



Research article

Credibility assessment in child sexual abuse investigations: A descriptive analysis



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ABSTRACT

A major challenge in cases of child sexual abuse (CSA) is determining the credibility of children's reports. Consequently cases may be misclassified as false or deemed 'no judgment possible'. Based on a large national sample of reports of CSA made in Israel in 2014, the study examines child and event characteristics contributing to the probability that reports of abuse would be judged credible. National data files of all children aged 3–14, who were referred for investigation following suspected victimization of sexual abuse, and had disclosed sexual abuse, were analyzed. Cases were classified as either 'credible' or 'no judgment possible'. The probability of reaching a 'credible' judgment was examined in relation to characteristics of the child (age, gender, cognitive delay, marital status of the parents,) and of the abusive event (abuse severity, frequency, perpetrator–victim relationship, perpetrator's use of grooming, and perpetrator's use of coercion), controlling for investigator's identity at the cluster level of the analysis. Of 1563 cases analyzed, 57.9% were assessed as credible. The most powerful predictors of a credible judgment were older age and absence of a cognitive delay. Reports of children to married parents, who experienced a single abusive event that involved perpetrator's use of grooming, were also more likely to be judged as credible. Rates of credible judgments found are lower than expected suggesting under-identification of truthful reports of CSA. In particular, those cases of severe and multiple abuse involving younger and cognitively delayed children are the ones with the lowest chances of being assessed as credible.

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1. Introduction

Children's testimony about experiences of sexual abuse remains the most central factor determining the substantiation of related allegations. While research has well established the effectiveness of several strategies designed to enhance the amount and quality of information that children provide, less is known about the assessment of children's credibility, and existing data suggests it is prone to many errors. In many cases evaluators are unable to distinguish between true and false reports of child sexual abuse (CSA) and consequently many cases are deemed 'no judgment possible' (NJP). A multitude of factors at the level of the child and the abusive event may influence assessments of credibility that call for examination. The present study reports an analysis of credibility assessment of all investigated reports of sexual abuse carried out in Israel

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in 2014, in an effort to identify child and event characteristics contributing to the probability that reports of sexual abuse would be judged as credible.

Child investigations in cases of sexual abuse are a primary tool through which further harm to children can be prevented, their safety can be ensured and justice can be served. These investigations are often largely based on children's reports, as in many cases the child is the only witness, and additional physical or hard evidence that can corroborate or refute the occurrence of the reported event is lacking (Goodman, Batterman-Faunce, Schaaf, & Kenney, 2002; Herman, 2010; Lamb, Hershkowitz, Orbach, & Esplin, 2008; London, Bruck, Ceci, & Shuman, 2005). However, the evaluation of children's forensic statements has proven to be a challenge to professionals. To date, there is no reliable method that can accurately distinguish between truthful and false statements (Vrij, Granhag, & Porter, 2010; although several components of the CBCA have been validated, e.g., Roma, Martini, Sabatello, Tatarelli, & Ferracuti, 2011) and mounting evidence from different lines of research casts doubt on professional's ability to accurately evaluate a child's testimony (Herman, 2009; Zajac, Garry, London, Goodyear-Smith, & Hayne, 2013).

Several analogue studies of staged events [rather than forensic investigations of alleged crimes], have focused on professionals' credibility ratings using verbal tools such as Statement Validity Analysis (SVA) and its central component: Criterion Based Content Analysis (CBCA; Akehurst, Koehnken, & Hofer, 2001; Steller, Wellerhaus, & Wolf, 1988; Yuille, 1988), or observations of behavioral cues during the interview (Ceci & Crotteau-Huffman, 1997; Westcott, Davies, & Clifford, 1991), or on comparisons of the performance of professionals to that of laypersons (Chahal & Cassidy, 1995; Leach, Talwar, Lee, Bala, & Lindsay, 2004; Tye, Henderson, & Honts, 1995). Across these studies and the different methods used, on average a third of the judgements were incorrect. These findings suggest that in many cases professionals are unable to distinguish between events that have actually taken place and others that have not (Ceci, Loftus, Leichtman, & Bruck, 1994; Horner, Guyer, & Kalter, 1993a, 1993b; Leichtman & Ceci, 1995). In fact, the global accuracy level of professionals does not seem to substantially exceed that which can be attributed to chance, or that reached by laypersons (Bond & DePaulo, 2006; Crossman & Lewis, 2006; Edelman, Luten, Ekman, & Goodman, 2006; Leach et al., 2004; Stromwall, Granhag, & Landstrom, 2007; Vrij, Akehurst, Brown, & Mann, 2006). The few available field studies using transcripts from real forensic interviews support these findings, also testifying to the disconcertingly low inter-rater reliability, with assessment of a given report typically distributed across the whole available range, from certainty that the abuse had occurred to certainty that it had not occurred (Finlayson & Koocher, 1991; Jackson & Nuttall, 1993). In one field study, Hershkowitz and her colleagues (Hershkowitz, Fisher, Lamb, & Horowitz, 2007) have shown that using the NICHD investigative protocol to interview the child produced a major improvement in levels of accuracy, inter-rater reliability and the confidence interviewers have in their decisions. However, rates of erroneous judgements still exceeded 40 percent, and an additional 16.7 percent (excluded from accuracy calculation) were rated as no judgment possible.

An incorrect assessment of a true report of CSA being considered false (false negative) may increase risks that vulnerable children will be left unprotected and perpetrators will continue to abuse additional children in the future (Sbraga & O'Donohue, 2003). Conversely, an erroneous judgment to pursue criminal procedures against an innocent person when in practice sexual abuse did not take place, or when the perpetrator was not correctly identified (false positive), may have devastating consequences for that individual, his family, as well as the reporting child (Wakefield & Underwager, 1994). Yet still, a third classification of reports of abuse, that of 'no judgment possible' (NJP) on the grounds of insufficient evidentiary material, will often implicate the closing of the case, potentially also leaving many vulnerable children unprotected and exposed to further abuse by their perpetrators. Clearly, in order to deal with this grave issue, there is a need for a better understanding of the range of factors that influence professionals' ability to ascertain the credibility of the testimonies they evaluate or to avoid making a judgment.

2. Child and event characteristics related to credibility assessments

Research has identified a host of child and event characteristics suggested to bear considerable weight on professionals' ability to ascertain the veracity of CSA reports, though it has been typically confined to relatively small non-representative samples (Elliott & Briere, 1994; Haskett, Wayland, Hutcheson, & Tavana, 1995). In most cases, such effects of child or event characteristics are largely attributed to the manner by which individual differences and the circumstances of the abusive event influence children's capacity to provide clear and comprehensive accounts of the alleged abuse, necessary for the evaluation process.

Age is one such central factor, with fairly consistent indications that investigations involving older children, most notably school aged children, are more likely to be judged as credible (Cross, Finkelhor, & Ormrod, 2005; Haskett et al., 1995; Wood, Orsak, Murphy, & Cross, 1996), to be substantiated (Eckenrode, Munsch, Powers, & Doris, 1988a, 1988b; Freeman, Levine, & Doueck, 1996; Winefield & Bradley, 1992; Zuravin, Orme, & Hegar, 1995) and consequently prosecuted (Berwer, Rowe, & Brewer, 1997; Cross, De Vos, & Whitcomb, 1994; Finkelhor, 1983). Presumably, this is because older children have the language, attention and cognitive skills necessary to provide clear and detailed evidence of suspected abuse (Haskett et al., 1995; Hershkowitz, Lamb, Orbach, Katz, & Horowitz, 2012), although elementary school children's developing cognitive skills are also related with a greater capacity for telling and maintaining lies (Talwar & Crossman, 2012). Research has shown for example that compared with older children, preschoolers provide shorter accounts of their experiences, including stressful or traumatic events (Eisen, Qin, Goodman, & Davis, 2002; Piper, 2008), and that these accounts are less consistent over time (Ghetti, Goodman, Eisen, Qin, & Davis, 2002). Cognitive delays, a related but less studied developmental factor, is likely to

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