‘JUST SAY IT IN YOUR OWN WORDS’

THE SOCIAL INTERACTIONAL NATURE OF INVESTIGATIVE INTERVIEWS INTO CHILD SEXUAL ABUSE

Kathryn Fogarty
B.A. (Hons)

School of Psychology
The University of Adelaide

Submitted in partial fulfilment of the requirements for the Combined Master of Psychology (Clinical)/Doctor of Philosophy

April 2010
Contents

Abstract .............................................................................................................................. iv

Declaration ........................................................................................................................ vii

Acknowledgements .......................................................................................................... viii

Chapter 1: Introduction ..................................................................................................... 1

1.1. Finding the research question ................................................................................ 1

1.2. Aims of the research .............................................................................................. 3

1.3. Choosing to study investigative interviews into child sexual abuse ................. 4

1.4. Overview of thesis ................................................................................................. 5

Chapter 2: Theoretical approach and methodology ......................................................... 8

2.1. Discursive psychology and conversation analysis ................................................ 8

2.2. Evidential interviewing as a form of institutional talk ........................................ 11

2.2.1. What makes investigative interviews with children institutional? ............. 12

2.3. Method .................................................................................................................... 16

2.3.1. Data ............................................................................................................. 16

2.3.2. Procedures for accessing, handling and analysing the data ....................... 18

2.3. Ethical considerations ......................................................................................... 22

Chapter 3: Prior work on child investigative interviewing ............................................. 26

3.1 Introduction ......................................................................................................... 26

3.2. The reliability of children’s reports .................................................................... 28

3.2.1. Influences on children’s reliability ................................................................. 29

3.2.2. Ways of identifying reliable reports ................................................................. 41

3.2.3. Some limitations of the literature on children’s reliability as eyewitnesses .... 45

3.3. Disclosure ............................................................................................................ 47

3.3.1. Patterns of disclosure: How children disclose sexual abuse ...................... 47

3.3.2. Factors promoting disclosure ........................................................................ 51

3.4. Research into investigative interviewing practices in the field ......................... 52

3.5. An alternative view: Investigative interviewing as social interaction .......... 60

3.6. Prior conversation analytic work examining children’s talk in interview and therapeutic contexts ................................................................. 63

Chapter 4: Relevant conversation analytic concepts explained .................................... 70

4.1. Introduction ......................................................................................................... 70

4.2. Sequence organisation ......................................................................................... 70
<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.1.1.</td>
<td>The psychology of children’s morality</td>
<td>279</td>
</tr>
<tr>
<td>8.2.</td>
<td>Analysis</td>
<td>283</td>
</tr>
<tr>
<td>8.2.1.</td>
<td>Active resistance: This is what I did to stop it</td>
<td>283</td>
</tr>
<tr>
<td>8.2.2.</td>
<td>This is why I couldn’t stop it</td>
<td>290</td>
</tr>
<tr>
<td>8.2.3.</td>
<td>It happened but I was not complicit</td>
<td>297</td>
</tr>
<tr>
<td>8.2.4.</td>
<td>An exception that proves the point?</td>
<td>304</td>
</tr>
<tr>
<td>8.3.</td>
<td>Conclusions</td>
<td>306</td>
</tr>
</tbody>
</table>

Chapter 9: Conclusions and implications: Investigative interviewing as social interaction

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>9.1.</td>
<td>Introduction</td>
<td>314</td>
</tr>
<tr>
<td>9.2.</td>
<td>Summary of the analytic chapters</td>
<td>314</td>
</tr>
<tr>
<td>9.3.</td>
<td>Implications for investigative interviewing</td>
<td>319</td>
</tr>
<tr>
<td>9.4.</td>
<td>Implications for talking with children in clinical settings</td>
<td>325</td>
</tr>
<tr>
<td>9.5.</td>
<td>Limitations of the study and directions for future research</td>
<td>331</td>
</tr>
<tr>
<td>9.6.</td>
<td>Concluding remarks</td>
<td>334</td>
</tr>
</tbody>
</table>

References                                                                                             | 336  |

Appendices                                                                                             | 348  |
| Appendix 1: Relevant case details for the interviews used as data                                    | 349  |
| Appendix 2: A key to Jeffersonian transcription symbols                                              | 350  |
| Appendix 3: How to read the body movement transcription                                              | 352  |
| Appendix 4: Layout of the interview room for each interview                                          | 353  |
| Appendix 5: Potential analytic lines of inquiry generated from the transcription process           | 359  |
| Appendix 6: Written information sheet provided to families                                            | 361  |
| Appendix 7: Consent form for families                                                                | 364  |
| Appendix 8: Independent complaints procedure                                                          | 366  |
| Appendix 9: Examples of body diagrams                                                                | 367  |
Abstract

Although there is now a significant body of psychological literature examining the investigative interviewing of children, this research neglects to adequately account for how the investigative interview is a product of a social interaction between the interviewer and the child. This thesis applies insights from discursive psychology and conversation analysis to analyse the interactional practices of police interviewers and children during investigative interviews into child sexual abuse. The data is derived from 11 videotaped investigative interviews of children aged between 7 and 11 years, conducted by police interviewers in an Australian sexual crimes unit. Close analysis using the method of conversation analysis reveals the extent to which children, by virtue of their conversational competency, are active participants in producing what comes to ultimately be seen as a quality investigative interview.

The first analytic chapter explores interviewer’s methods for eliciting disclosures from children when moving from rapport-building into the substantive phase of the interview, highlighting how children’s conversational competencies contribute to the progressivity of the interaction. The analysis demonstrates how children display numerous conversational competencies that facilitate the ease with which this key moment gets worked through to completion, such as recognising and repairing their own person reference problems. It was also found that, contrary to best-practice guidelines, interviewers did sometimes resort to forced choice or closed questions during this stage. But they only did so after attempting to elicit disclosures using more open-ended prompts.
The second analytic chapter focuses on moments where children display audible and visible signs of discomfort when being asked to talk about the details of the alleged sexual abuse. The analysis examines interviewers’ methods for responding to these moments, such as asking children to draw representations of bedrooms, themselves and the accused, as well as the use of body diagrams. The analysis demonstrates how these ‘props’ helped restore progressivity to the interaction when it had stalled.

The third analytic chapter explores the ways that children formulate their claims to know or remember things. Children could be seen actively working to represent the extent of their knowing or remembering precisely through their talk. Moreover, it was found that interviewers treated children’s denials of memory or knowing differently depending on the extent to which they might assume that the child could be expected to know the information.

The final analytic chapter focuses on moments where children’s talk is occupied with the moral matter of their own response to the accused at the time of an abusive incident. When children were asked about what they said or did when the accused was engaging them in sexual activity, they frequently responded with accounts of how they resisted, why they could not resist, or why they were not culpable. These accounts displayed a moral assumption that a victim should not have had any agency in initiating or willingly participating in the types of activities that constitute sexual abuse.

The concluding chapter summarises the findings of the four analytic chapters, outlines the implications of the research for investigative interviewing as well as for interviewing children in other contexts, such as clinical assessment and therapy settings, and details the
limitations of the research along with recommendations for how future research of this kind could be improved.
Declaration

This work contains no material which has been accepted for the award of any other degree or diploma in any university or other tertiary institution and, to the best of my knowledge and belief, contains no material previously published or written by another person, except where due reference has been made in the text.

I give consent to this copy of my thesis when deposited in the University Library, being made available for loan and photocopying, subject to the provisions of the Copyright Act 1968.

I also give permission for the digital version of my thesis to be made available on the web, via the University's digital research repository, the Library catalogue, the Australasian Digital Theses Program (ADTP) and also through web search engines, unless permission has been granted by the University to restrict access for a period of time.

Signature  ..........................................................

Date 7 July, 2010
Acknowledgements

Many people have helped to make this project possible. Thanks go to the families who consented to let me use their children’s interviews, and to the children. I doubt I will ever forget the things I have heard you speak about.

People from the Sexual Crimes Investigation Branch deserve special mention. Thank you to Detective Senior Sergeant Peter Shanahan for hearing me out in the first place, and for those black jelly beans, which helped lighten up the slightly intimidating atmosphere. To Superintendent Scott Duvall, thank you for helping to get things moving and taking care of practical concerns, such as where to accommodate me while I transcribed. Thank you also to those in the Prosecution Branch, who regularly dropped by to say hello and find out what I was up to during that year of transcribing in your spare office. A very special thank you goes to Theo Sarantaugas and Helen Athans for always welcoming me to the SCIB so warmly, for keeping the data safe, and for taking care of all the small details, like printing off transcripts on my behalf. Heartfelt thanks also to the interviewers from the Victim Management Section for opening up your practice to my enquiry and for the time you have taken to talk to me and explain how things work.

To my two supervisors, Martha Augoustinos and Lisa Kettler, I am indebted to you for supporting me to pursue this project in spite of its obvious pitfalls in terms of the difficulty of the subject matter and access to data. Thank you also for the clear-eyed insights you have offered along the way, and for the timely encouragement and warmth you have extended to me, particularly when life got in the way of progress at times.

Brooke and Nicole, your friendship since we embarked on Honours together has been truly sustaining. It’s been a joy to share this part of life with you and I will miss it greatly.
Shona, Katherine and Victoria thank you for passing along pearls, such as ‘start on a downhill slope’, ‘the good enough thesis’ and ‘write first’. Thanks also for the ‘stitch and bitch’ sessions. I always look forward to them, and sleep so well after laughing so much. To Angie, thank you for your loyal friendship through thick and thin. I look forward to sharing ‘life after the thesis’ good times. Stuart and Katie, it has been so much fun riding the conversation analysis learning curve (getting ‘Sche**ged’ ) with you both. Thanks also to the DASPers for sharing your thoughts and for providing an intellectual community to mitigate the sometimes isolating experience of research in solitude.

Last, but not least, thank you to my family. To Scott, thank you for your love, patience and friendship, for being a loving dad to Xavier, and for those onerous proof-reading services squeezed into a busy life. To mum, thank you for helping with the kids. To Julia, you were just a baby when I felt inspired by you to take this path. I really am done now sweetheart. Xavier, your exceptional sleep routines have played a big part in helping me finish sooner rather than later. To Julia, Xavier, Louis and Audrey, you provide so much fun and laughter, which has helped make these last couple of years rich and memorable as we blend our families.

Finally, I dedicate this thesis to the memory of baby Caleb Fogarty.