

Some basic data

1. Domestic abuse is normative in deteriorating intimate relationships
2. Domestic abuse includes the entire range of intimate partner aggression
 - Including psychological abuse
3. In more severe cases of violence, there is a co-occurrence of abuse and child maltreatment
4. Domestic abuse is a significant factor to consider in custody determinations

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CSA v. DV allegations in child custody contexts

- Compare:
 - Each has a range of relevant behaviors
 - CSA: Boundary violations <-> sexual assault & DV: Situational or common couple aggression/conflict <-> physical assault/control
 - Each has potential legal ramifications (e.g. custody, criminal issues)
 - Each can result in limited or restricted contact with children
- Contrast:
 - DV has higher frequency than CSA in custody contexts
 - CSA perpetrated under cloak of secrecy v. DV known to at least the adult partners, even if not reported
 - CSA occurs between perpetrator and child (adult is the bystander-witness)-v. DV typically between adult partners (child is the bystander-witness)
 - Child rarely interviewed by police in DV v. SAIN interview in CSA

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Factors to consider generally in forensic interviews of children

- I. Cognitive and Social Maturity
 - Age and developmental level count
- II. Children's experiences beyond the interview
 - Number and type of prior interviews
 - Prior discussions with parent(s)
 - Discussions with significant others
 - E.g. child protection workers, police, school personnel, etc.
- III. Context of the interview

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Developmental Issues

Caveat: The Map is not the Territory.

- Group data not necessarily = individual characteristics

Pre-school children have greater challenges with respect to:

- Verbal skills
- Attention span -----> "topic drift"
- Quantity of information recalled
- Knowing where recalled information originated (source monitoring)
- Time since the event in question (unless "scripted")
- Distinguishing "truth" from "lying" (important in legal contexts)

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Suggestibility & Interview(er) Characteristics

- Children want to please (social desirability)
- Children believe adults know the answers to questions they ask (repetitive questions -----> different answers)
- Children may differ in their understanding of interview purpose

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Other interview factors

- How are the questions asked?
- How are follow-up questions asked?
- How does the interviewer respond to answers?
- How many times is the child interviewed, by whom, and who brings the child to the interviews?
- What does the child understand about the interview (purpose/rules)?
- What does the interviewer believe about the allegations?
- Records – can the interviewer take notes and attend?

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Memory issues

- **A constructive process**
- **Internal cuing of memory**
 - What child actually experienced
 - Affect related to that
 - Coping abilities in adaptation to experience
- **External cuing of memory**
 - Context and purpose of the interview
 - Types of questions and prompts
 - Influence of significant others

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Recall issues

- **Did the child perceive event(s) correctly?**
- **Did the child store or encode that information correctly?**
- **Can the child retrieve that information?**
 - Data erosion
- **Can the child report adequately? (verbal skills)**

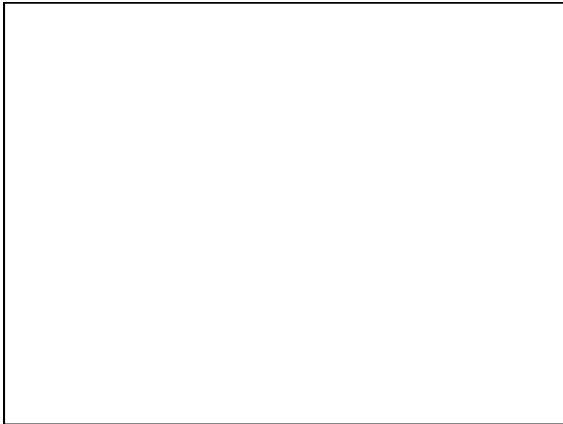
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Why a methodology for DV interviewing of children?

- To gather a full range of data about:
 - Dynamics of conflict in family
 - The nature of any DV that the child has witnessed or experienced
- To gain understanding of the **CONTEXT** in which alleged incidents may have taken place
- To eliminate confirmatory bias

VIDEO

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Stance of Examiner

Therapeutic	Forensic
Narrative Truth	Historical Truth
Pro Child	Neutral
Validating	Hypothesis Testing
Verbal & Non-Verbal Reinforcement	No confirmatory reinforcement
Subject to Suggestibility	Highly aware of suggestibility
Child is Client	Court is Client



Interviewing the child Setting the Stage

- Rapport is essential before critical questions asked
 - Let the interview follow from more general life interview
 - Ask DV questions after discussing non-controversial issues
- Children need to know rules of responding
 - Practice "I don't know"
 - Give child permission to say s/he doesn't understand a question
 - Give child permission to say they don't want to answer

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The Interview

- Use the funnel or hourglass strategy for questions
 - General question,
 - Followed by more focused questions if needed,
 - Back to general question
- Use protocol as guide for comprehensive range of questions
 - It may be necessary to take breaks and/or mix up order
- Keep a neutral attitude
 - Avoid confirmatory gestures and comments
- Get full sequence of events from beginning to end for specific incidents.
 - What happened first, then, and then?
 - How did it end?
- Use a supportive means of closure
 - Discussion of neutral topic



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Interview Topics

- Nature of conflict in the family before and after breakup
- Anger expression in the family
- Discipline methods
- Risks to child
- Current risks to child in each home
- Full sequence of recalled incidents
- Substance use in the family
- Emotional impact of DV exposure on the child
- Protective factors
- Parental influence regarding the interview

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Evaluating the Information
Is it trauma due to DV or is it alienation?
(Or both?)

Symptoms:

- fear and/or anxiety (clinginess to allied parent/anxiety re contact with target parent)
- hyper-alertness or hypervigilance (to actions of targeted parent)
- difficulty modulating anxiety and aggression
- numbing/emotional constriction
- worrying or ruminating about trauma or targeted parent
- nightmares/trouble sleeping
- flashbacks -- feeling like the trauma is happening now
- feelings of helplessness and victimization
- increased need to control everyday experiences
- attempts to avoid anything associated with trauma (eg. Contact with targeted parent)
- difficulty trusting and/or feelings of betrayal
- difficulty concentrating or remembering
- shame/self-esteem issues
- unpleasant past memories resurfacing
- loss of a sense of order or fairness about their plight

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Evaluating the information
Gardner criteria (6 of 8)

- Child aligned with allied parent in perceptions and viewpoint
- Rationalizations for deprecating target parent are weak –the crime is not clearly abusive and/or child’s reaction is extreme
- Lack of ambivalence—description of one parent as overly good/ other as all bad/abusive
- Child expressed guiltless disregard for the feelings of the target or hated parent. Extreme hostility.
- Borrowed scenarios—themes and terminology of allied parent are reflected in child’s descriptions.
- Animosity (and possible abuse allegations) spreads to disliked parent’s extended family.

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Keep in mind . . .

- Just because there is alienation does not mean that there has not been domestic violence. One or both may be present.
- In cases with visitation refusal and DV allegations, either or both parents may be perpetrators.

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Assessing the Information
Hypothesis testing for an allegation of DV
A non-exhaustive list

- **1. DV occurred and child perceived correctly**
 - What type of DV and what does that mean to the child?
- **2. DV occurred and child denies witnessing**
 - What type of DV and what does that mean to the child?
 - Which parent(s) was the perpetrator?
- **3. DV did not occur and child misperceives or was misinformed**
 - What does the child believe and what does that mean to the child?
- **4. DV did not occur and child reports non-occurrence accurately**
 - What does it mean for the child not to have corroborated one parent's allegation?

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A final word

The use of a systematic method for interviewing children regarding domestic violence provides the interviewer with a breadth of diagnostic information and helps to eliminate examiner bias.

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