

Combating violence against children: from isolated actions to integrated strategies, Kyiv, 24-25 May 2011

Child-friendly Justice:

Multidisciplinary Response to
Child's Disclosure of Abuse

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Child Sexual Abuse - Crimes of unique nature

- The vulnerability of the child victim
 - The “silent” crime, secrecy of the abuse
 - Child victims difficulties in disclosures
- The absence of evidence other than the child’s disclosure
 - Medical evidence in less than 10% of cases and only conclusive in less than 5% of all cases
 - Other hard evidence or witnesses other than the child victim’s rarely exist

The Child's Disclosure

- The Child's disclosure is the key for:
 - Ensuring the safety of the child
 - Providing assistance to the child victim with the aim of physical and psychological recovery
 - Uncovering the crime in terms of criminal investigation, prosecution and sentencing
 - Preventing the perpetrator from reoffending
- Dealing with Child Sexual Abuse is therefore the responsibility of many agencies

Multiple interviews – Harmful to the Child Victim

- All the different agencies: the Child Protection Service, the Medical Profession, the Police etc. need to have the child's account
- Repetitive interviews by many professionals in different locations can have very harmful effect for the child victim
- Retraumatization – re-victimisation
 - Refers to painful/stressful re-experiencing of trauma as a consequence of sexual violence

Violation of the “best interest of the child”

- *Investigation often generates painful experiences for the child victim*



Multiple interviews – Harmful for the Criminal Investigation

- Repetitive interviews can distort the child's account
 - Suggestibility
 - Leading and misleading questions
 - Discrepancies in the child's story
- The Absence of a child-friendly facilities
 - High level of stress precludes optimal expression
 - Police stations or Hospitals: Wrong messages!

“In the best interest of the child”

- The UN CRC, Article 3.1

“In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interest of the child shall be a primary consideration”

- The US Model of Children’s Advocacy Centres



Iceland: Children's House

**Medical
Exams and
Evaluation**

**Joint
Investigative
Interviews**

**Victim
Therapy**

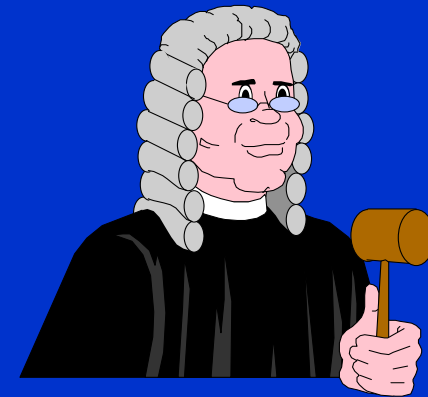
**Family
Counselling/
Support**

**Education,
Training and
Research**

**Networking
and
consultation
Local/National**

The Joint Investigative Interview (Testimonies for Court Judges)

- The Court Judge is in charge of the procedure
- The Prosecution
- The Police
- The CPS representative
- The Child's Legal Advocate
- The Defence
- The Alleged Offender(exceptional in reality)



The CPS Exploratory Interviews

- At the request of the Child Protection Services
- Disclosure is absent or very weak/ambiguous
- Offender has not been identified
- Offender is below the age of criminal responsibility(15 years)









The Medical Examination

- At the request of the Police, the CPS, the Child or the Parents
- Implemented by experienced paediatrician, a gynaecologist and a trained nurse
- A child friendly examination room
- The use of “video-colposcope” and it’s therapeutic value by active participation of the child
- Anaesthesia exceptional







Victim Therapy - Family Counselling

- The child and the non-offending parent(s) receive (legal) counselling immediately after the investigative interview
- Victim therapy can start soon after
- The videotaped child's disclosure is used for initial assessment and treatment plan
- Cognitive-behavioural therapy – group therapy not considered feasible
- The therapist is most often important witness in court proceedings

Eleven years of experience:

Signs of progress in Iceland

- Efficient, professional and child – friendly work procedures and case management
- Re-victimization of the child victim minimised
- Appropriate therapeutic services secured
- Mutual professional trust among the different agencies
- Assimilation of knowledge and experience
- Increased public awareness and confidence in the authorities
- Increased “rate of discovery”

A Court case date 21. Oct. 2009

- A father was sentenced by the High Court to 5 years imprisonment for sexually abusing his daughter who was 3,5 years of age at the time of the hearing in spite of:
 - No medical evidence
 - No witness other than the child
 - Very limited verbal disclosure due to her age
 - Strong denial of the accused

The Children's House Approach: Reflected in CoE Conventions and Guidelines

- Convention CETS No. 201 on Sexual Abuse
 - Comprehensive: child sexual abuse and exploitation (pornography, prostitution, trafficking)
 - The principle of child friendly and multiagency approach
 - Special emphasis on “investigative interviews”
- Guidelines for “Child-friendly justice”
 - <http://www.coe.int/childjustice>