

Victimology

Dynamics of Sexual Assault

- Every question you ever had
- Finkelhor's pre-condition model
- Summit's Child abuse accommodation syndrome

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Child Sexual Abuse Accommodation Syndrome

“The normal coping behaviour
of the child contradicts the
beliefs and expectations
typically held by adults...”

Roland Summit, (1983)

Every question you've ever had

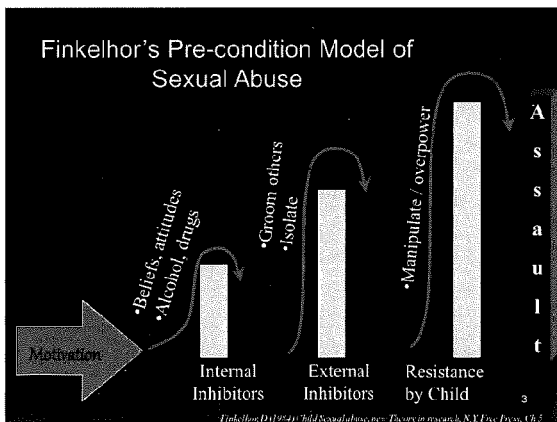
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Child Sexual Abuse Accommodation Syndrome

1. The Secrecy
2. Helplessness is socially unacceptable, and therefore can only exist in secrecy.
3. Enmeshment & Accommodation Children are extremely vulnerable and rely on adults to help them feel safe. Children feel shame, guilt, and responsibility for the abuse.
4. Delayed, Conflicting & Overwhelming Disclosure Children learn that disclosure is dangerous. If you and the planning of disclosure is triggered by something else, and the child is not in a position to manage the disclosure, it is more likely to be retracted than another.
5. Retraction can be a way to feel safe.

Roland Summit, (1983)
As Control is lost following disclosure – sometimes the only way to feel safe is to try and retract.

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Research – Why don't they report early

2 Nationally representative surveys

- Embarrassment and shame (25% & 46%)
- Expectations that the person they told would blame them (29% & 18%)
- They wouldn't be believed or helped (23% & 23%)
- Didn't want to upset anyone (24%)
- Wanted to protect the abuser (18%)
- Feared the abuser (11%)

Anderson, Maitri, Millen, Rowars & Harbison (1993)
Fleeting (1997)

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Research – Why don't they tell

- “a number of studies indicate that closer relationships are associated with longer delays and lower disclosure rates”
- “parentally abused children with low levels of family support will exhibit lower disclosure rates and higher recantation rates than other abuse victims.”

London, Eruck, Wright, & Cecil, 2008

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Research Findings 2007

- 53% of children delayed disclosing between 1 week and 2 years.
- 40% did not disclose spontaneously
- Over 50% did not disclose to parents
 - 47% disclosed to friends or siblings
 - 43% disclosed to parents
 - 10% other adults

Hershkowitz, Lanes & Lamb, 2007

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Research – Why they recant

“recantations were more likely if the child was abused by a member of his or her household, if the non-perpetrator parents expressed disbelief...., and of the child was under 10 years of age.

Lyon, T.D., & Ahern, E.C. (2011) in J.E.B. Myers (Ed.)

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Research Findings 2007 cont'd

- Children under 9 years more likely to disclose to parents than older children (73% vs 13%)
- If parents style of responding to stress was anxious – less likely to disclose without prompting
- If parents style of responding to stress is calm – child more likely to disclose (and not need prompting).

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Research

- “the results demonstrate that recantation appears to follow the same dynamic as disclosure and that one should not assume that a recanting child who previously made a credible disclosure of abuse was not, in fact, abuse

Lyon, T.D., & Ahern, F.C. (2011) in J.E.B. Myers (Ed.)

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Summary

- Offenders need to overcome barriers to be able to offend (internal, external, victim barriers)
- Children's responses to being sexually abused are often contrary to adult expectations. They don't often tell, adults often can't “tell its happened”, they often retract.

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Interviewing Children and other Vulnerable Witnesses

Interview as Process
PEACE Interview Framework
Right Question
Right Time
Interview Scoring

1

Think interview – Think PROCESS

Evidentiary Process –

- Account 1 – Memory Stage
 - Empty memory of event/s
- Account 2 – Investigation Stage
 - Whole Story, Nexus, Points of proof, Investigation leads
- Account 3 – Prosecution Stage
 - Defences, charges, common misconceptions.

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Think interview – Think PROCESS

Relational Process

- Build and maintain a relationship that establishes safety and trust as a professional process designed to motivate and empower the victim to tell you EVERYTHING.

2

Skills of a Good Interviewer:

- Open Mind
- Ability to Set Expectations
- Ability to Actively Listen
- Skilful application of interviewer demeanour
- Ability to formulate and apply the right question at the right time
- Use of silence / Keep interviewee talking

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Goals going in to an Interview

- To elicit from the child/victim's memory, information which is as accurate as possible a representation of the child's (victim's) experiences; and which are not subject to charges of being contaminated. (Different from truth?)
- To allow the child to feel comfortable enough to talk to you about the issues in question
- To avoid causing any *undue* trauma to the child in the process.

How responsible are you for the quality of the story presented to Court?

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PEACE Interview Framework

- Preparation and Planning
- Engage and Explain
- Account
- Closure
- Evaluation

PEACE - Preparation and Planning

- **Witness**
- **Environment and Equipment**
- **Prepare others**
- **Aims, objectives, questions, defences**
- **Procedural g'lines**
- **Open Mind**

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PEACE - Engage and Explain

Engage - Steps:

- Create a good impression
- Ask Open Questions where possible (train the victim)
- Treat as an individual
- Accept the person's feelings

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PEACE - Engage and Explain

The factor that most influences success of an interview.

- **Build Rapport**
- **Skilful use of demeanour**
- **Set out expectations and ground rules**
- **Prepare interviewee.**

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PEACE - Engage and Explain

Explain - Steps:

- Explain reasons for interview
- Outline procedures and reasons for them
- Describe the format - predictability

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Demeanour

- Warm
- Safe
- Genuine
- Interested
- Non-judgemental
- Respectful
- Seeking to understand rather than be understood.
- Patient
- Believing (??)

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Rapport building

- **Relationship – based on mutual understanding and trust (honesty and clarity). Positive and warm.**
- **“Establishing rapport makes the expression of intimate and oftentimes painful information much easier”** (Carducci, B. J., 2009)

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VARE Checklist

- Demeanour
- D.O.B.
- Practice - defeating yay-saying
- Truth and Lies

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PEACE - Account

Account Process –

- Account 1 – Memory Stage
 - Empty memory of event/s
- Account 2 – Investigation Stage
 - Whole Story, Nexus, Points of proof, Investigation leads
- Account 3 – Prosecution Stage
 - Defences, charges, common misconceptions.

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PEACE - Account

Introduce the Topic of concern

- Tell me what you're here to talk to me about
- I heard...? Did that happen?
- Fishing

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PEACE – Account - Process

Memory stage (*Crime Scene*)

- Introduce the topic of concern
- Clarify topic
- Initial Open Invitation – TME (1st recall - no notes*)
- Open Breadth (all the way to the end)
- Open Depth at 1st sign post (Drill Down)
- More Open Breadth
- 3 free recalls**
- Remember minimal encouragers
- Specific questions *only where needed****

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PEACE - Account

- What we used to do
 - Fishing in the norm when looking for the aberrant (Script and Gist memory)
 - Good Touch, Bad Touch
 - Secrets

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PEACE – Account -Structure

• Investigation Stage

- Particularisation
- Points of proof
- Whole Story
- Etc

You will have already got most of this information in victim agenda. (If you did it skillfully)

• Prosecution stage

- Defences, misconceptions, etc

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Questions

Questions are the tool of the interviewers trade

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Definitions - Open / Specific

- Open Question
 - A question that encourages an elaborate response and doesn't specify what information is required
- Specific Question
 - A question that seeks a specific piece of information

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Common unhelpful questions

Do you remember.....

Do you have anything to say about that?

Can you tell me anything about?

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Types of Open Questions

- Open Invitation
 - Tell me everything about....start at the beginning.
- Open Breadth (OB)
 - What happened then
 - What happened next
 - What else happened
- Open Depth (OD)
 - Tell me more about the part....
 - What else happened when.....

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Questions Continuum: Open – Specific / Closed

Open:

Tell me everything that happened from the beginning?

Closed:

Did Uncle Bill take his clothes off first?

Tell me more about the part...?

Specific:

What time did that happen?



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Types of Specific Questions

- Short Answer (SQSA) -
 - What colour was his shirt?
 - Who else was at home at the time?
- Yes / No (SQYN)
 - Was his shirt blue
 - Was Mum at home at the time
- Forced Choice (SQFC)
 - Was his shirt blue or red?
 - Was Mum in the kitchen or the backyard at the time?

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NB:

- Match question to child
 - Development
 - Style of telling

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PEACE - Account

- What we used to do
 - Fishing in the norm when looking for the aberrant (Script and Gist memory)
 - Good Touch, Bad Touch
 - Secrets

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Minimal Encouragers

Provide encouragements with the least possible input or interruption possible

- Silence / Pregnant pause **
- Nods
- Uh Huh
- Gesture
- Say last few words

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PEACE - Account

Evidentiary Process

- Account 1 – Memory Stage
 - Empty memory of event/s – don't contaminate
- Account 2 – Investigation Stage
 - Points of proof, Whole story, psychological nexus, investigation leads
- Account 3 – Court Stage
 - Defences, charges.

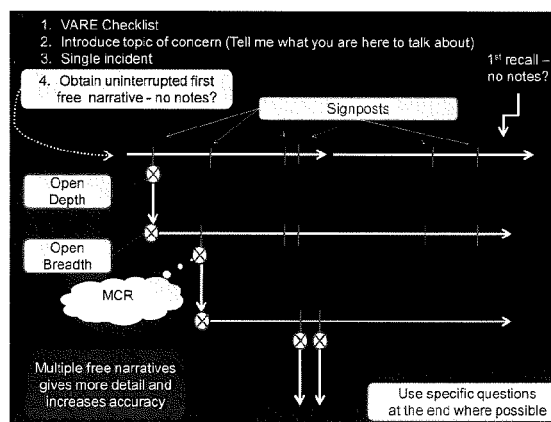
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PEACE - Account

Introduce the Topic of concern

- Tell me **what** you're here to talk to me about
- I heard....? **Did that happen?**
- Fishing

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Martine Powell – Free Narrative

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Leading & Suggestibility



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Definitions - Leading / Non leading

Leading questions are questions that contain the following elements;

- Coercive
- Contain information still under dispute
- Suggest answer

Leading questions reduce the accuracy of a child's account as they contain elements that trick or pressure the child into giving an account that is in line with the interviewers agenda / view / assumptions / interpretations etc.

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Questions Continuum 2: Leading / Non leading questions

Non-Leading

Only contain information already stated by the child
Non-suggestive or coercive

Coercive

- He was wearing a blue shirt wasn't he?

Suggestive

- Was his shirt Blue?

Contain information still under dispute

- Was it the man with the blue shirt who touched you?

Leading

PEACE - Closure

Steps:

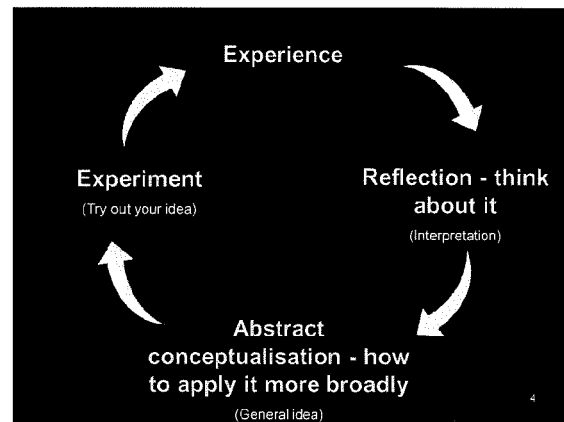
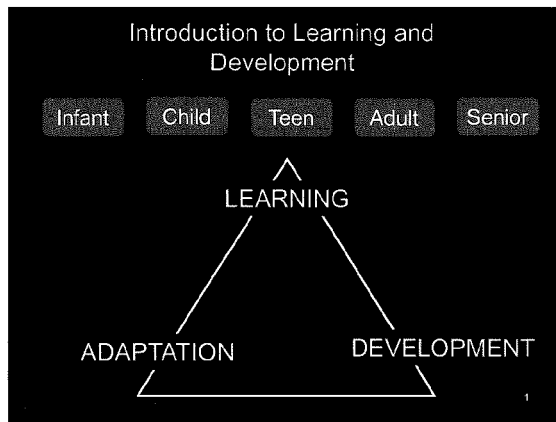
- Return interviewee to physiological base line
- Explain next steps
- Prepare future cooperation
- Ensure mutual understanding
- Verify sufficient coverage of subject

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Scoring Interviews

- Introduce the topic of concern (intro)
- Single / specific incident
- Open Invite (OI)
- Open Questions – Breadth (OB)
- Open Questions – Depth (OD)
- Specific Questions – Short Answer (SQSA)
- Specific Questions - Yes/No (SQYN)
- Specific Questions - Forced Choice (SQFC)
- Minimal Encouragers (ME)
- Leading Questions – add L to code

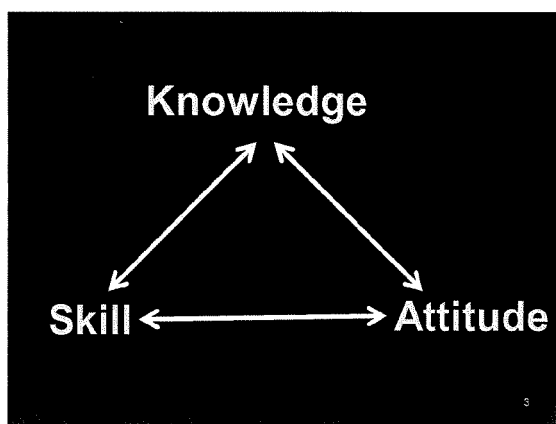
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Understanding Victims

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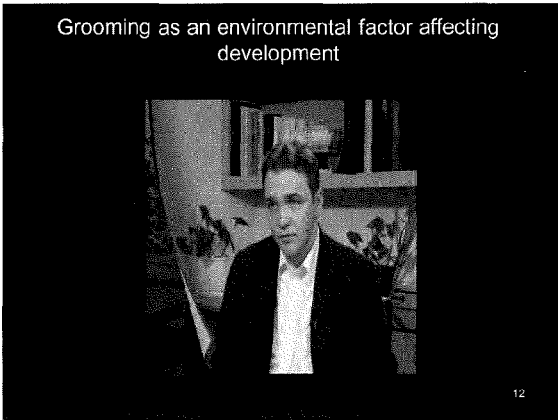
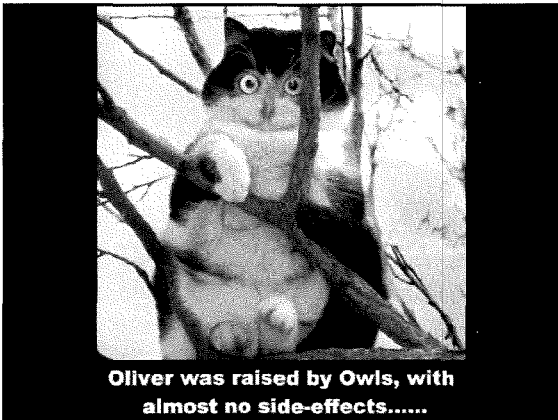
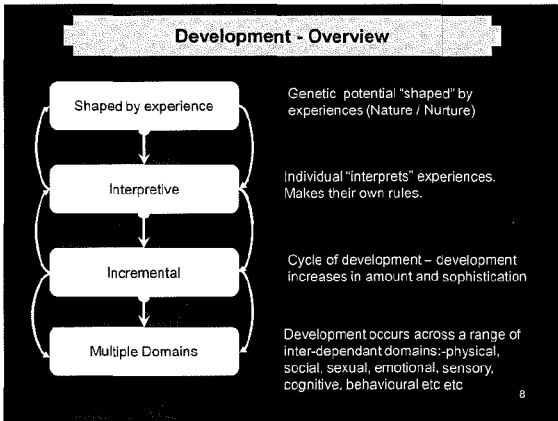
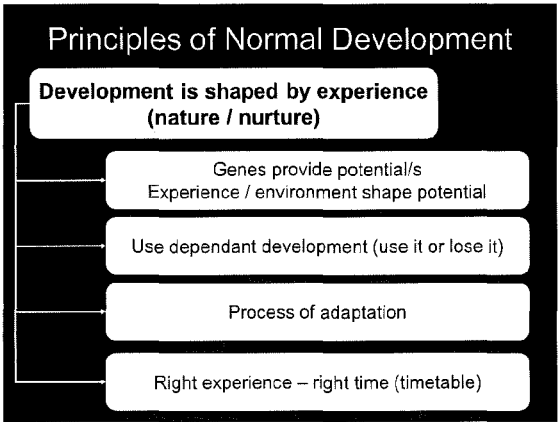
- ### Adults as Learners
- Relevancy filter (need a reason to learn)
 - Self Directed (know what's relevant / needed)
 - Come with a range of experiences and knowledge
 - Practical
 - More likely than children to explain away or reject information that contradicts their own experiences or beliefs.
 - Over-learning
- 5

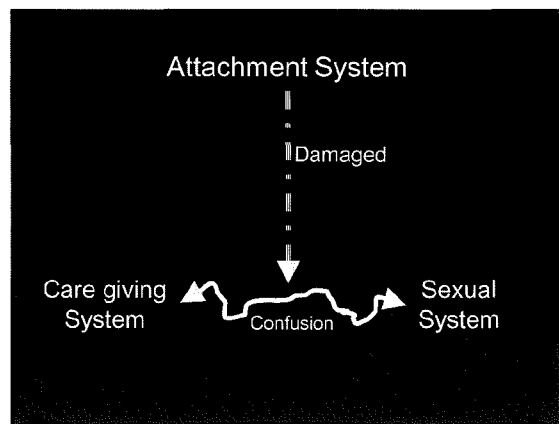
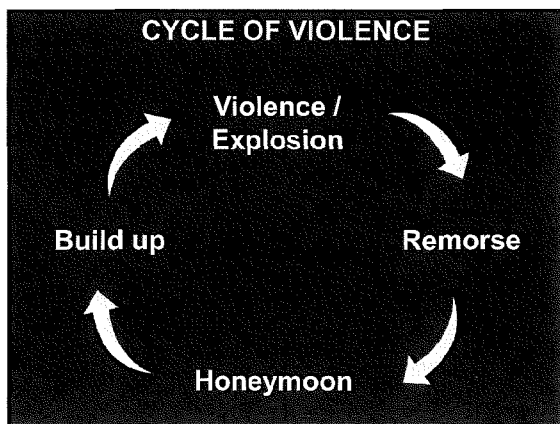
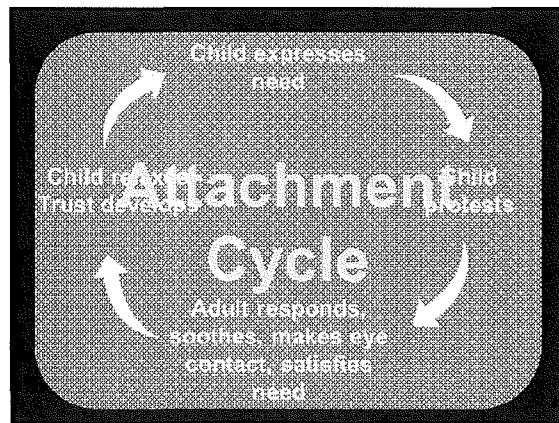
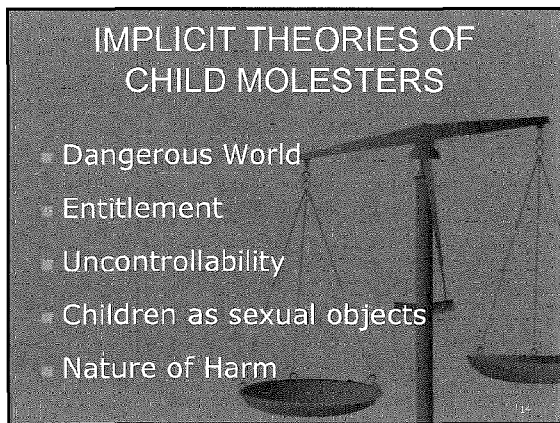
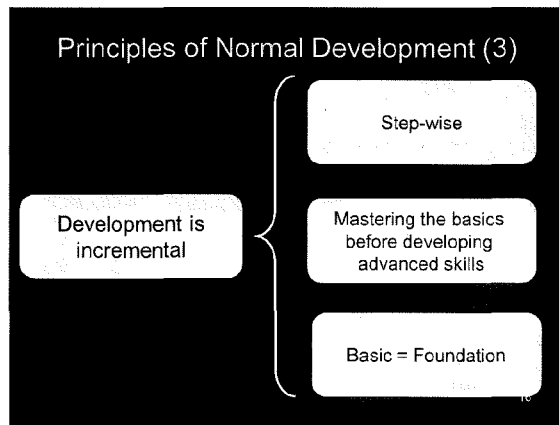
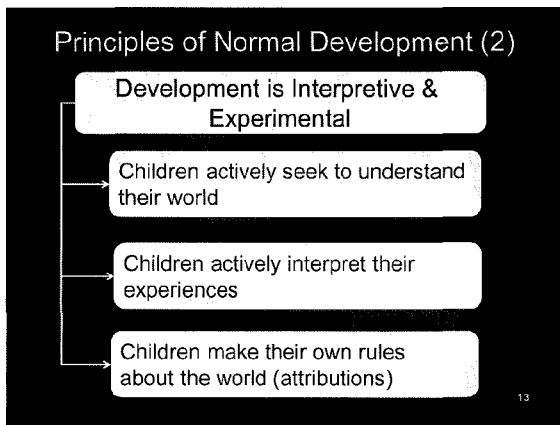


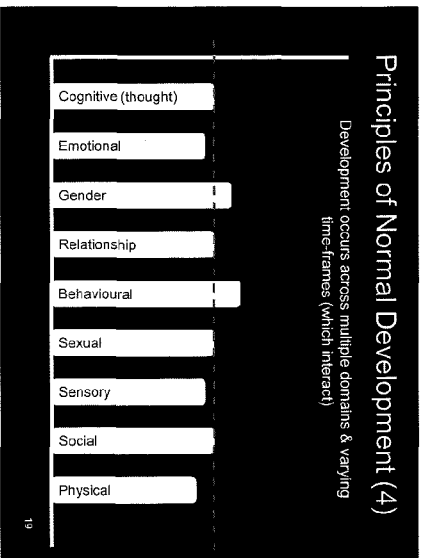
- ### Victimology
- Outline:
- Principles of Development
 - Brain
 - Memory
- 6

Child (Human) Development

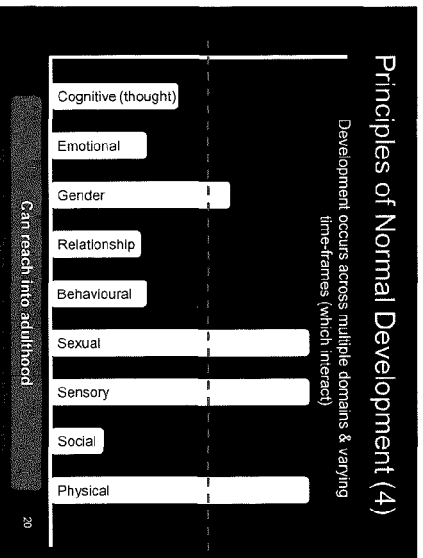
How do we become who we are?







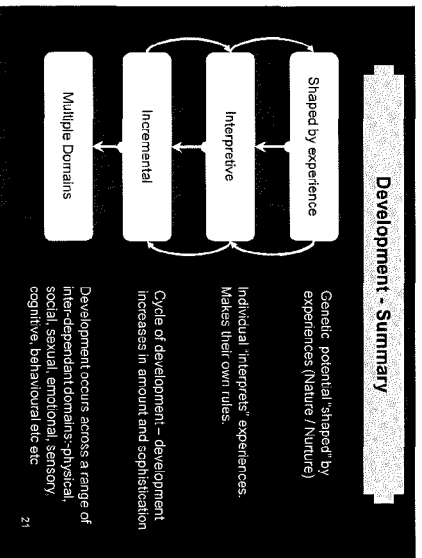
- ### Key Points – Child Dev't
- Children adapt to “fit” the environment they are raised in.
 - Knowing a child’s environment can help us
 - Interview the child
 - Assess their evidence
 - Understand the Whole Story.
 - Also – Historicals and mothers who were victims as children.



Coming up Next

The Brain

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- ### Brain Development Overview
- Principles of Brain Development
 - Structure
 - Brain Development
 - How it all fits together
- 24

2 Principles of Brain Development

1/ The Prime Directive >>>> SURVIVE

Being exposed to things over and over >>> Brain establishes patterns

Patterns become TEMPLATES

Templates are pre-programmed thoughts, feelings, behaviors.

2/ A lot of what you do is pre-programmed!!! (Discuss)

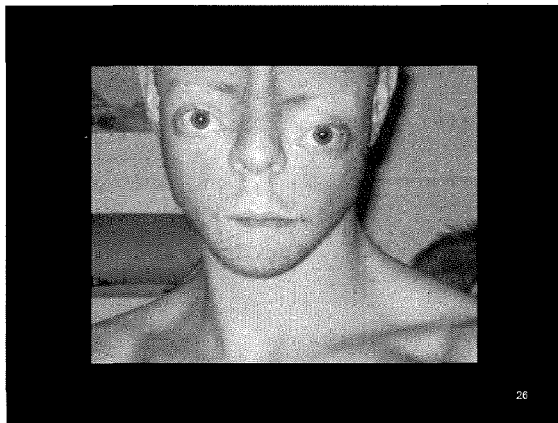
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Brain – Functional Structure

CORTEX-- THOUGHT	Abstract Thought Problem Solving Concrete Thought
LYMBIC-- FEELING / R'SHIP	Relationship, Attachment, Sexual Behaviour, Emotional Reactivity
BRAINSTEM-- STRESS / FEAR / PANIC	Physiological Arousal, Sleep, Blood Pressure, Heart Rate, Body Temperature

[1] Based on a program from Memories of Fear: How the Brain Stores and Retrieves Psychologic States, Feelings, Behaviors and Thoughts from Traumatic Events. Bruce D. Pory, M.D., Ph.D. The Child Trauma Program. <http://www.childtraumaprogram.com>

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The Brain - Conscious vs Unconscious

CORTEX-- THOUGHT	Conscious
LYMBIC-- FEELING / R'SHIP	Almost completely Unconscious
BRAINSTEM-- STRESS / FEAR / PANIC	

[1] From Memories of Fear: How the Brain Stores and Retrieves Psychologic States, Feelings, Behaviors and Thoughts from Traumatic Events. Bruce D. Pory, M.D., Ph.D. The Child Trauma Program. <http://www.childtraumaprogram.com>

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Irreversible

10/16

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The Brain under threat

**CORTEX--
THOUGHT**

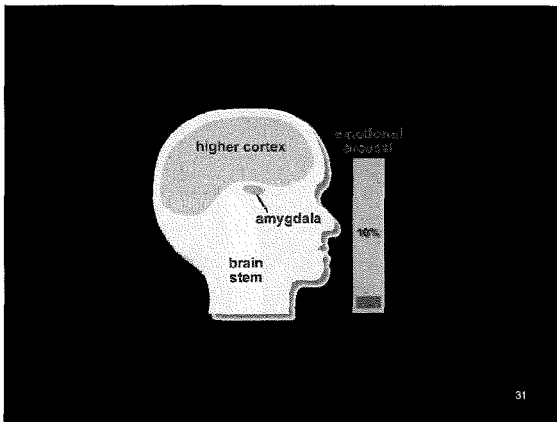
**LYMBIC--
FEELING /
R'SHIP**

**BRAINSTEM--
STRESS /
FEAR / PANIC**

**Information Flow
(From the body)**

[1] From Memories of Fear: How the Brain Stores and Retrieves Psychologic States, Feelings, Behaviors and Thoughts from Traumatic Events. Bruce D. Pory, M.D., Ph.D. The Child Trauma Program. <http://www.childtraumaprogram.com>

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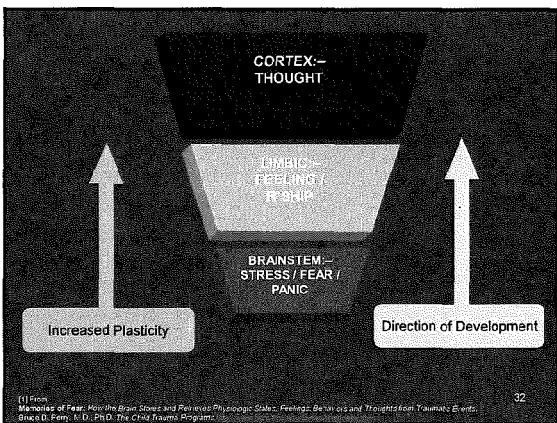


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Brain Development Summary

- Principles of Brain Development
- Structure
- Brain Development
- How it all fits together

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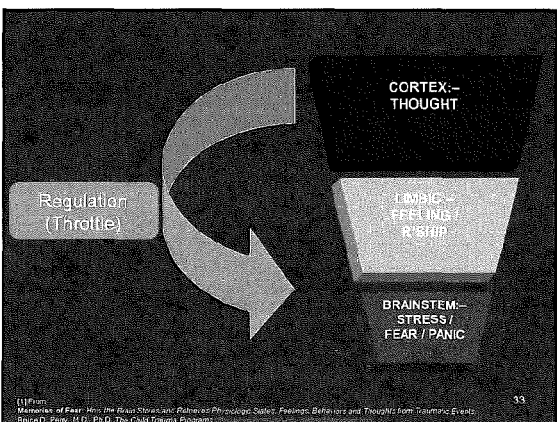
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Coming up Next

Memory

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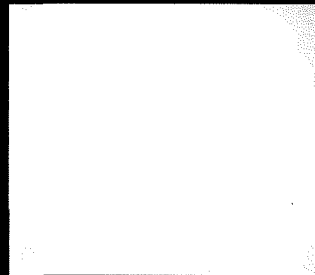
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An interview question is a
memory task

The more your question/s
match the characteristics
of memory – the more
accurate the answer.

Andi Bell – Link method



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MEMORY - overview

- Definition and purpose
- Types of memory
- Stages of memory
- Characteristics of memory
- Recall cycle

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- | | |
|-------------|-----------|
| • Cat | • Hill |
| • House | • Sand |
| • Lawn | • Paper |
| • Billboard | • Email |
| • Wire | • Cup |
| • Honey | • Printer |
| • Garage | • Tea Bag |
| • Car | • Texta |
| • Pram | • Wheel |
| • Needle | • Mouse |

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Memory - Recall

2 KEY THINGS TO SUPPORT DURING THE INTERVIEW

1. Ability
 - Right type of question asked at the right time (technical skill)
2. Motivation or Willingness
 - Rapport / relationship, trust & confidence (Emotional intelligence)

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Supporting Memory Recall

Open recall task

Time / Patience

Safety

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MEMORY

Definition and Purpose

Definition

-The ability to store and recall some elements of experience.

Purpose

- Learning / Adaptation

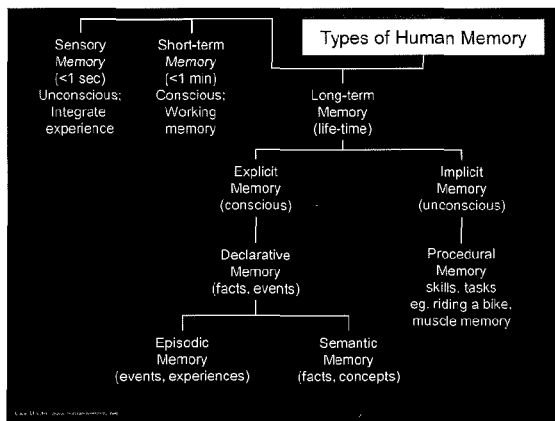
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Memory

1. Encoding

- Event factors
 - Duration, Frequency, Physical factors (lighting, distance etc), Saliency, Weapons focus
- Personal Factors
 - Attention, Expectations (templates), Emotion/stress, Functioning (impaired, sensory), Meaning

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Memory

2. Storage

- Time,
- Post event information,
 - Change meaning
 - Generalisation
- Rehearsal,
 - Strengthens
 - Can result in “polishing”
 - Can result in remembering the account not the event.

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Memory

Stages of Long Term Memory

Overview

1. Encoding
2. Storage
3. Recall

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Memory

3. Recall

- Attention / focus / distraction
- Time
- Motivation / effort
- Intrusive / leading questioning
- Emotion / safety / trust
- Associations

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Supporting Memory Recall

Open recall task

Time / Patience

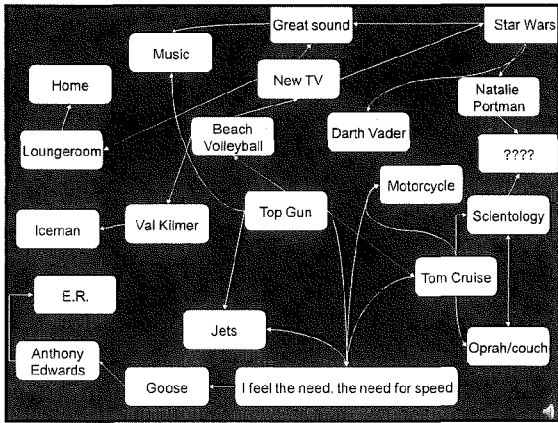
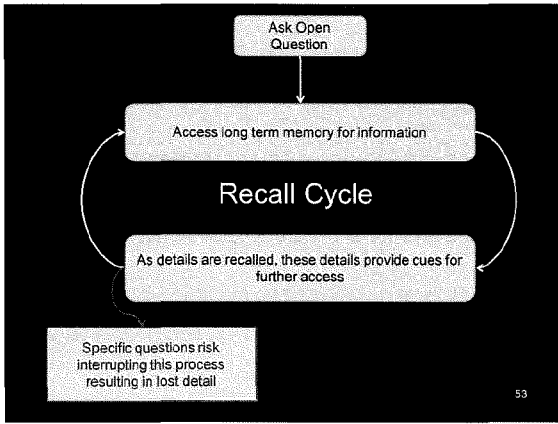
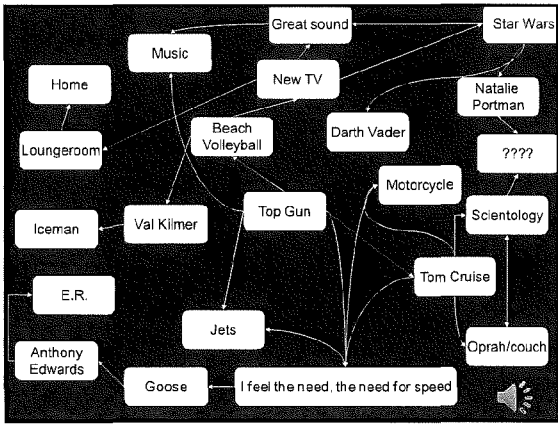
Safety

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Characteristics of Memory

- Auto-associative
- **Multiple & Varied Retrieval Attempts**
- Constructive in character
- Primacy and Recency
- Source Monitoring
- Suggestibility
- Accuracy
- Verbatim, Gist and Script
- Delayed Recall

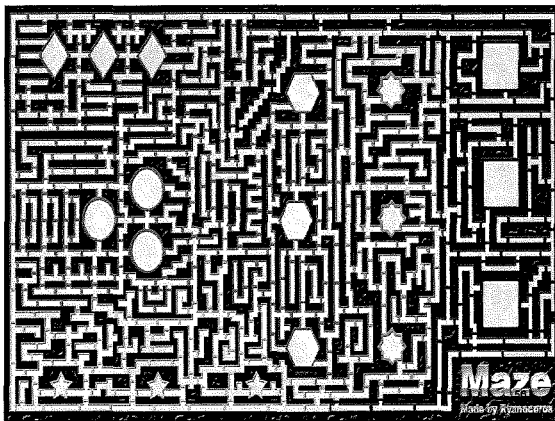
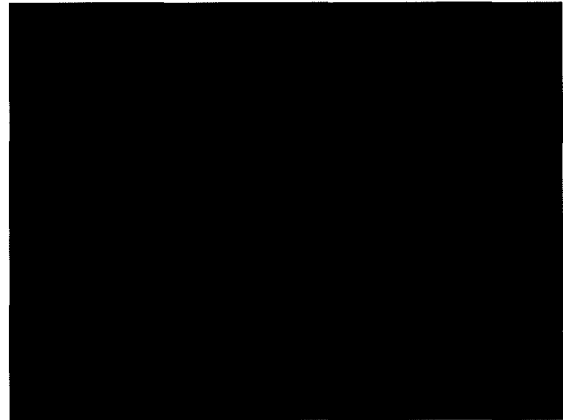
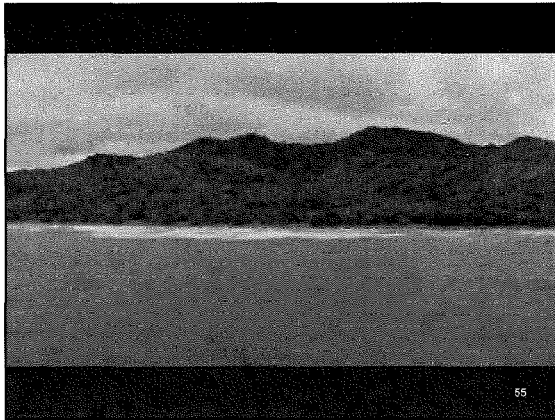
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Memory Prompts

What do these sounds prompt in your memory?
Images, feelings etc

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Memory - Summary

- Definition
- Purpose
- Types of memory
- Stages of memory
- Characteristics of memory
- Recall cycle

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Cognitive Interviewing:- Overview

- History
- Tell me everything
- Mentally reinstating the context
 - Reverse order
 - Change perspective

1

Cognitive Interviewing:- Mentally Reinstating the Context

- Put person back in time and place
- Use child's words
- Memory cues / start association chain

4

Cognitive Interviewing:- History

- Developed out of Memory research
- A "What works" approach

2

Cognitive Interviewing:- Reverse order

- Follows initial free recall of account
- Tell story backwards
- "What happened before that" approach

5

Cognitive Interviewing:- Tell me everything

- Combat "best is less" approach
- Provide new template
- Provides clear instruction / guidance to child
- Used in both setting expectations and question formation

9

Cognitive Interviewing:- Change perspective

- Camera
- Other person's present
- Fly on the wall

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