

## Appendix 7

### A Psychologist explains some relevant issues

#### Why does it say 'don't ask questions' if an allegation is made of abuse?

When an allegation of abuse is made, sometimes people start to investigate in the hope of discovering whether the allegation is true and finding out exactly what happened. They might question lots of people, hoping to ascertain facts as quickly as possible so that they can deal with the situation. They mean well, but can compromise an official investigation. The result might be that a perpetrator of abuse cannot be brought to justice.

It is important for the person who hears an allegation NOT to conduct an internal investigation or tell several people about the situation. (Sometimes when this happens, a perpetrator hears about the questions and this helps them to prepare a response which hides the abuse). Instead, the Safeguarding Officer should be informed. They can then take the necessary measures to deal with the situation. Safeguarding officers must be trained in what steps to take, such as reporting to authorities or reporting to an external team of trained investigators if authorities will not take the appropriate action.

Research shows that when people (especially children) are questioned about something, their memory of what really happened can become confused and mixed up with what they heard in the questions. If a child has already been asked questions before a formal investigation takes place, they are less likely to be considered to be a reliable witness. In a well-known experiment, children were asked if they had ever got their finger caught in a mousetrap. None of them had. However, when they were asked this again some months later, several of the children were sure they remembered having their finger caught in a mousetrap. It had never happened, but their memory of the question had become confused with memories of reality, forming a 'false memory'. Thus a prosecution case against even a genuine abuser could collapse if there is evidence of repeated informal questioning of victims. Formal investigators are trained to avoid leading or closed questions.

An untrained person asking questions may also put the person who alleged abuse at risk. This includes risk of psychological damage (through mishandled investigation), and physical risk (if the abuser hears about this).

#### False allegations and false memories

Allegations of abuse should always be taken seriously, and reported to the Safeguarding Officer. Most allegations made by children appear to be substantiated, and a retraction of an allegation does not mean that it is untrue. However, there are times when people are falsely accused as abuse. There are a number of possible reasons for this including:

- A child who has difficulties may make an accusation due to anger with someone or with life, or in a desperate plea for help or attention. They may not realise the serious implications of this. They may have heard of someone else who was abused and received a lot of care, love and attention as a result. Sometimes people exaggerate a true situation (e.g. being disciplined) to the extent that it sounds like it was abusive. Foster parents are at high risk of being accused of abuse. Being falsely accused of abuse can ruin someone's life and family. In safeguarding the priority is always to protect children, but we should also seek to protect people who are falsely accused – *both* are vulnerable people. That is why it is generally important to protect the identity of alleged abusers unless they are proven guilty by the legal process.
- Ambiguous incidents without clear abusive intent may be perceived as abusive (e.g. knocking someone by accident may be described as hitting; or a trouser zip becoming undone may be perceived as indecent exposure). It may still be important to report ambiguous incidents to a Safeguarding Officer, in case they

form part of a pattern of more clearly abusive behaviour. They may not need investigation if they don't fit such a pattern.

- The person has developed a false memory. They really believe the abuse happened, but it didn't. The false memory may have been created as a result of questioning (e.g. a therapist repeatedly asking 'were you abused as a child?', or an investigator asking a child 'did he touch you in a private place?', leading the accuser to imagine abuse occurred although it didn't). Rather than prejudging allegations, it is best to leave it to a formal investigation process to decide whether or not there is evidence for the alleged abuse taking place.