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Preschoolers' disclosures of child sexual abuse: Examining corroborated cases from Swedish courts



Mikaela Magnusson*, Emelie Ernberg, Sara Landström

University of Gothenburg, Sweden

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ABSTRACT

Young victims of child sexual abuse can – for a range of developmental, motivational and contextual reasons – have difficulties disclosing their experiences. In the present study, corroborated court cases concerning 57 preschoolers' disclosures of sexual abuse were examined using qualitative and quantitative methodologies. Together, the cases involved 53 girls and 4 boys between 2–6 years ($M = 4.2$, $SD = 1.2$) during the (first) incident of abuse. The children were between 3–7 years ($M = 5.3$, $SD = 1.2$) during their police interview. Analyses showed that many children could provide at least one central detail about the abuse to; i) informal disclosure recipients, and ii) during their police interview. However, the time up until their first disclosure was often delayed. A range of barriers for disclosing were observed in the court cases, and many young victims were assessed as reluctant during their police interview. Repeated sessions, direct questions, and other reassurances could at times facilitate the disclosure process. Other suggestions on actions and future research that may help young child abuse victims are discussed.

1. Preschoolers' disclosures of child sexual abuse: examining corroborated cases from Swedish courts

A disclosure can be vital for the identification of child sexual abuse (CSA). It is therefore unsettling that international studies reveal widespread problems with underreporting and delayed disclosures (London, Bruck, Wright & Ceci, 2008). Children might carry the burden for years, or in some cases, a life-time (Lippert, Cross & Walsh, 2009). The consequences of not identifying CSA can be severe, as victims might suffer untreated physical or psychological symptoms from the abuse (Maniglio, 2009). Further, the child or other children could be endangered if the perpetrator reoffends (Paine & Hansen, 2002). During recent decades, collective research efforts have expanded our knowledge of factors surrounding children's disclosure tendencies. However, less is known in regards to the youngest and most vulnerable group of victims: preschoolers.

The present study aimed to examine CSA disclosures among young children in court cases with strong corroborative evidence substantiating the allegation. Focused was placed on two important phases in the disclosure process: the children's first disclosure and their formal disclosure to the police. Using quantitative and qualitative analytical approaches, we investigated disclosure rates, delays until disclosure, facilitating aspects and barriers for disclosing, and court assessments of the children's disclosure (or non-disclosure) during their police interviews. From an applied perspective, continuing to expand our insights into CSA disclosures can help focus police resources and policy decisions. Likewise, it can be of guiding value for credibility assessments in court, in the development of preventative programs, and as a resource to help victims and their families cope in the aftermath of abuse.

In cases involving young children, the allegation typically comes to the police attention through other processes than a direct

* Corresponding author at: Correspondence should be addressed to: Mikaela Magnusson, Department of Psychology, University of Gothenburg, P.O. Box 5, SE 405 30 Gothenburg, Sweden.

E-mail address: mikaela.magnusson@psy.gu.se (M. Magnusson).

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report from the victim (Lamb, Hershkowitz, Orbach & Esplin, 2008). The preliminary investigation can, for example, be initiated from findings of child pornography, a confession from the suspect to a lay person (such as a parent or other caregiver) or a witness testimony. Noticeable symptoms, such as the display of an overly sexualized behavior or signs of post-traumatic stress disorder, might also be a cause for concern. More commonly, the child discloses some piece of information to an adult, either spontaneously or after prompting, who thereafter contacts the police (Lippert et al., 2009). This will henceforth be referred to as an informal disclosure. Research shows that children who give an informal disclosure are more likely to disclose during a police interview than children who have not disclosed informally (e.g., London et al., 2008). However, the reaction and response given by the confidant can moderate this relationship. Distrust can, for example, decrease the likelihood that the child will disclose to the police (McElvaney, Green & Hogan, 2012). This is troublesome, especially as a recent study found that many children interviewed about CSA experienced strong emotional reactions (36%) and disbelief (32%) from their informal disclosure recipient (Ahern & Lamb, 2016).

A substantial proportion of child victims delay their disclosure, and some keep the abuse a secret for longer periods of time (London et al., 2008). Landberg et al. (2015), for example, reported that 33% of Swedish adolescents, who stated that they had been victims of sexual crimes, had never talked about their experiences before participating in the study. Researchers have identified a range of contextual, motivational, and developmental barriers that can hinder or delay children from telling someone. The perpetrator might use secrecy pacts, bribes, threats of violence, or other negative consequences as strategies to inhibit a disclosure (Lamb et al., 2008; Schaeffer et al., 2011). Furthermore, a child might conceal the crime due to feelings of shame, self-blame, guilt, a fear of being disbelieved, or concern for future consequences (Diesen & Diesen, 2009; Goodman-Brown et al., 2003; McElvaney et al., 2014). A close relationship to the perpetrator has also been identified as a risk factor for longer delays and non-disclosures. These findings could, at least in part, be explained by the added complexity involved in intra-familial abuse, such as the fear of upsetting the family as well as the child's loyalty and dependence upon the abuser (e.g., Schaeffer et al., 2011; Sjöberg & Lindblad, 2002).

The disclosure rate among preschoolers is estimated to be lower than among school-aged children (Leach, Powell, Sharman, & Anglim, 2016). For younger children, a limited understanding of the crime and police investigation can for example impede their likelihood of disclosing (Schaeffer et al., 2011). It is also important to consider developmental limitations. Children are generally able to give basic reports of autobiographical memories around the age of three (e.g., Bruck & Ceci, 1999; Goodman & Melinder, 2007; Poole, Brubacher & Dickinson, 2015). Rapid changes occur thereafter; as children are quickly expanding both their vocabularies as well as their cognitive and social skills during the preschool years (e.g., Lamb et al., 2008; Lamb et al., 2011). In addition, their memory retrieval strategies are developing and preschoolers therefore require more external support and prompting to search for memory information (Poole et al., 2015). By examining abuse cases where the allegation can be substantiated by other evidence, researchers have started to investigate children's accuracy during police interviews (e.g., see review by Paz-Alonso, Ogle, & Goodman, 2013). Studies on corroborated cases show that child victims are generally accurate in their reports and can often describe a number of details relating to their experiences right before and after the assault, but tend to leave out sensitive information about the abusive act during their police interviews (e.g., Leander, Granhag, & Christianson, 2005; Orbach & Lamb, 1999). These findings are unlikely to reflect memory amnesia, but instead a conscious reluctance to disclose the most sensitive of details (Leander, 2010). Furthermore, preschool-aged victims have particular difficulties disclosing substantiated sexual abuse. For instance, Leander, Christianson and Granhag (2007, p. 127) reported that the youngest victims (3–5 years) in a stranger abduction case frequently responded to the interviewer's questions with "I don't want to talk about it" or "I don't remember". Sjöberg and Lindblad (2002) described that five out of ten preschoolers who had fallen victims to repeated abuse by the same perpetrator did not disclose during their police interviews. These children's reluctance could be due to young age, memory difficulties (e.g., long retention intervals), loyalty and direct dependence upon the abuser, as well as requests to keep it a secret (Cederborg, Lamb, & Laurell, 2007). However, previous studies investigating substantiated abuse against preschoolers have primarily been limited to single cases with few child victims (Cederborg et al., 2007; Leander et al., 2007; Sjöberg & Lindblad, 2002). Thus, there is a need to examine the phenomena in larger and more diverse samples to further increase our knowledge of preschoolers' disclosures. The present research aimed to contribute towards filling this gap by examining corroborated legal cases of CSA against preschoolers over a five-year period in Sweden. The purpose was to examine young children's disclosure rates and delays until first disclosure, as well as explore motivational aspects surrounding preschoolers' informal and formal disclosures.

2. Method

The present archival study examined corroborated Swedish court cases of sexual abuse against preschoolers tried during January 2010 to December 2014. In Sweden, judges need to produce an official statement (here referred to as a written verdict) including detailed information that constitutes the basis for their judicial decision (Swedish Code of Judicial Procedure, chapt. 30 par. 5). For CSA cases, this typically involves information about the police investigation, assessments of the complainant's, the defendant's, and witnesses' testimonies, as well as descriptions of the evidence presented in court. By quantifying this material, the aim was to provide an overview of the preschool-aged child victims' disclosure tendencies (i.e. disclosure rates and delays up until first disclosure) and to test a set of hypotheses using inferential statistics. Our first hypothesis was that children who had made an informal disclosure before their forensic interview would be more likely to disclose the abuse to the police. Our second hypothesis was that victims of repeated abuse would delay their first disclosure for longer periods of time compared to victims of a single occasion of abuse. Our third hypothesis was that an intra-familial relationship with the perpetrator (i.e. parent, caregiver, sibling or close relative) would be associated with longer delays compared to an extra-familial relationship. For the qualitative analysis, we formulated three central research questions; i) *What external factors, described by the courts, could facilitate the preschoolers to disclose*, ii) *What barriers, described by the courts, could hinder the preschoolers from disclosing*, and iii) *According to the written verdicts, how did the preschoolers report the*

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