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INFORMATION LEAFLET ON FORENSIC INVESTIGATIONS INTO ALLEGATIONS OF ABUSE

Thank you for choosing Rooted to assist you and your children through a forensic investigation into allegations of abuse. We would like to take this opportunity to provide you with more information on the forensic investigation process and our foundational beliefs when it comes to an investigation into allegations of abuse.This information forms part of our process of informed consent. Please carefully read through this document and raise any questions regarding the process with your social worker.

Introduction

A forensic investigation is a systematic and impartial process aimed at gathering facts of legal relevance in a developmentally sensitive way to determine whether a criminal offense has occurred. The primary goal is to uncover the truth while maintaining the principles of fairness, objectivity, and neutrality.

Key points to emphasise about forensic investigations:

- Forensic investigations are conducted without bias or prejudice. Social workers approach the case without presuming guilt or innocence, ensuring a fair and balanced examination of the facts.
- The primary purpose is to gather information related to the alleged criminal offense and to consider all relevant hypothesis.
- Forensic investigations often employ scientific methodologies and techniques to uncover and validate evidence. Forensic investigators are impartial professionals who approach their work objectively. They follow established procedures and ethical guidelines to ensure their findings are reliable and unbiased.

We want to assure you that the forensic interviewing process is carefully designed to prioritise your child's comfort, well-being, and emotional safety. Our approach is child-friendly, non-threatening, and supportive in the following ways:

- The entire process is centered around your child's needs and age-appropriate communication methods. Interviewers are trained to engage with children in a way that minimises any stress or anxiety.
- The interview setting is child-friendly and non-intimidating. It is created to make your child feel at ease and encourage open communication.

- The interviewers maintain a neutral and non-judgmental stance throughout the process, ensuring your child feels safe sharing their experiences without fear of blame or criticism.
- Your child's well-being is our top priority. If at any point during the interview, your child becomes distressed, we have procedures in place to provide support or pause the process as needed.

Our goal is to ensure the safety and protection of your child while gathering accurate information for any necessary legal proceedings. Please know that we are here to answer any questions you may have and to support your child through this challenging time.

The Investigation Process

During the investigation process with the child interviewers use age-appropriate language and techniques, including open-ended questions, to ensure that the forensic interview process is sensitive to the child's developmental stage and allows them to share their experiences in a manner that feels natural and comfortable. The goal is to gather accurate and unbiased information while minimising any potential distress to the child. A comprehensive investigation onto allegations of abuse involves the following aspects:

Step 1: Developmental observational screen (Toddlers and preschoolers)

- A developmental observational screen serves as an essential starting point in forensic interviews with children, as it helps interviewers gain valuable insights into the child's developmental level and emotional state.
- The developmental observational screen involves observing and interacting with the child in a non-intrusive and non-threatening manner. The screen allows interviewers to establish rapport with the child by engaging in age-appropriate conversation or play. It helps build trust and a sense of comfort between the child and the interviewer, which is crucial for effective communication.
- By observing the child's responses and communication skills, interviewers can determine the child's ability to express themselves verbally or non-verbally. This assessment informs the interviewer's approach to asking questions during the forensic interview, ensuring that questions are appropriate for the child's developmental level.
- The screen provides insight into the child's emotional state and reactions to different stimuli or topics. The developmental observational screen helps interviewers tailor their approach to ensure that the child is emotionally supported throughout the forensic interview.

Step 2 Pre-Forensic Evaluation

- A pre-forensic evaluation (socio-emotional assessment) is a critical starting point in a forensic investigation into allegations of abuse involving a child. This evaluation aims to form a holistic picture of the child's emotional well-being, relationships, and the systems they are a part of.
- The pre-forensic evaluation forms a part of a holistic screen which focuses on gaining a comprehensive understanding of the child's emotional and social development, as well as their interactions within various systems, including family, school, and community. It examines the child's relationships with family members, caregivers, peers, and other significant individuals. This helps identify any patterns of interaction, attachment, or conflict that may be relevant to the investigation.
- This process further evaluates the child's emotional state, identifying any signs of trauma, anxiety, or other emotional concerns that may be related to the alleged abuse. The information gathered from the evaluation informs decision-making in the investigation, such as determining the need for continuance with forensic interviews or referral for other supportive services.
- In summary, a socio-emotional assessment is a crucial starting point in a forensic investigation involving a child. It helps investigators and professionals form a holistic picture of the child's emotional and social world, ensuring that the child's well-being, emotional health, and support systems are considered throughout the investigative process.

Step 3: Forensic Interview or Extended Forensic Interview

After the pre-forensic evaluation, you will be informed whether a Forensic Investigation or Extended Forensic Investigation is needed. A forensic interview is a specialised, child-friendly interview conducted by trained professionals. Its purpose is to gather information from a child who may be a witness to or victim of a crime, such as abuse or neglect.

The number of sessions in a forensic interview with a child can indeed vary significantly depending on several factors, including the complexity of the case, developmental aspects of the child, and the number of alleged perpetrators. Other factors influence the number of sessions include:

- Single vs. Multiple Allegations
- Single vs. Multiple Perpetrators
- Age and Cognitive Development of the child
- Language and Communication Skills of the child
- Emotional Considerations and Emotional Well-being of the child.

In summary, the number of sessions in a forensic interview with a child is highly variable and depends on the unique circumstances of each case. The goal is to ensure a thorough and child-centred

approach that accounts for the complexity of the case, the developmental aspects of the child, and the number of alleged perpetrators. The priority is always the well-being and comfort of the child, and interviewers will adapt the process as needed to minimise any potential distress and gather accurate information.

Step 4: Collateral Investigation

The purpose of a collateral investigation, as an integral component of a forensic investigation into allegations of abuse, is to gather corroborative evidence and information from relevant individuals, such as witnesses, professionals, or caregivers, who may possess knowledge of or have had contact with the alleged victim, perpetrator, or circumstances surrounding the abuse. This investigative process aims to validate and strengthen the evidentiary basis of the allegations, provide a comprehensive understanding of the context, and test alternative hypothesis, thereby promoting accountability and justice. The collateral investigation usually involves:

- Interviews with parents/legal guardians
- Interviews with the alleged perpetrator (where applicable)
- Review of relevant documents (e.g., school records, medical reports).
- Collateral Interviews with relevant parties (*where applicable*)

Step 5: Collating and Analysing Data

- Organising and analysing the collected information.
- Identifying common themes, patterns, and discrepancies.
- Identifying and testing alternative hypothesis

Step 6: Feedback

Following the investigation, *depending on the specifics of the case* you may receive feedback on the findings, recommendations, and potential support plans. If the investigation was court mandated the court is considered the client and thus feedback in the form of report will be provided to the court.
If the investigation is done on request of the legal representative of the respective parties a feedback session will be scheduled with the respective parties and their legal representatives.

Step 7: Reporting, Reports and Recommendations

After the completion of forensic investigation with a child, it's important to understand that whether the matter is reported to SAPS (South African Police Service) or DSD (Department of Social Development) depends on the findings of the investigation and compliance with legal requirements. Not every case automatically leads to a report; rather, it hinges on the determination of whether the evidence supports the need for legal or protective action.

A comprehensive report is only prepared when mandated by the legal system, as it contains vital information that can assist in legal proceedings or protective measures if required. The decision to report and the subsequent actions are guided by the best interests of the child and the legal obligations associated with child protection.

Confidentiality In A Forensic Investigation Into Allegations Of Abuse

We understand that privacy and confidentiality are significant concerns for parents when seeking support for their child. However, it's important to clarify that the traditional client-therapist confidentiality, which typically characterises therapeutic relationships, is not the same in forensic investigations into allegations of abuse involving a child. In these situations, the paramount priority is the safety and protection of the child. As a result, information shared during forensic interviews are required to be disclosed to appropriate authorities to ensure the child's well-being.

We want to provide you with a clear understanding of how this process works and how it is guided by legal and ethical obligations to protect your child's safety. Your child's well-being remains our utmost concern throughout this challenging process.

Interviewers, and all professionals involved in the forensic investigation are bound by strict legal and ethical obligations to maintain confidentiality whilst at the same time adhering to legal mandate to report knowledge or conclusions based on reasonable grounds that a child has suffered abuse. This means that they are prohibited from disclosing any information related to the case unless required by law to report. Information is only shared with individuals who have a legitimate need to know in the context of the investigation this includes SAPS, Department of Social Development and in certain cases a Designated Child Protection Agency.

All documents, records, and electronic files containing sensitive information are securely stored and protected to prevent unauthorised access. Interviews with children, witnesses, and other involved parties are conducted in a private and controlled environment to minimise the risk of information leakage.

Guidelines For Communication To Ensure Transparency, Neutrality, And A Fair Process

In the process of forensic investigations into allegation of abuse, transparency and neutrality play pivotal roles in maintaining fairness and trust among all parties involved. Maintaining formal and documented communication channels in a forensic investigation, is essential for several critical reasons:

- Forensic investigations require meticulous record-keeping and documentation to ensure the accuracy and integrity of the process. Informal communications may lead to misunderstandings or misinterpretations of information.
- Formal communication methods, such as email or pre-arranged consultations, allow social workers to adhere to legal and ethical standards governing the investigation process. These standards often require a clear and traceable record of all interactions.
- Informal channels like WhatsApp or phone calls may not provide the same level of privacy and security as formal methods. Maintaining confidentiality and safeguarding sensitive information is paramount in child abuse investigations.
- Formal communications ensure consistency in information exchange and accountability in case there are questions or disputes about the investigation process.
- In case of legal proceedings or challenges to the investigation, formal documentation of communication can serve as evidence to support the actions and decisions made during the investigation.
- Maintaining a professional and structured communication process helps social workers maintain appropriate boundaries with involved parties and ensures they are not unduly influenced or pressured.

Overall, formal, and documented communication channels are a standard practice in forensic investigations, not only to uphold legal and ethical standards but also to promote accuracy, privacy, and the integrity of the investigative process. They provide a clear and transparent means of communication that benefits all parties involved and safeguards the interests of the child and the integrity of the investigation. During this investigation the social worker will thus not respond to WhatsApp messages, SMS, or impromptu phone calls. If you have any important information that you would like to relay, outside of formal scheduled collateral interviews, please either communicate via email and or schedule an additional office or virtual consultation.

Thank you for taking the time to read this information leaflet about the forensic investigation process. We understand that the well-being of your child is of utmost importance to you, and we want to assure you that our dedicated team is here to support you every step of the way.

If you ever have any questions, concerns, or need further information, please don't hesitate to reach out to our staff. We are here to provide you with the guidance and assistance you need during this process.

We appreciate your trust in us, and we are committed to providing the highest level of care for your child.