irrespective of the age of the child, and if I realize that the child is to responding well to my strategy, I go for informed interviews where I consult with collaterals".

When conducting forensic interviews, the researcher is highly recommending the use of allegation blind interviews than informed allegation interviews because they enable the interviewer to be at a neutral stance and prevents subjectivity, leading and suggestive questions. In support of the researcher's point of view, Cantlon *et al.* (1996:1113) state in this regard that allegation blind interviews yielded a statistically higher disclosure rate. Bow *et al.* (2002:572) are of the opinion that the forensic investigator must have no involvement prior to the case and must be neutral and objective all the time. Guidelines do not comment on which practice is preferable, but only state that the structure of the interview process should at all times be unbiased and support the search for alternative explanations for the findings or allegations (La Raque *et al.*, 2006:1142). When the interviewer conducts forensic interviews with considerable information concerning the allegation of CSA in mind, the interview process is contaminated and this may lead to the child not disclosing voluntarily. However, the developmental level of the child should always be considered. Informed allegations interviews are useful when assessing children who are very young, below the age of four years.

8.3.6 Theme 6: Forensic Social Workers' suggestions in addressing the disclosure of child sexual abuse amongst black children

The following sub-themes address forensic social workers' suggestions on measures to address both the non-disclosure of child sexual abuse and the effectiveness of interviewing techniques with the Black child during forensic social work assessments.

8.3.6.1 Sub-theme 1: Forensic Social Workers' suggestions in addressing the non-disclosure of child sexual abuse with the black child

Proper training and employment of more forensic social workers in South Africa and educational programmes in the communities by various stakeholders were recommended in this study to address non-disclosure of CSA amongst Black children as follows:

- **Proper training and employment of more forensic social workers in South Africa**

It was established in this study that forensic social workers have high caseloads of allegations of CSA whereas they are not enough and some have to service the whole province alone. To this point, all forensic social workers have suggested proper training

and employment of more forensic social workers as a need in South Africa to help in addressing the disclosure of CSA. These findings correlate with the findings by Smith (2014:368) who recommends from her doctoral study that more forensic investigators must be properly trained, as there is a need of forensic social workers in South Africa. Goodyear-Brown (2012:106) states that in the assessment of sexually abused children, social workers need to be equipped with skills that will enable them to do the assessments. Goodyear-Brown further states that social worker needs to be equipped with skills that will enable him/her to convey a warm and interesting relationship with the child through her posture, eye contact, the tone of her voice and general conduct. One of forensic social workers has indicated that all South African institutions of higher learning must develop programmes in their curriculums to train more forensic social workers as their testimonies help courts for the conviction and prosecution of sexual offenders against children. The researcher has learnt from his masters training as a forensic social worker that forensic social work programme has been introduced recently in South Africa as a field in social work to address the disclosure of CSA. The South African Council for Social Service Professions (SACSSP) (2010:01) maintains that forensic social work is a specialized field of social work that focuses on the interface between society's legal and human systems and is characterized by the social worker's primary function of providing expert testimonies in courts of law, with the primary client being the judiciary system.

The following are assertions made by forensic social workers:

“Forensic testimonies assist the court in sentencing and they are a need in South Africa. In Northern Cape we are only three and there is need to scale up the employment of forensic social workers.” (FSW in Northern Cape)

“We do need forensic social work in South Africa, we do need them to be trained at various institutions not only at North West University as we have high caseloads on the allegations of child sexual abuse and we are only few.” (FSW in Eastern Cape)

In the same wavelength, the other forensic social worker has echoed that:

“Forensic social work is a need and it's a growing need because there are more cases reported on sexual abuse. In Western Cape, we have

shortage of forensic social workers in an environment with a lot of cases. We need more Xhosa speaking forensic social workers.” (FSW in Western Cape)

Based on the above findings, there are few forensic social workers in South Africa and that it is a serious need as the phenomenon of CSA is alarmingly high in the country. The list provided by South African Police services that the researcher used to sample forensic social workers for the purpose of this study attests to this since there are only 83 state forensic social workers who services to the whole country. To this point, the researcher is of the view that a more decolonized and indigenized forensic social work programme needs to be developed and offered in all the South African Universities and other institutions that offer the programme so as to have more forensic social worker in South Africa as the social phenomenon of CSA is rapidly growing.

- **Educational programmes in the communities**

All forensic social workers indicated that educational talks through community mobilization by various stakeholders inclusive of forensic social workers could help caregivers, children and the community at large to be aware of CSA as a reality in the society and how it affects the well-being of children. Some of these forensic social workers were of the view that communities and schools should be made aware of what constitutes CSA in terms of relevant legislative frameworks and the legal implications of not reporting it and the procedures to follow to report such incidents. These findings validate the study conducted by Rapholo (2014:31-32) and Lewis (2005:99) who established that if communities and schools can run educational programmes concerning CSA by networking with the other stakeholders that address the issue of CSA, the non-disclosure of CSA will be minimized.

The following are some of assertions made by forensic social workers:

“Forensic social workers need to market their services, educate the people that there are people who are trained to assist children who are alleged to be sexually abused including education on legislative frameworks whereby one will be aware of what constitutes child sexual abuse legally. By doing so, other stakeholders in the field of child sexual abuse such as police officers and social workers working

on child care and protection must be on board.” (FSW in Eastern Cape)

“We need to educate the communities about child sexual abuse and the legal implications of not reporting.” (FSW in Western Cape)

In corroboration of the above, other forensic social workers have made the following assertions:

“By educating children, families and schools on child sexual abuse and its effects, there could be minimization of non-disclosure of child sexual abuse. However, some schools are doing a good job to report child sexual abuse and are encouraging the children to talk. Education is the only way.” (FSW in Mpumalanga)

“Social workers and NGOs must have hands on in terms of empowerment. Social workers in Social Development and other stakeholder can collaborate with us and do awareness to the children, their caregivers about child sexual abuse and its effects. Believe you me, we won’t be surrounded by this social illness that victimizes our future leaders.” (FSW in North West)

The above findings suggest that educational talks through collaboration of forensic social workers and other role players in the field of childcare and protection may assist in addressing non-disclosure of CSA. From the researcher’s experience of working with communities in rural areas, caregivers and communities do not report CSA because they are not empowered on what CSA is legally except rape of a female child by a male adult. In some families, even when such happens, they are not disclosed to the outside world; rather the matter is dealt by within the family. This really shows that there is serious need of professionals and other teams to join their hand together to fight the phenomenon of CSA for the protection of children and conviction of perpetrators of such incidents. From literature and the experience of the researcher, the client of forensic social workers is the court and the idea that forensic social workers work with communities is overlooked. To this point, it is of the professional suggestion of the researcher that the scope of forensic social work should be reviewed to also permit forensic social workers to run educational programmes.

8.3.6.2 Sub-theme 2: Forensic Social Workers' suggestions in addressing the effectiveness of interviewing techniques with the black child during forensic assessments

In order to address the effectiveness of interviewing techniques with the Black child during forensic social work assessments, forensic social workers suggested that forensic interviewers should consider the following:

- **Developmental level of the child**

Four forensic social workers suggested that it is necessary to determine a child's cognitive development during a forensic investigation. These forensic social workers have stated that the way questions are asked to the child during forensic interviews should be based on the developmental level of the child and that their language development should also be taken care of from the onset. Kuehnle (1996:49-75); Mart (2010:330); New York State Children's Justice Task Force (2003:17) and Spies (2012:213) share the same sentiment in that the investigator must assess the child's developmental skills such as language, reasoning and any apparent developmental delays. To emphasize these findings, Fouché (2007:123) states that it is imperative that investigators be aware of the abovementioned concepts as they may lead to ineffective interviewing techniques and wrong deductions, should they not be accommodated. The researcher agrees with Fouché and is of the opinion that the person who conducts the forensic interview must be well informed about the cognitive development of a child, as this will have a significant influence on the way the child interprets experience and discloses the sexual abuse. Therefore, it is important for forensic investigators to establish the cognitive developmental level of children to have realistic expectations of the child being assessed (Smith, 2014:398; Spies, 2012:213).

Regarding the issue of language skills from the findings of this study, Poole and Lamb (1998:161) are of the opinion that language acquisition is the greatest intellectual feat any human is ever required to perform. What is notable is the speed at which children learn their language simply by being exposed to it. These researchers claim that children at the age of six years have a working vocabulary of between 8 000 and 14 000 words. Between the ages of one and six years, children learn approximately five to eight new words per day. These words are often learned from a single exposure, also known as fast mapping (Berger, 2003:280; Poole & Lamb, 1998:161). This implies that extreme caution must be taken by the investigator not to inadvertently teach abuse-related words to children by embedding new words in their conversation, such as rape, vagina, penetration, to mention

few (Poole & Lamb, 1998:162). The researcher found that it is very important to only use words children already volunteered, especially for body parts. It is also important to always clarify the meaning of these words.

Forensic social workers have made the following assertions:

“Forensic social workers must try to broaden up their minds and apply what works for the children in line with the developmental stage of the child. The manner in which questions are asked to children during assessment of allegations of child sexual abuse should be take care of and one ought to also consider children’s vocabulary in terms of their language skills.” (FSW in Western Cape)

“Forensic social workers need to come down to the level of the child to avoid age barrier on disclosure. It is mostly children in the middle age who discloses most often without lot of challenges but those below that age group need to be dealt by with caution.” (FSW in North West)

The findings suggest that forensic social workers must take into account the developmental level of the child as that has a close link to their language development and their reasoning capacity as per questions asked during forensic assessments. The researcher agrees with these findings in that the child’s cognitive development has an influence on the type of questions that can be asked, and the answer the child will provide. If the forensic social worker is not well informed concerning the child’s cognitive development, s/he can ask age inappropriate questions that the child will not be able to understand or answer. This can lead to one making wrong conclusions about the possibility of sexual abuse. To this point, the forensic social worker will then not be able to give an accurate version to the court of what had happened to the child, resulting in the court making a wrong decision. One should take note that during forensic interviews, forensic social workers heavily rely verbal statements of the child to gain information regarding the sexual abuse. Müller and Hollely (2009:163) explain that to participate in the legal process, the child must be able to communicate in a manner that adult listeners will understand. Therefore, the forensic social worker must have a grounded knowledge base of the child’s level of language development to be able to obtain optimal information from the child. Louw (2005:19) is of the opinion that an understanding of language development

in a child is vital for conducting successful interviews with children. Investigators tend to make use of age inappropriate vocabulary and complex grammar styles and forensic social workers tend to be ambiguous. This may imply that the forensic process is not in line with the child's level of language development, which can lead to inaccurate responses.

- **Knowledge and understanding of cultural backgrounds of children**

Three forensic social workers have suggested that it is important to have knowledge and understanding of different cultures where children are coming from. These social workers have stated that cultural environments influence children's reluctance to disclose CSA. For instance, it was established from this study that some children come from cultures where respect to elders is valued in that children are not allowed to talk to people above their age about sex related issues. To emphasize these findings, Rapholo (2014:29) and Wickham and West (2002:51) have also established from their studies that in certain cultures the adult world predominates whereby children are not allowed to talk about sex with the elderlies. Spies (2012:214) also shares the same sentiment with these findings in that the child's cultural background has an impact on children's ability to relate possible sexual abuse and that these should be assessed from the onset during forensic interviews.

The following are responses from forensic social workers:

“Conducting effective assessment, one need to be speaking the same language with the child. It comes with the issue of culture. In the forensic environment, observation is essential like how the child is close to the parents viewing on a blind mirror. It is very much important that forensic social workers have knowledge and understanding of various cultures that children come from. (FSW in Gauteng)

“Social workers must study and learn about techniques that are responsive to the cultural environment where children are coming from and to be able to do that, one has to assess the culture of the child from the onset and that will help one to have an understanding of the kind of child that s/he is assessing.” (Another FSW in Gauteng)

The findings of this study suggest that forensic social workers should assess the culture of the child from the onset as it can lead to the ineffectiveness of interviewing techniques during forensic assessments with Black children. The researcher is of the view that this should be done during pre-forensic assessments when one established rapport with children who are alleged to be sexually abused. It is of the opinion of the researcher that it is advisable that the child be interviewed by the forensic social worker from the same culture as the child so as to yield accurate disclosures of CSA. Spies (2012:214) supports the researcher's opinion in that ideally every child should be interviewed in his or her home language and by someone from his or her culture. Unfortunately, the reality is that the field of forensic social work is still new in South Africa and there are not enough trained forensic social workers from different cultures and one has to assess children coming from various cultures alone.

- **Language competency**

One forensic social worker has suggested that to make forensic interviewing techniques effective during forensic assessment with Black children, the interview should be competent with the language of the child as children sometime are able to describe sexual abuse in the context of their own home language. In supporting this recommendation, Fontes and Tishelman (2016:54) have established from their study on language competency during forensic interviews that forensic social workers in the United States and Spies (2012:214) that it is important to interview children and adolescents in their primary language during assessments of cases of alleged CSA. Spies (2012:214) maintains that it should be noted during forensic interviews that a child may talk about things s/he can only describe in his or her home language, for example body parts, sexual activities or other contextual information.

The forensic social worker has made the following assertion:

“Conducting effective assessments of sexually abused children, requires one to be able to speak the same Language with the child. Some children are able to describe sexual activities in their own home language. If they are being interviewed by someone speaking different language, the effectiveness of interviewing techniques can be implicated.” (FSW in Gauteng)

Even though the sample was not representative, it can be seen from the findings that language competency amongst children and forensic assessors affect the effectiveness of interviewing techniques during forensic assessments. It is of the opinion of the researcher that if the forensic social worker is not fluent in the child's home language, the case could either be referred to the forensic social worker who can speak the language of the child or a translator maybe used. The researcher has observed in Limpopo, for example that there is only one forensic social worker who is fluent in English and Afrikaans and is assessing children in the whole province alone where there are lot of languages spoken such as Pedi, Tsonga and Venda exclusive of the two that she can speak.

- **Creativity and innovation**

Six forensic social workers have suggested that forensic social workers should not be channelled by what literature stipulates only as most techniques are international, rather they should also be creative and innovative by engaging children to varied techniques to what works better for them. Some forensic social workers gave their practical experiences of assessing Black children they usually would resort to various plays and ultimately disclose possible sexual abuse. The researcher is of the different view with what these forensic social workers have suggested in that only well scientifically researched techniques should be considered during forensic assessments. Carstens (2006:192) and Poole and Lamb (1998:108) support the researcher's view that if the forensic investigator employs a technique, it must be one that is scientifically validated and has survived empirical scrutiny in laboratory or field research and that the techniques must also be legally defensible.

The following are some of the responses given by forensic social workers:

"Forensic social workers must keep on updating their techniques. You have to be creative. (FSW in Eastern Cape)

"We need to be very observant. One child was communicating with me using stones and I realized it later. Some techniques can be recorded down like ukuqoqisa." (FSW in Mpumalanga)

In the same wavelength, the other forensic social workers echoed that:

“Forensic social workers must develop their own techniques rather than relying by the book. Develop what is appropriate for you as a Forensic social worker.” (FSW in North West)

It can be seen the findings that creativity and innovation of new techniques is not a good idea during forensic interviews unless if the newly introduced have been researched scientifically and are recommended for use. The researcher has learnt from his practical experience of working with courts that, it is advisable for professionals to use literature when preparing reports for court. It is only through reviewing literature that one will be able to apply the most well researched techniques during assessments of Black children, however, one should consider those that will be responsive to the South Africa context.

- **Continuous training and development on forensic interviewing**

Three forensic social workers suggested continuous training and development as part of updating oneself about the most recent and well researched techniques so as to apply the most effective forensic interviewing techniques. This is in line with Faller (2007:03), who argues that investigators interviewing children regarding sexual abuse should familiarize themselves with research, best practice guidelines and an opinion regarding how to interview children on possible sexual abuse. Smith (2014:387) also shares the same sentiment wherein she recommends that forensic investigators must familiarize themselves with the latest trends and research regarding forensic investigations. Cronch *et al.* (2006:195) agree with this statement and are of the opinion that in child sexual abuse cases, skilful forensic interviews are important when investigating such cases to ensure the protection of innocent individuals and the conviction of perpetrators. Kaliski (2006:02) states that unfortunately, the majority of professionals in South Africa, that conduct assessments on sexually abused children and give testimony in court do so without the proper qualifications or specialized expertise. Therefore continuous training and development of forensic interviewing was highly suggested in this study.

Forensic social workers made the following assertions:

“I have been working in the forensic field for 15 to 20 years. What I can say is keep yourself updated because forensic social work is

forever evolving. Some of the techniques are out fashioned and you must know literature. A person must be much updated.” (FSW in Limpopo)

“Continuous training is important. You must be sure with what you are doing because whatever you do will be questioned in court.” (FSW in Western Cape)

It can be seen from these findings that for forensic social workers to conduct forensic interviews effectively, they must continually undergo trainings on forensic interviewing to develop themselves. The researcher is of the opinion that there are always new developments informed by the South African legislation and research findings. Forensic social workers should continuously improve their skill with forensic interviews.

- **Consistent practice of forensic interviewing techniques**

One forensic social workers has recommended that for one to conduct forensic interviews effectively, they have to consistently use the interviewing techniques that they have been trained on as the saying goes on like “Practice makes perfect.” This forensic social worker has answered as follows:

“I think consistent practice is a necessity. There is no use to be trained and do not practice the techniques. It’s only through practice where one can only master the use of these techniques as the saying goes on like [practice makes perfect].” (FSW in KZN)

Even though the sample was not representative, it can be seen that consistent practice of forensic interviewing techniques is the possible measure to address the effectiveness of interviewing techniques. The researcher agrees with the findings in that forensic social workers should consistently use the forensic interviewing techniques to get used to them.

8.4 Conclusion

The social phenomenon of CSA is very serious in South Africa and has called the attention of forensic social workers from across the country to address it. Findings of this study have revealed that there is still a challenge in South African communities in terms of defining what CSA is. The social context of defining CSA is in contradiction with the legislative

frameworks in the country. Therefore, there is a serious need that various stakeholders that deal with this social phenomenon collaborate and conscientize communities about the seriousness of CSA in South Africa. The findings also pointed that it takes children a while to disclose abuse, more especially those who come from rural areas than those from urban areas. If such children disclose, it is mostly accidentally where children do not voluntarily and deliberately disclose. Findings of this study have revealed various factors causing children not to disclose sexual abuse. In order to address these, forensic social workers use various techniques; however, there are certain dynamics that influences their effectiveness including cognitive development of children, types of questions, language barrier and cultural background of children. It was also established that blind assessments interviews are the best strategies of conducting forensic assessments as opposed to informed allegations interviews, however, it was indicated that they are not effective with very young children. Based on the above, the recommendations have been drawn. The next chapter will present summary of the findings, conclusions and recommendations.

CHAPTER 9

SUMMARY OF THE FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

9.1 Introduction

In this chapter summary of the findings, conclusions and recommendations will be made from the literature and the results of the empirical studies. This research was conducted to evaluate forensic interviewing techniques with the Black child during forensic social work assessments in a South African context. Before doing so, the researcher established first the experiences of forensic social workers on what constitutes CSA when assessing Black children, knowledge of forensic social workers regarding the disclosure of CSA, factors influencing the disclosure of CSA when assessing these children. The researcher identified that the developmental level or age of the children which is linked to language development, language competency of both the child and the interviewer, and cultural background of children can have a significant influence during forensic investigations. It was also established from these study that personal characteristics of the child and the interviewer, communications skills, blind assessments and informed allegations interviews also have significant influence during facilitation of the disclosure of CSA when forensic social workers conduct forensic assessments.

Background information and problem statement will be re-stated and aim and objectives of this study in this chapter. Feedback on the theoretical framework used in this study will also be presented. Major findings are drawn based on an analysis and interpretation of data collected through face-to-face semi-structured interviews with forensic social workers in all nine provinces in South Africa. Conclusions are drawn from both literature and empirical findings of this study. This chapter concludes with recommendations that have been made by the researcher drawn from the major findings and conclusions.

9.2 Re-statement of Background Information and Problem Statement

According to Calitz (2011: 06), sexual violence against women and children is a reality in South Africa, which has been branded as the rape capital of the world. As a result, these vulnerable groups remain at risk and under attack. Sexual abuse happens to children of every class, race, culture, religion and gender (Meadow *et al.*, 2007:42; Spies, 2006a:45). The prevalence of CSA in South Africa is alarmingly high and is a cause of concern for child protection officials. In 2002, Jewkes and Abrahams (2002:123) reported that a child was sexually abused every four minutes. Between March 2003 and March 2015, 63 968 cases of sexually abused children were reported in the Limpopo, according to the South African Police Services, (SA 2013/2014).

Wickham and West (2002:51) state that in the western world and in South Africa, it is agreed that children are supposed to be safe, valued and encouraged to grow and develop. In South Africa there is the establishment of legislative framework such as the Children's Act 38 of 2005 (SA, 2005) to protect them. However, the adult world predominates and sexually abused children find themselves in between the two worlds. Eastwood *et al.* (2006:81) argue that the successful criminal prosecution of a sexual offence against a child is more difficult than for any other offence.

The problem with sexual abuse of children is the process of disclosure. According to Lamb *et al.* (2008:203), disclosure as a "clinically useful concept to describe the process by which a child that has been abused gradually comes to inform the outside world of his plight." Children often fail to report abuse because of numerous reasons such as fear of losing the loved ones, fear of being harmed, fear of being blamed and not believed and fear of being ashamed (Tabacloaon, 2010:01). According to the study conducted by Holm (2010:7), CSA survivors not only deal with the shame, fear and victimization, but might struggle with almost every area of their functioning. Myers *et al.* (2002:59) and Segal *et al.* (2007:169), support the said researcher in that, children who endure sexual abuse develop a wide range of social and psychological problems that may affect them into adulthood.

According to the researcher's practical experience of assessing children, children are reluctant to disclose information about abuse. Cronch *et al.* (2006:196) substantiate the above notion in that CSA is often a very private, embarrassing, and shameful topic to

discuss and many children are unlikely to ever tell their story. Several factors that appear to influence the disclosure of sexual abuse have been explored in the literature. Such factors according to Dawes and Higson-smith (2005:103) and Lamb *et al.* (2008:196) include maternal or parental support, relationship to perpetrators, age, gender, culture, severity and duration of abuse, dissociation, post-traumatic stress and modesty. Lamb *et al.* (2008:196) further state that children may also lack adequate communication skills to report an event and to provide the necessary details. Cronch *et al.* (2006:196) are of the opinion that during the forensic interviews, the interview itself can be a contributory factor towards the reluctance of children to provide details about the abuse. In some instances, children do not disclose sexual abuse immediately following the event. The reluctance to disclose sexual abuse tends to stem from the fear of the perpetrator. The perpetrators may have made threats such as, "If you tell anyone, I will kill you/kill your mother (Ferrara, 2002:212).

Rapholo (2014:03) has established from literature review that the difference in age, gender, social status continues to sanction imbalance of power in decision-making powers between adults and children. It was established that children are sometimes taught by their caregivers to abide by family and societal rules, norms and standards; therefore forcing them (unintentionally) to keep sexual abuse secret. As a result, children become targets for adult women and males, relatives and friends who obtain sex by force. They also become vulnerable to the significant others, such as teachers, and other men in authorities they trust that may force them into undesired sexual intercourse (Dawes & Higson-Smith, 2005:101; Ferrara, 2002:213; Meadow *et al.*, 2007:43). According to the study conducted by Rapholo (2014:27), in the Black community, specifically Northern Sotho speaking people, children are not allowed to talk about sex-related issues with people above their age.

For these reasons, skilful forensic interviews in CSA cases are extremely important to ensure the protection of innocent individuals and the conviction of perpetrators. While personal characteristics of the child and the interviewer may impact the disclosure rates, specific interviewing techniques were found to be playing a greater role during forensic assessments in the United State (Cronch *et al.*, 2006:195). According to these authors, new directions in forensic interviewing have been examined, such as structured interview protocols and extended forensic evaluation models. Several techniques have been examined in the literature, some of which appear to be very effective at eliciting detailed

and accurate disclosures. Such interviewing techniques include allegation blind assessment interviews, open-ended questioning, cognitive interviewing, the touch survey, truth-lie discussions and anatomical dolls/drawings (Cronch *et al.*, 2006:195).

According to the American Professional Society on the Abuse of children (APSAC, 2002:09) and Cronch *et al.* (2006:198) it is acceptable to gather information about the allegation of CSA before conducting the interview. This information may be useful in orienting and clarifying the child's statements. However, prior knowledge of allegations may increase interviewer bias and lead to suggestive and leading questions (Cronch *et al.*, 2006:198). These authors compare allegation blind interviews (no information about allegations) to allegation informed interviews (prior information about allegations) across several CSA cases over a certain period. They have discovered high rates of disclosure with allegation blind interview techniques. However, regardless of prior knowledge of the allegations, the interviewer should always take an objective and non-judgemental stance towards the interview. Faller (2007:34) argues that conducting forensic interviews with information regarding the child may affect the interviewers' neutrality and contaminate the whole interview. He suggests that the interviewer should only know the name and age of the child prior to the interviews.

Spies (2012:211) states that many sexually abused children never disclose, because they are being silenced by threats, blame and bribery. The child retracts from the previous allegations of abuse formally made and maintained over a period. This occurs when the family, the offender or court procedures pressurize the child. Given that there are several forensic interviewing techniques in CSA cases employed and that forensic social work is a newly introduced area of specialization in South Africa, the researcher was triggered to evaluate their effectiveness with the Black child in the South African context.

9.3 Theoretical Orientation

In this study, the ecosystems theory, which is commonly used in social work today, was used to evaluate the effectiveness of forensic interviewing techniques during forensic assessments. The ecosystems theory looks at the interrelatedness of the people and their environment (Weyers, 2011: 20). It explains the nature of social problems as lack of adaptive fit between the two. This theory is more relevant and appropriate to explain the relationship between the Black children and the environmental systems in which they

interact with. For example, in Northern Sotho culture, children sometimes are taught by caregivers to adhere to family and societal rules, norms and standards; therefore forcing them (unintentionally) to keep sexual abuse secret. As a result, that can affect the effectiveness of forensic interviewing techniques during forensic assessments. Using this theory, it was established from this study that cultural environment has a significant role during the facilitations of the disclosure of CSA with Black children. For example, the researcher has established that in Black cultures, children are not allowed to talk to elder people about issues related to sexual activities and that affect the effectiveness of interviewing techniques during forensic assessments in South Africa. To this point, it is of the opinion of the researcher that guidelines should be developed in the South African context to address issues related to culture during forensic assessments.

9.4 Re-statement of the Aim and Objectives of the Study

9.4.1 Aim of the study

The aim of the research was to evaluate the effectiveness of forensic interviewing techniques with the Black child during forensic social work assessments.

9.4.2 Objectives of the study

The objectives of this study were as follows:

- To assess forensic social workers' knowledge of CSA in the South African context when assessing Black children. This objective was achieved through section 8.3.1 which is theme 1 of Chapter 8 of this study.
- To assess forensic social workers' knowledge of the disclosure of CSA amongst Black children. This objective was accomplished through section 8.3.2 which is theme 2 of Chapter 8 of this study.
- To establish through literature review and the empirical study factors that influence the disclosure of CSA. This objective was achieved through Chapter 4 and section 8.3.3 which is theme three of Chapter 8 of this study.

- To find out which forensic interviewing techniques are effective or not when applied to the Black child during forensic assessments. This objective was achieved through section 8.3.4 which is theme four of Chapter 8 of this study.
- To find out the impact of the child's communication skills towards the effectiveness of forensic interviews. This objective was well accomplished through section 8.3.5.2 which is sub-theme two of theme number five of Chapter 8 of this study.
- To find out the impact of personal characteristics of both the child and the interviewers towards the disclosure of CSA. This objective was achieved through section 8.3.5.1 which is sub-theme one of theme number five of Chapter 8 of this study.
- To find out the impact of having prior knowledge about the allegation of CSA during forensic assessments. The objective was well accomplished through section 8.3.5.3 which is sub-theme three of theme number five of this study.
- To find out what can the forensic social worker do to address the disclosure of CSA amongst Black children. This objective was achieved through section 8.3.6 which is theme number six of Chapter 8 of this study. Check paragraphs 8.3.6.1 and 8.3.6.2 of the said chapter.

9.5 Findings of the Study

A summary of major findings from this study is presented as follows:

9.5.1 Experiences of forensic social worker on CSA in the South African context

Based on forensic social workers' experiences of assessing Black children who have allegedly been sexual abused in South Africa, CSA was indorsed to rape, sexual assault, sexual exploitation/labour, sexual grooming and exposure to explicit sexual material or child pornography. It was established that culture plays a significant role in coming up with the exact definition of what CSA is. Rape was reported to be the most common sexual violence against children in varied provinces of South Africa. However, its definition what partially not in an agreement with Criminal Law (Sexual Offences related matters amendment act 32/ 2007). Other sexual acts to qualify rape in terms of the above legislative framework were regarded as taboos. This validates the study by Dawes and

Higson (2005:98) and Ngubane (2010:27) and Rapholo (2014:22) who denote that CSA depends on what culture validates as sexual abuse.

Other sexual offences such as sexual assault, sexual exploitation and sexual grooming were reported to be common in the provinces of South Africa even though they not given same recognition as rape due to cultural implications also. To single out sexual grooming, findings show that poverty and culture play a role in the sexual grooming of children. It was established that children do not disclose abuse because they use that as the opportunity to meet their basic needs. Culturally, families have their own way of dealing with sexual abuse against children and do not recognize that as a criminal offence. The affected families resolve the matter amongst themselves. Gogela (2013:20) in the Eastern Cape, and Rapholo (2014:34) in the Capricorn district of the Limpopo both have in support of this established that culture plays an important role in why families do not want to disclose the sexual abuse of the child. According to Rapholo (2014:34), the Northern Sotho culture resolves the matter of CSA within the family - especially if it is inter-familial sexual abuse - as a secret. These findings are in line with what Goodman-Brown *et al.* (2003:20) found, namely that the family is least likely to disclose when the sexual abuse is within the family.

It was further established from the findings of this study that exposure of children to explicit sexual materials or pornography is commonly reported in some provinces of South Africa, more especially in urban than rural areas.

9.5.2 Forensic social workers' knowledge regarding the disclosure of CSA in relation to Black children

The findings of this study point out that the disclosure of CSA amongst Black children who have been sexually abused is a process whereby children do not disclose abuse until they gain trust of the person they talk to. Sorenson and Snow (1991:03) and Spies (2012:211) also support these findings in that the disclosure of CSA is a process with definable phases and characteristics. (Rapholo, 2014:02) makes an emphasis that victims of sexual abuse are not always willing to share their secret with anyone until they gain trust of that person such as their caregiver De Voe and Faller (2002:06) point out that many children find it difficult to talk about their experiences of being sexually abused. To overcome the process of disclosing CSA findings have shown that the establishment of rapport with children is imperative. This validates the research findings by Sternberg *et al.* (1997:1133),

who established that the style of interaction between children and interviewers in the introductory phase of the interview affects the amount of information obtained in the substantive portion of the interview.

Findings have also shown that the disclosure of CSA is mostly accidental whereby children do not intentionally disclose rather it is done deliberately. The findings have shown that this is mostly affecting children from rural areas that urban areas. Sorenson and Snow (1991:03) and Spies (2012: 212) state that accidental disclosure entails the revelation of sexual abuse by chance rather than a deliberate effort on the victim's part.

9.5.3 Forensic social workers' experiences on factors influencing the disclosure of sexual abuse when assessing Black children

Findings have pointed fear of the perpetrator as a reason for the Black child not to disclose sexual abuse during forensic assessments, as most of sexual abuse cases against children are intra-familial. These findings validated the previous studies in that the reluctance of children to disclose sexual abuse stems from fear of the perpetrator (Ferrara, 2002:212; Kinnear, 2007:4; Rapholo (2014:23, and Spies (2006c:13). Ferrara has established from his study that perpetrators make threats such as "If you tell anyone, I will kill you/kill your mother".

Findings revealed that children do not disclose sexual abuse because do not want to break the relationship that they have with the perpetrators as most sexual perpetrators against children are their biological fathers of who are also breadwinners in their families. Wyatt and Newcomb (1990:758) share the same sentiment in that the more closely children are related to the perpetrator, the less likely they are to disclose their CSA, specifically when the perpetrator is a significant caregiver (Alexander, 1992:187 and Paine & Hansen., 2002:280).

It was established from this study that boundaries of culture also affect the disclosure of CSA during forensic assessments with Black children. The findings revealed that the issue of CSA is very sensitive whereby it is being addresses within the family and the outside world should not hear about it. Fontes and Plummer (2010:491) also share the same sentiment by stating that cultural norms affect the likelihood that CSA will be discovered by an adult or disclosed by a child. These authors further states that cultural norms also affect whether abused children's families will report CSA to authorities. According to Fontes

(2005:02), there are different levels in the ecological system when considering CSA, such as the home, family, ethnic culture and social systems like the neighbourhood and school. Findings further revealed that culturally, children are not allowed to talk about sexual activities with people above their age. This supports the study conducted by Rapholo (2014:28) and Wickham and West (2002:51) who established that the adult world predominates whereby children are not allowed to talk about sex with the elderly.

It was found in this study that the environmental setting where children are raised has an impact in the non-disclosure of CSA. This included children who are being raised in rural areas in that they are less likely to disclose abuse as opposed to those in urban areas due to culture and level of education. In support of these findings, Aboul-Hagag and Hamed (2012:94) have established in their study that the prevalence of CSA was higher in rural than urban areas and that this may be due to the difference in culture, education and social levels between rural and urban areas.

Findings of the study show that fear of embarrassment and shame amongst young children has an impact in their reluctance to disclose sexual abuse. According to Doyle (1995:48) anything involving the private part of the child will make the child reluctant to admit they have been involved in activities in which private parts played a significant role. According to Makhubu (2005:58), from a very early age children learn that they must not be rude or talk about rude things. Adults have inconsistent and often angry reactions when children do so.

The study revealed that ages or cognitive development of the child plays a vital role during the disclosure of CSA in that very young children are less likely to disclose abuse as opposed to the older ones. Keary and Fitzpatrick (1994:546) are in agreement with these findings in that the developmental factors, particularly cognitive limitations, may inhibit disclosure in young children. Furthermore, these findings are partially in support of Campis *et al.* (1993:923) and Sorenson and Snow (1991:03), who established that pre-school children appear more likely to disclose accidentally due to a triggering event while older children disclose purposefully.

Findings of this study revealed the use of language as a problem during the assessments of sexually abused children whereby if both the interviewer and the child do not speak the same language, there is a likelihood that there would not be the disclosure of sexual abuse. In support of this, Spies (2012:214) states that ideally every child should be

interviewed in his or her home language and by someone from his or her culture. Fontes and Fishelsman (2016:04) established the importance of interviewing children and adolescents in their primary language. They noted that even youth who are fluent in English may be more comfortable speaking their first language when discussing sensitive and potentially traumatic issues related to CSA. Findings have shown that some forensic social workers use interpreters during forensic assessments as they cannot hear the language spoken by children and vis-a-visa. These findings are in line with what Fontes and Tishelman (2016:04) have recommended in their study for the need of the interpreter or bilingual interviewers. Unfortunately, the reality is that such trained and multilingual interviewers from different cultures are not available in many communities.

This research study shows that poverty contributes in children's non-disclosure of sexual abuse in that children do not disclose abuse because of financial dependency on perpetrators. Yahaya (2014:09) shares the same view in that poverty contributes to the high prevalence of child labour, with parents also encouraging children to improve the living standard of the household.

The South African Justice System was also found to be a contributor factor towards children's reluctance to disclose sexual abuse during forensic assessments in that legal representatives in real life are scary and if they are in a large number working with one child, they may make the child anxious. Cronch *et al.* (2006:203); Müller (2009:82) and Smith (2014: 132) support these findings in that children suffer from stressful and upsetting interviews by multiple interviewers if they are repeatedly and unnecessarily interviewed and as a result, they do not disclose sexual abuse.

9.5.4 Interviewing techniques during forensic assessments with the Black child

In the facilitation of the disclosure of CSA, there are various of the dynamics that professionals should be watchful for that may impact the disclosure rate and the process, particularly with the Black child. For one to ensure the protection of children and the conviction of perpetrators in CSA cases, they should conduct skilful forensic interviews (Cronch *et al.*, 2006:195). There are specific interviewing techniques that often play a greater role in disclosure. Some of these techniques appear to be very effective at eliciting detailed and accurate disclosures. The findings reveal that such techniques are classified

in terms of pre-forensic interviewing techniques and forensic interviewing techniques. The findings reveal that cultural backgrounds, developmental levels and language barrier amongst children and the manner of questioning have an impact in the effectiveness of interviewing techniques during the assessments of allegations of CSA.

9.5.5 Dynamics of disclosing child sexual abuse with the Black child during forensic assessments

The disclosure of sexual abuse is a process with definable phases and characteristics. Many children find it difficult to talk about their sexual abuse experiences. It is therefore imperative for forensic social workers to have an understanding of the diagonal process of disclosure when conducting forensic assessments. Forensic social workers should also be watchful of varied dynamics that are likely to impact the disclosure rate. The findings reveal that personal characteristics of the child and the interviewer, which amongst others are language diversity, gender of the child and the interviewer and age and cultural beliefs; communication skills linked to the cognitive development; blind assessments and informed allegation interviews have an impact in making the interviewing techniques effective during the disclosure of CSA.

9.5.6 Forensic social workers' suggestions for addressing the disclosure of child sexual abuse amongst Black children

In order to address the disclosure of CSA forensic social workers came up with both the suggestions to address the non-disclosure of CSA amongst Black children and those on the effectiveness of interviewing techniques with the Black child during forensic assessments as follow:

- **Suggestions for addressing the non-disclosure of child sexual abuse with the Black child**

Findings of this study revealed that training and employment of more forensic social workers as a need in South Africa to help in addressing the disclosure of CSA. These findings correlate with the findings by Smith (2014:368) who recommends from her doctoral study that more forensic investigators must be trained as there is a need of forensic social workers in South Africa.

It was also established that educational talks through community mobilization by various stakeholders inclusive of forensic social workers can help caregivers, children and the community at large to be aware of CSA as a reality in the society and how it impacts the well-being of children. These findings validate the study conducted by Rapholo (2014:31-32) and Lewis (2005:99) who established that if communities and schools can run educational programmes concerning CSA by networking with the other stakeholders that address the issue of CSA, the non-disclosure of CSA will be minimized.

- **Suggestions to address the effectiveness of interviewing techniques with the Black child during forensic assessments**

Findings have revealed that the forensic social workers should determine a child's cognitive development during a forensic investigations and that the way questions are asked to the child during forensic interviews should be based on the developments level of the child and that their language development should also be taken care of from the onset. Kuenhle (1996:49-75); Mart (2010:330); New York State Children's Justice Task Force (2003:17) and Spies (2012:213) share the same sentiment in that the investigator must assess the child's developmental skills such as language, reasoning and any apparent developmental delays.

Findings posit that forensic social workers should have knowledge and understanding of different cultures where children are coming from in that cultural environments influences children's reluctance to disclose CSA. For instance, it was established from this study that some children come from cultures where respect to elders is valued in that children are not allowed to talk to people above their age about sex related issues. To emphasize these findings, Rapholo (2014:29) and Wickham and West (2002:51) have also established from their studies that in certain cultures the adult world predominates whereby children are not allowed to talk about sex with the elderlies. Spies (2012:214) also shares the same sentiment with these findings in that the child's cultural background has an impact on children's ability to relate possible sexual abuse and that these should be assessed from the onset during forensic interviews.

This research has established that to make forensic interviewing techniques effective during forensic assessment with Black children, the interviewer should be competent with the language of the child as children sometime are able to describe sexual abuse in the context of their own home language. In supporting this suggestion, Fontes and Tishelman

(2016:54) have established from their study on language competency during forensic interviews that forensic social workers in the United States and Spies (2012:214) that it is important to interview children and adolescents in their primary language during assessments of cases of alleged CSA. Spies (2006:214) maintains that it should be noted during forensic interviews that a child may talk about things s/he can only describe in his or her home language, for example body parts, sexual activities or other contextual information.

Findings have pointed out that forensic social workers should be creative and innovative and not only be channelled in terms of literature and that they should use techniques that work better with Black children considering their cultural background. However, in spite of creativity and innovation, Carstens (2006:192) and Poole and Lamb (1998:108) recommend that if the forensic investigator employs a technique, it must be one that is scientifically validated and has survived empirical scrutiny in laboratory or field research and that the techniques must also be legally defensible.

This research revealed that continuous training and development as part of updating oneself about the most recent and well-researched techniques is mostly recommended so as to apply the most effective forensic interviewing techniques. This is in line with Faller (2007:03) who established that investigators interviewing children regarding sexual abuse should familiarize themselves with research, best practice guidelines and an opinion regarding how to interview children on possible sexual abuse. Smith (2014:387) also shares the same sentiment wherein she recommends that forensic investigators must familiarize themselves with the latest trends and research regarding forensic investigations.

Forensic social workers have to apply forensic interviewing techniques consistently in an effort to perfect these methods.

9.6 Conclusions

The following conclusions are drawn from the above findings:

Rape is the most common type of sexual offences against children that forensic social workers across South Africa address. However, its definition was partially according to the Criminal Law (Sexual offences and related matters amendment act 32/2007). It can also

be concluded that other sexual offences such as sexual assault, sexual grooming, and sexual exploitation/labour are barely reported because some South African communities regards them as minor things or taboos that could be addressed by within families. As a result, they are not given the same recognition as rape in South Africa, therefore forensic social workers do not have lot of cases on them. Lastly, it can be concluded that child pornography or exposing children to explicit sexual materials takes place mostly in urban areas than in rural areas.

This study has confirmed that the disclosure of CSA is a process whereby children only disclose to someone whom they trust. From these findings, it can be concluded the environment where children are raised contributes towards the disclosure of CSA. For, instance, findings have shown that the disclosure of CSA is mostly accidental mostly to children from rural areas than those from urban areas whereby such children do not intentionally disclose rather it is done deliberately.

It can be concluded that children do not disclose sexual abuse because they are avoiding punishment from the perpetrator and that they do not want to break their relationship with perpetrators, as mostly are their breadwinners. It has been confirmed in this study that boundaries of family culture also affect the disclosure of CSA. From the findings of this study, it can also be concluded that children who are coming from rural areas are least likely to disclose sexual abuse as opposed to those from urban areas due to the level of education in such areas. Children also do not disclosed abuse during forensic assessments due to fear of shame and embarrassment and the use of language whereby either the forensic social worker or the child do not speak same language with each other. It can also be concluded in this research that poverty leads to children's non-disclosure of CSA in that children financially depend on perpetrators. The age or cognitive development also affect the disclosure of CSA during forensic assessments. Lastly, this research concludes that the South African Judicial Stem influences the disclosure of CSA also more especially if it is through multiple interviews by different legal representatives.

It can be concluded that cultural backgrounds of children, their cognitive developments, the use of language on both the child and the interviewer and the manner of questioning have an influence in the effectiveness of forensic interviewing techniques with the Black child during forensic assessments.

Based on the findings of this study, it can be concluded that personal characteristics of both the child and the interviewer and children's communication skills can affect the forensic assessments.

It can also be concluded that blind assessments yields more disclosures of CSA than informed allegation interviews, however, with very young children, informed allegation interviews are effective during forensic assessments

It can be concluded that if various stakeholder can come on board to address the issue of CSA, children's reluctance to disclose sexual abuse might be minimized in South Africa.

It emerged that there is a need for more forensic social workers in South Africa.

9.7 Recommendations

Based on the findings and conclusions drawn in this study, the following recommendations are made:

- There is a serious need in South Africa that various stakeholders come together to capacitate communities about what constitutes CSA in the South African context and to also conscientize communities about the roles of forensic social work as a newly introduced area of specialization in the country.
- The Criminal Law (Sexual Offences and Related Matters) Amendment Act no. 32/2007 should be reviewed to cater for cultural practices and norms in South Africa, as there is a contradiction between the two on what constitutes child sexual abuse in a South African context. The act should also be gender specific in terms of who are guilty of sexual offences.
- In all forensic assessments, forensic social workers should always screen the possibility of CSA irrespective of whether the child comes from a rural or urban area. Some perpetrators do observe that during their visitations in urban areas, and they might take advantage when they come back to rural areas.
- It is imperative that forensic social workers establish a good rapport with children during forensic assessments.

- The South African rural communities should be educated about CSA and the procedures of reporting that.
- The South African communities must also be educated with regard to professionals that are equipped to conduct forensic interviews/assessments of CSA.
- Children should be assessed by the forensic social worker who speaks same language as the child.
- It is recommended that techniques during both the pre-forensic and forensic assessments should be contextualized in terms of cultural backgrounds, and that one should consider developmental level (age in particular) and language of the child especially for Blacks.
- It is also recommended that open-ended question should be adhered to at all times to gather detailed information about the disclosure of CSA.
- It is recommended that forensic social worker should come to the developmental level of the child, speak the language of the child or use translators for the child to understand, and follow blind assessments interviews as opposed to informed allegation interviews. However, informed allegations interviews are recommended when assessing children below the age of four (4) years, as they are very young.
- Currently, there are no guidelines in South Africa to guide professionals working with cases of CSA. Therefore, the researcher recommends professional bodies, with specific reference to the South African Council for Social Service Professions, to recognize forensic social work into CSA as a specialized field. This will ensure that social workers can register as forensic social workers. An ethical code of conduct must also be established for such forensic social workers.
- Forensic social workers must familiarize themselves with regard to the latest trends and research in the field of forensic interviews of cases of CSA.
- More forensic social workers must be trained and employed, as there is a need for this.

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Annexure A: Interview Schedule

Research Topic: Effectiveness of interviewing techniques with the Black child during forensic social work assessments

INTRODUCTION

I am Mr SF Rapholo, a Lecturer at the University of Limpopo at the Department of Social Work. I am conducting a study on the **effectiveness of interviewing techniques with the Black child during forensic social work assessments**. The purpose of this research project is to evaluate the interviewing techniques used by forensic social workers when conducting forensic assessments with the Black child. The information gathered from this research will add to the motivations that forensic social work should be treated/recognized as a specialized field by South African Council for Social Service Professions (SACSSP) and that it must be offered as a specialized field/course of social work at all the institutions of higher learning. With this information, professionals can assist the court of law as expert witnesses when the child is the witness. It will also close a gap in terms of having a scientifically researched and contextualized forensic social work programme that is responsive to the South African context.

The results of this research project will be used by me, Mr SF Rapholo, to fulfil the research requirements of the University of Limpopo and to obtain my PhD in social work.

Your name will be withheld and your answers will be shared as respondent 01 etcetera.

Please answer the following questions with honesty and to the fullest. Remember there is no right or wrong answer.

Thank you for your voluntary cooperation, your opinions and time. Your support is of great value in the prevention of the non-disclosure of the sexual abuse of children.

A. BIOGRAPHICAL DETAILS OF THE FORENSIC SOCIAL WORKER

1. AGE OF THE FORENSIC SOCIAL WORKER

AGE	
Younger than 20 (specify)	
21-30	
31-40	
41-50	
51-60	
Above 60	

2. GENDER OF THE FORENSIC SOCIAL WORKER

Female	
Male	

3. EMPLOYER

Government (Specify)	
NGOs (specify)	
Private practice	
Others (specify)	

B. DISCLOSURE OF CHILD SEXUAL ABUSE

1. From your experience of working with black children as a forensic social worker, what is child sexual abuse? (Probe)

.....
.....

2. What do you know about the disclosure of child sexual abuse in relation to black children? (Probe)

.....
.....

3. From your experience as a forensic social worker working with black children, what are the reasons for non-disclosure of child sexual abuse? (Probe)

.....
.....

C. INTERVIEWING TECHNIQUES

4. Tell me about the interviewing techniques during forensic assessments. (Probe)

.....
.....

5. What are the implications when working with black children? (Probe)

.....
.....

D. COMMUNICATION SKILLS

6. Tell me about the black child's communication skills during forensic assessments. (Probe)

.....
.....

7. How do these communication skills affect forensic assessments? (Probe)

.....
.....

E. PERSONAL CHARACTERISTICS

8. Tell me about the interviewer and the black child's personal characteristics during forensic assessments. (Probe)

.....
.....

9. How do they affect the disclosure of child sexual abuse during forensic assessments? (Probe)

.....
.....

F. BLIND ASSESSMENTS AND INFORMED ALLEGATION INTERVIEWS

10. Tell me about blind assessment interviews during forensic investigations. (Probe)

.....
.....

11. Tell me about informed allegation interviews during forensic investigations. (Probe)

.....
.....

12. How do both of them affect forensic assessments when working with the black child?
(Probe)

.....
.....

F. MEASURES TO ADDRESS THE DISCLOSURE OF CHILD SEXUAL ABUSE

13. What do you think can done to address the non-disclosure of child sexual abuse amongst black children? (Probe)

.....
.....

14. What do you think the forensic social worker can do to address the effectiveness of interviewing techniques during forensic assessments with the black child? (Probe)

.....
.....

Mr SF Rapholo
PhD in Social Work: Forensic Practice
University of Limpopo

Annexure B: Consent Form

Title of research project: Effectiveness of interviewing techniques with the Black child during forensic social work assessments: a South African perspective

CONSENT OF FORENSIC SOCIAL WORKER

I am a PhD student in social work from the University of Limpopo researching the effectiveness of interviewing techniques with the Black child during forensic social work assessments based on a South African perspective. My study leader is Prof JC Makhubele. The following is information about the study so that you can make an informed decision.

1. PURPOSE OF THE STUDY

To evaluate the effectiveness of interviewing techniques with the Black child during forensic social work assessments.

2. PROCEDURE

If you agree to participate in this study, the following procedures will follow:

- A suitable place and time for interviews will be discussed with you. It will be in an office where confidentiality will be possible.
- Written consent will be obtained from you after the study has been explained to you to be part of this research.
- The interview will be recorded. Written permission to tape-record the interview will be asked from the participants.
- The interview will last approximately one hour.

3. CONFIDENTIALITY

Special care will be taken to work in an ethical manner. All tape-recorded materials and completed interview schedules will be safely stored in a locked cabinet in the researcher's office, where no one has access to, and thereafter, it will be stored in a store room at the Department of Social Work at the University of Limpopo, prohibiting all people, including the researcher and study leader, from having access to the material. Interviews will be held with each participant separately in a quiet, private office, to avoid interruptions. Each

participant will be allocated a number beforehand, such as respondent 1, respondent 2 et cetera, to maintain confidentiality. Me as researcher will maintain anonymity as far as possible during the research process. The participants will be informed of the confidentiality that would apply regarding their identity. Information provided will remain confidential in that the answers of the participants will be reported anonymously to protect the identity of the participants.

4. INFORMED CONSENT

For the purpose of the study, the relevant information will be provided by the researcher by means of an interview with you as the interviewee regarding expected duration of involvement, procedures that will be followed, confidentiality and voluntary participation and self-termination. An adequate opportunity will be provided for questions before the study commences.

5. VOLUNTARY PARTICIPATION

Written permission will be obtained from the managers South African Police Services at the national office where it will be made clear that participation is voluntary. The researcher will ensure for the purpose of the study that all parties are aware that no one is obligated to participate. Non-participation in the study will not be disadvantaging in anyway.

6. DECEPTION OF RESPONDENTS

You as forensic social worker will be briefed about the aim of the research and no information will be withheld from you to allow you to make an informed decision regarding your participation in the research and to ensure no deception.

7. BENEFITS AND RISKS

- The information gained from the research can help forensic social workers to be expert witnesses in a court of law when a child is the victim of sexual abuse.
- It can also add on the existing body of knowledge regarding forensic social work as an area of specialization.
- The South African Council for Social Services Profession can subsequently be convinced to recognize forensic social work as a specialized field of social work.

8. COSTS

There will be no cost to you as a result of your participation in this study.

9. PAYMENT

You will receive no payment for participation.

10. QUESTIONS

You are welcome to ask any questions to the researcher before you decide to give consent. You are also welcome to contact me as student or my study leader if you have any further questions concerning your participation in the study.

Cel no: Mr SF Rapholo (079 970 7404)

Cel no: Prof JC Makhubele: 084 712 2913/015 268 2291

11. FEEDBACK ON FINDINGS

The findings of the research will be shared with you as soon as it is available if you are interested. You are welcome to contact us regarding the findings of the research.

We want to thank you for your kind consideration of our request.

.....

Mr SF Rapholo

PhD-student: Social Work: Forensic Practice

.....

Prof JC Makhubele

Study Leader

**CONSENT FORM OF FORENSIC SOCIAL WORKER
PARTICIPATION IN THIS RESEARCH IS VOLUNTARY**

You are free to decline to be in this study, or to withdraw at any point even after you have signed the form to give consent without any consequences.

Should you be willing to participate you are requested to sign below:

I _____ hereby give voluntarily consent to participate in the above-mentioned study. I was not coerced in any way to participate and I understand that I can withdraw at any time should I feel uncomfortable during the study. I also understand that my name will not be disclosed to anybody who is not part of the study and that the information will be kept confidential and not linked to my name at any stage. I also understand that I might benefit from participation in this project and are aware of the possible risks. Should I need further information, someone will be available to assist me.

Signature of participant

Date

Signature of the person obtaining

Date

Annexure C: Letter to Request Permission from the SAPS

University of Limpopo
Private Bag X 1106
SOVENGA
0627
School of Social Sciences: Department of
Social Work
Enquiries Prof JC Makhubele
Tel (015) 268 2291
Fax 015 268 3636
E-Mail Jabulani.Makhubele@ul.ac.za
22 April 2016

The Head
Strategic Management
Head Office
South African Police Service
PrivateBagX94
Pretoria
0001

Dear Lt Col Joubert

RESEARCH PROJECT: MR RAPHOLO Selelo Frank (ID: 850909 6315 082), PhD STUDENT IN SOCIAL WORK

We would like to confirm that Mr Rapholo SF (**residing in Rethabile Garden in Polokwane**) would be in a position to conduct a research project with the title: **“The effectiveness of interviewing techniques with the Black child during forensic social work assessments: a South African Perspective.”** Mr Rapholo would like to establish whether forensic social workers in your department would be willing to be the respondents of the research project in all the provinces in RSA. The researcher is a registered social worker with the South African Council for Social Services Professions with registration number **10-27168**. He is an academic working for the University of Limpopo as a lecturer.

He has obtained his Master’s degree in forensic practice with the North-West University Potchefstroom campus with a dissertation with the title, “Perceptions of Pedi-speaking caregivers regarding the disclosure of child sexual abuse.” His research reveals that Pedi culture regards only rape as child sexual abuse and the other sexual offences according to criminal law (Sexual Offences and Related Matters Amendment Act 32/2007) are regarded as minor things and taboos. These findings clearly indicate that Pedi-speaking caregivers do not possess adequate knowledge of child sexual abuse. The findings also indicate that when such cases occur in the Pedi community, they are not disclosed to the outside world. The families affected prefer to resolve these problems among themselves and traditional courts intervene if the families disagree.

In an effort to make the current study effective, please help him to identify forensic social workers to be interviewed in your section, at least two per province. He is using a snowball sampling technique to select his sample.

WORKPLAN AND TIME SCHEDULE/FRAME

This is the intended time frame for the researcher`s study:

Date	Action
July 2015-August 2015	Literature review
September 2015	Working on a proposal
October 2015	Submit a protocol/proposal to the departmental committee
November 2015	Formulation of interview guide and consent forms
November 2015	Submit a protocol/proposal to the school of social sciences research ethics committee
January 2016	Submit a proposal to the faculty
February- March 2016	Final submission of a protocol/proposal and ethical approval
April -June 2016	Empirical research/Data collection
July – August 2016	Data analysis and writing a thesis
September 2016	Language editing
October 2016	Submission of a research report/thesis

The purpose: The purpose of the research is to evaluate the effectiveness of forensic interviewing techniques with the Black child during forensic social work assessments. Data collection: for the purpose of this research the qualitative way of data collection by means of semi-structured face-to-face interviews and telephonic interviews guided by an interview schedule will be used. Semi-structured interviews will be conducted in order to evaluate the effectiveness of forensic interviewing techniques with the Black child during forensic social work assessments. The telephonic interviews will be conducted with forensic social workers that are not reachable.

Benefits of the research: The benefit will be to contribute to the motivation for forensic social to work be treated/recognized as a specialized field by South African Council for Social Service Professions (SACSSP) and that it must be offered as a specialized field/course of social work at all the institutions of higher learning. With this information, professionals can assist the court of law as expert witnesses when the child is the witness. The other benefit of this study besides forensic social work being recognized as a specialized field by the SACSSP, is that there is a gap and need in terms of having a scientifically researched and contextualized forensic social work programme that is responsive to the South African context.

Confidentiality: The data will be completed anonymously. The researcher will allocate a number to each respondent beforehand. Respondents will be named in the document with names such as respondent 1, respondent 2 and so forth. No names of respondents will therefore be disclosed.

Consent: It will be explained to each respondent that his or her participation is completely voluntary and withdrawal at any stage would be allowed, without it impacting on service rendering. Written consent will be obtained from the respondent after he/she had been informed about the research in a transparent manner. Attached, the protocol of this research.

Release and publication of the findings

The researcher will explain that participants will be informed about the findings of the research without offering too many details or impairing the principle of confidentiality (Strydom, 2011:126). The findings of the study will also be introduced to the reading public in written form by means of a theses and an article in an accredited journal. The managers

of the of the institutions where the interviewees are working in forensic social work units will be informed about results that will be published regarding the research project seeing that Creswell (2009:29) deems it necessary.

If there are any questions the following persons can be contacted:

Study Leader: Prof JC Makhubele (015 268 2291)

Researcher: Mr SF Rapholo (015 268 3876/079 970 7404)

We want to thank you for your kind consideration of our request.

Kind Regards,

.....
Mr SF Rapholo
PhD student in Social Work

.....
Prof JC Makhubele
Supervisor

Annexure D: Approval Letter from the Faculty of Humanities



University of Limpopo
Faculty of Humanities
Executive Dean

Private Bag X1106, Sovenga, 0727, South Africa
Tel: (015) 268 4895, Fax: (015) 268 3425, Email: richard.madadzhe@ul.ac.za

DATE: 19 April 2016

NAME OF STUDENT: RAPHOLO, SF
STUDENT NUMBER: 200520351
DEPARTMENT: Social Work
SCHOOL: Social Sciences
QUALIFICATION – PhD

Dear Student

FACULTY APPROVAL OF PROPOSAL (PROPOSAL NO. FHDC2016/530)

I have pleasure in informing you that your PhD proposal served at the Faculty Executive meeting on 17 February 2016 and your title was approved as follows:

TITLE: EFFECTIVENESS OF INTERVIEWING TECHNIQUES WITH THE BLACK CHILD DURING FORENSIC SOCIAL WORK ASSESSMENTS: A SOUTH AFRICAN PERSPECTIVE

Note the following:

Ethical Clearance	Tick One
Requires no ethical clearance Proceed with the study	
Requires ethical clearance (Human) (TREC) (apply online) Proceed with the study only after receipt of ethical clearance certificate	√
Requires ethical clearance (Animal) (AREC) Proceed with the study only after receipt of ethical clearance certificate	

Yours faithfully

Prof RN Madadzhe

Executive Dean: Faculty of Humanities

CC: Prof S Sithole

Supervisor: Dr JC Makhubele

Annexure E: Approval Letter from Turfloop Research Ethics Committee



University of Limpopo
Department of Research Administration and Development
Private Bag X1106, Sovenga, 0727, South Africa
Tel: (015) 268 2212, Fax: (015) 268 2306, Email:noko.monene@ul.ac.za

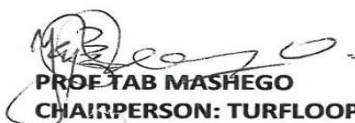
TURFLOOP RESEARCH ETHICS COMMITTEE CLEARANCE CERTIFICATE

MEETING: 05 May 2016

PROJECT NUMBER: TREC/31/2016: PG

PROJECT:

Title: Effectiveness of interviewing techniques with the black child during forensic social work assessments: A South African perspective
Researcher: S.F Rapholo (200520351)
Supervisor: Prof J.C Makhubele
Co-Supervisor: N/A
Department: Social Work
School: Social Sciences
Degree: PhD in Social Work


PROF. TAB MASHEGO

CHAIRPERSON: TURFLOOP RESEARCH ETHICS COMMITTEE

The Turfloop Research Ethics Committee (TREC) is registered with the National Health Research Ethics Council, Registration Number: **REC-0310111-031**

Note:

- i) Should any departure be contemplated from the research procedure as approved, the researcher(s) must re-submit the protocol to the committee.
- ii) The budget for the research will be considered separately from the protocol.
PLEASE QUOTE THE PROTOCOL NUMBER IN ALL ENQUIRIES.

Annexure F: Approval Letter from the South African Police Service

SUID-AFRIKAANSE POLISIEDIENS



SOUTH AFRICAN POLICE SERVICE

Privaatsak/Private Bag X 94

Verwysing/Reference: 3/34/2

Navrae/Enquiries: Maj Gen Gabela
Lt Col Joubert

Telefoon/Telephone: (012) 421 8271
(012) 393 3118

**DIVISION: RESEARCH
SOUTH AFRICAN POLICE SERVICE
PRETORIA
0001**

SF Rapholo
UNIVERSITY OF LIMPOPO

RE: PERMISSION TO CONDUCT RESEARCH IN SAPS: EFFECTIVENESS OF INTERVIEWING TECHNIQUES WITH THE BLACK CHILD DURING FORENSIC SOCIAL WORK ASSESSMENTS: A SOUTH AFRICAN PERSPECTIVE: PHD STUDY: UNIVERSITY OF LIMPOPO; RESEARCHER: SF RAPHOLO

1. The above subject matter refers.
2. You are hereby granted approval for your research study on the above mentioned topic in terms of National Instruction 1 of 2006.
3. Further arrangements regarding the research study may be made with the following office:
 - 3.1. Division: Detective Services;
 - **Contact Person:** Brig L Strauss- 012 393 2349
 - **Contact Person:** Col MJ Ntlatleng- 012 393 1822
4. Kindly adhere to par 6 of our letter signed on the **2016/07/18** with the same above reference number.


**LIEUTENANT GENERAL
DIVISIONAL COMMISSIONER: RESEARCH
DR BM ZULU**

DATE: 2016/09/09

Annexure G: Letter from Language Editor



Director: CME Terblanche - BA (Pol Sc), BA Hons (Eng), MA (Eng), TEFL
22 Strydom Street
Baillie Park, 2531
Tel 082 821 3083
cumlaudelanguage@gmail.com

DECLARATION OF LANGUAGE EDITING

I, Christina Maria Etrechia Terblanche, hereby declare that I edited the research study with the title:

The effectiveness of interviewing techniques with the Black child during forensic social work assessments: a South African perspective

for **SF Rapholo** for the purpose of submission as a postgraduate study for examination. **Changes were suggested in track changes and implementation was left up to the author.**

Regards,

CME Terblanche

Cum Laude Language Practitioners (CC)

SATI accreditation nr: 1001066

Full member of PEG

Annexure H: Map of South Africa

