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THE FOLLOW-UP SAMPLE

Finding the 126 original children proved to be more difficult than expected. However, with tremendous cooperation from local agencies, we were able to contact all but seven percent and achieve a response rate of 61.1 percent. In this chapter, we will describe how we went about finding them and discuss the limitations of the follow-up sample.

FINDING THE CHILDREN

The first task for the follow-up study was to locate the children, some two to three years after the conclusion of their cases. The addresses of the parents were obtained from the Child Witness Project file compiled for each child at the time of his/her court preparation. Addresses were cross-verified with the telephone directory and the City Directory to ascertain their currency. Unfortunately, the majority of the families had moved since our last contact with them, many of them more than once. Several people had changed their names. In several cases, the location of their children was unknown to the parents.

To find those who had moved, we opted to use the least intrusive search techniques possible. For example, we did not use the telephone to track down people. First we searched the telephone book and the City Directory for addresses. As a supplementary means of locating the children, an advertisement was placed in the local *Pennysaver* newspaper, delivered free of charge to all homes in London. Posters describing the study were placed in several locations where families might have occasion to visit. Key people in local agencies that work with children were notified of our study.

SECURING PARTICIPATION

Once an address was confirmed to be valid, a letter was sent, in a plain envelope stamped "Personal and Confidential." The letters were addressed specifically with first names rather than initials, lest they be opened inadvertently by other members of the household or neighbours with the same surname. For this reason as well, the letter made no reference to sexual abuse or criminal victimization of any type and referred only to the fact that a child had been a witness in an unspecified type of court proceeding. When an address was in doubt, we did not send a letter.

The letter, on London Family Court Clinic letterhead, outlined the intent of the study and included a brief description of what participation in the study would entail. As compensation for their time and effort coming to the Clinic, an offer of \$50.00 (per child) for participation was made. For families who lived outside London, a promise to compensate them for travel costs was also made. We anticipated that some children would by this time be living independently, so we asked the parents to pass on the letter to them if that were the case.

If a child was known to be a ward of the Children's Aid Society, we approached the case worker in his/her capacity as legal guardian. In cases where a child or a family could not be located by any other means but were known to be under the supervision of the Children's Aid Society, they were contacted through the case worker; i.e., a letter was sent to the worker, who forwarded it to the family. In that way, their address would remain unknown to us unless they contacted us.

Recipients of the letter were asked to complete an enclosed form and indicate either 1) their interest in

participating in the study; or, 2) their desire not to be interviewed. A stamped self-addressed envelope was provided. After about two months, another letter was sent to those who had not responded.

RESPONSE RATE

When a response was received, we arranged an appointment for an interview. The majority of interviews were conducted at the Clinic, during office hours. However, we tried to be flexible so that everyone who so desired had an opportunity to participate. For example, to accommodate school and employment schedules, evening interviews were possible. Where necessary, we saw children at group homes, in youth detention, at Children's Aid Society offices, and at a pre-natal facility. We travelled to towns surrounding London to see people who could not arrange transportation.

Table 8 shows the final breakdown of responses. A total of 61 children were interviewed, or 48 percent of the 126 target children. In 16 cases, the children were not available for, or were not or amenable to, an interview and we saw the parents only. In total we interviewed 56 parents of 73 child witnesses. Therefore, we saw a child, a parent, or both in 61 percent of cases.

Table 8
Breakdown of Responses and Refusals for Follow-up Study

FOLLOW-UP RESPONSES	Number	Percent
Child and Parent	47	37.3
Child Only	14	11.1
Parent Only	16	12.7
Neither Interviewed	49	38.9
TOTAL	126	100.0

The most common reason a child was not interviewed was non-response to our letters (33 percent). In the case of 19 children, or 29 percent of non-responders, they or their parents/guardians declined to participate. This was often because of a reluctance to revisit the victimization and its aftermath. In only nine cases were we unable to locate the child. In four cases the families had moved a significant distance from London. Three young people did not appear for scheduled interviews, and one was in jail. Finally, with consideration of a number of factors, including age and emotional vulnerability, the Child Witness Project clinicians decided in three cases that an interview would not be in the children's best interests.

When a parent was interviewed, it was the mother alone in all but three cases (95 percent). One foster mother was interviewed and one father came alone. Only one child was accompanied by both parents. It is important to note that we did not actively seek to interview only mothers. However, this occurrence is consistent with what we observed during the court preparation: in most cases, mothers play the principal support role for the children in court. This made it difficult to understand fully the role that fathers play in helping their children after abuse disclosures.

Twenty-three percent of children who were interviewed were not accompanied by a parent. In four cases, this was because the girls continued to be estranged from their mothers after they had made allegations of abuse by their mothers' husbands. In seven cases where the parent was not seen this was because the children were wards of the Children's Aid Society (although the parents of wards were interviewed where possible, and

appropriate). In the remainder of cases, the parents could not attend because of employment or other commitments, or did not attend because the children were living and functioning independently.

SAMPLE BIAS AND LIMITATIONS

It is not our intention to present our findings as representative of the experiences of all child witnesses in Canada. To the contrary, there are several factors that preclude such broad generalization.

CASE ATTRITION

The parents and children whom we interviewed represented a subsample of the evaluation sample, 61 percent as noted above. Moreover, the follow-up sample represented only about 40 percent of the original 204 child victims of sexual assault who were referred during the evaluation study period. One potential source of bias was that, for the evaluation, we had excluded cases that ended with an early guilty plea. It seems plausible, however, that those families might have had better experiences in the criminal justice system because the case was over so quickly and the accused admitted guilt. Also, we know that cases that end in guilty pleas are different in several ways from those that go to trial, as described in Chapter Three.

VOLUNTEER BIAS

With a response rate of 61 percent, we have to consider the impact of volunteer bias on the follow-up data. This is of importance for the validity of opinion data, when respondents were asked their overall perceptions of the system. It is possible that those who harboured the greatest antipathy toward their experiences in the justice system would have been most reluctant to return for an interview. It should be noted, however, that dissatisfaction with the experience was expressed by many people whom we interviewed and the opposite hypothesis may just as likely be true.

Another source of bias may be related to the topic under study, because sexual abuse is a traumatic experience that many wish to forget about and leave in the past. Children who are continuing to struggle with after-effects of the sexual abuse may have an aversion to addressing the topic and, therefore, refuse to return. Conversely, they may be the most willing to discuss their experiences, especially with someone known to be sympathetic. Both factors were probably operating but the latter hypothesis was probably true more often. To examine the possible impact of any volunteer bias, we compared the responders with those who did not return for an interview, on all demographic, abuse, and court process and outcome variables.

RESPONDERS VS. NON-RESPONDERS

There was only one factor on which these two groups differed significantly. Intrafamilial abuse victims were more likely than extrafamilial abuse victims to have returned ($\chi^2=8.0$, $df=1$, $p=.005$). Broken down, children abused by strangers had a far lower response rate (36 percent) compared with those who had been abused by a family member (76 percent) or by an acquaintance (54 percent) ($\chi^2=8.5$, $df=2$, $p=.01$). When there was a blood relationship between the child and the abuser, the proportion of responders was 74 percent, compared with 57 percent among those not related to the abuser by blood. Children who had disclosed abuse by a stepparent had the highest response rate (80 percent).

The responding children were on average 16 years of age, with the range being from eight to 20. Their mean age when they had testified was 12 years and seven months, not significantly different from the mean age of the non-responders (12 years and 11 months). There were also no differences between the two groups in terms of family status at disclosure, maternal support following disclosure, or whether the children had been

judged as having post-traumatic stress symptoms. Worthy of note is the fact that the two groups did not differ in any remarkable way on any system variable that we recorded. Specifically, there were no differences by whether they testified, how often they testified, case outcome, charge reduction, method of adjudication (guilty plea or conviction at trial), trial outcome, or whether the offender went to prison or received a community-based sentence.

Besides the intrafamilial/extrafamilial split, there were some other ways in which this sample might not be exactly representative of the original group. A higher proportion of the boys returned (77 percent) compared with the girls (56 percent). The returning children also tended to have suffered more serious abuse. Victims who experienced abuse that involved penetration returned slightly more often (76 percent) than those who had experienced less intrusive abuse (56 percent). In addition, those rated as being clinically depressed at time of initial intake returned in higher proportion (70 percent) than those who had not fallen within the clinical range (57 percent). Overall, therefore, the returning group may be manifesting higher aggregate levels of emotional distress than the group who did not respond.

Another factor worthy of note was that a greater proportion of those who had been in the intensive court preparation group returned (66 percent) than those who had been randomly assigned to the comparison group (50 percent). Perhaps these children felt more comfortable returning to talk about their experiences than those in the non-intensive preparation group. A factor of concern was that, because of the \$50.00 offered, we might see a higher proportion of financially-challenged families responding. If that were true, it would be a bias because of the higher rate of social problems experienced by poor families. Although not a valid measure of current financial status, our only indicator for non-responders was our knowledge of family finances at the time of intake. There was, it turned out, a slight difference between responders and non-responders, but it was in the opposite manner than hypothesized. Less than two thirds (62 percent) of those judged to be financially challenged returned compared with three quarters of those judged to be financially comfortable. We were, however, unable to judge financial status in 21 percent of the cases.

Overall, therefore, the two groups were remarkably similar, especially in terms of their experiences in the criminal justice system. The fact that we have a higher than expected proportion of intrafamilial cases is a factor that should be born in mind when interpreting the results. In addition, this group may be experiencing greater overall levels of emotional distress at the follow-up than would be the case among the original group as a whole.

FOLLOW-UP INTERVAL

The follow-up interviews were conducted between October, 1991, and August, 1992. Because we were focusing on cases that were referred to the Project between January of 1988 and January of 1990, a two-year period, we knew that the follow-up interval would be widely variable across cases. Effort was made to cluster more tightly the follow-up intervals by spreading out the interviews and starting with the earliest cases. This was only modestly successful. Follow-up interval could be measured two ways: time between the charges and the follow-up interview; and, time between the last court hearing (acquittal or sentencing) and the follow-up interview. Our review of the literature indicated that children are routinely distressed at the time of court and do not begin to show signs of marked improvement until after the case is resolved. We chose, therefore, the latter interval.

We conducted the interviews an average of two years and eight months after the last hearing (acquittal or sentencing). As the typical case took about one year to conclude, the children had been launched into the court process by the laying of a charge an average of three years and eight months before. Guilty pleas shortened the time in the system while many adjournments, trial delays and bench warrants could significantly lengthen it. One case, involving a child who did not return for an interview, ended only weeks before the follow-up began. The most recently-concluded case where a child had been interviewed for the follow-up had ended one year and six months before. At the other extreme was three years and nine months. Therefore, the follow-up intervals for the 77 children covered a range of two years and three months. We did not include

appeals in the calculation of last hearing date because we found that the families were unaware of the existence of these proceedings and, certainly, were not involved.

As noted in the literature review, it is safe to assume that the children's mental health will improve over time, as they put the abuse progressively farther behind them. The effects of child sexual assault can be expected to diminish as time passes, at least in most cases. The wide dispersal of follow-up intervals was, therefore, a potential bias. Would the children who were interviewed sooner after court appear more disturbed than those seen later, merely because of the time factor? Using the Clinical Judgment Rating Scale discussed in Chapter Two, there was no association between the scores and length of follow-up interval.

GENERALIZABILITY BEYOND LONDON

A final factor that serves to limit the generalizability of our data is the geographical location of the court. London has a population of about 310,000, widely dispersed over a large area with low density housing. Residents are generally affluent and culturally homogeneous relative to other areas of Canada. The crime rate is well below the national average as is the unemployment rate. London has to this point avoided many of the social ills that characterize modern urban centres while not suffering from the isolation and lack of social resources that plague rural and remote areas of the country. The experiences of the child victims in London may not parallel those of victims in a major urban centre or in a remote northern community.

Equally important, however, is that the legal culture in London may fairly be described as progressive. For example, the police force in London is nationally recognized for its innovative programs and policies concerning the law enforcement response to domestic violence. During the time under study, there were two detectives dedicated to child abuse cases, and the force has recently initiated a six-member sexual assault squad. The Victim/Witness Assistance Program in London can be described as nothing less than superlative. Upon the proclamation of the Bill C-15 amendments, the office of the Crown Attorney established a policy whereby child sexual abuse cases would be "red flagged" so that a single prosecutor was assigned to deal with the case from start to finish. The Children's Aid Society investigations were child-sensitive professional, and the agency provided individual, family and group counselling where necessary. Members of all components of the local justice system facilitated the research by offering valuable suggestions, serving on our Local Advisory Board, and permitting file data collection. In many ways, the child victims we were studying had access to some of the best services then available in Canada.

In summary, because we were unable to interview all of the original children, we had to consider potential sources of bias that could reduce the generalizability of our findings. It seems that one issue of concern is that those children who experienced abuse by family members are overrepresented. It also seems likely that the follow-up group may have been manifesting more psychological distress than the group who did not return. However, the representativeness of the children is critical only if our intention is to be descriptive. Overall, we see the data as both exploratory and relational. First, being the first follow-up study of child witnesses in Canada, we will explore the extra-legal consequences of the court experience for these children. For this reason, qualitative data will be presented as well as quantitative. We cannot address how frequently various things happen in the general population, only that they do. Second, by contrasting groups within the sample, we will identify the demographic, abuse and court variables associated with emotional outcome.

One final point needs to be presented. There are several decision-making junctures through which these cases pass before charges are laid. The first step is that children must recognize that the abusive behaviour is wrong and, secondly, they must tell someone. That person must decide to report the matter to authorities. In almost all cases, the alleged perpetrator is immediately identified. Then, child welfare and criminal justice personnel must propel the case toward prosecution in a series of judgments about the veracity of the allegation, sufficiency of evidence, perceived ability of children to testify, cooperation of the family, suspect's response to questioning, probability of recidivism and the like. In other words, because of case attrition, there is good reason to assume that a court sample will not be a representative group of child sexual abuse victims. As Gray notes about her court sample, child witnesses "must represent cases of child sexual abuse *that we think should be*

prosecuted."⁵⁵

In our evaluation study, we found that age of the child was associated with the police decision to lay a charge. For example, in the cases of child complainants between two and eight years of age, only 20 percent were cleared by charge. Twelve year old complainants saw charges in 65 percent of cases and the frequency of charging dropped off for teenaged complainants. It is not, therefore, our intention — nor can it be — to make generalizations about the impact of child sexual abuse *per se*. Conversely, we cannot understand their reactions to court without an appreciation of how sexual abuse affects children. We now turn to the results.

⁵⁵ Gray (1993), *supra*. note 20 at 194 [italics in original].
