An evaluation of the necessity to use structured protocols to conduct forensic interviews

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An evaluation of the necessity to use structured protocols to conduct forensic interviews

by

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Mini-dissertation submitted in partial fulfillment of the requirements for the degree

MASTERS

in

SOCIAL WORK: FORENSIC PRACTICE

at the
North-West University:
Potchefstroom Campus
Faculty of Health Sciences

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Potchefstroom
November 2012
ACKNOWLEDGEMENT

I thank all who contributed to making this research possible. In particular, I wish to acknowledge the contribution made by the following

- In memoriam, to my mother who inspired me and is still completely part of my life.
- The participants who took the time and made themselves available to participate in the study.
- To my supervisor, Ms Louise Aucamp, for her enduring patience, professional guidance, attention to detail and encouragement.
- To my co supervisor, Professor Cornelia Wessels, for her valuable input and expertise.
- Prof Karen Batley for her editing expertise.
- To my Father, thank you for a lifetime of love and support.
- To my father and Bertha, thank you for being so wholehearted about my undertakings and constant motivation.
- To my family for their encouragement and support.
- To Maria Heyneke, enduring long hours of listening, in front of the computer screen, typing, giving help and inspiration.
- Finally, to Tertius. This is what I’ve actually been doing, locked away in the study for the past few months, while you have been doing everything else. I appreciate it more than I can say.
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OPSOMMING

TITEL: Evaluasie van die noodsaaklikheid om ‘n gestrukturierde, protokol te gebruik wanneer forensiese onderhoude uitgevoer word.

Sleutelwoorde: Forensiese onderhoud, gestrukturierde bewys gebaseerde protokol

Seksuele misbruik van kinders veroorsaak dat dit uiers belangrik is om te verseker dat slagoffers en vals beskuldigde individue beskerm word en oortreders suksesvol vervolw word. Huidige en konstante toename in kinders wat beweer dat hul seksueel misbruik word, het die behoefte benadruk vir die nood om hierdie jong slagoffers se bevoegdheid en geloofwaardigheid te evaluer. Hierdie navorsing fokus op die gebruik van ‘n gestrukturierde bewys gebaseerde onderhoudsprotokol wat bepaal of ‘n geregtelike ondersoek nodig is en of die ondersoek proses wetenskaplik gefundeer is.

Die empiriese navorsing fokus op die inwin van data deur middel van fokosgroepe, wat ook bekendstaan as groepsonderhoudte wat ‘n kwalitatiewe navorsingmetode is. Daar is gebruik gemaak van ‘n eksploratiewe navorsingsontwerp om insig te kry in die gebruik van die forensiese onderhoud aangesien dit relatief ‘n nuwe veld in maatskaplike werk is. Twee verskillende groepe is gehou waarvan die deelnemers van die een groep nagraadse opleiding ontvang het in die gebruik van ‘n bewys gebaseerde protokol om ‘n forensiese onderhoud te voer. Die ander groep se deelnemers het nie na graadse opleiding nie alhoewel hul betrokke is in assessering en onderhoudsvoering met misbruikte kinders.

As ‘n resultaat dui dit daarop dat die nagraadse deelnemers die wetenskaplik gebaseerde protokol as ‘n onvervangbare instrument ervaar. Die deelnemers sonder enige verdere opleiding dra nie werklik kennis van ‘n protokol nie en het gebrekkige kennis van forensiese onderhoudsvoering.

Die implikasie van die bevindinge is dat dit noodsaaklik is om van ‘n gestrukturierde bewys gebaseerde onderhoudsvoering protokol gebruik te maak. As ‘n forensiese onderhoud gebruik word, is dit moontlik om eenmalige, objektiewe duidelike detail te bekom, wie het die kind misbruik, wanneer en hoe gereeld, hoe het dit gebeur en
waar het dit gebeur. Die forensiese onderhoud kan aanleiding gee tot die suksesvolle ondersoek van kriminele oortredings wat afhang van die inwin van geloofwaardige informasie van kinder slagoffers en getuies.
SUMMARY

TITLE: An evaluation of the necessity to use structured protocols to conduct forensic interviews

Keywords: Forensic interview, structured evidence-based protocols

Child sexual abuse cases are particularly important in ensuring that victims and falsely accused individuals are protected and perpetrators are successfully convicted. Recent and continuing increases in the number of children who allege that they have been victims of sexual abuse have emphasized the need for evaluating the competence and credibility of young witnesses. This research focussed on evaluating the use of a structured, evidence-based interview protocol which can determine whether legal action is required and whether the investigation process is legally sound and scientifically validated.

The empirical investigation focused on obtaining data by conducting focus groups. This is called group interviewing, and is considered a qualitative method. An exploratory research design was used to gain insight into the use of the forensic interview that is relatively new and unstudied in South Africa. Two different focus groups were held, one of which consisted of participants with post graduate training in conducting a forensic interview using evidence-based protocols. In contrast, the other focus group participants had no post graduate training, but nevertheless conducted interviews with abused children.

It was evident that the social workers who had post graduate training in forensic interviewing and employing a structured evidence-based protocol perceived it to be an indispensable tool. The social workers without post graduate training showed limited knowledge of the structured forensic interview.

The outcome of the findings proved the necessity of having a structured evidence-based protocol to conduct forensic interviews. If a forensic interview is used, it is possible to obtain a single, objective, clear picture of the details of the alleged abuse – who abused the child, when and how often, how it occurred and where. The forensic interview can lead to the successful investigation and prosecution of
criminal offences that depend on obtaining reliable information from child victims and witnesses.
FOREWORD

The article format has been chosen in accordance with Regulations A.7.2.3 as stipulated in the yearbook of the North-West University, Potchefstroom campus, for the degree MSW: Forensic Practice. The article will comply with the requirements of one of the accredited journals, CARSA.

This article comprises 60 credits out of a total of 188 credits of the MSW in Forensic Practice course.
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Empirical research should adhere to acceptable standards of descriptive and inferential statistics and empirical data should be manipulated statistically using an acceptable statistical program such as the Statistical Package for the Social
Sciences (SPSS) or SAS. The inferences regarding qualitative analysis should also be accompanied by an explanation of the techniques used or should utilise statistical packages such as SQR.NUD.IST which are recognised for this type of analysis.

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Main headings should be typed in upper case and begin at the left margin. No indentation is allowed. Dates should be written as follows: 9 January, 2000. Bold, italics and underscore should be formatted as such in the original document. The recommended style for reference purposes is the abbreviated Harvard technique, for example, "Child abuse is rising (Author 1999:10)" OR "According to Author (1999:10), child abuse is rising". In the case of legal articles, footnotes will be allowed.

To work toward uniformity in the alphabetical bibliography at the end of an article, the following examples of format are given:

Books:


Articles:


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AN EVALUATION OF THE NECESSITY TO USE STRUCTURED PROTOCOLS TO CONDUCT FORENSIC INTERVIEWS

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ABSTRACT

Recent and continuing increases in the number of children who allege that they have been victims of sexual abuse have emphasized the need for evaluating the competence of social workers to investigate these allegations. Child sexual abuse cases are particularly important in ensuring that victims and falsely accused individuals are protected and perpetrators are successfully convicted. This research focussed on evaluating the use of a structured interview protocol which could determine whether legal action is required and could indicate whether the investigation process is legally sound and scientifically validated. The research will consider the use of forensic interviews and perceptions by South African social workers of the necessity of using a structured, evidence-based protocol when conducting forensic interviews. The study clearly indicates the value of the use of a structured protocol and highlights the dangers of insufficient training in the field of forensic investigations.

1 INTRODUCTION

Sexual abuse often occurs in secret, and there is not always physical proof of the abuse. For these reasons, child abuse can be hard to detect. Our former State President, Nelson Mandela, compassionately stated: “Our children are our greatest
treasure. They are our future. Those who abuse them tear at the fabric of our society and weaken our nation" (Mandela, 1997).

The forensic interview can be seen as the cornerstone of every investigation into child abuse and establishes a neutral and a truth-seeking atmosphere for the child. The forensic interview is structured to determine the truth and to obtain facts of legal relevance. During the forensic interview, a child is permitted and encouraged to relate an event or series of events in a non-judgmental setting. The child is allowed to expand upon his or her interpretation of events without the interviewer asking leading questions or making any suggestions that could contaminate the child’s information.

Relevant information gained through a forensic interview assists and enables the court to make a legally competent judgment regarding the allegations. This truth-seeking focus results in better outcomes for the child, the family and the legal system in these critical situations.

The research will focus on the use of forensic interviews and perceptions amongst social workers in South Africa of the necessity of using a structured evidence-based protocol when conducting forensic interviews. For the purpose of this study a structured protocol will also be called an evidence-based protocol.

2 PROBLEM STATEMENT

Forensic interviewing can be seen as a first step in most child protective services investigations. The purpose of the forensic interview is to determine whether legal action is required, and it should therefore yield information that is legally sound, obtained by an investigation process that is scientifically validated (Perona et al, 2006:83). In the researcher’s opinion, forensic interviews conducted by means of structured, evidence-based protocols are legally sound in part because they ensure the interviewer’s objectivity, employ non-leading techniques which are scientifically validated, and emphasize careful documentation of the interviews.

The problems associated with assessments of children’s reports in criminal proceedings drew attention during the 1980s and early 1990s in a series of highly publicized trials of day-care staff overseas (Walker, 2002:149). Since then a
A significant amount of international research has been carried out on the use of structured, evidence-based protocols in conducting forensic interviews.

The development of interview protocols represents a significant advance in the process of investigating allegations of possible sexual abuse. There is general consensus in the scientific community that the use of structured, evidence-based protocols in conducting forensic interviews with children improves the quality and quantity of information obtained from such interviews. According to Orbach et al. (2000:733), the benefits of using a structured, evidence-based approach proves, through past evidence, that these interviews are effective and that there is an improvement in the quality of interviews.

Although professional disagreements have been aired with respect to specific aspects of interviewing practices, experts’ recommendations for proper interviewing of children are remarkably consistent (Walker, 2002:163). In addition, international experts in the field of forensic practice, such as Faller (2007:172), Poole and Lamb (1998:82) and Walker (2002:155), based on empirical research, all seem to agree on both the use of structured, evidence-based protocols and on certain universal elements that should form a part of all forensic protocols.

In South Africa, a child would be referred for a forensic interview to determine whether or not sexual abuse had taken place. Carstens (2001:80) emphasizes the importance of developing a protocol for interviewing child sexual abuse victims. Not only does the interview protocol provide checkpoints that interviewers use to orientate themselves but it also facilitates internal consistency and uniformity. The importance of the protocol is that the entire process of involvement with the child is covered from the first instruction received to the conclusion of the case.

Forensic social work is a specialized field within the social work profession and training courses in this field were introduced in South Africa as late as 2006. It must be noted that the North-West University (Potchefstroom campus) is presently the only university in South Africa to present this specialized degree. Although there is a shortage of forensic social workers in South Africa, it seems that a number of social workers with experience in child protection and child sexual abuse are ignorant of the fact that there is profound value to be found in using structured, evidence-based protocols in forensic interviewing. The above is borne out by the lack of published
work regarding the use of structured, evidence-based protocols in South Africa, which is in contrast with overseas countries, for example, the United States of America and the United Kingdom, who have produced various standardized protocols since 1990.

In the researcher’s experience in the field of forensic practice, various Non-Governmental Organizations (NGOs), welfare organizations and social workers in private practice do not always follow a structured, evidence-based protocol when conducting forensic interviews, which gives rise to a variety of problems. Most of these organizations and social workers are not aware of the vastly improved quality and quantity of information that can be obtained through the use of structured, evidence-based protocols. In essence, welfare organizations, NGOs, as well as social workers in private practice, must be made aware of the value of the forensic interview in determining whether legal action is required and whether the investigation process is legally sound and scientifically validated.

To conclude, Cronch et al (2007: 196) state that skilful forensic interviews in child sexual abuse cases are extremely important in ensuring that victims and falsely-accused individuals are protected and perpetrators are successfully convicted. The high importance of a legally defensible interview procedure or protocol can therefore not be over-emphasized.

**The following question is developed from the preliminary information:**

Is it necessary to use structured, evidence-based protocols to obtain reliable and verifiable information from forensic interviews?

### 3 Aim and Objectives

#### 3.1 Aim

To evaluate the use of structured, evidence-based protocols to obtain reliable and verifiable information for forensic interviews.

#### 3.2 Objective

To investigate the necessity of using structured, evidence-based protocols to conduct forensic interviews in South Africa.
4 CENTRAL THEORETICAL ARGUMENT

When forensic interviews are conducted in accordance with structured, evidence-based protocols, more reliable information will be obtained which will benefit the investigation and prosecution of a case.

5 RESEARCH METHODOLOGY

The method of investigation included a literature study and the completion of an empirical study.

5.1 Literature study

According to Ruben and Babbie (2005:120), the most important aspect of the literature review is not just the problem formulation phase but the entire process of designing a study. In addition, the literature review is interwoven throughout the research process. Fouché and Delport (2005:127) describe a literature review as a scrutiny of all relevant sources of information. According to Mouton (cited by Fouché & Delport, 2005:127), the range of research products produced by other scholars should be identified and explored to ensure a comprehensive review of the literature.

International books and articles were used to ensure accurate and comprehensive information and findings. Although a thorough search for local literature on the use of forensic protocols in South African was undertaken, as expected, the researcher did not find a great deal of literature in this regard as there are currently no structured and evidence-based protocols in the country.

Relevant and accredited scientific works in the form of books and articles were also utilized.

Data-bases were consulted: EBSCO Host Web, ERIC, South African journals, Social Sciences index. The complete literature study of this research is outlined under section 6.

5.2 Empirical research

The empirical investigation focussed on obtaining data by means of conducting focus groups. According to Rubin and Babbie (2005:454), the focus group, which is also called group interviewing, is considered a qualitative method. It is based on
structured, semi-structured, or unstructured interviews. It allows the researcher or interviewer to question several individuals in the group systematically and simultaneously. Consequently, "qualitative data is empirical and involves documenting real events, recording what people say (with words, gestures and tone), observing specific behaviour" (Neuman, 1997:320).

Focus groups allow the researcher to investigate a multitude of perceptions in a defined area of interest (Nyamathi & Shuler, 1990:1282). Focus groups promote self-disclosure among the participants, as initially they do not know what people really think and feel. The intention of the focus group is to learn about people’s insights and how they perceive the issue under discussion. The focus group as a method of data collection was used during the research study to investigate the necessity of using a structured, evidence-based protocol when conducting a forensic interview.

The researcher chose to use focus groups because the topic is not well known and is little studied in South Africa. In addition, the complexity of the topic ensured smaller groups, as there are only a few social workers who have specialized training in this field.

During the empirical study, the researcher had two separate focus groups for collecting data. One group consisted of social workers who had received training on conducting forensic interviews using a structured, evidence-based protocol. The second group consisted of social workers working in the field of child sexual abuse who had received no formal training in using a structured, evidence-based protocol when conducting a forensic interview. The reason for separating the two focus groups was the different levels of training and expertise. It was also to ensure that the information collected from each group was authentic according to their level of knowledge. The value of separating the group members according to their qualifications ensured that the participants could share their knowledge and insights without feeling intimidated.

Owing to the low number of social workers in the field who have specialized training in using structured evidence-based protocols when interviewing children in sexual abuse cases, the size of the focus groups was limited. Krueger (1994:17) has endorsed the use of small focus groups, termed “mini focus groups”, which include
three or four participants. Participants feel more comfortable in smaller groups. The “mini focus groups” made it possible for the researcher to gain understanding of people’s experience and in-depth insights into the topic. The disadvantage of the smaller focus group was the limitation to the total range of experience.

5.2.1 Research design
According to Grinnell (2001:514), a research design is a plan that includes every possible aspect of the proposed research study from the conceptualization of the problem right through to the dissemination of the findings. Mouton (2001:55) agrees with Grinnell, seeing the research design as a plan or a blueprint for how the researcher intends to conduct the research.

Exploratory studies are very valuable in social work research. This is supported by Rubin and Babbie (2005:124), in that such studies are essential whenever a researcher is breaking new ground. They can almost always yield new insights into a topic of research. Because forensic social work in South Africa is a relatively new field and because not much is known about it in the South African context, the researcher required an exploratory research design, the sole purpose of which was to explore the topic in more detail and to gather facts and data (Grinnell & Williams, 1990:139). According to Bless and Higson-Smith (cited by Fouché & De Vos, 2005:106), exploratory research is conducted to gain insight into a situation or phenomenon. The need for a study could arise out of a lack of basic information on a new area of interest.

The exploratory design was therefore used to investigate the necessity of using a structured, evidence-based protocol in conducting a forensic interview. Aucamp (2011) concurs, maintaining that little research has been conducted in this field in South Africa.

5.2.2 Participants
Participants were selected because they had certain characteristics in common that related to the topic for the focus group. The researcher made use of the purposive sampling technique, based on the relevance of the topic discussed. Strydom (2005:202) states that a purposive sample relies on the judgment of the researcher that a sample is composed of elements that contain the most characteristics, representative or typical attributes of the population. The participants were all social
workers in the Gauteng area, working in the field of child abuse. The research used two focus groups, with three participants in one and five in the other. The three-member group were trained in using a structured, evidence-based protocol to conduct forensic interviews. The other focus group of five participants conducted forensic interviews without using this protocol.

5.2.3 Measuring instrument
The focus groups were integral to this research study. Greeff (2005:299) mentions that the methodology of a focus group is directed and designed to explore specific topics or issues. Greeff (2005:308) further maintains that carefully formulated and sequenced questions based on the purpose of the study are necessary to elicit a wide range of responses. The focus is on the opening, introductory, transition, key and ending questions.

The researcher developed a semi-structured interview schedule with a general plan of inquiry but not a specific set of questions to be asked in particular wording and in a particular order. The researcher ensured that both groups were conducted in a consistent, thorough manner, with a minimum of interviewer effects and biases. The researcher made use of the same open-ended questions which were posed to the participants of both groups to provide their responses (Appendix C).

The focus groups generated speedy results and offered flexibility for probing which was appropriate to the research. The group dynamics that occurred in the focus groups brought out aspects of the topic that the researcher had not anticipated and which were an advantage in the research.

5.2.4 Data analysis
According to Creswell (2009:4) the process of data analysis is eclectic; there is no “right” way. It is important that the researcher feels comfortable with the method and categories used when analysing the data. The researcher analysed the qualitative data according to the definition by Creswell: “This process of research involves emerging questions and procedures, data typically collected in the participants’ settings, data analysis inductively building from particulars to general themes, and the researcher making interpretations of the meaning of the data” (Creswell, 2009:4). The theme, content and analysis were used and the researcher interpreted the information into themes and sub themes.
The researcher incorporated the following steps in analysing the data; planning for recording of data; how data collection and analysis are intertwined in the qualitative approach; managing and organizing the data; generating categories; themes and patterns; coding the data; testing emergent understandings; searching for alternative explanations; and finally writing the report (De Vos, 2005:348).

After completion of the group sessions, the researcher was able to use the processed data to answer the research question. The analysis of the data will also yield unanticipated findings that will reflect on the research problem but will go beyond the specific question that guided the research. According to Rubin and Babbie (2005:110), the results of the analysis will feed back into the initial problem formulation and may initiate another cycle of inquiry.

5.2.5 Research procedure
Once the researcher had identified the participants for the research study, she contacted the participants to request their participation. She then briefed them on the purpose of the study (Greeff, 2005:305). The researcher also discussed the length of the session, the date and the venue where the focus group would take place.

The arrangements were confirmed by the participants and the researcher, and the focus groups were conducted accordingly.

Finally the researcher compiled the research report.

5.2.6 Ethical issues
Social workers are realising that the recognition and handling of ethical aspects are of the essence if successful practice and research are the goal (Strydom, 2005:56). Furthermore, researchers have an ethical responsibility to the human beings who participate in a project. The next point to note is a responsibility towards the discipline of science and correct reporting of the research.

Once the guarantee of confidentiality is given, the researcher has a strict (moral) obligation to do whatever is required to make certain that confidentiality prevails. To be careless of confidentiality could potentially do moral harm to the source of privileged information (Gregory, 2003:52). According to Darlington and Scott (2002:62), “...with any qualitative research, participants in focus groups should be
given as much information as possible about the purpose of the research and topics to be discussed and given the opportunity to opt out if they do not feel able to participate comfortably in group discussion”.

It was the researcher’s responsibility to make it clear to the participants that the research is confidential rather than anonymous. According to Rubin and Babbie (2005:78), it is important never to use the term anonymous to mean confidential. The participants in the focus groups were informed of the confidentiality that would apply to the group and also the confidentiality regarding their identity and the organizations for which they were working.

According to Neuman (cited by Strydom, 2005:59), nobody should ever be coerced into participating in a research project, because participation must be voluntary. Informed consent should include information about the nature, extent, and duration of the participation requested and the risk and benefits of participation in the research must be disclosed (Rubin & Babbie, 2005:84).

The two groups were both interviewed and recorded, which allowed the interviewer to concentrate fully on the participants’ answers and to probe important clues. The researcher explained the recording process to every respondent beforehand, and obtained voluntary consent. She gave the participants the assurance that they may withdraw at any time of the research (Appendices A and B).

6 DEFINITIONS

6.1 Evaluation
An evaluation is the structured interpretation and giving of meaning to predicted or actual impacts of proposals or results. It looks at original objectives, and at what is either predicted or what was accomplished and how it was accomplished. An evaluation is a systematic, rigorous and meticulous application of scientific methods to assess the design, implementation, improvement or outcomes of a program (Rossi et al, 2004:16).

6.2 Structured protocols
A structured protocol in forensic interviews involves the use of an accepted and established procedure and/or structure to conduct research-based interviews with
children who have allegedly been sexually abused (Walker, 2002:170). For the purpose of this study a structured protocol will be referred to as an evidence-based protocol.

### 6.3 Forensic interviews

A forensic interview of a child is a developmentally sensitive and legally sound method of gathering factual information regarding allegations of abuse and/or exposure to violence. This interview is conducted by a neutral professional utilizing research and practice-informed techniques as part of the investigation process. (APSAC guidelines, 2002:2; Lamb et al, 2007:99; Muller, 2001:8).

### 6.4 Evidence-based

Evidence-based practice has been defined as a process of using research findings to aid clinical decision-making. Evidence-based practice endorses the collection, interpretation and utilization of evidence that has been derived from client reports, clinical observation and empirical research (McCracken & Marsh, 2008:301).

### 7 LIMITATIONS OF THE RESEARCH

The researcher experienced a limitation in the number of qualified people in the field of forensic interviewing. A contributing factor to this is that forensic social work is new in South Africa and there is a limited number of social workers qualified in this field. A larger number of participants would have ensured a significant relationship from the data and would have been considered more representative of the social workers to whom the results will be generalized.

The current nature of the research study and the scope of the research topic show that there has previously been very little research on forensic interviewing in South Africa. This limitation to the research has confirmed that there is a lack of prior research, giving emphasis to the need for urgent further research in forensic interviewing.

A limitation of this qualitative study was that the researcher herself gathered the data. Self-reported data contain potential sources of bias and should be noted as a limitation of the study. The researcher has completed post graduate training in forensic interviewing, thereby contributing positive information and outcomes to her
own action. Owing to the researcher’s formal training, it was necessary not to represent outcomes more significantly than was actually suggested from the data.

8 DISCUSSION OF LITERATURE

Forensic interviewing is a rather new field in social work, especially in South Africa. Most social workers have not received any pre-graduate and/or other training in the field and are therefore ignorant of forensic interviewing and the latest research in this specialized field. The researcher therefore felt it appropriate to begin with a discussion of the most relevant literature in the field of forensic investigation, thereby creating the necessary contextual form in which the empirical study was conducted.

8.1 Forensic interviewing of children

A forensic interview can be seen as a fact-finding process to determine whether a child has been sexually abused and to make a decision in this regard. The result of this process provides evidence that can be used during criminal prosecution. Walker (2002:151) states the importance of the interviewer’s knowledge background, stemming from social science and the law, as well as information on legal standards for assessing the admissibility of interview evidence as important.

The goal of the forensic interview is to obtain an account from a child in a developmentally sensitive, neutral, independent and truth seeking manner to support accurate and fair decision-making in the criminal justice system. To ensure that facts are gathered in a way that will stand up in court, forensic interviews are carefully controlled. The interviewer’s statements and body language must be neutral, alternative explanations for a child’s statements. They are thoroughly explored, and the results of the interview are documented in such a way that they can bear judicial scrutiny (North Carolina Division of Social Services and the Family and Children’s Resource Program, 2002).

Based upon scientific research and practical experience, the researcher has concluded that a properly conducted forensic interview should be a controlled process with limitations and guidelines on the conduct of the interview. The forensic interview can therefore be seen as a scientific examination in search of the truth.
Interviewing children is a task that requires an open yet analytical and critical perspective. One of the objectives of forensic interviewing is to reduce the number of times children are interviewed. According to Faller (2007:51), the concern about multiple interviews is that there could be possible contamination of the child’s memory of the incident(s) being investigated. Furthermore, the North Carolina Division of Social Services and the Family and Children’s Resource Program (2002) state that research and clinical experience indicate that the more often a child, especially a young child, is interviewed about alleged abuse, the less reliable and legally defensible that child’s testimony may become.

Forensic interviews play a significant role in the fact-finding process in cases of child sexual abuse. It is important that a trained and qualified, objective mental health professional conducts forensic interviews for the purposes of obtaining reliable, legally solid and credible information to employ in court proceedings. However, it is possible that clumsy interviews may occur with even highly-trained interviewers, as a result of forgetfulness, lack of skill and a lack of supervision. Clumsy interviewing is described by Wood and Garven (2000:115) as failure to use recommended interviewing techniques. The consequences of clumsy interviewing may include lack of detail in children’s responses, reduced credibility of their responses and statements and the likelihood of conviction. Lamb et al (2002:38) and Wood and Garven (2000:118) share the opinion that law enforcement personnel and social workers should be trained to recognize and avoid using improper interviewing techniques. In concurrence with Walker (2002:176), the researcher is therefore of the opinion that supervision is highly beneficial as, it reduces improper and clumsy interviewing.

Another area in which supervision is essential is that of ensuring that the role of the forensic interviewer and that of therapist are not blurred. The primary role of the forensic investigator is to collect the facts of the case. In therapy, however, there is an emphasis on “helping” as opposed to getting the facts. It is therefore important to distinguish between forensic and clinical interviews.

- The difference between forensic interviews and clinical or therapeutic interviews
It is important that a clear distinction is made between the nature of the forensic interview as opposed to the clinical interview. Pangborn and Harbor (2009:4) emphasize that the forensic interviewer must zealously guard against being contaminated by too much biased external information, such as from police officers, social workers or family members who want to help by giving information they feel is important. In the opinion of Perona et al (2006: 83), it is critical that the forensic interview be conducted with skill and integrity. Poole and Lamb (1998:120) put together a structure and content of an investigative interview and provide a detailed recommendation for interviewers:

1. The nature of the interaction and the goals of the interview should be explained clearly to the child at the outset, using opening remarks that introduce the interviewer and the interviewing environment.

2. Initial rapport-building should motivate the child to be informative.

3. The interviewer should clearly explain such ground rules as the child’s right to ask for clarification, say “I don’t know” and correct the interviewer’s false assumptions or inaccurate summaries.

4. The interview should proceed from open-ended to specific questions with the interviewer avoiding reference to details of the allegations until the child volunteers them.

5. The interviewer should attempt to clarify the child’s comments and elicit legally relevant information about actions and persons.

6. The interviewer should close the interview without making promises that might not be kept (e.g. “You won’t have to talk about this again”) and without reinforcing the child for having made specific types of comments.

Mental health professionals have to be particularly careful about their different roles. Certain responsibilities and roles are required in forensic interviews that are very different from those practised in clinical services. Table 1 lists areas of distinction between forensic and clinical interviews.
TABLE 1  CONTRASTING FORENSIC AND CLINICAL INTERVIEWS*

<table>
<thead>
<tr>
<th>FORENSIC INTERVIEW</th>
<th>CLINICAL INTERVIEW</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goal: to obtain information that is as reliable and accurate as possible.</td>
<td>Goal: to access and provide treatment of symptoms.</td>
</tr>
<tr>
<td>Fact-finding focus-accurate recollection of events important.</td>
<td>Therapeutic focus - attributions and perceptions of event important.</td>
</tr>
<tr>
<td>Court is the client.</td>
<td>Child is the client.</td>
</tr>
<tr>
<td>Consent to obtain outside information and disclose information is obtained and understood prior to proceeding with the interview</td>
<td>Client’s consent required to seek external verification of information and to provide information to outside sources.</td>
</tr>
<tr>
<td>Interviews are informal and restricted.</td>
<td>Interviewing strategies are variable.</td>
</tr>
<tr>
<td>Confidentiality is restricted.</td>
<td>Traditional confidentiality.</td>
</tr>
<tr>
<td>Competency of client questioned.</td>
<td>Competency of client not the primary concern.</td>
</tr>
<tr>
<td>Recorded.</td>
<td>Private.</td>
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The focus of the forensic interview is to establish the facts for the investigation. Care must be taken in the preparation of the interview, the setting, the manner of interaction between the interviewer and the child, the types of questions used in the interview, the structure of the interview procedures and the strategies used to prepare the child. Muller (2001:8) describes the subsequent outcome of the forensic interview to obtain a truthful account from the child in a manner which will best serve the interests of the child while at the same time being legally acceptable. Moreover, Cronch et al (2005:195) maintain that a skilful forensic interview is important in ensuring the protection of innocent individuals and the conviction of perpetrators.

Numerous interviewing techniques have received attention in literature which appear to be very effective in eliciting detailed and accurate disclosures from children. Conversely, Lamb et al (2007: 99) report that structured interviews in which
the interviewer utilizes a specific interviewing format or protocol are also effective, and research shows an improvement in the quality of interviewing by this method.

In contrast to the forensic interview, the primary focus of the clinical or therapeutic interview is to promote the emotional wellbeing of the child. The purpose of the clinical interview is therapeutic in nature and information provided is confidential. The interviewer is attempting to establish harmony or an understanding with the child, as well as understanding the child’s perception of their world, evaluating their emotional and behavioural adjustment, and developing the means of improving the child’s adjustment (University of Oklahoma Health Sciences Center, 2000:3).

The clinical or therapeutic interview involves the use of deliberate problem-solving strategies to understand children with disturbances and their environment of family, school and peer relationships (Mash & Wolf, 2005:74). The clinical or therapeutic interview puts emphasis on “helping” the child, as opposed to getting facts. This is to address mental health issues arising from abuse. The interviewer is, in part, an advocate for the child, and as a result may develop (or be perceived as having developed) a biased, rather than an objective perception of the case.

In the experience of the researcher, social workers who do not undergo post graduate training in forensic interviewing use clinical or therapeutic interviewing to determine whether child abuse has occurred. From the previous discussion on the differences between forensic interviews and clinical interviews, it is clear that the use of an evidence-based protocol in conducting forensic interviews should be an integral part of both forensic interviewing and the profession in general.

- **The use of structured evidence-based protocols in conducting sexual abuse investigations**

Social work has long been committed to using scientific methods in its quest for knowledge to guide practice. As a new approach to practice, evidence-based practice employs a viewpoint that embraces a commitment to providing services that are based on the best available research evidence combined with practical experience and wisdom (Bronsen & Davis, 2012:48). Practice possessing these characteristics is not only good social work but ideally it also encompasses the essence of evidence-based practice. Unfortunately, to a great extent, social work practice lacks some of these characteristics. In this regard, Rosen (2003:199)
suggests that practice is often not systematic, is not guided by empirically-tested knowledge, and is not empirically evaluated. Social workers have an obligation to know which interventions or programs are supported by rigorous research and to share that information. It is vital to remember that efforts to employ best practices in social work require a working knowledge of what works, with whom, and in which settings. Furthermore, Bronson and Davis (2012:44) maintain that the impact of evidence-based interventions and methods in social work guarantees that they will be impressive and significant. Much has been made of the gap between practice and research in social work and numerous strategies for bridging the divide have been suggested.

According to Webb (2001:62), the starting point for evidence-based social work is the principle that all decisions in the field should be based on the best available research evidence. Research evidence should inform both our understanding of the origins and the developments of social problems and our knowledge of the likely outcomes of different types of service provision. Webb (2001:62) suggests that evidence-based practice is concerned with both the diagnosis of social problems and a determination of the likely outcomes of intervention. In this sense it moves from the general to the particular. Social workers are expected to know what works in order to participate effectively in decision-making. Evidence-based practice is a process (not a collection of truths) in which the uncertainty in making decisions is highlighted, efforts to decrease it are made and clients are involved as informed participants (Gibbs & Gambrill, 2002:473).

The relation between evidence-based information as a vehicle for decision-making, effectiveness and predicting outcomes is transparent in these descriptions. Webb (2001:62) summarizes evidence-based practice as complementary to that which might be called behaviour decision theory, in that there is an attempt to predict behaviour realistically on the basis of scientific evidence.

In forensic investigations, evidence-based practice is employed by means of using standardized and/or researched-based structured protocols in conducting forensic interviews with children.
• **Guidelines for conducting forensic interviews with children**

In overseas countries, there is a general consensus in the scientific community regarding procedures for conducting high-quality interviews with children. Both governmental and nongovernmental organizations publish and distribute recommended guidelines. There are several examples of these, and two well-known guidelines have been included below:

1. The Memorandum of Good Practice (United Kingdom) provides concrete recommendations for good practice in making videotapes of child interviews to be used in criminal proceedings in the United Kingdom. The Memorandum also provides sound guidelines for interviewing children in a variety of other situations, both within the United Kingdom and in other countries.

2. The American Professional Society on the Abuse of Children (“APSAC”) published guidelines to provide professionals who conduct investigative interviews with a framework for accomplishing their task. The first guidelines were published in 1990 and have been revised and updated periodically. The most recent practice guidelines were published in 2012.

Evidence-based research suggests that the use of a structured protocol improves the quality and quantity of information obtained, so various protocols are preferred to the use of generalized guidelines. According to Walker (2002:170), when using interview scripts or protocols, interviewers retrieve more information by asking open-ended questions, conduct better organized interviews and are more likely to follow focused questions with open-ended probes. Grounds for these findings are that interviewers have difficulty internalizing recommended interview techniques and therefore need more precise directives from protocols than those typically provided by general guidelines in training sessions or manuals.

• **Protocols**

A protocol can be seen as an explicit directive to assist an interviewer to internalize forensic interview techniques. Walker (2002:177) highlights the necessity for professionals who conduct forensic interviews of children to be familiar with respected professional guidelines and protocols that have withstood empirical scrutiny. This view is supported by Perona et al (2006:93), who maintain that forensic interviewers must be encouraged to become familiar with available
protocols to follow forensic interview procedures that are consistent with established guidelines.

A number of internationally recognised protocols are employed to determine what, if anything, may have happened to a child. Such forensic interview protocols, to name a few, are the Memorandum of Good Practice from the United Kingdom; The Stepwise Interview Guidelines for Children: The Next Generation; The Cornerhouse Forensic Interview Protocol: RATAC; and the National Institute of Child Health and the Human Development, NICHD protocol.

According to Lamb et al (2007:1202), the NICHD protocol is the most researched and most utilized protocol at present and is used in various locations throughout the world, i.e. in countries such as the U.S., Canada, the U.K., France and a number of other countries in Europe, as well as in Israel. The researcher will thus be focusing on this protocol. In the opinion of Lamb and Fauchier (2001:998), the NICHD protocol translates research-based recommendations into a structured, but not inflexible, interview format for everyday practice in the field. The interview techniques employed by the NICHD protocol were designed to integrate advances in scientific understanding about memory and children's linguistic and cognitive development.

After nearly a decade of research, Lamb et al (2007:1203) published a paper confirming that, when interviewers followed the guidelines outlined in the NICHD protocol, children gave both more and higher-quality information. Their narrative accounts revealed greater detail when the NICHD protocol was implemented. Controlled studies have repeatedly shown that the quality of interviewing improves reliably and dramatically when interviewers employ the NICHD protocol and no other technique has been proven similarly effective. In a description of the NICHD, Lamb et al (2007:1202) highlight the possibility of obtaining valuable information from children, but to do so requires careful investigative procedures, as well as a realistic awareness of interviewer capacities and tendencies. Expert professional groups agree that as soon as possible after the alleged offences children should be interviewed, by interviewers who themselves introduce as little information as possible. At the same time, they would encourage the children to provide as much information as possible in the form of narratives elicited by using open-ended promptings, such as, “Tell me what happened”. Lamb et al (2007:1203) contend
that, before substantive issues are discussed, interviewers are typically urged to explain their roles, the purpose of the interview, and the “ground rules” (for example, ask children to limit themselves to descriptions of events “that really happened” to them and to correct the interviewer, request explanations or clarification, and acknowledge ignorance, as necessary). Investigators are consistently urged to give priority to open-ended recall prompts and use recognition prompts such as, “Did he touch you?” as late in the interview as possible and only when needed to elicit undisclosed forensically relevant information.

Compelling findings indicate that forensic interviewers need to provide children of all ages with opportunities to recall information in response to free-recall prompts. Leading or suggestive questions provide information that is often inaccurate. Well-trained interviewers elicit more accurate and thus more useful information from children of all ages when using recall prompts (Lamb et al., 2007: 1209). The use of a protocol ensures specific aspects of interviewing practice, such as the use of free-recall prompts.

- **The value of using structured evidence-based protocols in conducting forensic interviews**

Child forensic interviewing has become an increasingly specialised field, part of which is the development and use of evidence-based, structured interview protocols. Forensic interviews often form the core of the evidence used to determine the truthfulness of allegations of abuse. The APSAC guidelines (2002:2) draw our attention to the purpose of the forensic interview; “to elicit as complete and accurate a report from the alleged child or adolescent victim as possible in order to determine whether the child or adolescent has been abused (or is at imminent risk of abuse) and, if so, by whom”. The use of a protocol provides strategies for preparing children to be information providers, adapting interview practices to children’s developmental levels and capabilities, creating a supportive interview environment, maximizing interviewer reliance on questioning approaches that tap into children’s free recall memory. Forensic interviews therefore maximize the opportunity for the child to describe what may have happened, minimize the potential for misinformation, and encourage collaboration among the professionals involved.
Through the use of evidence-based protocols, consensus is reached by professionals regarding the basic ways in which children must be interviewed in order to get accurate, uncontaminated, forensically-useful information. Interviewers must avoid pre-existing preconceptions about what happened and encourage children to tell about relevant events in their own words. Wakefield (2006) points out that research over the past several years dramatically demonstrates the importance of properly interviewing child witnesses. As a result, protocols are based on research and experience. A considerable amount of literature on the recommendation of structured interviews has been published, owing to their effectiveness, ease of use, and limited training requirements (Orbach et al., 2000:741; Perona, 2006:91; Poole & Lamb, 1998:82; Walker, 2002:170; Wood & Garven, 2000:211).

In the researcher’s opinion, proper interviewing of child witnesses is therefore achieved through the use of evidence-based protocols when conducting forensic interviews. A protocol is intended to help the interviewer obtain and record disclosures related to the abuse and who might have been responsible for that abuse. Furthermore, the protocol gives guidance and structure to interviewers on how to remain impartial while collecting information that may either corroborate or refute the suspicion of abuse (Laraque, 2006:1142). In the opinion of Walker (2002:150), based on research done, it shows that the skill of the interviewer directly influences whether a child relates: a true memory, discusses a false belief, affirms detail suggested by others, embellishes fantasies, and or provides no information at all. Furthermore, research findings demonstrate that the specific interview techniques employed by an interviewer during a forensic interview have a direct effect on the quality of the report obtained. Walker (2002:151) states that truth-finding assessments of children’s retrospective reports may be seriously compromised, if not completely obscured, when interviewing techniques are faulty.

To conclude, previous studies corroborate the importance and the value of using a structured and evidence-based protocol when conducting a forensic interview. As forensic interviewing of children is a relatively new field in South Africa, professionals are not always sufficiently knowledgeable when it comes to the value of the use of structured, evidence-based protocols.
• **The South African context**

In South Africa, statistics on sexual abuse are reaching new heights. At the Sixth International Consultation of Child Helplines, held in Durban during 2012, it was found that nearly one third of calls to Childline Africa related to child sexual abuse (Pillay, 2012).

In South Africa there is limited evidence-based training in forensic interviewing. Evidence-based training should prepare interviewers on how to use interviewing techniques and protocols so as to skilfully facilitate the child’s disclosure. This lack of training in South Africa thus raises concern regarding the credibility and reliability of child abuse investigations.

In her research, Fouché (2007:365) says that owing to a lack of a structured defensible forensic interview protocol in South Africa, any social worker would refer cases, which results in children being interviewed by a variety of different professionals, with possible second and third opinions. When multiple and often opposing opinions exist regarding one specific case, this clearly complicates the legal process and formulation of conclusions about the case.

The reality of the process followed in South Africa is that a member of the South African Police Service conducts the investigative interview, after which it is decided whether the statements hold sufficient information to arrest the accused (Fouché, 2006:206). In many cases, only then is the child referred to a professional for forensic assessment interviews. Moreover these interviews require the skills of professionals experienced in interviewing children who may have a variety of developmental and communication problems.

The researcher is not able to find information on any structured guidelines used in South Africa to describe or specify what is required if forensic interviews are conducted by a social worker. Protocols that are currently being used by some professionals in South Africa are often just a duplication of documents used in Europe and America, supported by no research and having little bearing on the South African context with all its different cultures. According to Advocate Retha Meintjies (2012), president of The South African Professional Society on the Abuse of Children (SAPSAC), there are no standards to follow when it comes to the forensic interviewing process in South Africa. Dr Johan Van Graan (2012) stated
that there is no national protocol for forensic interviewing available to the South African Police.

Social workers often find themselves having to deal with allegations of sexual abuse. They are thus faced with the challenging task of conducting assessment interviews, where the result of such interviews will be a determining factor in the final outcome of the legal proceeding. As far as discussion of the realities of the South African context, and the value and importance of the use of evidence-based protocols in conducting forensic interviews are concerned, the researcher is of the opinion that the need for research to develop a South African protocol is crucial.

9  EMPIRICAL RESULTS

9.1  SUMMARY OF THE RESEARCH PARTICIPANTS

Two separate focus groups were held comprising in total eight female participants, and were conducted in English. One focus group consisted of three participants with post graduate training in the field of forensic investigations with children. All three participants have successfully completed the first year theory and the practical component of the Master's Degree in Forensic Practice at the North-West University (Potchefstroom Campus).

The second focus group consisted of five participants who were all qualified social workers with no formalized post graduate training in the field of forensic investigations with children. Although the five participants in the second focus group had no formal qualification in forensic investigations as such, they attended presentations and in-house training within their organization concerning child abuse.
Figure 1 illustrates the years of work experience of Focus Groups 1 and 2, both overall and in the specialised field of forensic interviews.

9.2 DISCUSSION OF QUALITATIVE FINDINGS

Two separate focus groups were held and the same questions were posed to both focus groups. The question was posed to the participants asking why they become involved in the field of forensic interviewing. The responses by the participants of both focus groups (those with post graduate training as well as those without any post graduate training) were similar and the following theme was derived from both the focus groups.

Theme 1: Social workers are confronted with child sexual abuse in their daily work

From the discussion with both focus groups, it is evident that social workers are confronted with child sexual abuse on a daily basis, whether it be in private practice or working at a welfare organization. A statement made by one participant represents the view of all eight participants from both groups. The following illustrates their viewpoint clearly.
“a lot of things were not done properly in our organization regarding reported cases of abuse and then somewhere, somehow we lost the kids in the system because we didn’t exactly know how to assist them due to a lack of information and skills”

The participants described circumstances that a child would experience requiring further investigation and where the likelihood of sexual abuse cannot be excluded. From the responses by the participants in both groups it would appear that they are confronted with allegations of sexual abuse of children in their daily work and this has created the need to further educate themselves in the field to ensure that the best interests of children in these cases are served. In the opinion of Potgieter (2002:9), social workers are constantly confronted with allegations of sexual abuse. The lack of training in dealing with such cases results in social workers experiencing frustration and helplessness, knowing that they are unable to protect children from further abuse. This aspect highlighted by Potgieter (2002:9) became evident during the discussion on why social workers become involved in the field and can be described as part of the following identified sub theme.

Subtheme 1.1: Frustrations experienced by social workers owing to a lack of knowledge and skills in the field of forensic investigation.

The following statement derived from a participant in the group of five participants with no formal training.

“I must be honest I don’t know much about forensics. I think that is one of the reasons, I frustrate myself because I do not know the actual thing, I do not know anything about forensics so I work very much on my instinct and my knowledge over the years”.

The empirical data from both focus groups clearly supports the trend that the researcher has become aware of in practice, namely that social workers often find themselves in the position where they are faced with cases of child sexual abuse without having a sound knowledge base as to how to conduct forensic interviews with children. All three of the participants with post graduate training in the field of forensic investigations agree on the uncertainty they experienced in their work due to having no information from a child and the inability to handle the interview prior to receiving training in forensic interviewing.
It would appear that some social workers, when confronted with the need to assess children who have been sexually abused, identify and address their individual need to further equip themselves with knowledge and skills in the field, whilst others face the daunting task relying on past knowledge and experience in other fields.

**Theme 2: The value of forensic interviewing in child sexual abuse investigations.**

From the responses of the three participants in the group with post graduate training there is agreement amongst them on the importance of the information obtained from a child through forensic interviewing. It was highlighted that the child’s information is important and valuable in decision-making on how to deal with a specific case.

**Subtheme 2.1: Difference between conducting a forensic interview subsequent to post graduate training**

The three participants in the group with formal training discussed being able to conduct a forensic interview and the important information obtained from the child comparing this with before they were trained in conducting forensic interviews. All three participants agreed on the uncertainty they had experienced in their work due to a lack of information from a child and the inability to handle the interview prior to receiving training in forensic interviewing. In child sexual abuse cases, the forensic interview with the child can provide critical evidence. It is thus of the utmost importance to ensure that the most effective methods are used to gather the necessary information from the child. Knowledge of what has occurred sometimes comes solely from the information the child provides during the interview. In the opinion of Perona *et al* (2006:83), it is critical that the forensic interview be conducted with skill and integrity. A critical and analytical perspective is necessary to avoid reaching inaccurate conclusions. It is therefore important to determine what social workers, working in the field of forensic investigation perceive as the necessity for forensic interviewing when investigating allegations of child sexual abuse.

**Subtheme 2.2: The necessity or importance of forensic interviews**

The stressful reality of the social worker’s duty to act responsibly and to make decisions concerning the child was discussed. The three participants in the group
with formal training perceived the use of forensic interviews as an essential tool in the investigation of child abuse. The following comments were made by participants in the group as to why forensic interviews are crucial;

“to make sure you understand what the child is telling you”

“to help you to get information and record the disclosures of children”

“to determine who might have been responsible for that abuse”.

In agreement with literature, the three participants in the group communicated the necessity of the forensic interview because it enables the social worker to gather truthful and accurate information regarding the child (Goodman & Melinder, 2007:11; Faller, 2003:73; Walker, 2002:152).

**Subtheme 2.3: The effect of no formal training in forensic interviewing**

From the discussion in the group of five participants, with no formal training, it became clear that they were incapable of effectively discussing the use of the forensic interview. The reader should keep in mind that none of the participants in the group had received any training in how to conduct a forensic interview, which is obviously why no specific discussion took place. None of the participants in this group referred to the forensic interview as such. They used the term “forensics” when referring to interviews with abused children. None of the group members seemed to have any comprehensive knowledge or an awareness of the forensic interview.

Training in forensic interviewing recommends ways to increase the reliability of children’s statements. According to Walker (2002:175), the availability of a formal protocol improves training by providing more structure and specific interviewing tips. Pangborn and Harbor (2009:5) reviewed literature and highlighted a common problem, seen when the interviewer has a collegial relationship with other members of the agencies who have had contact with the child, as well as family members. The abovementioned show the importance of training and the many aspects that form forensic interviewing.
Subtheme 2.4: The use of techniques in forensic interviewing

The group of five members discussed the techniques they used when interviewing alleged victims of child sexual abuse, placing importance and focus on them. Because of their lack of formal training in forensic interviewing, they did not realize that, although techniques are used, this type of interviewing is not in itself a technique and that their understanding of this was incorrect. Their comments on this follow:

“I think am getting to enjoy the forensic assessments part, like the techniques and the way we interact with children. To me it has proven to be a good way of interacting with children. You get the information out of them and really see how they think and how they feel “

“I especially enjoy the use of techniques, you come from nothing you use techniques and then you come up with the story, a detailed story of what has happened “

“Ansie Fouché actually wrote her own protocol. For me knowing and using the techniques first, which lead to using the protocol, that is a kind of relief. It is not a well-researched protocol but it is a tested and a tried one”

The abovementioned comments by the participants give an indication that they see value in the use of techniques during the forensic interview. It illustrates, however, that they are uncertain of when and how to conduct an interview. Several concerns stem from the incorrect information provided by the five participants with no post graduate training.

First of all the use of techniques in forensic interviewing is not supported by literature. Given this, it is of great concern that the participants use techniques as an integral part of their interview with the child. Walker (2002:152) noted that the use of faulty or problematic techniques when assessing a child risks having the evidence thrown out of court. The APSAC (2002) guidelines are clear about the use of techniques or media and that they would be used after a child had verbally disclosed abuse. When techniques or media are used, care should be taken not to present the aids as part of a play activity, which might encourage use of the aids as fantasy. According to Perona et al (2006:91), the child’s use of the aid should be evaluated in light of all of the other evidence compiled in the investigation. It is
therefore important that media are not used to get a disclosure from a child but will be used only to facilitate a disclosure.

In this regard, Walker (2002:154) states that the Supreme Court in America articulated four factors that would be helpful for judges to consider:

- whether a technique can be (and has been) tested;
- whether the theory or technique has been subjected to peer review and publication;
- the known or potential error rate and the existence and maintenance of standards controlling the operation of a particular scientific technique; and
- general acceptance within a relevant scientific “community”.

The extent to which these factors are considered by professionals with no formal training in the field of forensic interviewing is questionable and raises concern about the possible contamination of children’s information by using techniques that do not meet these requirements. A second concern is that the five participants in this group did not appear knowledgeable about the internationally recommended protocols that meet the standards of evidence-based practices in the field of forensic interviewing of children. This clearly highlights the need for specific training that meets international standards in the field of forensic interviewing of children. The danger of training that is not aligned with evidence-based practice or proper training of social workers in the field of forensic interviewing cannot be overemphasized.

**Theme 3: Awareness of the term evidence-based amongst social workers.**

The three participants in the group with post graduate training in the field of forensic investigations were familiar with the term evidence-based. One of the participants describes evidence-based as follows.

“Evidence-based *is a very specific researched procedure. There are various reasons and circumstances for that specific procedure that has been proved efficient and has been endorsed by the fore-runners in the field. A very specific structure is developed that is used in order to do a full forensic investigation*”.

Another participant in the group of three compared the term evidence-based to a road and gave the following description:
“It is a road you use to get information that was proved to work. It was not just done by someone, but it is peer reviewed by professionals that specialize in specific fields. These professionals look at techniques and actions and ways of questioning to make sure you get the best quality information from your interview with the child.”

The three participants in this group demonstrate understanding of the term evidence-based, which is in line with the theoretical definition of evidence-based practice. All three participants in this group indicated the need for using an evidence-based protocol in conducting a forensic interview to avoid improper interviewing that could lead to serious consequences.

The term evidence based was also discussed in the group of five participants with no formal qualifications in forensic interviewing. During this discussion it became evident to the researcher that members of this group had no clear understanding of the term. Two participants in the group were adamant that evidence-based in forensic social work means the DNA, the medical report (J88) and evidence provided by a source other than actual information from the child.

“If I think about evidence-based, I start thinking about what you have to put on the table to actually prove abuse like, DNA, medical (J88) those things. To me that is definitely evidence-based in a forensic scenario”

The recognition and collection of physical evidence plays a pivotal and extremely valuable role in the investigation of child abuse cases by police (Horne & Benson, 2011:1). As part of the police investigation, it is vital to find objects or people, that is, concrete evidence that may link a suspect to a crime. However, when conducting a forensic interview with a child who has been sexually abused, the physical evidence does not automatically influence the outcome of the forensic interview.

According to Bronsen and Davis (2012:50), the term evidence-based applies to an approach that employs a practical philosophy embracing a commitment to providing services. These services are based on the best available research evidence combined with experience in practice, and wisdom. In other words, social workers have an obligation to know which interventions or protocols are supported by rigorous research and to implement the knowledge in practice. The understanding of the term evidence-based, judging by qualified social workers in the group, is alarming. This group of five without post graduate training substantiate the risk that
social workers in the field are ignorant, not only about the term but the extent to which investigations of sexual abuse are conducted by means of evidence-based practice. It demonstrates the necessity of specialized training, not only in the field of child sexual abuse, but also in keeping abreast of the latest developments in the field of evidence-based social work

**Subtheme 3.1: Consequences if an evidence-based protocol is not used in forensic interviewing.**

The three participants in the group with formal training pointed out the likelihood of risks that can transpire if an evidence-based protocol is not used.

1. “You stand a great chance of contamination of evidence”
2. “You are not trained and do not know how to ask questions and to avoid being leading”
3. “There is a great possibility of confusion of the roles between a forensic interview and therapy.”
4. “Research shows that there are more disclosures and the quality of information is a great deal more if an evidence-based protocol is used.”
5. “An unawareness exist towards the importance to gather collateral information”
6. “You would not be aware of the existence and the importance of ongoing training and the latest research regarding the forensic interview”
7. “You are not prepared when you have to appear in court”.

The three participants in the group who have done formal training in forensic interviewing discussed how they could distinguish the change in their interviewing skills after formal training in conducting forensic interviews based on an evidence-based protocol. According to Walker (2002:175), the availability of a formal protocol probably improved upon prior training attempts by providing more structure and specific interviewing tips. Researchers found that an intensive, hands-on approach to training yielded positive outcomes.

Based on the participants’ views noted above, the group of three who had formal training in the technique of forensic interviewing agreed on the multiplicity of problems and the obstruction in the legal process that can arise if a structured evidence-based protocol is not used.
Subtheme 3.2: The social worker appearing in court

The three participants in the group with formal training discussed the positive and constructive change in attitude and knowledge towards appearing in court after formal training.

“If you use an evidence-based protocol, you are more prepared when you have to appear in the court”

All three participants in the group were certain about the improvement in their ability as professionals in child sexual abuse cases. The use of an evidence-based protocol has enabled them to conduct an interview with a child, compile a report for the relevant authorities and prepare to testify in court proceedings. The three participants concluded that the training they had received in the legal system could be seen as the “tip of the iceberg”, yet it is a good foundation to build on. The three participants agreed that experience and continuous education was necessary to keep their knowledge up to date.

The five participants in the focus group who had received no formal training in forensic interviewing seemed ignorant of the importance of the role they play in child abuse investigations. The participants suggested that courts were supposed to use expert witnesses to testify in cases and could not expect them to testify in court. The unfortunate reality is that even though the five participants did not perceive themselves as authorities in the field of child sexual abuse, the courts relied on their opinion to assist them in making a finding. Faller (2007:6) maintains that the essence of forensic work is that it is for the legal arena. This means that the forensic professional expects to provide court testimony, whereas the clinical professional does not anticipate going to court.

Carstens (2006:200) alerts us to the fact that practitioners in the field of expert witnessing are required to have integrity, to be competent and to have the utmost respect for the law and the rights of the people involved. Social workers dealing with investigations into allegations of sexual abuse should fit this description.

Theme 4: The use of a protocol when conducting a forensic interview.

The three participants in the group who had successfully completed the first year theory as well as the practical component of the Master’s Degree in Forensic Practice at North-West University, gave information with reference to a number of
existing protocols. According to these participants they received training in the theoretical component of different protocols, as well as experience in the practical component. The effective use of protocols formed part of the requirements for successful completion of the Master’s Degree in Forensic Practice.

The following statements derived from this group of three participants regarding the use of a protocol.

“A protocol provides you with a safety net”

“It makes a lot of sense in using a protocol when interviewing the child. The outcome of using a protocol assures information that will be useful for the police, court as well as for the organization when making a decision concerning the child”

The researcher looked for an alternative definition for the word protocol and found the following. The Concise Oxford Dictionary (2012:947) describes a protocol as “the accepted or established code of procedure or behaviour in any group, organization, or situation”. The use of a protocol in forensic interviews could therefore be seen as the use of an accepted and established procedure to conduct evidence-based interviews with children who have allegedly been sexually abused. In the opinion of Poole & Lamb (1998:81), a protocol in forensic circumstances is a tool to increase the quality and quantity of information that social workers elicit from children.

Subtheme 4.1: The guidance and objectivity a social worker experiences when using a structured protocol.

The following statement derived from one of the group participants in the group of three with formal training.

“There are social workers that lean more to the child’s side and others to take the side of law enforcement. The use of a protocol enables you to be impartial.”

The three participants in this group shared the same opinion that the knowledge of existing protocols gives the social worker guidance. It eliminates the feelings of unease experienced before post graduate studies and training. From experience, the researcher agrees that nervousness is possibly caused by not knowing how to conduct such an interview. The fear of doing “something wrong” which could possibly weaken the disclosure of sexual abuse is something the social worker
constantly has to keep in mind. Faller (2007:82) reasons that there are specific instructions in a protocol, what to do and what not to do, which can facilitate the reduction of interviewer anxiety. Social workers’ knowledge about different protocols and the use of a protocol when conducting a forensic interview is therefore crucial for guidance and objectivity.

The five participants in the group who had no formal qualification in forensic social work argued the advantages of using a protocol. A participant in the group mentioned the following regarding the use of a protocol:

“The reason why I would use a protocol is because of the kind of job we do. A protocol can be objective, it is not something personal so if you follow a protocol you are covering your back and that would make my story strong in court”

After this, the participants started a debate amongst the group regarding different terms; interview, assessment and protocol. This debate was based on their working procedures and the following transpired in the discussion:

“I have got lots and lots of confusion in my own head and concerns about the interview”

“We used a structured interview which is not forensically based. The protocol is the more in depth one where we ask a lot more questions. I think that it is the protocol we use but it is confusing because our techniques are not the forensic interview”

“The assessment would start as soon as the child made the disclosure. If we were busy with the assessment and the child discloses, you will start with your assessment techniques and then you will go over to the protocol”

The participants finally agreed that a social worker, when seeing a child, starts with an interview; secondly an assessment of the child is done; and thirdly a protocol is followed to complete the interview about abuse.

Diagram 1 illustrates the incorrect sequence in which the participants described the process followed when seeing the child.
The researcher attributes this incorrect view to the lack of training, no structured protocol and lack of standards within the field of forensic interviewing. Subsequently the confusion amongst social workers is a confirmation of the dilemma we face in South Africa because a standardized protocol is not used. Walker (2002:151) emphasizes the importance of establishing and maintaining standards for quality control in conducting and evaluating forensic interviews with children.

The diagram below illustrates the assessment of a child. The forensic interview is conducted by means of a structured protocol. The protocol advises on interviewing techniques as well as the use of media to clarify a disclosure made by a child.
Cronch et al (2006:196) highlight the enormous responsibility the interviewer carries in sexual abuse cases. The forensic interviewer can single-handedly determine the probability of disclosure and also the likelihood of prosecution. Thus, when forensic interviews are not conducted in a legally sound manner, the interview as such could jeopardize the outcome of a case.

Subtheme 4.3: The absence of a protocol when conducting a forensic interview at Welfare organizations, NGOs and Social Workers in Private Practice

The eight participants from both the groups all indicated that there were no evidence-based protocols at any of the organizations where they worked or had worked before, on how to conduct forensic interviews. Existing protocols were not used when conducting interviews, which complicated matters in the working environment.

A participant in private practice described the difficulty experienced when referring a child for a forensic interview, owing to the lack of social workers qualified in the field at Welfare Organizations and NGOs. Therapists in private practice, who are scarce, are sometimes the only alternative, while the cost can present a dilemma for
a parent or caregiver. It is evident that there are no existing structures in South Africa at NGOs, Welfare organizations or social workers in private practice when it comes to guidelines on the forensic interview with an abused child. In contrast, Nancy Walker (2002: 169) points out that overseas there is general consensus in the scientific community regarding procedures for conducting high-quality forensic interviews with children, as governmental and non-governmental organizations publish and distribute recommended guidelines.

**Theme 5: The need for forensic social work to be recognized as a specialist field.**

The eight participants from both the focus groups pointed out the inadequate information and education in the field of forensic social work. In addition, the three participants in the group who had completed the post graduate training in forensic practice emphasized the necessity for post graduate studies to equip the social worker specializing in the field of child abuse.

The empirical data gathered from the group of five participants who had no post graduate training confirmed that experience in the field of child abuse alone did not prepare someone to conduct investigative interviews with children. These results are alarming, and it adds to the serious problem of the shortage of social workers currently experienced in the field. Owing to the complex and challenging nature of the cases that social workers typically handle, narrowing down the specifics of the cases that such professionals may encounter on a day-to-day basis is difficult and largely impractical. Furthermore, owing to the complex legal issues often surrounding the forensic social worker's caseload, a solid understanding of the law would be useful to those considering a career in the field.

The National Organization of Forensic Social Work (2012) states that the training of social work practitioners has not traditionally included familiarity with the adversary process nor the issues that civil and criminal justice systems confront. Without such training, social workers called on to provide forensic services may find themselves at a disadvantage. In conclusion the need for forensic social work to be recognized as a specialized field is inevitable.
**Theme 6: The need for training in the field of forensic Interviewing**

The five participants in the group with no formal training in forensic interviewing said that the training they received was a support for them and it offered at least an approach on how to interview an abused child. The researcher must point out that this group had no further qualifications in forensic social work and were uninformed as to the development and information available regarding the forensic interview. The empirical data hint that this group is interested in forensic interviewing, but possible reasons for the lack of training could be due to a lack of information, expertise and the availability of sufficient funds at the organization or for the individual. Pangborn and Harbor (2009:7) state that an improper interview could be used against a child, subjecting the child to rigorous cross-examination and exploiting vulnerabilities found in the interview.

Walker (2002:172) points out the importance of interviewers and their supervisors participating in continuing education beyond initial training. Interviewers must also appreciate that positive outcomes associated with even the most informative training programs decay over time without training “boosters” designed to maintain best practices. The emphasis overseas is on the development of training approaches that are effective in eliminating poor interviewing techniques and alternate with expert interviewing techniques. The three participants from the group with post graduate training drew attention to the urgency of the recognition of forensic social work as a specialist field, the need for policy-makers to provide standards and ongoing training workshops.

Herskowitz *et al* (2007:10), in a study on the use of the NICHD protocol, indicated that, regardless of interviewers’ skilfulness, they continue to maintain or improve their skills only when they regularly review their own and others’ interviews closely, discussing their strategies, successes and mistakes with other interviewers. Consequently, the importance of training has to be always borne in mind. The researcher emphasizes the urgency of training, which is regrettably not available in South Africa, where a Master’s degree is not compulsory for forensic social work and any social worker is allowed to conduct a forensic interview. This leads to undesirable outcomes and affects the stature of the profession negatively.
Theme 7: Supervision as a necessity when conducting forensic interviews

The three participants in the focus group with post graduate training pointed out that a social worker becomes a supervisor according to the number of years of working experience. The dilemma in South Africa is that a supervisor with no training in forensic interviewing is placed in the situation where they have to offer guidance to social workers in the field of forensic interviewing. This would require, firstly, specialized knowledge through post graduate studies and, secondly, ongoing training in this specialized field. Yet owing to the limited number of social workers in South Africa who meet these requirements, supervisors with limited or no expertise in the field are often appointed.

Walker (2002:178) maintains it is important that social workers who conduct forensic interviews of children should be familiar with respected professional guidelines and protocols that have withstood empirical scrutiny. Professionals should also receive specific training in forensic interviewing of children, protocol-based, including supervised follow-up and peer review of videotaped and transcribed interviews. The profound lack of these criteria in South Africa causes confusion within the profession and amongst colleagues owing to the lack of knowledge and clarity, and leads to unnecessary damage to the credibility of the profession.

10 CONCLUSION

This research has given an account of the necessity for a structured evidence-based protocol in conducting a forensic interview in South Africa. It has been argued that the use of a protocol can be seen as an instrument in forensic interviewing of a sexually abused child. The central importance of the forensic interview in abuse cases has been investigated and the need for a social worker to use specific guidelines and a protocol when a child is assessed in an investigation into abuse has been evaluated.

This study set out to determine the necessity for using a structured evidence-based protocol to conduct forensic interviews in South Africa. Returning to the hypothesis/question posed at the beginning of this study, it is now possible to state that, when forensic interviews are conducted in accordance with structured,
evidence-based protocols, more reliable information will be obtained, which will benefit the investigation and prosecution of a case.

This study has shown that social workers are confronted with having to interview children who have been sexually abused, often on a daily basis, and they have to rely on their knowledge and experience whether or not they have had training in forensic interviewing. The evidence from the study suggests that without the necessary knowledge or skills in forensic interviewing there can be a detrimental effect on the information obtained from the child.

One of the more significant findings to emerge from the study was the use of techniques by social workers without formal training while conducting a forensic interview. It was revealed that there is a need for specific training that meets international standards in the field of forensic interviewing of children. The empirical findings in this study provided a new understanding of the danger of training that does not conform to evidence-based practice by social workers in the field of forensic interviewing. The present study provides additional evidence indicating that training is a support for social workers and offers guidelines on how to interview an abused child and increase the reliability of children’s statements.

The findings, however, make several noteworthy contributions to protocols in forensic circumstances as a tool for increasing the quality and quantity of information that social workers elicit from children. The guidance and direction a structure gives the social worker eliminates the feelings of unease experienced before post graduate studies and training in forensic interviewing.

The findings of this study suggest that the confusion amongst social workers, owing to their not using a standardized protocol, the lack of training and insufficient standards complicates matters in the working environment. A major finding was that years of experience in the field of social work and experience in working with abused children do not necessarily prepare social workers to adequately conduct forensic interviews.

The evidence of this study suggests that there was a remarkable difference between the findings from the two focus groups. The three participants with formal training demonstrated a solid foundation in forensic interviewing. The five participants with
no formal training did not have a foundation of forensic interviewing nor did they realize the importance of the technique.

The current findings add substantially to the understanding of how important it is for interviewers and their supervisors to participate in continuing education beyond their initial training. Interviewers must appreciate that positive outcomes associated with even the most informative training programs decay over time without training “boosters” designed to maintain best practices.

The empirical findings in this study provide a new understanding of the complex legal issues often surrounding forensic social workers’ caseloads, and a solid understanding of the law is useful to those considering a career in the field of forensic interviewing.

Taken together, the results of this research support the idea that investigations into sexual abuse should be conducted by means of evidence-based practice.

11 RECOMMENDATIONS

Resulting from the findings and conclusions drawn from the research study, the following recommendations can be made:

- There is an urgent need for the South African Council for Social Services Profession (SACSSP) to finalize the implementation of forensic social work as a specialist field. “Forensic Social Work has been completed and will most probably serve before PBSW and the Council in June and July 2012, respectively” (South African Council for Social Service Professions, 2012:11).

- A Master’s degree in Forensic Social Work should be considered a minimum requirement to be qualified to conduct forensic interviews. The findings of this study have a possible number of important implications for future practice. There is a definite need for ongoing training and supervision to ensure the excellence of forensic social workers in this specialised field.

- It is recommended that the SAPSAC considers forming a committee to research and prescribe a standard protocol to be used in South Africa for conducting the forensic interview. (All mental health practitioners need to be informed and trained in this protocol.)
• There is a definite need for an evidence-based protocol in conducting a forensic interview to be the subject of extensive consultation and research in South Africa and among its agencies.

• Another practical implication will be that the Department of Social Development, the Department of Justice, the South African Police and the Department of Education need to be incorporated into the new developments. Employment standards must be discussed, established and implemented.

• Moreover, the North-West University (Potchefstroom Campus) should promote the course they currently present in Forensic Practice (MA) and liaise with other Universities to present the Master’s degree, making it accessible to students countrywide.

• Considerably more time will have to be spent on training the South African Police investigation officers, State prosecutors, medical doctors and social workers in the use of a protocol to ensure a relationship between all the possible role players involved in child abuse cases.

• All the role players must be aware that only adequately trained forensic interviewers can conduct abuse interviews and should be mindful of the clear definition and the clear strategies of the forensic interview.

The research indicates a clear necessity for using a protocol to conduct a forensic interview in South Africa.

12 REFERENCES


APPENDIXES
APPENDIX A: RESEARCH

ADRIANA VAN DEVENTER - RESEARCH

1. CONSENT FORM

You are being asked to participate in a research study. This form provides you with information about the study. The principal investigator Mrs. Louise Aucamp will also describe this study to you and answer all your questions if you need more information. Please read the information below and ask questions about anything you don’t understand before deciding whether or not to take part. Your participation will be appreciated but is entirely voluntary.

2. TITLE OF RESEARCH STUDY:

An evaluation of the necessity to use, structured evidence-based protocols to conduct forensic interviews in South Africa.

3. WHAT IS THE PURPOSE OF THIS STUDY?

Is it necessary to use structured, evidence-based protocols to obtain reliable and verifiable information from forensic interviews?

4. WHAT WILL BE DONE IF YOU TAKE PART IN THIS RESEARCH STUDY?

- You will become part of a mini focus group (3 to 5 participants)
- The group will be approximately 120 minutes long (maximum time) and will be once off.
- You will be informed of the time and place where the focus group will take place.

5. WHAT ARE THE POSSIBLE BENEFITS TO YOU OR TO OTHERS?

- The outcome of the study will be an evaluation whether it is necessary to use an evidence-based protocol when conducting a forensic interview.
- The outcome can be of assistance to SACSSP regarding the need to declare forensic social work a specialist field and to realize the urgency?
- It can possibly indicate to academic institutions the need of training in this specific field of forensic interviewing?

6. IF YOU TAKE PART IN THIS STUDY WILL IT COST YOU ANYTHING?

- No costs at all.
7. **WILL YOU RECEIVE COMPENSATION FOR YOUR PARTICIPATION IN THIS STUDY?**
   - You will not receive any payment for participating in the research.

8. **IF YOU DO NOT WANT TO TAKE PART IN THIS STUDY, HOW WILL IT AFFECT YOU?**
   - Participation in this study is entirely voluntary. You are free to refuse to be in the study, and your refusal will not influence any current or future relationships with any academic institution or organization ever.

9. **HOW CAN YOU WITHDRAW FROM THIS RESEARCH STUDY?**
   - If you wish to stop your participation in this research study for any reason, you can contact Adriana van Deventer at 0836040699 or 0118070263. You are free to withdraw your consent in this research study at any time.

10. **HOW WILL YOUR PRIVACY AND THE CONFIDENTIALITY OF YOUR RESEARCH RECORDS BE PROTECTED?**
    - Your research records will not be released to anybody at any stage.

11. **IF THE RESULTS OF THIS RESEARCH ARE PUBLISHED OR PRESENTED AT SCIENTIFIC MEETINGS, YOUR IDENTITY WILL NOT BE DISCLOSED. YOU PLEASE NEED TO TAKE NOTE OF THE FOLLOWING:**
    - The focus group will be audio taped
    - The cassettes will be coded so that no personally identifying information is visible on them;
    - they will be kept in a secure place (e.g., a locked file cabinet in my researcher’s office);
    - they will be heard or viewed only for research purposes by the researcher;
    - they will be erased after they are transcribed or coded.

12. **WILL THE RESEARCHERS BENEFIT FROM YOUR PARTICIPATION IN THIS STUDY?**
    - Your participation will be of much value for the researcher as well as the profession in general.
    - According to Rubin and Babbie (2005:11) the main reason to use research, however, is compassion for our clients. We care about helping them, and thus we seek scientific evidence about the effects of the services we are providing and of alternative services that might help them more. If the services we provide are not effective and others are, then we are harming
our clients by perpetuating our current services. We are wasting their time (and perhaps money) by allowing their problems to go on without the best possible treatment. Because we are inattentive to the literature, we deny our clients a service opportunity that might better help them.

________________________________________  ______________________
Participants Signature                        Date

________________________________________  ______________________
Signature of Researcher                       Date
APPENDIX B: CONSENT FORM

Private Bag X6001, Potchefstroom
South Africa 2520
Tel: (018) 299-4900
Web: http://www.nwu.ac.za
School for Psycho Social Behavioural
Sciences: Social Work Division

"An evaluation of the necessity to use, structured evidence-based protocols to conduct forensic interviews in South Africa”.

CONSENT FORM

Researcher: Adriana van Deventer MA (Forensic Practise) student.

Supervisor: Me Louise Aucamp

Participant’s name: ____________________________________________

I hereby declare that I was informed about the aim of this study and the procedures that will be followed. I understand that it will be expected of me to voluntarily participate in the focus group arranged by the researcher. I take note that I am entitled to feedback after the process is completed. I am also at liberty to withdraw from the research at any time. I understand that there is no financial gain from participating in the study.
I understand that the data from the group be kept confidential. The results of this study may be published in professional journals or presented at professional conferences, but all the confidential information will be used anonymously.

Signature of participant: _______________________________________________________

Date: ______________________________________________________________________
APPENDIX C: FOCUS GROUPS

FOCUS GROUPS - ADRIANA VAN DEVENTER.

1. OPENING
   - Build Rapport
   - In brief time create a thoughtful tolerant atmosphere, provide ground rules, and set a tone for discussion that will focus on research title.
   - Group session is opened with brief comments about what information is sought from the participants.
   - All group members must feel that their contribution is valued, and I will give permission to group members to express themselves without fear that ideas will openly be criticised.
   - It should be stressed to all participants that there are no wrong answers.

2. INTRODUCTORY
   - Why are you interested in forensic interviewing?
   - What experience do you have in forensic interviewing and child sexual abuse investigations?
   - What is your understanding of using evidence-based protocols?

3. TRANSITION
   - “Why” use evidence-based protocols in forensic interviewing?
   - Explore the consequence of not using evidence-based protocols in South Africa?
   - The necessity of using an evidence-based protocol?
   - Are there danger, pitfalls and difficulties in not using an evidence-based protocol?

4. KEY AND ENDING QUESTIONS
   - I will at the end of the session summarise briefly the main points of view, seek verification and express gratitude for participation. After the summary I will ask if the group “Have we missed anything”? 
To whom it may concern

I hereby give the assurance that I have carried out extensive editing on the Master’s thesis written by Ms Adriana van Deventer. Should there be any queries, I would be very willing to answer them.

Karen Batley (Professor)