

Contents lists available at [ScienceDirect](https://www.sciencedirect.com)

Child Abuse & Neglect

journal homepage: www.elsevier.com/locate/chiabuneg

Child sexual abuse victims as witnesses: The influence of testifying on their recovery[☆]



Myriam Hany Elmi^{a,*}, Isabelle V. Daignault^{a,c}, Martine Hébert^{b,c}

^a École de criminologie, Université de Montréal, Montréal, Canada

^b Département de sexologie, Université du Québec à Montréal, Montréal, Canada

^c Chaire interuniversitaire Marie-Vincent sur les agressions sexuelles envers les enfants, Montréal, Canada

ARTICLE INFO

Keywords:

Child sexual abuse
Testifying
Legal procedures
Mental health

ABSTRACT

Victims of child sexual abuse (CSA) are likely to show a wide range of adaptation difficulties. In addition, some children and their families are involved in legal proceedings following the child's disclosure. However, little is known about the effects of legal involvement on CSA victim's mental health and recovery. In this longitudinal study, the effects of testifying were examined in a sample of 344 children at initial assessment (67% of girls) receiving services in a Child Advocacy Centre, of which 130 children testified. The participants' age ranged from 6 to 14 years old ($M = 9.42$ $SD = 2.14$). Children and their parents completed a series of measures to evaluate the child's mental health (e.g. depression, anxiety, PTSD) at four points in time over a 2-year period. Multilevel analysis indicates that all the children showed significant improvement over time but the group who testified more than once shows higher levels of emotional distress 2 years after the initial assessment. This study highlights the importance of documenting the experience of CSA victims in the justice system in order to establish the adequate conditions to support child witnesses.

The widespread prevalence of child sexual abuse (CSA) is a major social concern. According to retrospective studies, one in five women and one in ten men report that they were victims of sexual abuse during their childhood (Pereda, Guilera, Forns, & Gómez-Benito, 2009). There is a consensus across many studies indicating that short and long-term consequences associated with CSA are various and complex. Sexually abused children are more likely to experience internalizing (depression, anxiety, symptoms of post-traumatic stress disorder) and externalizing symptoms (sexualized behaviour, oppositional behaviour, conduct problems) compared to non-victims (Berliner, 2011; Paolucci, Genuis, & Violato, 2001). Current research is being conducted to identify personal and familial factors exerting an influence on the variability of children's reactions (Hébert, Daspe, & Cyr, 2017). However, few studies examine whether legal involvement has a negative effect on children's mental health or aids in their recovery, particularly for children who receive therapeutic services (Daignault, Hébert, & Pelletier, 2017; Quas & Goodman, 2012).

[☆] This work was supported by the Canadian Institutes of Health Research (CIHR #77614 and #235509) awarded to Martine Hébert, PhD; and the Fonds de recherche du Québec – Société et culture (FRQSC, # 199246) awarded to Isabelle V. Daignault, PhD.

* Corresponding author at: École de criminologie, Université de Montréal, Pavillon Lionel-Groulx, C-4107, C.P. 6128 succursale Centre-ville, Montréal, QC, H3C 3J7, Canada.

E-mail address: myriam.hany.elmi@umontreal.ca (M.H. Elmi).

<https://doi.org/10.1016/j.chiabu.2018.09.001>

Received 19 March 2018; Received in revised form 11 July 2018; Accepted 7 September 2018
0145-2134/© 2018 Elsevier Ltd. All rights reserved.

1. Theoretical framework

The transactional theory (Sameroff, 1975) suggests that the developmental trajectory is a result of the transactions between a person and their environment which determines the presence or absence of adaptation difficulties. In accordance, Spaccarelli (1994) developed a transactional model specific to CSA. According to his model, CSA is defined as a stressor comprised of abuse events, abuse-related events and disclosure-related events. More precisely, the transactional model suggests that personal factors (e.g., stage of development), environmental factors (e.g., parental support) as well as cognitive appraisals and coping responses can exert an influence on the developmental trajectory of CSA victims. Consequently, the higher the number of stressors experienced by a child, the greater the risk of adaptation difficulties. From this perspective, legal involvement can be conceptualized as a disclosure-related stressor and the influence of this stressor could be explained by the interaction between various individual and environmental factors (Spaccarelli, 1994).

2. Secondary victimization by the justice system

Involvement in legal proceedings can cause emotional distress for some individuals. For adults who are victims of violent crimes, psychological and social consequences can be exacerbated as a result of participating in legal proceedings. Symonds (1980) was the first to identify that a negative experience within the justice system could contribute to the suffering of victims and their trauma. This phenomenon can be described as a "secondary victimization" by the justice system (Herman, 2003). Gal and Windman (2003) suggested that many factors can contribute to the secondary victimization of adults, amongst others: the victim's lack of knowledge relating to court procedures and the justice system, the lack of information provided to the victim relating to court procedures, the victim's lack of legal rights in the criminal justice system and the disregard of the victim's needs throughout the court procedures by the authorities (e.g., police officers, prosecutors, judges). Although the concept of secondary victimization was first proposed and studied among adult victims of violent crimes, the difficulties aforementioned can also be applied to the experience of child witnesses. Melton (2005) suggests that consequences associated with secondary victimization would be even greater for children because of their heightened vulnerability. Moreover, following the disclosure, children not only have to report their victimization to police officers and prosecutors, but they also experience the potentially stressful intervention of child protective services and of affiliated health professionals (e.g. medical examination, removal from the home) (Berliner & Conte, 1995; Quas & Goodman, 2012). Children's involvement in the legal system can contribute to secondary victimization, particularly if they have to face the alleged perpetrator in court and if the cross-examination is difficult (Gal & Windman, 2003; Sas, 2002; Whitcomb et al., 1991). In many studies, children report being afraid of having to explain what they have experienced before strangers and particularly in the presence of their perpetrator. Children also report being afraid of being embarrassed, of crying, of being questioned or accused of lying. Furthermore, their limited understanding of court procedures and the justice system as well as long waiting periods and adjournments may exacerbate the child's anxiety or feelings of guilt and contribute to secondary victimization (Back, Gustafsson, Larsson, & Berterö, 2011; Gal & Windman, 2003; Goodman et al., 1992; Quas, Wallin, Horwitz, Davis, & Lyon, 2009; Sas, 1991, 2002; Troxel, Ogle, Cordon, Lawler, & Goodman, 2009).

However, Shore (1985) proposed that even if short-term emotional distress is inevitable in some cases, participating in court proceedings may allow adult victims to regain control over their lives and feel empowered. Similarly, Mudaly and Goddard (2006), suggest that child witnesses can benefit from their legal involvement. In the study by Back et al. (2011), children reported their interest to participate in court proceedings and wanting their opinions to be taken into account. Thibaut and Walker's (1975) theory of procedural justice suggests that victims are more likely to be satisfied with the justice system if they perceive that it is fair, that they were respected during the proceedings and that their opinion was taken into account. The principles of procedural justice would allow victims to manage their uncertainties about the justice system by being informed and by being able to express their views on the process leading to the decision and the decision itself (Thibaut & Walker, 1975; Tyler & Lind, 2001; Van den Bos & Lind, 2002).

3. Influence of legal involvement on children's mental health

The burden of proof for child sexual abuse is exceptionally high. Sexual abuse against children is more difficult to prove than other types of abuse (e.g., physical abuse, neglect) as there is generally very little corroborative evidence (e.g., medical evidence, eyewitness testimony) (Faller & Palusci, 2007). In the prospective study by Heger, Ticson, Velasquez, and Bernier, (2002) only 4% of children had medical abnormalities associated with sexual abuse at the time of the assessment (e.g., sexually transmitted infections, injuries to genital organs). Generally, the child's verbalization is the only evidence, which would explain why CSA victims are frequently required to testify in court when court proceedings are initiated (Cross, Walsh, Simone, & Jones, 2003; Jackson, 2004). Thus, additional pressure is placed on the child, who is required to provide a coherent and detailed testimony (Quas & Goodman, 2012). However, few studies examine the influence of legal involvement on CSA victims' mental health and a number of these studies have divergent results (Troxel et al., 2009).

One of the most extensive study in the field was conducted by Goodman et al. (1992) and examined the influence of legal involvement on children's adaptation in the short-term (3 months after the testimony, 7 months after the testimony and after the prosecution ended). The results indicate that 7 months after the testimony, children who testified had more behavior problems in comparison with children who didn't testify, particularly if they testified multiple times. Moreover, the lack of maternal support as well as the lack of evidence corroborating the sexual abuse was associated with a greater risk of adaptation difficulties for child witnesses. However, when the prosecution ended, the adverse effects associated with testifying diminished. The follow-up study by

Download English Version:

<https://daneshyari.com/en/article/10225615>

Download Persian Version:

<https://daneshyari.com/article/10225615>

[Daneshyari.com](https://daneshyari.com)