

Investigative Police Practice in the UK: Achieving Best Evidence in Work with Young Victims of Abuse

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Abstract:

This article presents findings from research undertaken by the Authors with police officers in the UK. The initial findings are reported here, the research sought to review police practice with child victims of sexual abuse with direct reference to the views of children and their parents/guardians about their experiences. Although the research was conducted in the UK it has relevance for police practice elsewhere. The aim of the research was to inform the development of professional practice and police training in this sensitive area. This article describes findings from a review of the literature focusing upon interview practice with child victims and findings from Stage One of the work which draws upon documentary evidence from case files and a small number of interviews with police officers. This preliminary work has highlighted several key issues: First, a large number of unresolved cases which are recorded as 'no crime', often due to insufficient evidence and the unwillingness of child victims to participate further in the process. Secondly, although police officers receive training, insufficient training opportunities appear to exist beyond this particularly in respect of child interviewing techniques.

Keyword:

Child Abuse, Investigative Practice Children, Child Victims Interviewing; Achieving Best Evidence

Introduction:

Uk Policy And Practice With Young Victims

Research intending to place the child at the centre of police practice is particularly timely given recent and continuing UK policy emphasis on taking children's perceptions into account in monitoring and planning services. This is highlighted in the recent Department for Children, Schools and Families publication 'Every Child Matters: Change For Children' [21] where it is suggested that '*listening to children, young people and their families when assessing and planning service provision*' (2004, p5) constitutes good practice. In addition, emphasis has also been placed upon the importance of successful inter-agency practice in the Children Act 2004 [25] and the National Service Framework [29]. Examining how the child and parents view the police process in child abuse investigations will potentially allow for more sensitive use of such approaches and greater effectiveness of such services in the future.

Following directives by The United Nations Convention on the Rights of the Child [36] there has been a clear endorsement of giving the child a voice, and recognizing a child's competence in assimilating and reporting their views. Children's views offer a valuable insight, shedding light on their perceptions and experiences which can help to evaluate the effectiveness of services, whilst engaging children in research can give them a sense of ownership and inclusion. Research exploring the investigative process has tended to be conducted from an adult perspective and young victims' have been treated as passive subjects when it comes to exploring issues which fundamentally affect them. Little work directly involving children's views has been undertaken in this area, although there are some exceptions [18]. This type of research does require a sensitive balance in order to avoid overburdening children already subjected to investigative procedures. One exception is Plotnikoff and Woolfson's (2004) research funded by the UK National Society for the Prevention of Cruelty to Children (NSPCC)[20] in which the views of 50 young witnesses were sought regarding their experiences of the investigative process, with 32 of the young people giving evidence about sexual abuse. This study suggests that young people expressed a sense of frustration with case delays. Although this study is highly relevant, its focus was upon the pre-court and court experience and did not explore the investigative police process as in the proposed study.

Most research conducted has focused upon 'investigative interview' methods involving video recording [30] in relation to 'Achieving Best Evidence' (ABE) [32]. This has included methods of questioning children and interviewer approach [5,6,8], interviewer authority and style [7]. The aim of such studies has been to explore the *validity* of child victim's accounts and their *credibility* as witnesses. There has been some research exploring the use of the Memorandum of Good Practice (MOGP) in investigative interviewing with children, but this has largely focused upon the effectiveness of the interview in eliciting evidence and not upon the child's experience of the entire police investigative process [14,22,16]. This is an important aspect of effectiveness and practitioner training to date, but is incomplete without an attempt to elicit children's and young people's experience of the process. If children have a largely positive experience in working with the police and other professionals, their accounts are likely to be more detailed and credible in judicial proceedings and their tolerance for questioning likely to be greater.

It is increasingly clear that a large number of sexual abuse cases reported to the police in the UK do not result in a conviction [12]. This may in part be accounted for by factors such as the difficulty of obtaining evidence and the reliability of children's accounts as influenced by the child's developmental stage and trauma responses. It is clear that obtaining children's evidence in a form acceptable to a court is extremely difficult and that disclosure itself is often problematic for victims, although

Somewhat easier with increasing age. For example, recent research conducted in Norway suggests that rates of disclosure of sexual abuse increase with victim age with only 50% of 3-6 year olds compared to 74% of 11-14 year olds disclosing abuse when questioned [15]. The study also concludes that rates of disclosure were lower in intra-familial than non-familial abuse cases. Thus reporting of abuse with family perpetrators and at preadolescent ages requires particular attention. Davis [12], in his research on the Crown Prosecution Service (CPS) addresses the high rate of discontinuance of child sexual abuse cases and suggests that the low rate is in part due to the failure of children to provide a clear account of the abuse that will be acceptable to a court. Mudaly and Goddard [18] have argued that the adult view that children are unable to provide reliable accounts of their experience due to emotional immaturity often underpins investigative work and that, in their experience, children are often able to articulate their experiences confidently. It is argued that young victims' often demonstrate significant strategic decision making skills in disclosing and describing the abuse they have experienced and case study evidence from young victims is provided to support this claim [18].

Research investigating children's views of themselves as central to police and social work investigative interviews is scant -although there are exceptions [15, 18, 21] - there is evidence that children have strong views on the way in which direct work with them is undertaken [2,13,14,18] but this area needs more systematic investigation if findings are to influence service provision. Farmer and Owen [13] suggest that the majority of young victims studied describe their treatment in terms of social policing rather than as providing help. Children reported that being 'protected' by services at times was experienced as more traumatic than the alleged abuse. It is necessary for children to be debriefed about professionals' actions in order to understand the process. This may reflect not only on the investigative process per se, but also on the number of different practitioners involved, the length of time taken for proceedings and the lack of understanding of steps in the process [19].

There has already been extensive documentation of the experience of child witnesses in court proceedings by the Scottish Executive [35]. This has advocated an integrated witness support structure to augment the services available to young witnesses. As well as recommending extensive information and explanation for families and the judiciary, it also includes codes of practice for the legal profession and the creation of independent Child Witness Officer (CWO) support figures as a central point for information and advice, and to prepare children for the court. The recommendations also sought to influence interviews and precognitions by restricting the number of times child witnesses were asked to discuss the circumstances of the alleged offence and to be aware of the stress caused by multiple interviews.

Plotnickoff and Woolfson [19] provided an evaluation of child witness support researching the role of an intermediary to assist communication with vulnerable witnesses at the investigative interview, or at trial, in 6 pathfinder areas. The research found that the intermediary scheme had not been well integrated into the work of local criminal justice organisations with action plans and local monitoring frameworks still in development. This was in large part due to 'witness initiative overload'. However, when intermediaries were in place the matching of skills to witness needs worked well and both intermediaries and police officers felt that the intermediaries' contribution at investigative interview was most valuable when planned in advance. The advantages of the scheme cited were: higher rates of conviction; greater access to justice with double the number of cases reaching trial; avoidance of miscarriages of justice and facilitating communications at trial with help for witnesses to respond effectively. There were a number of benefits cited at the investigative stage, including the identification of witness poor comprehension, saving time by informing decisions where it was not possible to proceed to interview and assisting at the efficient planning of interviews. Assisting witnesses at identification procedures, helping inform CPS decisions about witness suggestibility, ability to cope with cross-examinations and how the witness should give evidence were also cited as positive outcomes. Despite these clear benefits pathfinder areas had difficulties in identifying eligible witnesses and there were low levels of requests for the intermediary appointments. The evaluation concluded that there were problems in rolling out the scheme. Indeed the scheme is at present very limited and has yet to be introduced to the London area. Metropolitan Police Officers supporting this research bid had recently become aware of the scheme but thought that it would be introduced on a limited basis with certain cases, but that it would probably not become a widespread, standard element of practice in work with young victims. The issue of multiple interviews at the investigative stage was raised as a problem not only in terms of stress for the child, but also in terms of contamination of evidence since the loss of spontaneity and emotional response negatively influenced credibility [19]. There were examples of as many as 30 interviews of the child before trial. It was noted that high quality of investigative interview, properly retained (e.g. as video-tape) together with appropriate updating and sharing of information could help reduce the number of interviews. This evaluation provides a valuable insight into the intermediary scheme and the impact of this upon the investigative process, highlighting problematic areas.

The Children's National Service Framework [28] requires *all* practitioners working with child victims to undertake common training in core skills, knowledge and competencies. The Assessment Framework similarly requires social workers to undertake more standardised and evidence-based assessments in child protection work [28], and this is now extended to other related professions in the Common

Assessment Framework . Guidance provided to police officers identifies a number of key practice aims, including: the sensitive management of victims and their families; a well managed forensic strategy; a thorough and comprehensive search for evidence; an effective arrest strategy and case disposal. The guidance also states that the police should work closely with local authorities and other agencies by sharing information relating to child welfare with specific requirements set out for inter-agency work. Training is intended to play a pivotal role in guiding practice around investigative interviewing and reliable and systematically high standards are only achievable with high training commitment. Various recommendations are made for training elements for police officers working with child victims [17]. These include training on content and protocol; conducting practice interviews; controlled observations with an experienced officer and working in pairs with an experienced officer acting as a mentor. It is suggested that training should be ongoing and that intensive bursts of training are unhelpful. This longitudinal approach is thought to aid assimilation of key issues and to help inexperienced officers build upon early practice experience. It is apparent from the training guidance issued by the Home Office (Achieving Best Evidence (ABE) <http://www.homeoffice.gov.uk/documents/ach-bect-evidence/>), that sensitivity to the child's state is explicitly indicated with extensive discussion of approved interview techniques. However, the ABE guidance is rather broad and no *specific* interviewer approaches or techniques are discussed for example utilizing standardised measurement approaches, nor about how the information is categorized and shared between agencies. The availability of training for more specialist techniques for police officers and social workers in child abuse are not indicated. An update on how such training translates into practice is also required.

Researching Police Practice with Young Victims

A small, qualitative research project was undertaken on behalf of a UK Police Force to explore interagency practice and young victim's experiences of the investigative process in the context of a high national rate of discontinuance of child sexual abuse cases. The research aimed to investigate current practice in police investigative work with young victims of sexual abuse, in relation to interview practice; the preparation of the victim for participation in the process; the nature and adequacy of the support and information provided to young victims and their families regarding the process; practitioner experience and victim perceptions following case outcome.

The research was policy and practice driven and had several intended outcomes: First, to begin the process of affording young victims an opportunity to express a view regarding their treatment in, and experience of the police

investigative process; second, to identify the way in which aspects of the investigative process and inter-agency communication might be counter-productive in achieving best evidence with young victims; third, to identify strategies/mechanisms to enable police services to address key problems in the areas of interview training; inter-agency communication and child victim/family support. These are initiatives expected to impact positively upon the rate of detection in child sexual abuse cases. Finally, to inform good practice for professionals working with child victims in the investigative process, to devise methods which can routinely incorporate the views of children and young people regarding effective working practices.

Method

The research has two distinct stages. Stage One has been conducted and the findings are reported here, Stage Two is currently ongoing.

Stage One: Exploring Police Practice.

This stage of the research aimed to develop a full narrative about current police procedure in dealing with child abuse victims, involving interviews with police practitioners ($N=11$); analysis of case documentation ($N=53$); together with a literature review of studies showing good practice in investigative interviewing with children in sexual abuse cases. Reference to key documents such as the '*Police Child Protection*' Manual and the Home Office '*Achieving Best Evidence*' publication was made along with an exploration of other research on children's perceptions of practice and what is considered to be good practice. This element of the work was conducted in 2007.

Stage Two: Exploring Family And Child Victims Views Of Services & Processes.

In Stage Two of the study documentary analysis of 'closed cases' (cases not prosecuted) has identified families and child victims/alleged victims who have either gone through the investigative process, or for whom no further action was taken. Whilst it was not possible to provide either a random or fully representative sample due to constraints of scale and likely barriers to cooperation, the aim was to select a non-random sample of young alleged victims and a non-random sample of safe family members. The sample included closed cases with the following characteristics (a) detected and prosecuted (b) discontinued by the Crown

¹All allegations of intra-familial sexual abuse against a child reported over the last two years to the Police Child Protection Units.

Prosecution Service (c) for whom no further action was taken. These cases were drawn from police records during the period December 2004- December 2007 in order to ensure that the views of respondents with differing case outcomes were included and examined in relation to features of the procedure and of the outcome.

A sample of 60 respondents (combination of young victims and safe family members with differing case outcomes) will shortly be interviewed. Access was initially sought via the Police who identified safe parents/carers explaining the purpose of the work and the research process. Where respondents indicated a willingness to participate, their details were passed to the Research Team. A postal questionnaire was sent to all potential parent/family respondents with the police letter inviting comment on the process. The child interviews will shortly be undertaken by researchers with experience of work with young victims and their families.

Achieving Victim Co-Operation

The inclusion of (alleged) victims and their families in research, while an essential part of practice evaluation, is likely to be difficult given the sensitive nature of the crimes involved and possible dissatisfaction with case discontinuance or outcome. While the aim is not to achieve a fully representative or consecutive series, it is hoped that by selecting families with different case and demographic characteristics (gender of victim, age of victim and ethnicity) from the area that a range of experience will be represented. It is also likely that questionnaire responses will be received from those families who do not agree to interview, which allows inclusion of some quantitative information on a much wider group. The interview data collected during Stage Two will be amenable both to quantitative and qualitative analysis. Quantitative data (including data from the survey) will be analysed via SPSS and qualitative data will be analysed via an analysis programme such as NVIVO.

It is anticipated that co-operation will be improved in the following way: (a) full backing of police and social services in the research investigation and in helping to make initial contacts, (b) selecting closed cases in order not to confound any ongoing investigation, (c) emphasizing the opportunity of victims and families to have their views recorded by an independent university group confidentially with no individuals report being revealed to agencies involved in the original case (d) offering information about victim support groups and psychological treatment facilities locally where necessary, (e) ensuring brief time of interview (under one

²It is necessary for initial access to be sought by the police in keeping with the demands of the Data Protection Act.

hour) with emphasis solely on the investigative process not on features of the alleged abuse (f) offering to hold the interview at the most convenient location including families own homes (g) to only include victims over age 8.

Ethics

The research referred to three published ethical codes [1,3,4] in its procedures. University ethical permissions were gained. Young people interviewed will be given age-appropriate information and consent forms to sign. The Fraser competence level principle will be used to ascertain the level of understanding of informed consent amongst young respondents, this is usually deemed appropriate for those aged 8 and above. Careful adherence to Barnardo's guidelines for ethical research, which informed the development of the pilot stage of this work, with vulnerable children and British Psychological Society guidance has been adhered to. Those researchers working with children will have appropriate levels of expertise and all are Criminal Records Bureau cleared.

Careful consideration has been given to all relevant ethical aspects of this research to ensure that any discomfort to the children is minimised and these are clearly outweighed by the benefits of the research. The following considerations have informed ethics and have guided the research design and method:

1. Parent / Guardian Consent.

Informed consent was sought from parents/guardians of the children interviewed in the project. This is a requirement for researching children under aged 16, and this should be routinely sought. In the case of abused children there may however be some exceptions: where for example, relations with parents/carers have broken down the intention is to gain the consent of the non-abusing parent, but this may not always be possible; or where the child does not wish the researcher to gain parental consent because of concerns about confidentiality. Such requests will be observed and each case treated in relation to relevant context.

2. Child Informed Consent.

The informed consent of the children participating in the research will be obtained. Children will be informed that they may withdraw from the research at any time. The Fraser competence level principle will be utilized through which the researchers can assess if the child can comprehend the giving of informed consent. Accessible language will be used to encourage participation and the research aims and expectations will be explained clearly. Children will be encouraged to question the researcher about the research and the methods. The procedure for gaining children's (age 5-12) consent recommended by Barnados will be adapted for use, this is cited below:

'Hi (child's first name)

My name is (researchers first name), and I am trying to learn about (describe project briefly in appropriate language)

I would like you to (describe what you like the child to do. Don't use words like 'help' or 'cooperate', which can inform a subtle form of coercion)

Do you want to do this? (If the child does not give clear affirmative agreement to participate, you may not continue with this child)

Do you have any questions before we start? (answer any questions clearly)

If you want to stop me at any time just tell me (if the child says to stop you must stop)

(Barnados , p4, 2005)

3. Assurance of Confidentiality and Anonymity.

A statement regarding confidentiality and anonymity will be given, with the usual provisos. For example disclosures of previously undisclosed abuse are exempt from this. It is recognised that some of the children may have specific concerns over the confidentiality of their participation given their experiences. Barnados (2005) recommend that limitations upon confidentiality should be addressed with vulnerable children in the following way:

'Whatever you have to say in this interview is confidential (we would change the use of language) unless what you disclose ('tell us' seems preferable) that you or someone else is in danger of serious harm (this should probably be 'harm'). In such a case I would need to report that to someone who might be able to help' (p5).

Whilst this statement needs to be adapted for use with younger children and some of the language should be more child friendly, the framework is good and was adopted in this research.

4. Nature of Interview.

The researchers will use semi-structured - open questions during Stage Two, to ask the children about feeling states and perceptions of the investigative process they have experienced. Interviewers will not be asking children to recount their experiences of abuse per se. Use of projective and play techniques will aid the children to be open about their psychological responses.

5. Approaches Rejected:

Whilst use of other approaches such as the use of other children as interviewers has been considered, this has been rejected because of the potential for leading to more serious ethical breaches. Thus the child interviewers would be potentially exposed to information and feeling states for which they were unprepared and untrained. Also the child interviewees could similarly be exposed to inappropriate handling of sensitive and confidential information leading to feelings of shame and stigmatization.

6. Use of specialist Interviewers.

Only specialist interviewers will be used to interview the abused children during Stage Two and those with counseling skills and who are familiar with referral procedures to support services who can advise on use of such services should any untoward responses occur.

7. A safe / Relaxed Interview Approach.

Every attempt to ensure that the children's experience of participating in the research is both positive and enjoyable will be made, this will be addressed through creating an informal and relaxed interview environment (attention will be paid to the interview setting, style of interviewer dress and use of language for example) and through the use of play and games as projective and engagement techniques (Garbarino & Stott, 1989; Graue & Walsh, 1998; Scott, 2000).

8. Companions at Interview.

In addition, safeguards to avoid any distress or coercion will be in place, for example children will be asked if they would like to bring a friend or advocate with them to the interview.

9. Ethical Guidance:

The *Barnados Statement of Ethical Research Practice* (2005) will guide this work as will the *British Society of Criminology Ethical Guide* (2005). In addition reference will be made to the *British Psychological Society* guidelines and to those imposed by the Universities represented.

Findings: Stage One

Literature Review: Children's Experience And Reporting Of Stressful Events: The Impact Of the investigative Process Upon Child Victims

Over the past two decades increased awareness of the impacts of stressful and emotionally traumatic events on children has led to investigations of how children process, remember and then report such events (Fivush, 2002, Stein, 2002). This research has stemmed predominantly from forensic considerations and has focused on the accuracy and suggestibility of children's testimony as well as on techniques for evaluating the credibility of children's accounts (Ceci & Bruck 1993, (Goodman and Bottoms, 1993). Thus research into the recall of stressful events tends to show that children have better recall of *distinctive* rather than routine events and are able to report *single* experiences of trauma in highly detailed accounts (Fivush, 2002).

Within the conceptual framework of *developmental victimology* recent research has approached children's emotionally traumatic experience with a special interest in the way that victims engage with services such as the police, courts and social services, and how this experience interacts with their existing trauma response (Finkelhor and Diziuba-Leatherman, 1994, Finkelhor, 1995). These studies have sought to analyse how the environmental responses to child victimisation impact children at different stages of childhood. An important finding is that environmental buffers have crucial and positive bearing on individual differences in response (Finkelhor, 1997). As children at different stages of development operate in different social and family contexts this can significantly alter how the victimisation affects them. For example, the way in which the child's mother responds (as non-perpetrator parent) is crucial in determining outcome, and can be more important than objective elements of the victimisation itself (Toth and Cicchetti, 1993). Thus the reactions of institutions such as the police and social services to school aged children involved in intrafamilial abuse has the potential to affect the impact of victimisation. The possibility for services to validate the child's experience, offer a respectful view of the child as informant and constitute an additional buffer and support has rarely been investigated, but is likely to impact on psychological health and well being.

The reverse view that services inadvertently amplify the child's trauma through revisiting the painful issue and escalating the victim's feelings of helplessness and guilt is more often highlighted. Some authors stress that the way the child is handled within the law enforcement and judicial systems in the context of victimisation can be experienced as abusive in children with primed abuse-reactive responses (VanFleet and Sniscak, 2003). This is particularly observed when the first interview is handled insensitively. The initial absence of sensitivity to the child's sense of

blame for the family break-up and punishment of the primary perpetrator who may be close to the child may further impact the child's negative emotions and heighten his/her sense of *guilt, shame, anger, fear and embarrassment*. Failure to talk with children about these adverse experiences and emotions, by key adults and in ways that can facilitate both understanding and coping may serve to impact existing traumatisation and increase the child's sense of mistrust and isolation (Fivush, 2002).

Farmer and Owen demonstrate that the majority of children describe their treatment in terms of social policing rather than help. With children reporting that being protected at times felt more traumatic than the alleged abuse (Farmer and Owen, 1995).. Some children need to be debriefed as to why the professionals acted in the way that they did in order to understand the process. However, this may not reflect on interview practice per se, but on the number of different practitioners involved and lack of understanding of steps in the process.

In a study of children as participants in child protection conferences, Farnfield highlights evidence of heightened distress as a compounding factor for prior trauma, with reports that children were able to identify the specific emotions of *curiosity* (as a motivator, to find out what is going to be said and to try and influence decisions) but above all *shame and embarrassment*, emotions which were most likely to occur if the child was implicated in events (Farnfield, 1997). These emotions are likely to impact the way the child appraises his/her victimisation and contribute to the child's view of the self as blame-worthy. This may influence the outcome of how the child negotiates future developmental tasks with longer term problems set in train (Finkelhor, 1995; Finkelhor, 1997). In addition to the anxiety, and feelings of guilt and shame which Farnfield's study identified, children who have experienced sexual abuse may also exhibit a range of symptoms that more broadly characterise childhood trauma. Among the symptoms identified (Terr, 1991, Bentovim, 1998) those such as dissociative reactions, thought suppression, exaggerated startle responses, deliberate avoidance and hyper-vigilance are noteworthy in that they may be indicated in response to specific stresses present during the interview process. These behaviours may be successfully mobilised to protect against returning traumatic visualisations being triggered and thus require recognition and appropriate responsiveness. There is a need for recognition and appropriate sensitivity to the resulting behaviours as these may exhibit heightened lack of trust, shame, guilt, inferiority and role confusion, each of which represents the negative valence of healthy emotional developmental competencies (Wilson et al., 1998).

Further elicitors of distress in the criminal justice process identified by children, were listening to negative comments about parents and feeling invisible (Farnfield, 1997). Importantly, children were reported both as feeling 'examined' or

'on trial' and at the same time being 'invisible' during discussions about their behaviour. In order to feel less marginalised children welcomed being asked *more* questions and wished to be considered as important as adults in being informed of 'what it was all about'. Children felt distortion of their views was a particular source of discontent and difficult to redress. This is in contrast to the common view from adults that extending questioning will increase the unpleasantness for the child. It may in fact serve to reassure the child and by empathic listening to validate his/her experience. Respect for the child's account of circumstances, as well as opportunity to correct misinterpretation may prove to be important in achieving a successful outcome. It is important to note that although interviewing children about an episode of sexual abuse can increase the number of reminders about the victimisation, no systematic effects have been found in any of the studies investigating adverse impact on children from criminal prosecutions of sexual abuse. While having to provide testimony on multiple occasions seems to delay recovery (Goodman, 1991) children do not seem to display significant developmental damage from having their victimisation investigated and progressed to criminal prosecution (Oates, 1995). This suggests that achieving resolution is important for subsequent well being. This is an important finding given preliminary findings regarding the low rate at which cases progress to prosecution and the very low number of resulting convictions.

Child Assessment Techniques: Retaining A Child Centred Approach

The emphasis on the use of non-threatening procedures when engaging children in research as a fundamental ethical principle (Barnardos, 2005) has prompted the resurgence of methodologies that acknowledge the need for greater sensitivity in assessment particularly when investigating potentially painful experiences. These have included more projective and indirect ways of exploring emotions around the abusive situation. This is predicated on the basis of children's potential reluctance to share their perceptions of experiences when asked about them directly, especially if these experiences are negative (Buchsbaum, 1992). Thus uses of projection, as in imagined scenarios, and talk about the self in relation to recalled similar episodes in the child's life, can be useful in retaining a child-centred focus. Such procedures may have a place in certain circumstance, for example in initial stage of police contact, or where even children in mid childhood have cognitive or emotional immaturity and reluctant to communicate (op cit).

Van Fleet and Sniscak emphasise that in interviewing abused children it is paramount to bear in mind that first interview sets the tone for all that follows (VanFleet and Sniscak, 2003). Thus the need for interviewers to use empathic listening to show understanding of children's feelings is stressed and can divert

belligerent or avoidant responses when children feel they are being judged. Research stresses the importance of tone of voice, non-verbal communication and the need to avoid over-zealousness or pressure on the child to optimise information obtained and retain the child's psychological equilibrium. In contrast, minimising the seriousness of the situation or providing negative or judgmental statements about the parents, can have detrimental effects. In developing new interview techniques with children who have experienced potentially stressful events, it is suggested that the focus is on probing the child's views about their experience by way of techniques in which the researcher is able to adopt a position of reflective, non-directive empathic listening with the aim of showing understanding as well as increasing greater autobiographical responding. Thus the sequence of interviews exploring emotional context and investigative procedures needs careful consideration in the light of such findings.

Investigative Interview Format

Investigative interviews seeking the facts of a situation also rely on good rapport and close attention to the interview style and format to encourage reliable, evidence based response. Semi-structured formats give the opportunity for following a schedule of questions which need to be asked to elicit necessary information, but also to vary pace and style of interview to encourage full response and probe for elaborations of response. Research indicates that there are two primary communication skills that can assist in establishing rapport and gaining accurate information from abused children. These are empathic listening skills and questioning skill. Empathic listening shows that the interviewer is giving their undivided attention and understands the child's feelings and needs. Questioning skills require the interview prompts to be at the appropriate developmental level for the child and not leading the child or hinting at an expected response. It is particularly important for *first interviews* to use open-ended questions so that they are not planting suggestions in the child's mind and will stand up to scrutiny in court. This is the 'free narrative' approach recommended in the ABE guidance.

However, it is also important to provide sufficient structure (perhaps rather more than is suggested in the ABE guidance) in the interviewing environment for the child to understand the purpose of the interview and what sort of information is being asked for, particularly in a criminal justice setting where the information will be used as evidence. Children maybe asked whether specific events have occurred and follow-up probes ask to discover what happened, when, to whom, etc. This gives a clear message to the child that factual, behavioural information is required. This *directive* approach is of course only appropriate once the key experience to be

Investigated has been identified by more open questioning, but structured questioning can allow for a more 'routinised' and concrete approach which may make a child feel safer and more boundaried than the more nebulous questions with accompanying silences which may accompany overly open questions. The fact that children (and adults at times) need help to provide relevant vocabulary for sexual activity, and may require the same question to be asked in different forms before responding, is well documented (Finkelhor, 1986).

Research into the assessment of stressful events for children has been highly developed in clinical fields and adult versions adapted for children and adolescents. Yet the principals and methods determined have not yet been utilised in police and social work investigations of child abuse. The approach follows from a social epidemiological one (Brown and Harris, 1978) attending to the context and meaning of life events, assessed not only in terms of their classification and timing, but also their threat or unpleasantness compared to population norms as exemplified by benchmarked examples. The Life Events and Difficulties Schedule interview (LEDS) has versions for adults (Brown and Harris, 1978), adolescents (Harris et al., 1992); (Frank et al., 1993; Monck and Dobbs, 1985) and children (Sandberg et al., 1993, Bifulco et al, 1999, Sandberg et al., 2001). The strength of the approach lies in its development of narrative about the recent past (e.g. 6 months or a year), by progressing through a series of questions about possible changes and stressors occurring in different life domains. These are followed by additional probing questions to elicit further detail, but taken at the child's own pace. The child version is also paralleled by a parent version for supplementary and validation purposes. Ratings are then combined into a 'best estimate' rating of the likely events and difficulties and their severity, according to predetermined rules for synthesising the information with established reliability and validity (Sandberg et al., 1993). This may have specific relevance for investigations where different witness testimony may have to be combined into a systematic account.

Response to the events and feelings attached to these events are rated by the children through an active process. While at the younger age children can indicate their feelings by posting tokens through appropriately labeled post boxes, for children aged 8 or over indicating their feelings about recent events on a series of smiley and sad faces works equally well (Bifulco et al., 1999). The interview also has a strategy for dealing with the notoriously difficult aspect of ascertaining sequence and timing of events. Thus a calendar, in the form of a white board, to which all key 'public' occasions (e.g. bonfire night, valentine's day, Xmas day) and family ones (e.g. child and siblings birthdays, summer holidays, key visits by wider family) have been marked is used as an *aide memoir*. Because the interview covers

both normative and non-normative changes and events as well as pleasant and unpleasant experiences, it has a more routine, extensive and contextual approach to assessing the child and family experience than usually accommodated in abuse interviews and those utilized by the police and social workers. This has the advantage of dealing with more routine questions about the household, school life and leisure activities which can put the child at ease and allow the child to get used to a 'fact' and 'feeling' differentiation in talking about experience.

Retrospective interview measures of childhood neglect and abuse used with adolescents also provides a very useful framework for questioning about sensitive and traumatic experience (Bifulco et al., 1994, Bifulco et al., 2002). Following in the same style as the life event measures, the Childhood Experience of Care and Abuse (CECA) uses a series of questions to cover a broad range of child and family experience in earlier years. Thus details of the quality of day-to-day interactions with parent figures, routines in the household as well as neglect, discipline, supervision, physical abuse and sexual abuse are all covered in detail. One consequence of such broad coverage is the context, which is contained in the detailed descriptions which gives more clarity of the meaning and interpretation of particular events and behaviours and the severity of any abusive experience.

Documentary Analysis of Police Reports

This element of the work sought to explore the context of police work with child victims via the analysis of data from CRIS reports. The entire caseload of allegations of intra-familial child sexual abuse made, that fitted the research criteria, between December 2004 and March 2006 were included in the research ($N= 53$). The data was collected on a proforma and analysed via SPSS (Statistical Package For The Social Sciences). Qualitative data contained in police reports was also collected where relevant. The findings are reported below.

Victims were overwhelmingly female (91%), although there were very few male victims in the sample (5 in total), males were more likely to have their crime detected, 40% of males' cases were detected, compared to 25% of females. But the actual numbers are comparatively small here and it is difficult to draw any conclusions regarding this finding. It is however an issue that should be explored further. The highest percentage of victims fell into the 13-17 year old range (68%), whilst 28% of cases fell into the 9-12 year old range. And only four percent of cases dealt with children aged 8 or younger, it is difficult to know how representative these findings are but if it is the case that allegations regarding younger children are infrequent, this may be to do with the difficulty experienced in disclosing and even recognising abuse. There was no difference in rates of detection among pre-teens and teenagers.

Father figures represented the largest percentage of suspects (36%, this includes stepfather, father and mother's partner). Peers, including relatives (such as cousin and brother) were suspects in 25% of cases. Twenty-one percent of cases involved suspects who were 'other male relatives', such as Uncle or Grandfather. Other Adults (dance teacher, etc.) were suspects in 19% of cases. When the suspect was an adult family member (father figure or other relatives adult), 40% of these cases were detected. The rate of detection for 'other adult' and 'peers' including relatives is much smaller, at 9%. This could be to do with the nature of different offences, it was apparent that where children were abused by family members the abuse was more likely to be ongoing, more recent and the perpetrator was more likely to be contactable. It may therefore be easier to gather evidence for such cases.

The two largest offence categories were rape (40%) and sexual assault (34%), with other sexual activity at 26%. There appeared to be no relation between the type of offence committed and the rate of detection. Social services referred 38% of cases (Social Services combined with other services accounted for 46% of case referrals). Victims self reported 23% of cases. Victim's Mother's reported 17% of cases. The offence is more likely to be detected if the reporter is the victim or parent: these reporters have rates of 55% detection, whilst services have much lower rates of detection (4%). When an allegation is made by services, there appears to be very little chance of it being detected. This should be of particular concern given that services are the single largest reporting group, clearly this finding needs further investigation but it may be the case that when victims and their parents self report there is a greater willingness to participate in what is often a painful and difficult process, whilst cases reported by social services are often picked up via others such as teachers and doctors. In these instances victims may be more unwilling to participate.

It was apparent from reports that police officers expended an enormous amount of time in investigating child abuse cases and in inter-agency working. However the majority of cases were 'undetected' (68%) as there was clearly insufficient evidence to proceed. On some occasions child victims had initially participated in the process but withdrew as they unwilling to proceed in giving evidence. On other occasions victim's accounts were unclear or contradictory and cases were dropped in the absence of any corroborating forensic or witness evidence and an inevitable denial on the part of the suspect. Police reporters identified this as a frustrating element of the work and recognised the negative impact this may have upon child victims. A minority of cases (26%) were 'detected' and 6% were recorded as 'no crime'. It is unclear at this stage how many of the detected cases were proceeded against by the Crown Prosecution Service and how many resulted in a criminal conviction. It is interesting that cases were more likely to be 'detected' if an ABE interview took place, this highlights the importance of interviewing child victims.

Police Officers Perceptions

A small sample of police officers working in Child Protection Units were interviewed ($N=11$) in order to explore the findings arising from both the analysis of the police reports and the literature review. A semi-structured interview technique was employed with a convenience sample of officers from the two units. Interviews lasted for approximately 45- 60 minutes and were tape recorded with officer's written permission.

Officers views about the effectiveness of inter-agency working varied across the 2 Child Protection Units. One unit appeared to have a stronger working relationship with social services, this was attributed to the effectiveness of established relationships with social services staff and some joint training/working that had been undertaken and to effective communication:

"Everything is good, it's a working relationship. Multiagency meetings, child protection conferences, where we are part of a decision-making process. I get annoyed because the majority of the time, the police are overlooked. It's obvious that the other agencies work together and we go in there as strangers. If you give them a snippet of information, they want you to provide them with a landslide more of information. I think that social services want a lot more sometimes than we need to give them." (Respondent 6)

Officers in the 2nd CPU were less positive about their relationship with social services and described a less stable staff group and high staff turnover as well as what were seen as unrealistic expectations about the policing role and a general lack of understanding about the boundaries between the work of social services in child protection and the role of the police as crime investigators.

"Their [Social Services] role is to look after the child, not ours. Our role is to investigate crimes, and to have a say into the registration of a child, but it stops there. We're not concerned, it sounds awful, although we're concerned with the welfare of the child, we're not concerned with where that child is living, who it's living with our concern is, is it safe? And it ends there, really." (Respondent 7)

"It can be very difficult to get a response from a social worker, get them to call you back when you've left them messages. You get problems with them going off doing their own investigations, and then saying they want a police investigation, but they've already gone and ruined it. Or there are things where they tell us about things a month afterward, which is no use to us. We obviously work together, but we need to do the criminal investigation part... They think that they are the lead agency on a lot of these investigations. Again, it's them not

getting back to you, them going and visiting people when they shouldn't, and wanting strategy meetings for every bloody case, which is a waste of time. They do like to have their strategy meetings and paperwork.” (Respondent 10).

Some officers also described difficulty in communicating effectively with social services and a tendency to employ overseas social workers with poor English. Some also spoke of the way in which inexperienced social workers were employed:

“Some social workers can't speak English, and are useless.” (Respondent 5)

“A majority of Social Workers are young, newly qualified, from abroad, and they just don't know how to work with us. They have such a high turnover rate there.” (Respondent 9)

“I would doubt some of the quality of their staff, that's what really bothers me down there. I've had people on the telephone in there who I can't understand I can't basically understand what they're saying to me. That kind of thing. This is a serious game, people's lives are at stake here, and if we can't communicate between us, then there's a massive problem there. Again, I think it's down to location.----- it does concern me the quality of the people working there and the lack of experience of life. They make some incredible decisions. Thankfully they can come to us sometimes before, to make things right. That's probably why there's such a big turnaround of staff there. I bet it's a stressful existence. I'm not knocking social workers, they are all trying to do the right thing, I just don't think they have the armory sometimes, they don't have the numbers. I think it's sometimes a matter of putting bums on seats, that numbers will sort things out, but that's doesn't work. It's quality.” (Respondent 8).

The lack of communication was perceived as having serious consequences for the progress of a case one officer commented that :

“I get very frustrated a lot of the time that social services are aware of a crime, but they don't refer it to us immediately, and then you've obviously got the slowing down of a procedure because social services might get to hear of it, and they won't make a decision and they ask for the referral desk to do it. It's a quite busy, two-borough system here, and we don't really have the staff at the referral desk to cope with all this. It does take time for it to be passed down the referral desk and to us for allocation.” (Respondent 9)

Clearly it is possible to develop effective multi-agency working relationships, the root of the difficulty described by officers appears to center around several key issues: first, and central to effective working is establishing good channels of communication and attempts were being made at local Chief Inspector level to develop a better working relationship; second there appeared to a misunderstanding

on the part of some social workers about the role of the police in child abuse investigations which was exacerbated by a regular influx of new, inexperienced social services staff recruited from overseas. The frustration in attempting to communicate with social services the officers described during interview, was borne out by the analysis of the CRIS reports. It was apparent in many cases that officers had expended a huge amount of time in attempting to contact social services at the outset of a case and often throughout. Some officers had a good working relationship with social services and this was apparent from the CRIS reports. This is a key issue that must surely impact upon case progress and eventual outcome. On a positive note one officer suggested that social services place a social worker with each CPU as a link and point of communication, but also in order that the role of the police might be fully understood:

"I think they're (social services) doing their best. They seem to be involved in meetings, their bosses and our bosses, so we're getting there. Maybe a little bit more grassroots kind of liaison. I've always been in favour of having one of their members of staff working here with us. Because even the most serious allegation goes on this one form, and we go through this rigmarole of printing it off and faxing it over if we had someone from SS working here with us, we could discuss it together. If they made it a priority posting I think a lot of problems would be ironed out. But I don't know if that'll happen." (Respondent 4)

Officers were asked to reflect upon the high number of undetected and discontinued cases, several issues were identified including: a lack of evidence particularly where cases were reported retrospectively and there was no forensic evidence or witnesses; the unwillingness of children to testify particularly against members of their family and the unreliability of children's accounts, officers frustration regarding this was apparent:

"A lot of children don't want to make statements against their parents, their carers." (Respondent 1)

"A lot of times it's kids saying, 'I'm not going to say anything against my mum or dad. I don't want them arrested or to go to jail.' If they start saying that, you can't go against their wishes. That starts the difficulties. Sometimes they'll be ABEed and then after that they'll say they don't want to go to court." (Respondent 10)

"Children do make things up. They do lie. I think it's the difficulty they have with articulating what's happened to them. It doesn't make for good evidence. Often there's no evidence of sexual abuse. Despite all the medicals and all the trauma of putting a child through that, it'll come back and they'll say, 'I can't say no, but I can't say yes.' Unless you can get something like a semen stain, which we don't usually, because it's usually a few days after, and the child has been washed."

Frustrating. Because you'll be thinking, 'I know he did it.' There are all sorts of other indicators. And even getting the family to see it through the process. So, very frustrating-----And the other problem is, where quite a lot of this is historic, more than 2 weeks old, we get out of that forensic cradle that we have, you then have to have corroboration” (Respondent 7).

Conclusion: Implications For Police Practice with Young Victims

These initial findings support the view children should be offered the opportunity to voice their views about how they have experienced police practice. First, this can act as a debriefing exercise, second it demonstrates that their views are important and are being heard, and third it can inform improved practice. Although the practice guidance offered to those working with child victims of abuse in '*Achieving Best Evidence*' is clear and research -based it may need improving to reduce the current high rate of undetected sexual abuse cases. More importantly its implementation in ongoing training sessions held across services needs to be enforced. Balancing the requirements of courts for evidence to resolve abuse cases and at the same time listening to children's views and respecting their feelings and attending to their level of understanding requires sophisticated interview techniques which borrow from clinical, forensic and social psychological fields.

Police investigation of child sex abuse victims has to steer a difficult course between optimising the investigation of abusive events in order to 'achieve best evidence' and to satisfy the Crown Prosecution Service, and attending to the child's developmental level, emotional and psychological state. In terms of the process this may mean reviewing the nature of inter-agency communication and joint training initiatives to enable efficient sharing of key information and to impart understanding about the distinctive nature of roles and boundaries across organisations. Attention certainly should be paid to the content and structure of current child protection training available to police officers. In terms of interviewing child victims a balance is required in interview pace and format between searching out the factual nature of recent events, and providing a secure and sensitive environment in which the child can be open and protected from overwhelming feelings of guilt and self-blame and reactivation of trauma responses.

High reliability and validity of interview protocols and scoring is crucial for the requirements of best evidence in the judicial system. This is not an easy process and requires careful design of interview protocols and extensive, ongoing training. It may at times require supplemental interviewing from other specialists for very young children or with the use of specialist techniques. It also requires careful recording of the information not only through video or audio-tape of what occurred in interview, but also predetermined scoring criteria to establish severity and

categorisation of abusive incidents, which can be computer-rated and readily shared with other agencies where appropriate. Although much has been achieved in the UK through the recommended practice (ABE) there is still more that can be done in exploring different interviewing techniques for children of different ages, and providing training in their use. Also more should be done to fully address the specific, ongoing training needs of professionals working in this arena.

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Professor Davidson

Professor Davidson has conducted a considerable amount of research in the criminal justice area and is known for her work with violent offenders and young victims of sexual abuse. During the past 20 years, she has carried out research projects exploring serious, violent and sexual crime, working with young victims of crime, as well as the police, Crown Prosecution Service and judiciary. She has extensive experience of applied policy and practice research. Professor Davidson is a Co-Director of the newly formed Centre for Abuse and Trauma Studies (CATS) with Professor Antonia Bifulco, Royal Holloway University of London. The centre was set up to further the understanding, treatment and policy implications of abuse and trauma. Current research includes the first European EC-funded study exploring Internet offenders' online grooming practices, the study includes partners from Italy, Norway and Belgium. Professor Davidson has also recently worked with the Metropolitan Police Authority and Crimestoppers to explore child safety on the internet and published books in the child sexual and Internet abuse areas.

Professor Bifulco

Professor Bifulco has a long history of researching abuse victimisation in the family context, and its effect on mental health in the immediate and longer term. Research programme funding over 10 years from the Medical Research Council allowed for intensive interview investigation of the causal effects of early life neglect and abuse on later experience and psychological disorder in women and intergenerationally. The research has been published widely in international peer reviewed journals and a book co-authored with Patricia Moran, 'Wednesday's Child' (1998) is still a primary text for students and researchers in the area of long terms effect of childhood neglect and abuse. The Childhood Experience of Care and Abuse (CECA) interview was developed by Toni Bifulco as a standardised interview tool for collecting information on abuse in early life. This is increasingly used by practitioners in forensic, social work and psychological fields.