

## **Children and Law:**

### **Practitioners sand researchers promoting together justice for children**

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#### **Abstract:**

Early identification of child maltreatment is often complicated because child maltreatment is an extremely difficult crime to investigate. Because corroborative evidence is often absent, children may be the sole sources of information concerning their experiences. For this reason, investigative interviews play a vital role in the investigation of child maltreatment. Information from investigative interviews may significantly affect legal and administrative decisions that may profoundly impact the lives of children, families, and suspects. Therefore, it is imperative that children`s testimonies are clear, consistent, detailed and accurate.

This symposium aims to portray key challenges which hamper the justice process for children. The first presentation will deal with cultural adaptation of Arab children's investigations in Israel, in order to identify possible challenges for interviewers and special considerations for the children; the second presentation will deal with the concept of time and its challenge in the forensic interview, especially for young children, while illustrating its implications for the legal system; the third presentation will deal with the issue of fantasy in forensic interviews, identifying, describing, and defining the phenomenon. The fourth and final presentation will

present one of the possible solutions for preschoolers' investigations, adapted investigative protocol and its contribution to the process of justice.

**Key words:** Children; Maltreatment; Law; Forensic Interviews

**Cultural adaptation of forensic investigations: preliminary results from investigative interviews with Israeli Arab children**

**Authors:** Hanin Murdy, Carmit Katz, Riki Savaya

In the last few decades, the field of forensic investigation involving children has made impressive progress with regards to building practical guidelines for forensic interviewers, reducing the academic field gap and subsequently promoting justice for millions of children worldwide. Although practitioners worldwide contend with cultural diversities, little research effort has been focused on this issue. The aim of the current study is to provide initial results on disclosure patterns and the dynamic between the forensic interviewers and children from various cultural backgrounds. The data comprised of 500 forensic investigations with children from various cultural backgrounds and data on their disclosure patterns and testimonies will be provided. The current study sheds light on the need to adapt existing practical guidelines on conducting forensic interviews with children from non-Western cultural backgrounds.

**Key words:** Cultural Adaptation; Forensic Investigation.

**"In Search of Lost Time": The concept of Time as provided by preschoolers during forensic interviews**

**Authors:** Talia Glucklich, Carmit Katz

In many cases in which children who have experienced alleged abuse are involved with the legal system, they are required to provide core information with

respect to when the abuse took place (time). The information that the children will provide might result in adverse effects for all those involved. Few studies, mainly in lab context, have explored this concept. Therefore the aim of the current study is to assess children's abilities to provide this kind of information in real life settings, including forensic investigations with maltreated children. The study sample comprised of 100 forensic investigations with children aged 3-7, 27 alleged victims of sexual abuse, and 73 alleged victims of physical abuse. Thorough analysis assessed the words used by children in describing the concept of time along with the interviewers' questions targeted at this concept. The analyses relate to the production of information about this concept while exploring the contribution of children's characteristics (age and gender), the abuse characteristics (the type of abuse and the identity of the suspect), as well as the prompt type that was referred by the forensic interviewers. The understanding of how preschoolers who are victims of abuse perceive temporal concepts is significant for enabling the legal system to serve justice, and today constitutes an important element both in forensic interviews and in the legal field. This is a pioneering study due to the fact that it is a field study which examined and expanded the knowledge about temporal expressions in general, and in particular about contextual temporal expressions.

**Key words:** Time; Forensic investigations; Children.

## **Touching the white elephant in the room: Fantasy in forensic investigations with children**

**Authors:** Shir Pillar, Carmit Katz

Reports of child abuse have increased in recent years alongside the interest in children's testimony. Due to the fact that, in many cases, the alleged victims and the

perpetrators are the only sources of information on the abuse, the child testimony is crucial. Unfortunately, some researchers and practitioners argue that preschoolers are not competent witnesses until their mid-teens. In contrast, many studies show that children of all ages can provide accurate testimony. One of the biggest problems, accruing to those who think that children are not competent, is the fantasy issue and its strong implications on children's testimony. In the legal settings, competence is defined by the capacity to distinguish between reality and fantasy as well as between truth and falsehood. Because of the greater involvement of child witnesses in legal settings, it is important to know whether their recollections of an event can be trusted. Children have traditionally been thought to confuse the boundary between fantasy and reality. Even Piaget held the assumption that children not only confuse fantasy and reality, but also confuse between mental and physical concepts, dreams and reality, and appearance and reality. The influence of this perspective is still very prevalent today. The study main aim is to enhance the knowledge with respect to fantasy and its characteristics in forensic investigations with children. The study sample comprised of 100 forensic investigations with children aged 3-6 years old, 27 alleged victims of sexual abuse, and 73 alleged victims of physical abuse. Thorough analysis assessed term that coded as fantasy in children testimony. Implications for both the practice of forensic interviewers and the legal context will be discussed.

**Key words:** Preschoolers; Maltreatment; Forensic Interviews; Fantasy.

### **Justice for preschoolers- results from the adapted protocol**

**Authors:** Michal Briteman, Carmit Katz, Talia Glucklich, Shir Piller

Children of all ages are vulnerable to abuse, while preschoolers and young children were found to be at higher risk of being abused by a parent or caregiver.

Studies show that preschoolers are less likely to provide clear, full and reliable testimony than older children and adults. The purpose of the present study was to examine through a field study, if an adaptive protocol taking into consideration the emotional, developmental and cognitive abilities of preschoolers, make a difference. This question will be tested by focusing on two categories: first, the way that child investigators implement the new adaptive protocol, and second, whether the new adaptive protocol enriches children's testimony. The study sample comprised of 100 forensic investigations with children aged 3-6, 27 alleged victims of sexual abuse, and 73 alleged victims of physical abuse. The results show improvement in all aspects of the forensic interview: the questioning quality; interview duration and the quality and richness of the children's Testimony. The results suggest that using the adapted protocol presents a significant contribution for preschoolers' testimony, and can have significant implications for the legal system and the process of justice.

**Key words:** Preschoolers; Maltreatment; Forensic Interviews.