

Protecting Children from Sexual Abuse: The Role of Child Protective Services (CPS) Education in Investigations

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Abstract: Child Sexual Abuse (CSA) is a form of child abuse in which an adult or older adolescent abuses a child for sexual stimulation, physical gratification or financial profit. It is an international phenomenon that has immediate adverse effects as well as chronic physical, psychological and developmental issue consequences on the victims. This study describes the role of Child Protective Services (CPS) education in the investigation of cases of sexual abuse. It discusses the structure of investigation, risk assessment in child sexual abuse, specific techniques for interviewing children and making a determination about the validity of an allegation in addition to red flags to look out for in likely child sexual abusers. The research finds that most sexual abuse offenders are acquainted with their victims. Also, although, child abuse occurs in Nigeria, the phenomenon has received little attention. The study concludes that parents, guardians and organizations can do more to protect children sexually without starting a witch-hunt. It therefore recommends that understanding how offenders work, creating a system that frustrates them and creating a louder awareness on the existence of this challenge and its causative factors are imperative steps in protecting children and strengthening families.

Key words: Child sexual abuse, protective services education, investigations (CPS), louder awareness, causative factors

INTRODUCTION

Protecting children from child abuse is an issue that attracts serious attention all over the world. However, inspite of all efforts to tackle this menace, it is still being found thriving not only in homes but also in schools and similar organizations. Child abuse denies the child the right to freedom and education. Child abuse is deeply rooted in cultural, economic and social practices and occurs in a variety of ways and places.

The Nigerian society is still plagued with incidences of child labour, child maltreatment, child marriage, child trafficking, neglect and child prostitution. Some of the consequences of this malaise include: teenage pregnancies/mothers, youth restiveness and violence, cultism, youth decadence, joblessness, armed bandits, molestations and school dropouts.

Child abuse is any act which endangers the physical health, emotional, moral and the educational welfare of children. It could be a physical, psychological or emotional maltreatment, abuse, neglect or endangerment of the child's health or development. Types of child abuse include: physical abuse, emotional abuse, sexual abuse, neglect and child exploitation. Sexual abuse can be defined as the use of inducement or coercion to engage a

child in any sexually explicit or simulated conduct. It is also an act or failure to act by a perpetrator which causes sexual exploitation of a child under 18 years of age. It is often the most under-reported form of child maltreatment because of secrecy, guilt and shame (Umobong, n.d., Synder County Children and Youth Services, n.d.). Sexual abuse reports may be referred to law enforcement or investigations officials for criminal investigations. Child abuse is a serious issue that requires a community response and the co-operation of service providers and the public. It is the collaboration among all signatory partners (e.g., government, police and human service providers) that will enhance support for the protection of children from abuse and neglect.

The essence of this research study is to bring about the enhancement of co-ordinating or collaborative efforts that will achieve the purpose of better: protecting children, recognizing and identifying incidents of child abuse, responding to and investigating reports of child abuse, documenting statements and collecting evidence related to allegations of abuse; holding persons accountable for violation of criminal laws prohibiting child abuse, providing treatment and support to optimize the physical, emotional and psychological well-being of child victims their siblings, non-offending parents and/or

custodians, promoting collaboration and integrated inter-agency investigation and case management and reducing emotional trauma to the victims who experience repeat interviews, court appearances, medical and psychological examinations and other human service interventions (Anonymous, 2014).

Literature review

The concept of child sexual abuse and exploitation: Child abuse is the physical, sexual or emotional maltreatment or neglect of a child or children while Child Sexual Abuse (CSA) is a form of child abuse in which an adult or older adolescent abuses a child for sexual stimulation, i.e., the participation of a child in a sexual act aimed toward the physical gratification or the financial profit of the person committing the act (Anonymous, 2014; Okeahialam, 1984). This implies the child has been or is likely to be exposed to harmful interaction for a sexual purpose by a parent, caretaker, any person in a position of trust and/or any other person.

The abuse can include both physical and/or non-physical contact. Examples include engaging a child in sexual acts, obscene acts, taking pictures of a sexual nature (sexual exploitation), pornography, voyeurism, exhibitionism and threatening sexual assault as well as the utilization of “grooming” techniques, i.e., deliberate actions taken with the aim of befriending and establishing an emotional connection with a child in order to lower the child’s inhibitions in preparation for sexual abuse or exploitation of the child. According to McGrath (2007), child sexual abuse involves any behavior of an adult directed at a child that is intended to sexually arouse or titillate the adult or the child and the example of the behavior includes touching parts of the body, including breasts, genitals or buttocks as well as exposure of the genitals, verbal propositions or conversations of a sexual nature.

The responsibilities of child protection services: Child Protection Services (CPS) is a local authority, housed in public social services agencies, responsible for investigation of and intervention in cases of suspected sexual abuse. The mandate of CPS to protect children can be found in a federal and state legislation. Generally, a CPS provider is only responsible for intervening in those situations in which the offender is in a caretaking role for the child while law enforcement agencies are usually responsible for the investigation of cases involving offenders in non-caretaking roles. However, CPS providers may also become involved in situations in which the offender is a nonfamily member but the child’s caretaker fails to protect the child from the offender.

The role of Child Protective Services (CPS) education in the investigation of cases of sexual abuse cannot be overemphasized (Anonymous, 2014). This role is revealed in the mandate duties of the ministry of social services and other relevant child and family services agencies existing in a country. Such duties include the following: receiving and investigating reports of children who may be in need of protection from abuse; assessing a family’s ability to protect the child; providing support services to children and families wherever it is safe to do so which may allow for the child to remain safely in the family home; providing out-of-home care where support services to the family cannot maintain the child’s safety in the family home; providing services to sexually exploited children and youth, according to law of the land providing for the emergency protection of victims of child sexual abuse and exploitation and sharing appropriate information with police and those involved in the investigation and follow up as necessary to ensure that the child’s best interests are met (Anonymous, 2014). The goal of CPS is to determine whether or not maltreatment has occurred and is likely to occur in the future and whether the child’s safety can be ensured in the home. This is achieved within a specified timeframe. In forming conclusions about maltreatment and risk, the worker receives input from other professionals and from non-professionals (e.g., parents, children, neighbors, relatives) but the final decisions lie with CPS (Anonymous, 2014b).

Although, the reasons for investigations can differ, both a child protection worker and a police officer may investigate the same report of child abuse or neglect; however, the conclusions of each investigation are independent of the other. A social worker or family agency will investigate to determine if a child is in need of protection from his/her parent or caregiver as a result of their action or inaction whereas the police will investigate if a criminal offence as defined by the criminal code has occurred. Delay must be strictly avoided in proceeding with any necessary action to ensure the child’s safety. Where the child’s safety cannot be ensured in the home, intervention may involve removal of the child and placement with a relative or a foster family or it may entail getting the offender out of the home. In cases of sexual abuse, the latter strategy is preferred. However, actions resulting in removal usually require the intervention of the juvenile or family court.

When the report is of sexual abuse, collaboration is allowed between CPS and law enforcement. This often results in joint investigation and always in sharing of information. The mandate of the law enforcement agency is not to help families with their problems but to gather evidence toward the prosecution of offenders. CPS is

structured to conduct crisis intervention. The structure of investigations about sexual abuse varies substantially from communities to communities. So, also is the extent of coordination or organization of investigation. Generally, there are four types of professionals involved, the CPS caseworkers, law enforcement officers, physicians and mental health professionals. However, other professionals may be involved as well.

Reporting of child sexual abuse: It is mandatory for every person who has reasonable suspicion to believe that a child (under the age of 18 years) has been or is likely to be subjected to sexual abuse to report the information to a child protection worker, ministry, agency or police officer. The duty to report applies in spite of any claim of confidentiality or professional privilege (e.g., priest, religious clergy, etc.) other than solicitor/client privilege or crown privilege. It is not the responsibility of the person receiving the disclosure to decide whether the abuse has occurred. When the child is disclosing the abuse he or she should not be asked leading questions neither should extra information be inserted. The circumstances must be conveyed in the child's own words. The person receiving disclosure must take note of the following, listen openly and control personal reaction, reassure the child that he/she is safe and this is not his/her fault, refrain from correcting the child's language and letting the child report the incident in his/her own words, record what the child has reported and personal observations and avoid making promises that cannot be kept (e.g., promise not to tell anyone or to keep disclosure secret (Anonymous, 2014a).

In making the report, time is of the essence in ensuring the safety and well-being of children. The reporter should not wait until all information has been received before calling to report the sexual abuse. The child protection worker or police officer must be told as much information as is known. There is still a duty to report even where it is believed that someone else is making or has made the report because a further report constitutes additional reasonable suspicion that the child is or may be at the risk of sexual abuse. All incidents must be reported and the perpetrator must not be contacted as this is the responsibility of the police.

A reporter's report should include the following: his name, telephone number and relationship to the child (this information is confidential and may be provided anonymously) his immediate concerns about the child's safety, the child's location, name, age and gender; information about the situation, information about the family, caregivers and alleged offenders, other children who may be affected, and any other relevant information (Anonymous, 2014a).

Investigating child sexual abuse: Child protection staff and police officers are responsible for the investigation of child sexual abuse cases after a report is made. The child protection staff is to investigate and determine if there are reasonable grounds to find the child needing protection while the police is to investigate and determine if a criminal offence has been committed and if there are reasonable reasons to lay charges. It should be noted that other professionals play a critical role in assisting with the investigation, supporting the child during and after the investigation and providing follow-up services.

The investigative process usually begins with gathering information from the reporting party. The interview with the reporter should include an exploration of what the child has said or done that the reporter thinks indicates possible sexual abuse, his/her reactions to this information and the reporter's knowledge of any other parties with relevant information.

Recognizing child sexual abusers: The charisma of a child sexual abuser can be deceptive and fooling. He may be a familiar and nice guy. This is because only 10% of victims are abused by a stranger while 60% of victims are abused by someone they trust, like a teacher or family friend. In most cases, the child sexual abuser is not some creepy homeless guy. He is typically a male and a very likeable person who usually goes through the 'grooming' process to gain the trust of their victims. Over the period of time or years, he will increasingly become a trusted friend by giving gifts and offering to babysit, taking the child for shopping or going on trips.

Child sexual molesters look for children who lack emotional support or enough attention at home. They sometimes attempt stepping in as the "parent" figure for the child. Some prey on the children of single parents. Some examples of common behaviours which they may demonstrate further includes often not displaying as much interest in adults as they do in children; having jobs that allow them to be around children of a certain age group or contriving other ways to spend time with children by acting as a coach and tending to get their social needs met from relationships with children and treating children as though they are adults (Harper, 2014).

Interviewing the child: Practitioners who interview sexually and/or physically abused children need to use effective techniques to simplify the interviews. The possibly most important step in the investigation is the interview of the child. No matter how many interviews the practitioner has conducted or participated in, each interview of a child presents a unique and sensitive setting (Daly, 1991). Before the interview takes place, it is

important to determine where the interview should occur who should be present how information from the interview will be recorded and how many interviews are needed. First is that the interview must take place in a place that is perceived as 'safe'. In some instances, CPS is responsible for the child interview and law enforcement interviews the alleged offender. Having more than one person present during the child interview may eliminate the need for multiple interviews. The number of interview sessions usually depends on who is conducting the investigation. In the majority of cases, CPS conducts one interview. Some recording should be made of information gathered during the child interview. This may be a videotape, an audiotape or notes. Notes are more easily taken by someone who is not interviewing the child. Each of these methods of data gathering has its strengths and weaknesses.

It is usually optimal to interview the child before interviewing the parents because in most cases, the child's statements and behavior are the primary means for determining whether sexual abuse occurred. The nonoffending parent and the alleged offender may be interviewed later for specifics and likelihood perpetration of the offence. It is important that all children, both males and females in the target victim's family or abusive circumstance are interviewed in the course of investigation. The reasons are because offenders generally have multiple victims, not a single one and other children who may not be victims may be useful witnesses. Where there are potentially multiple victims, it becomes a question of strategy as to whether interview should be done separately or as a group (Anonymous, 2014a).

The practitioner must understand how to deal with the child abuse victim when the interview becomes difficult. There are four stages of anxiety in the interview process. The first is the introduction-rapport building phase, second is when the practitioner requests information about the child's private body parts, third is when the practitioner requests information from the child about the alleged incident of abuse in the free narrative, open-ended or specific phases and fourth is the stage which deals with the child's details or lack of details of the incident (Daly, 2014).

To make the child relaxed his mood, emotional responses and temperament can be assisted by asking him questions independent of the abuse incident at the outset of interview. The importance of telling the truth should be emphasized after introducing the purpose of interview. Interview should proceed from the most general open aspects of the alleged incident to the more specific incidents. Interview aids such as pictures should be used only when every attempt at unassisted interviewing has

been unsuccessful. Practitioner should use words and concepts within the child's frame of reference and be aware of the child's nutritional requirements, if any. Open questions should be used to encourage narrative flows. However, some questioning may be necessary after the narrative, particularly for younger children. Using leading questions to gain information about possible abuse should be taken only when every other phase of the interview has failed to produce sufficient information and there is still a good reason to be suspicious of abuse. This is because it virtually eliminates the likelihood of criminal proceedings. All interviews should be videotaped and/or audiotaped. The child should be thanked and whatever questions he may have should be answered. No promises should be made about future developments in the case, since their failure to materialize would harm rapport (Daly, 1991).

Child sexual abuse risk assessment: Where the CPS or law enforcement has established that a child has been sexually abused and the child is at home then it is necessary to make a determination of risk to the child if she/he stays in that environment. In this regard, the three types of potential risks are the risk of additional sexual abuse, the risk of physical abuse and the risk of emotional maltreatment.

Usually, immediately after disclosure, the child is at greater risk for emotional maltreatment than additional sexual abuse. The different types of emotional abuse the victim may suffer include: the possibility of being disbelieved by her/his mother, siblings and/or extended family, being blamed for the sexual abuse (e.g., for being seductive or receptive to special favours from offender); being rejected by her/his family (e.g., becoming the object of anger); being blamed for the consequences of disclosure (e.g., jail, job loss, absence from home, divorce and family going on public assistance) and being pressured to recant.

MATERIALS AND METHODS

Making a determination of risk is not an easy task because families may be quite secretive and decisions may need to be made on an emergency basis without complete information. However, relevant factors which may need consideration will include: types of sexual abuse, characteristics of the abuse situation, age of victim, relationship between victim and offender, number of victims, number of offenders, reactions and functioning of the non-offending parent, reaction of the offender, the existence of other problems such as substance abuse, family violence, both spouse abuse and child abuse,

mental illness and mental retardation in family functioning. Usually, the result is that either the offender or the victim is removed although, it is a general agreement among professionals that the removal of the offender is better (Anonymous, 2014b).

RESULTS AND DISCUSSION

Child abuse is a complex phenomenon with multiple causes and understanding the causes of abuse is crucial to addressing the problem of child abuse. Most sexual abuse offenders are acquainted with their victims. Approximately 30% are relatives of the child, most often brothers, fathers, mothers, uncles or cousins. Around 60% are other acquaintances such as friends of the family, babysitters or neighbours. In approximately 10% of child sexual abuse cases, strangers are the offenders while in over one-third of cases, the perpetrator is also a minor. In Western countries, preventing child abuse is considered a high priority and detailed laws and policies exist to address this issue. Further, different jurisdictions have developed their own definitions of what constitutes child abuse for the purposes of removing a child from his/her family and/or prosecuting a criminal charge (Anonymous, 2014). Despite the prevalence of Child abuse in Nigeria, it has received little attention.

Forms of child sexual abuse include asking or pressuring a child to engage in sexual activities (regardless of the outcome), indecent exposure of the genitals to a child, displaying pornography to a child, actual sexual contact with a child, physical contact with the child's genitals, viewing of the child's genitalia without physical contact or using a child to produce child pornography. Also, selling the sexual services of children may be viewed and treated as child abuse with services offered to the child rather than simple incarceration. In terms of consequences, the effects of child sexual abuse on the victims include guilt and self-blame, flashbacks, nightmares, insomnia, fear of things associated with the abuse (including objects, smells, places, doctor's visits, etc.), self-esteem issues, sexual dysfunction, chronic pain, addiction, self-injury, suicidal ideation, somatic complaints, depression, post-traumatic stress disorder, anxiety, other mental illnesses including borderline personality disorder and dissociative identity disorder, propensity to re-victimization in adulthood and physical injury to the child, among other problems.

The way forward: In order to properly protect children without starting a witch-hunt there is need to understand how child sexual abusers work as well as the creation of a system that frustrates them. To this end, the following suggestions have become necessary for consideration:

one should be on the alert for adults who seem to get their social needs met by kids or who always seem to be the center of attention. An adult leader who is giving too much attention to one child is a red flag signal giver. The policy that adult volunteers are not to give gifts to children could be made. The official organization or church may give gifts to children from time to time and everyone should get a gift, not just one child. Parents and volunteers should be trained on how to protect kids from child sexual abusers. Policy that hugs should not be solicited from kids should be in place. However, there are always kids who want a hug; if a child initiates the hug, then he or she should be given a hug. Volunteers should be trained on how to hug kids and about the "no touch" zones. Volunteers should be instructed not to ask children to sit in their laps (especially preschoolers). Adult leaders should be instructed against contacting kids by email or on the Internet. Adult leaders should also not be allowed to contact kids outside of organized official (e.g., Church or school) activities. For example, children should not be inevitable to leader's special home parties. Instead, there should be official organizational special events for kids from time to time. Banning the taking or display of any pictures of kids at church or official circles except by a professional photographer that has been hired could be considered. At least, two volunteers should always be present in every classroom or interaction with children. No adult should find himself or herself alone in a room with a child. Organizations should be extra careful about who is taken to camp as a counselor. If one gets a bad feeling about someone such a person should be rejected. Criminal background checks should be conducted on all staff and volunteers every year. The checks should not be limited to just those who work with kids. One should listen to one's heart and be sensitive spiritually. Some people should not be working with kids. If there is a red flag about someone, the person should be moved to a different area. Someone such as a head coach should be in charge of enforcing these guidelines and observing the behavior between adults and children. Nobody should be accused of being a child sexual abuser even if the behaviour has been observed about him. The reason is because most people who work with children do so because they like children. The goal is to establish safe boundaries that apply to all volunteers and make it difficult for potential child sexual abusers to operate. No exceptions should be made to the rules. The Nigerian Government should encourage organizations at national, state and local government levels to provide community leadership in preventing child sexual abuse and neglect. Adequate resources for child-protection services should be provided for by the public and private sectors so

as to ensure that a considerable number of traumatized abused children gain access to protective child-protection strategies. The government and private sector organizations should invest in support-group structures that will be responsible for reinforcing parenting skills and closely monitoring the child's well-being. Visiting home nurse or social-worker visits are required to observe and evaluate the progress of the child and his/her caretaking situation. There should be intensive creation of awareness on the existence, causes and prevention of child sexual abuse through programmes by all stakeholders. Anniversary or dedicated seasons should also be earmarked as child sexual abuse prevention seasons, e.g., April has been designated Child Abuse Prevention Month in the United States. There is need for more effective legal protection for the handicapped sexually abused child in Nigeria. Relevant laws should be enacted, updated and strictly enforced on a regular basis.

CONCLUSION

Child sexual abuse is an international phenomenon needing drastic attention. Child sexual abuse can result in immediate adverse physical effects but it is also strongly associated with associated with developmental issues and with many chronic physical and psychological effects, including subsequent ill-health, higher rates of chronic conditions, high-risk health behaviors and shortened lifespan. This study has discussed the responsibilities involved in offering child protective services, the structure of child sexual abuse investigation, risk assessment in child sexual abuse, specific techniques for credibly interviewing abused children and red flags to look out for in likely child sexual abusers. Child protective services, medical professionals, forensic researchers, child

advocates, child therapists, law enforcement officers, prosecutors, attorneys, judges and educationists all need the essential knowledge and experience to deal comprehensively with child sexual abuse issues. They should not be found wanting in acquiring vital tools and expertise for investing and evaluating child abuse allegations.

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