



University of HUDDERSFIELD

University of Huddersfield Repository

Gallagher, Bernard

Understanding the attrition of cases of child sexual abuse and neglect in the criminal justice system

Original Citation

Gallagher, Bernard (1999) Understanding the attrition of cases of child sexual abuse and neglect in the criminal justice system. Technical Report. ESRC.

This version is available at <http://eprints.hud.ac.uk/id/eprint/5986/>

The University Repository is a digital collection of the research output of the University, available on Open Access. Copyright and Moral Rights for the items on this site are retained by the individual author and/or other copyright owners. Users may access full items free of charge; copies of full text items generally can be reproduced, displayed or performed and given to third parties in any format or medium for personal research or study, educational or not-for-profit purposes without prior permission or charge, provided:

- The authors, title and full bibliographic details is credited in any copy;
- A hyperlink and/or URL is included for the original metadata page; and
- The content is not changed in any way.

For more information, including our policy and submission procedure, please contact the Repository Team at: E.mailbox@hud.ac.uk.

<http://eprints.hud.ac.uk/>

Full Report of Research Activities and Results

Understanding the Attrition of Child Abuse and Neglect Cases in the Criminal Justice System R 000 236 891

Terminology

For the purposes of this report, attrition is defined as:

Attrition is said to occur when an investigation by the police, with or without the support of other agencies, into concerns of child abuse or neglect (maltreatment) does not lead to the conviction of a suspect.

This research has found that attrition is a complex phenomenon both conceptually and in terms of practice, occurring as it does at different stages of the criminal justice system (CJS), for different reasons and in relation to different dimensions of an alleged offence (see Appendix 1 for a further discussion of terminology and the impact of this upon sampling). This is an issue which the researchers intend to consider, in depth, in a future publication. In the interim this working definition is used.

This research cuts across a number of different disciplines and professions each of which has its own distinct terms. For the purposes of this report, the term 'child' (rather than victim, complainant or witness) is used to refer to the person who is the focus of the concern or allegation but it should be taken to include adult 'survivors'; and the term 'suspect' (rather than abuser or defendant) is used to refer to the person under investigation.

Background

Attrition is the subject of concern among policy makers, practitioners and the public. (Sharland, Seal, Croucher, Aldgate, and Jones, 1996; Smith, 1992). It may lead to a number of adverse consequences, including distress for victims and their family members; abusers who are encouraged to re-offend; and a diminution in the morale of agency workers. While these anxieties are understandable, there is, in fact, little research into the attrition of child maltreatment cases in the criminal justice system, whether this is *in terms of its rate, characteristics of cases, reasons for attrition, or implications for policy and practice.*

What data are available suggest that the rate of attrition is relatively high. Butler (1993), for example, in a survey of the use of **video-recorded interviews**, found that of the 14,912 which had been made only 3,652 (24%) were submitted to the Crown Prosecution Service (CPS). Hallet (1995) in a study of all **referrals** to one police service in 1989 found that 75% of referrals resulted in 'no further action' by the police. Similarly, Conroy, Moran-Ellis and Fielding (1991) found that the prosecution rate among child sexual abuse **investigations** was 12% in the Metropolitan Police Service and 7% in the Surrey Police Service. High rates of attrition have also been reported at later stages of the criminal justice system (CJS). Davis, Hoyano, Keenan, Maitland and Morgan (1999) found that of 21 cases sent to the Crown Court for trial only 2 (10%) resulted in the defendant being found guilty on all indictments.



Type of abuse is one of the characteristics of cases about which most is known in terms of its relationship to attrition. Creighton (1992), in a study of children whose names were placed on child protection registers, found that criminal proceedings were more likely following allegations of sexual abuse (17% of all cases) than physical abuse (7%). This finding is supported by qualitative research among police officers which revealed that 'whether the act is sexual in nature' was the single most important determinant in their instigating criminal proceedings in cases of child maltreatment (Portwood, Grady and Dutton, 2000). Previous work, however, had found that the 'seriousness' of the act was the primary factor in police officers decision-making (Willis and Wells, 1988). The importance of seriousness is highlighted in a study of 'severe' physical abuse cases which showed that a suspect was charged in 40% of such cases (Miller, Fox and Garcia-Beckwith, 1999).

Several studies have suggested a link between attrition and the personal attributes of alleged victims. These include demeanour (Regan and Baker, 1998), age and reputation (Davis, et al 1999). Some work has suggested a correlation between attrition and more procedural aspects of a case, such as whether the referral was anonymous (Repucci, 1992), disclosures or admissions on the part of alleged victims or suspects (Parton, Thorpe and Wattam, 1996) and previous complaints by the alleged victim (Davis et al, 1999). Others have argued that attrition may be related to aspects of agency action, such as the quality of investigations (Froun, and Kendall-Tackett, 1998), the training of police officers (Portwood et al 2000) and whether social services were undertaking work with the suspect (Davis et al 1999). A number of large scale studies have shown that practice may vary between different parts of the country (Social Services Inspectorate, 1994, Davies, Wilson, Mitchell and Milsom, 1995). Davies, et al (1995), for example, found that the prosecution rate (based upon submitted video tapes) varied from a low of 13% (Merseyside) to a high of 88% (Cambridgeshire).

In terms of the specific reasons for attrition, Hallet (1995) suggests that criminal justice agencies view all sexual abuse cases as 'serious' and consequently always seek to bring criminal proceedings. In physical abuse cases, by contrast, they exercise more discretion and will not charge suspects if they think it is not in the interests of the child and his or her family. In a study of child abuse investigations in two police services, Conroy, Moran-Ellis, Fielding and Tunstill (1991) found that a perceived reluctance on the part of the CPS to prosecute was one of the most significant concerns among police officers and social workers. In a more recent survey, the CPS reported that it terminated one-third (32.7%) of cases because of 'the retraction of a child witness' (Crown Prosecution Service, 1998). A study of CSA trials in North American courts, found that 46% of cases were terminated 'prematurely' either by prosecutors or judges on legal grounds (Tedesco and Schnell, 1987). The literature has identified a number of other reasons as to why cases are terminated, including concerns over a child's reaction at taking part in a trial (Sharland, et al 1996) and a belief that criminal proceedings are less important once children become 'looked after' (Cross, Martell, McDonald and Ahl, 1999). Some cases have been terminated because it is felt that the allegation is false. In a large-scale study into the operation of the child protection registers it was estimated that 12% of referrals to social services departments were false or malicious (Gibbons, Conroy and Bell, 1995)

Broadly-speaking, there are two schools of thought as to the role of the criminal justice system in child protection. The first of these holds that children who have been victims of child abuse or neglect should receive justice in court (Regan and Baker, 1998). Following on from this, the adherents of this view hold that attrition can and should be reduced. To this end, reforms in the CJS in recent years, such the use of video links and the videoing of children's interviews, (Davies and Noon, 1991; Davies et al 1995), and the 'fast-tracking' of children's cases (Plotnikoff and Wolfson, 1994) have been welcomed.

The second school of thought questions the whole emphasis upon criminal justice (including attrition) within the child protection system, arguing that this may not be in the best interests of victims (Wattam, 1997; Sharland, 1999). Some of the proponents of this view have maintained that there should be a greater emphasis upon treating perpetrators as opposed to prosecuting them (Cross et al 1999) as happens in some European countries, along with parts of Canada (Pelletier, 1980).

While there is, then, some work on the attrition of child maltreatment cases, overall this subject has been subject to little systematic attention in research terms. Furthermore, many of the studies which have been done, have used small or unrepresentative samples, contrasting methodologies or have observed attrition indirectly. As a result, knowledge and understanding of attrition - which is central to debates concerning the relationship between the child protection and criminal justice systems - is extremely limited.

Objectives

1. To measure the rate of attrition among police investigations of suspected child abuse and neglect at each stage of the criminal justice process

This has been addressed through searches of police records.

This objective has been met

2. To identify the characteristics of cases subject to attrition at each stage of the criminal justice process,

This objective has been addressed primarily through searches of police records, complimented by interviews with police officers and Crown Prosecution Service (CPS) lawyers, and through searches of CPS records.

This objective has been met

3. To ascertain the reasons why police investigations into child abuse and neglect are terminated at different stages of the criminal justice process.

This objective has been addressed in a quantitative sense through searches of police records. More qualitative data on this issue has been provided through interviews with police officers and CPS lawyers, and through searches of CPS records.

This objective has been met

4. To determine the implications of attrition of child abuse and neglect cases for the criminal justice and child protection systems.

This objective has been addressed through searches of police and CPS records, and interviews with police and CPS personnel.

This objective has been met.



Changes

There was one major change in the objectives of the research. Rather than study only CSA cases, it was decided that all types of child abuse and neglect (that were investigated by the police) should be eligible for inclusion in the research. This change was suggested by one of the participating agencies, in their initial discussions with the researchers. After further consideration, and discussion with other participating agencies, it was decided to implement this change. Although this reduced the number of CSA cases studied, this is more than compensated for by the ability of the research to comment upon a much broader range of child protection cases.

This study had proposed sending questionnaires to social workers, primarily in an attempt to provide some insight as to the views of children and their parents/carers regarding attrition (see original application). However, other stages of the research, in particular the search of police records, proved considerably more demanding than had been anticipated and the researchers were unable to carry out this postal questionnaire survey. (Police records tended to be quite large and complex. Furthermore, the six police services randomly selected to take part in the research were all quite far from the research office which led to additional demands.) Having said this, information on the response of children and their parents/carers to attrition was obtained from the search of police records and interviews with police officers.

Methods

1. Search of police records (investigations)

A search of police records pertaining to approximately 166 investigations into suspected child abuse or neglect in each of six police services. This was intended to provide a overall sample of approximately 1000 investigations. The 166 investigations were chosen **at random** from all of those carried out by each police service in 1997. Initially, a random sample of six English and Welsh police services was drawn up. Towards the end of the study, one of these six (all of which covered shire counties but included some large towns or cities) was replaced by a service covering a metropolitan area, as early results suggested that there might be some urban-rural effect in terms of attrition, and it was felt that this should be explored further.

2. Interviews with police officers

Interviews were carried out with the lead officer in a random sample of 10% of the 166 investigations carried out in each police service area. This approximated to 16-17 interviews per police service area. The interviews covered the following six areas:

- Administrative details of the interview and personal details of the interviewer
- Decision-making regards the 'index' case
- Other aspects of the index case (for example, views of child and parent/carer towards the criminal justice outcome, quality of investigation, and impact of investigation upon child)
- Experience of attrition in general and other CJS outcomes
- Relationships with the Crown Prosecution Service
- Views on the child protection system in general



3. Interviews with CPS lawyers

Interviews were conducted with CPS lawyers in respect of six cases in each police service area. The CPS interviews covered broadly the same areas which featured in the police interviews, although with some modification to take account of the differences in the role of these two agencies.

Details of other fieldwork that was undertaken (search of CPS records and police referral files), which was additional to that set out in the original proposal are contained in Appendix 2.

(Further details concerning the above methodology, additional fieldwork that was carried out and the issues which arose, are contained in Appendix 2.)

Analysis

The quantitative data (search of police records) was analysed using SPSS version 9. The qualitative data was analysed manually.

Results

Police record searches

Rate of attrition

Some of the police investigations involved multiple children and/or suspects. Thus, the 1000 investigations produced a total of 1548 child-suspect 'dyads', that is 1548 unique pairings of one child and one suspect. These dyads are used as the basis of analysis in this report but hereinafter are referred to as 'cases'.

Table 1 shows the furthest point along the criminal justice process which these cases reached. As the figures make clear, levels of attrition were high, with the police taking 'no further action' (NFA) in respect of a 76% of cases, and administering cautions in a further 5%. Only 17% of alleged child maltreatment cases proceeded as far as a prosecution. While these data indicate that a good deal of attrition takes place within the police, they mask the complex trajectories which cases sometimes take through the CJS. For example, 84 (7%) of the 1136 NFA cases 'advice files' where the CPS recommended this outcome. The CPS discontinued a further 19 cases. Similarly, 7% of the 71 cautions (n=5) were administered following the advice of the CPS. Overall, the CPS were responsible for terminating a relatively small proportion of cases. This may have been due, in part, to the police 'second-guessing' the CPS and 'filtering out' the cases which they thought the CPS would have terminated. Also, it must be said that the cases which the CPS did terminate tended to be the more serious and contentious ones, given that the cases the police sent to them were those where there were stronger grounds for proceeding in terms of evidence and/or public interest.

**Table 1 Attrition among alleged child maltreatment cases**

OUTCOME	N	%
No further action by police	1136	76
Police caution	71	5
CPS discontinue	19	1
Prosecution	259	17
Other	6	*
SUB-TOTAL	1491	99
Known	1491	96
Missing	57	4
TOTAL	1548	100

(For the above and all subsequent tables note: the symbol * signifies percentages less than 0.5; and that total percentages may not equal 100 because of rounding)

While a relatively small proportion of cases progressed as far as a prosecution, once they reached this stage subsequent levels of attrition were much lower. Table 2 shows that a high proportion of prosecuted cases (85%) resulted in convictions (in respect of at least one of the indictments in the case).

Table 2 Attrition among prosecuted child maltreatment cases

OUTCOME	N	%
Conviction	179	85
Not convicted	32	15
SUB-TOTAL	211	100
Known	211	81
Missing	48	19
TOTAL	259	100

Characteristics of cases subject to attrition

The literature suggests that type of maltreatment may be one of the most important correlates of attrition (Creighton, 1992). In view of this, cases were divided up according to type of maltreatment. Three major groups of alleged maltreatment emerged: sexual abuse, physical abuse and neglect. Table 3 shows that there were indeed major variations in the rate of attrition according to type of maltreatment. Attrition was especially high for offences of alleged physical abuse and neglect, with the police taking NFA in 85% and 83% of cases respectively, but much lower for alleged sexual offences at 63%. Correspondingly, the rates of prosecution were highest among alleged sexual abuse, at over one-quarter (26%) of cases and lowest for physical offences at 7%. However, the picture for neglect cases is slightly more complex with these cases occupying something of an intermediary position with 13% of all investigations leading to a prosecution.

Cautions were, in general, administered quite rarely across all three categories. Having said this, there was a noticeable difference in the rate of their use between sexual and physical offences, accounting for 3% and 8% of these cases respectively.

Table 3 Attrition - by type of alleged maltreatment

OUTCOME	Sexual		Physical		Neglect		ALL	
	N	%	N	%	N	%	N	%
Police NFA	517	69	411	85	144	83	1072	76
Caution	25	3	37	8	8	5	70	5
Prosecution	196	26	35	7	22	13	253	18
Other	9	1	1	*	-	-	10	1
SUB-TOTAL	747	99	484	100	174	101	1405	100
Known	747	95	484	99	174	95	1405	96
Missing	37	5	7	1	9	5	53	4
TOTAL	784	100	491	100	183	100	1458	100

Differences in attrition, according to type of maltreatment, continued beyond prosecutions. Table 4 shows that the rate of conviction among prosecuted CSA cases was - at 84% - very close to the average for all the cases (85%). This was in marked contrast to physical abuse where the conviction rate (among prosecuted cases) dropped to less than two-thirds (62%). The situation for cases of alleged neglect was striking with a conviction rate of 100%.

Table 4 Outcome of prosecutions - by type of alleged maltreatment

OUTCOME	Sexual		Physical		Neglect		ALL	
	N	%	N	%	N	%	N	%
Conviction	141	84	16	62	22	100	179	83
Non-conviction	27	16	10	38	-	-	37	17
SUB-TOTAL	168	100	26	100	22	100	216	100
Known	168	86	26	74	22	100	216	85
Missing	28	14	9	26	-	-	37	15
TOTAL	196	100	35	100	22	100	253	100

In addition to type of maltreatment, the literature has also suggested that attrition might vary between areas (Davies et al 1995.) Table 5 reveals that there was considerable variation between the six areas in terms of the rate of attrition. For example, the proportion of alleged CSA cases subject to no further police action ranged from 92% in Area 1 to almost less than half of this (55%) in Area 6. There was less variation in terms of alleged physical abuse cases but it was still marked with, for example, virtually all the cases (99%) being 'no further actioned' in Area 1 as against approximately two-thirds (68%) in Area 3. What these Tables also show is that relative rates of attrition are quite consistent across types of maltreatment. This is illustrated by the figures for alleged sexual and physical cases. If Area 3 is removed, then the rank order of the remaining five areas, in terms of rates of attrition, is identical for these two types of maltreatment.

Table 5 Rate of attrition by police service areaAlleged sexual offences

OUTCOME	Area 1		Area 2		Area 3		Area 4		Area 5		Area 6		ALL	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Police NFA	53	93	74	85	94	78	125	71	80	60	95	55	521	70
Caution	4	7	-	-	5	4	6	3	5	4	5	3	25	3
Prosecution	-	-	13	15	20	17	41	23	48	36	74	43	196	26
Other	-	-	-	-	1	1	4	2	-	-	-	-	5	1
SUB-TOTAL	57	100	87	100	120	100	176	99	133	100	174	101	747	100
Known	57	100	87	100	120	98	176	100	133	100	174	96	747	99
Missing	-	-	-	-	3	2	-	-	-	-	8	4	11	1
TOTAL	57	100	87	100	123	100	176	100	133	100	182	100	758	100

Alleged physical offences

OUTCOME	Area 1		Area 2		Area 3		Area 4		Area 5		Area 6		ALL	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Police NFA	87	99	90	95	50	68	51	88	59	87	74	73	411	85
Caution	1	1	1	1	6	8	5	9	2	3	22	22	37	8
Prosecution	-	-	4	4	16	22	2	3	7	10	6	6	35	7
Other	-	-	-	-	1	1	-	-	-	-	-	-	1	*
SUB-TOTAL	88	100	95	100	73	99	58	100	68	100	102	101	484	100
Known	88	100	95	100	73	97	58	98	68	100	102	97	484	99
Missing	-	-	-	-	2	3	1	2	-	-	3	3	6	1
TOTAL	88	100	95	100	75	100	59	100	68	100	105	100	490	100

Alleged neglect offences

OUTCOME	Area 1		Area 2		Area 3		Area 4		Area 5		Area 6		ALL	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Police NFA	89	97	22	100	22	92	26	76	37	86	12	52	208	87
Caution	3	3	-	-	-	-	1	3	1	2	3	13	8	3
Prosecution	-	-	-	-	2	8	7	21	5	12	8	35	22	9
SUB-TOTAL	92	100	22	100	24	100	34	100	43	100	23	100	238	99
Known	92	100	22	100	24	83	34	100	43	100	23	100	238	98
Missing	-	-	-	-	5	17	-	-	-	-	-	-	5	2
TOTAL	92	100	22	100	29	100	34	100	43	100	23	100	243	100

Explaining the differences between areas in their rates of attrition is clearly vital and work on this is being undertaken at the moment. It is likely, though, that some of it is explained by differences in the nature of cases being investigated. It was evident, in the course of the records searches, that the high attrition rate areas tended to have less 'serious' cases. Variables are currently being constructed to measure seriousness

in an objective manner (for example, the nature of the alleged sexual assault or severity of the physical injury) in an attempt to test this hypothesis. Some of the variation in attrition might also have been due to the differences in policy or practice. This is suggested by the use of cautioning by the police, in which they have some degree of discretion. It seems that the police in Area 6, for example, were far more inclined to use cautions in cases of physical abuse than were their colleagues in any of the other five areas.

Further evidence of the possible influence of 'agencies' upon attrition comes from an analysis of attrition among prosecuted cases. For a case to progress as far as a prosecution then there must, in the view of both the police and CPS, have been sufficient evidence and public interest. There would, therefore, have been a greater degree of homogeneity between these cases than existed among the whole sample. Despite this, there were, as Table 6 reveals, marked variations in attrition at this stage of the CJP. For example, more than one-half of all suspects in alleged CSA cases were acquitted in Area 2 compared with only 10% in Area 6. Although cell sizes do start to become quite small in respect of cases of alleged physical abuse, it is interesting to note that the aforementioned situation is reversed with all prosecutions in Area 2 resulting in convictions as against 40% of those in Area 6. Cases of alleged neglect again stand out, with every prosecution in each of the six areas leading to a conviction.

The existence of differences in attrition 'patterns' by type of maltreatment, such as those described above, underlines the value of broadening the study beyond CSA.

Table 6 Attrition among prosecuted cases of maltreatment - by area

<u>Alleged sexual assault offences</u>															
OUTCOME	Area 1		Area 2		Area 3		Area 4		Area 5		Area 6		ALL		
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	
Conviction	-	-	4	44	16	84	30	77	38	81	53	90	141	82	
Non-convict.	-	-	5	56	3	16	9	23	9	19	6	10	32	18	
SUB-TOTAL	-	-	9	100	19	100	39	100	47	100	59	100	173	100	
Known	-	-	9	69	19	95	39	95	47	98	59	80	173	88	
Missing	-	-	4	31	1	5	2	5	1	2	15	20	23	12	
TOTAL	-	-	13	100	20	100	41	100	48	100	74	100	196	100	

<u>Alleged physical assault offences</u>															
OUTCOME	Area 1		Area 2		Area 3		Area 4		Area 5		Area 6		ALL		
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	
Conviction	-	-	3	100	6	60	1	50	4	67	2	40	16	62	
Non-conviction	-	-	-	-	4	40	1	50	2	33	3	60	10	38	
SUB-TOTAL	-	-	3	100	10	100	2	100	6	100	5	100	26	100	
Known	-	-	3	75	10	63	2	100	6	86	5	83	26	74	
Missing	-	-	1	25	6	37	-	-	1	14	1	17	9	26	
TOTAL	-	-	4	100	16	100	2	100	7	100	6	100	35	100	



Alleged neglect offences

OUTCOME	Area 1		Area 2		Area 3		Area 4		Area 5		Area 6		ALL	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
Conviction	-	-	-	-	2	100	7	100	5	100	8	100	22	100

Reasons for attrition - police

Table 7 indicates the most common reasons the police gave for taking no further action. (This analysis excludes cases referred to the CPS but subsequently terminated.) When recording these reasons in their files, the police often resorted to a series of standard shorthand terms or phrases. For the purposes of this report, these terms and phrases have been copied more-or-less verbatim. It is important to stress that the researchers have not sought to use any of their own interpretation as to precisely why the police terminated a case; the relative importance of the different reasons which may have been given; or the existence of other factors which may have influenced the police in their decision-making. However, this is work which the researchers are undertaking at the moment as decision-making in this area (by all agencies) is a complex phenomenon and one which has to be 'unpicked'.

Although there is some overlap in the reasons listed in Table 7, what is initially most striking is the number of different reasons which the police gave. For alleged physical assault, for example, there were 24 separate reasons as to why police terminated cases, and this does not include the myriad of other reasons which were cited very infrequently.

The largest proportion of cases were terminated due to an insufficiency of evidence. 'A lack of corroboration' was the single most common reason, being cited in one-quarter of all cases. A number of other reasons, also relating to the 'quantity' of evidence, were given. These included the 'lack of disclosure by child' and the 'lack of medical evidence', recorded in 13% and 11% of all cases respectively.

A second important group of reasons related to the 'quality' of evidence. These included concern over the credibility of a child or witness's evidence (8% and 3% of all cases respectively), and the existence of conflict between a witness and the suspect (6%). Thus, it can be seen that many cases of child maltreatment were terminated by the police on 'legalistic grounds' in that the case was not sufficiently strong in terms of evidence to merit referral to the CPS.

Table 7 Reasons police gave for taking no further action

REASON	SEXUAL		PHYSICAL		NEGLECT		ALL	
	N	%	N	%	N	%	N	%
Lack of corroboration	124	25	124	28	19	14	267	25
Lack of disclosure by child	102	20	38	9	3	2	143	13
Denial by suspect	70	14	51	12	-	-	121	11
Concerns over child's credibility	52	10	35	8	-	-	87	8
Child doesn't wish to pursue crim. proceed.	51	10	58	13	-	-	109	10
Lack of medical evidence	43	9	33	8	-	-	76	7
Suspect unable to give evidence	34	7	18	4	1	1	53	5
Parent/carer doesn't wish to pursue crim. proc.	33	7	27	6	-	-	60	6
Concern over child's response to court case	27	5	5	1	-	-	32	3
Conflict between witness and suspect	24	5	35	8	4	3	63	6
No concerns over child's welfare	24	5	40	9	44	32	108	10
Malicious allegation	23	5	31	7	10	7	64	6
Child retracts allegation	23	5	11	3	-	-	34	3
Child denies being maltreated	18	4	18	4	4	3	40	4
Child too young to take part in crim. proceed.	18	4	9	2	-	-	27	3
Child would make not a good witness	17	3	1	*	-	-	18	2
Concerns over credibility of witness	16	3	15	3	3	2	34	3
No suspect identified	13	3	3	1	-	-	16	1
Lateness of report	11	2	3	1	-	-	14	1
Not in public interest	4	1	8	2	-	-	12	1
Injury deemed accidental	n/a	n/a	42	10	n/a	n/a	42	4
Absence of any physical injury	n/a	n/a	29	7	n/a	n/a	29	3
Minor nature of injury	n/a	n/a	17	4	n/a	n/a	17	2
Deemed 'one-off' incident	n/a	n/a	6	1	6	4	12	1
Neglect deemed not to have taken place	n/a	n/a	n/a	n/a	16	12	16	1
Alternative arrangements made for child's care	n/a	n/a	n/a	n/a	7	5	7	1
CASES	505	100	436	100	136	100	1077	100
Known	505	81	436	93	136	86	1077	86
Missing	117	19	31	7	22	14	170	14
TOTAL	622	100	467	100	158	100	1247	100

A number of cases were terminated because there was at least a *prima facie* case that no maltreatment had taken place. For example, in 6% of cases the police felt that the allegation was false or malicious, and in 4% of cases the child denied being maltreated. Having said this, all the reasons given by the police need further, careful examination, and in particular need to be placed in context. As was apparent to the police, in some of these cases, a child's denial, for example, may itself have been false. Similarly, some of the suspects' denials (11% of cases) would have been false, although they would still - and very importantly in the context of this study - have had an influence upon decisions to terminate cases.

Taking the 'absence of maltreatment' as an example, it is interesting to note the extent to which 'reasons' varied by type of maltreatment. Whereas the police deemed that - following their investigation - there were 'no concerns' in respect of 32% of neglect cases, this reason was given in only 5% of alleged sexual abuse cases.



While these cases are officially classified as no further action by the police, some of them were, in effect, terminated by other 'agencies'. In 10% of all cases the child did not wish to pursue criminal proceedings and in 6% (usually involving younger children) this was the parents/carers wish. In many of these cases the police did have sufficient evidence to charge but were, in respect of physical abuse, often in agreement that to proceed would not have been in the best interests of the child or his or her family. They often felt more disquiet about this outcome in terms of CSA cases. This is due to the fact that the wish of many of these children and their parents/carers to terminate proceedings was based upon their fear of taking part in a criminal trial. Also, some children were under pressure from family members or others not to pursue proceedings. This latter factor also accounted for some of the CSA cases where children withdrew their allegation.

What is also interesting about these data is the relative infrequency with which certain reasons were cited. For example, the child being too young to take part in criminal proceedings (3% of all cases), concern's over a children reaction to taking part in a criminal trial (3%) of their ability as a witness (2%), and the lateness of a report (1%), were all mentioned less frequently than might have been imagined, given the emphasis these issues have been given in the literature (Wattam, 1997; Sharland, 1999).

Only 1% of cases were stopped supposedly on the grounds of 'public interest'. The interviews with police officers indicated that, in practice, 'public interest' was considerably more significant than is suggested by this figure. Thus, it may be that there is considerable 'distance' between the police's 'official' and 'unofficial' reasons for terminating cases. This emphasises, still further, the need to 'unpick' the reasons behind decision-making on the part of the police (and other agencies) in respect of attrition.

Reasons for attrition - CPS

The reasons the CPS gave for either recommending no further action or discontinuing cases are given in Table 8. Again, the researchers have not sought to interpret these reasons but have quoted them more-or-less verbatim. As with the police, it is possible to identify a number of distinct groupings among the wide variety of reasons the CPS cited for terminating cases. By far the largest proportion of cases were terminated for reasons related to the 'quantity' of evidence. Almost one-half (42%) of all cases were not proceeded with because there was a 'lack of' or 'insufficient corroborative evidence' and a further 6% because of a 'lack of' or 'insufficient medical evidence'. That these specific reasons were cited considerably more often than in the police underlines the fact that the CPS role is much narrower and is concerned, to a large degree, with assessing the evidential strength of case.

A second large group of reasons concerned what the CPS saw as the 'quality' of evidence. This included doubts over the credibility of a child or witness's evidence (32% and 15% of cases respectively), the 'lateness' of the complaint by the child (8%) and the existence of conflict between the suspect and a witness (4%). Thus, it can be seen that much of the attrition within the CPS is down to the evidential weakness of a case. This conclusion is reinforced by the 22% of cases where it was judged that there was 'no realistic prospect of conviction' - which can be taken as a summary measure of CPS's assessment as to the quantity and/or quality of evidence.



Table 8 Reasons CPS gave for terminating cases

REASON	Sexual		Physical		ALL	
	N	%*	N	%*	N	%*
Lack of/insufficient corroborative evidence	32	42	11	42	43	42
Doubts over credibility of child's evidence	22	29	11	42	33	32
No realistic prospect of conviction	17	22	6	23	23	22
Police and/or CPS believe child would not make a good witness	12	16	-	-	12	12
Suspect denies responsibility	10	13	1	4	11	11
Lateness of report	8	10	-	-	8	8
Doubts over credibility of witness's evidence	8	10	7	27	15	15
Concerns over child's reaction to a trial	6	8	-	-	6	6
Child doesn't wish to pursue criminal proceedings	6	8	3	12	9	9
Child retracts allegation	6	8	-	-	6	6
Not in public interest	5	6	7	27	12	12
Youth of child	5	6	4	15	9	9
Suspects inability to give evidence	5	6	3	12	8	8
Lack of/insufficient medical evidence	4	5	2	8	6	6
No disclosure by child	3	4	1	4	4	4
Believe allegation to be malicious	3	4	-	-	3	3
Suspect's ill-health	3	4	-	-	3	3
Parents/carers do not wish to pursue criminal proceedings	2	3	4	15	6	6
Existence of previous conflict between suspect and witness	1	1	3	12	4	4
Child denies being maltreated	-	-	3	12	3	3
TOTAL NUMBER OF CASES	77	100	26	100	103	100

(*percentages do not total 100 because more than one reason was given in some cases)

A third, though smaller, group of reasons for terminating cases were related to more procedural issues, specifically the 'feasibility' of a trial. In 12% of all cases the CPS determined - often following police advice and/or watching the child's video evidence - that the child would not make a good witness in a trial. In 6% of cases there were concerns over a child's reaction at taking part in a trial and in a further 3% of cases the suspect was deemed incapable, through ill-health, of taking part in a trial.

Another group of cases were terminated, in effect, independently of the CPS. In almost one-tenth (9%) of all cases the child did not wish to pursue criminal proceedings and in 6% parents/carers did not wish the case to go any further.

There were some important differences in reasons for attrition according to type of maltreatment. Chief among these was the termination of cases on the grounds of public interest. While this was cited in almost one-third of alleged physical assault cases (32%), it was a factor in only 6% of CSA cases. This is a very clear indication that there are major differences in the ways in which different types of maltreatment are perceived. Another important difference in terms of type of maltreatment, involved the extent to which the CPS expressed concerns over the credibility of children's and witness's evidence. Whereas this was raised in respect of a total of almost three-quarters of all alleged physical offences (74%), it featured in a far smaller proportion of CSA cases (39%). This finding may be explained by the fact that many physical incidents occurred in the context of disputes between children and their parents/carers which may lead the CPS to have greater doubts over the veracity of the subsequent evidence.



Interviews with police officers

The interviews with police officers highlighted three basic issues underlying whether a case was terminated or whether it progressed further along the criminal justice process. These were:

1. Whether any maltreatment had taken place
2. If maltreatment was suspected of having taking place, how strong was the evidence
3. Whether there was a public interest in pursuing criminal proceedings

In respect of the first of these, the decision to terminate cases was sometimes quite straightforward as it was discovered, sometimes very early on in an investigation, that maltreatment had not taken place. A good example of this is where the police received a report that child had been left on his own to visit and find that he was being cared for by his parents/carers. Another such case occurred when a school reported a suspicious injury to a child, which the parents subsequently (and convincingly) explained to police was accidental.

If maltreatment was suspected of having taken place, it then fell to the police to obtain and assess the evidence in the case. The police said that evidential issues were generally less significant in physical abuse cases. Many of these cases involved parents/carers who had assaulted their adolescent children in the course of 'domestic' disputes. Besides there often being physical evidence of assault (albeit generally minor), many of these children were quite willing to disclose the abuse - which is not surprising given the context in which it had occurred.

Where significant issues did sometimes arise was among cases involving younger children who, while in a minority, often incurred some of the most serious injuries. In many of these cases children were unwilling to disclose their abuse (through fear of the suspect) or were unable to (owing to their injury or the fact they were pre-verbal). Furthermore, suspects in these cases were unlikely to make an admission. As a result, it was not uncommon in these cases for there to be evidence of physical abuse but little or none as to the identity of the perpetrator.

The police stated that it was particularly difficult to obtain sufficient evidence in cases of CSA. This was due to the reluctance on the part of many victims to disclose their abuse and the fact there was often no physical evidence.

By contrast, the police often obtained good evidence in cases of neglect as they were invariably called to situations in which the maltreatment was on-going, such as children being left unsupervised, parents being drunk in charge of children or children living in squalid conditions.

The interviewees confirmed the findings of the record searches in that, regardless of the seriousness of a case, if there was insufficient evidence of maltreatment having taken place, or the identity of the perpetrator, then it would have to be 'no further actioned'.

When there was evidence of maltreatment which might be sufficient to justify criminal proceedings, the police said that they then had to consider whether it was in the 'public interest' (usually interpreted as the child's interest) to pursue these. In physical abuse cases, the police often took the view that it was not be in the child's interest, nor in the wider interests of his or her family, to pursue further criminal proceedings, or at least not beyond a caution. The reason for this was that they felt to do so this might well further aggravate an already difficult domestic situation. Having said this, the police identified a series of



criteria, concerning the circumstances of an assault, most or all of which would have to be fulfilled, if the suspect was not to be charged. These included:

- no injury or only minor injury caused to child
- no implement used in assault upon child
- injury was an isolated incident
- parent shows remorse
- child's unreasonable behaviour contributed towards incident
- older child

Cases of neglect were similar to those of physical abuse, in that the police, in conjunction with other agencies (usually social services), often deemed that it would not be in the child's interest for the suspect to be charged. Rather, they concluded that it would be preferable for the child and his or her family to receive support (or extra support) from a welfare agency. In the main, they charged only in situations of extreme neglect. It is largely for this reason (and the availability of evidence) that all the cases (among the record searches) where a suspect was charged with neglect resulted in convictions.

The police made clear that cases of suspected CSA were at the other end of the spectrum, in that these cases were very rarely terminated on the grounds of public interest. If there was sufficient evidence, then the suspect would invariably be charged. The few exceptions to this included the following cases:

- where the suspect was a young person, close in age to the victim and the child consented to the sexual activity
- a young (adult) man who engaged in sexual activity with a girl under the age of 16 years in the mistaken belief that she was 16 years or older

The police said that while they felt some case of physical abuse and neglect did not merit a prosecution neither did they feel that it was appropriate 'no further action' them. In such instance, the police said they sought to administer a caution to the suspect. This would often occur in cases where the police believed the maltreatment to be more serious and/or where they felt the suspect needed an additional degree of warning over his/her behaviour, as compared to the NFA cases.

While it was possible to identify these three basic elements in police decision-making surrounding the index cases, in practice criminal justice outcomes were based upon the police's consideration of a complex array of interplaying factors. This is something the researchers will describe more fully in future publications, drawing heavily upon this qualitative data and complimenting it with case vignettes.

Police officers explained that if they had doubts over the sufficiency of evidence or the public interest in a suspected maltreatment case, then they would refer it to the CPS as an 'advice file'. Alternatively, if they felt the evidential and public interests criteria were met, they would charge the suspect and send a 'full file' to the CPS.

As the results of the records searches made clear, the CPS were unaware of the large majority of suspected child maltreatment cases as the police took unilateral decisions to NFA them. Therefore, in some respects it could be argued that the police are superseding the role of the CPS. However, in their interviews a number of police officers explained that they were quite willing to send cases to the CPS for advice. Some said that they were, if anything, over-cautious in this respect. Overall, though, it appeared



that the police were sending the appropriate number and type of case to the CPS - a view which was confirmed, in part at least, in the interviews with CPS lawyers.

Interviews with CPS lawyers

The cases about which CPS lawyers were interviewed had been sent to them by the police in the form either of advice or charge files. In all of these cases there would have been at least some evidence that maltreatment had taken place and some public interest in proceeding with the case. In the light of this, CPS decision-making is of particular importance. This is in contrast to the totality of cases dealt with by the police involving, as they did, a much more heterogeneous collection of scenarios, including those where there would have been no maltreatment, false allegations or only very minor assaults

The work of the CPS in respect of determining whether a suspect should be prosecuted is set out in the Code of Practice (CPS, 1994) which identifies the two 'tests' which must be considered in deciding whether to prosecute: the 'evidential sufficiency test' and the 'public interest test'. The interviews with CPS lawyers revealed a number of interesting facets as to how they put these tests into practice in respect of the index cases:

- the extent to which the two tests dominated CPS decision-making, to the exclusion of other considerations
- the degree of emphasis placed upon the evidential test compared to the public interest test. (This was probably due, in part, to the greater clarity over the latter issue which enabled the police to 'filter out' cases where it was not possible to go ahead on this basis.)
- the methodical (if not 'clinical') and dispassionate approach they took to assessing cases, especially in terms of evidential sufficiency.
- while the evidential sufficiency test required that there be 'a realistic prospect of conviction', the CPS were, at least on some occasions, seeming to lean towards the judicial standard of 'beyond reasonable doubt'
- their own principle of 'constant review' whereby decisions tended not to be seen as final. Thus, the CPS were open to the possibility that new evidence or information might come to light to cause them to review their decision to prosecute, or not.
- the CPS did not have contact with the child or suspect but reached their decision mainly on the basis of a 'paper exercise' i.e. reading the file submitted by the police. (Having said this, they did view the child's video evidence - if a video has been made - and sometimes discussed the case with the investigating police officer)
- although the prosecuting authority, CPS lawyers always appeared very mindful of the principles of the law, and in particular the need to uphold the rights of defendants

As the above suggests, the CPS were exercised most by questions of the evidential sufficiency of a case. Whether an index case resulted in a prosecution, recommendation of 'no further action' or was discontinued, was largely dependant the CPS's assessment of the evidence. Indeed, on some occasions the CPS adopted the role of defence barrister and attempted to highlight weaknesses in their own case. In one such case, involving two siblings, the CPS lawyer said she had had to ask herself whether the defence was more likely to argue that there had been collusion between the two alleged victims on account of the fact they were twins.



CPS lawyers acknowledged that they employed high thresholds in deciding whether a suspect should be prosecuted but argued that this was only right when an individual's liberty was at stake. They appeared quite confident about the index cases they had terminated, stating that there were generally significant doubts over the evidence in these cases.

This level of scrutiny also applied to individual aspects of a case, particularly those where there were multiple victims, suspects or charges. The CPS would tend to proceed with the evidentially strong aspects of a case but drop the weaker ones for fear of undermining the chances of a prosecution. As some of the CPS lawyers acknowledged, it was decisions such as these which produced some of the greatest consternation among children, their families and other agencies.

Although CPS decision-making was, in many respects, more straightforward than that in the police, being driven overwhelmingly by considerations of evidential sufficiency and public interest, ultimately they too had to consider a set of quite complex array of interplaying factors. This is exemplified by some of the alleged CSA cases, for while public interest decreed that the CPS should almost always seek to prosecute in these cases, they recognised that there were a series of factors which had to be taken into account. These included the following 'aggravating factors':

- a wide age disparity between child and suspect
- abuse over a long period of time
- particular vulnerability on the part of the child, such as a learning disability
- abuse which represents a 'breach of trust'

While the above factors pushed the CPS towards a prosecution, public interest considerations regarding the impact of a court appearance on a child, even more so in the event of the suspect being acquitted, dissuaded them from this course of action in some instances. In practice, though, the CPS seldom cited public interest grounds for terminating alleged CSA whereas they did do this in cases of physical abuse and neglect.

(Further discussion of police and CPS decision-making and of the more general context in which attrition occurred is contained in Appendix 3)

Search of CPS case files

CPS files consisted of forms completed by the police and submitted to the CPS for their consideration, along with documents recording the subsequent CPS assessment and response to the case. Although this data has, as yet, been subject only to preliminary analysis, it is clear that they do confirm many of the points made by the CPS lawyers in their interviews. The files are particularly valuable in providing a detailed record of how CPS lawyers think about child maltreatment cases, their reasons for terminating cases and their general professional culture.



Search of police referral records

In the course of the record searches in some police services and divisions, the researchers had access to, and gathered information on, cases which were referred to the police but which were not investigated. As this data was outside the main objectives of this research, it has not yet been analysed and cannot be commented upon in any systematic manner.

However, it is known that there was much variation in how these referrals came to be made, what they comprised of and why they were not investigated. For example, some were referred for 'information purposes only' by other sections within the police which were leading the investigation. Other referrals, though, consisted of 'crimes' which no section of the police investigated. One local authority and police service, for example, had come to an arrangement whereby social services would 'investigate' more minor cases of alleged physical assault. The police might subsequently not have any involvement with the case, even if there was *prima facie* evidence of a crime, so long as social services deemed that this was not in the best interests of the child.

Given that in some areas more than 50% of referrals might not be investigated, this subsidiary body of data represents a further important dimension regarding the phenomenon of attrition. It also serves to reinforce the complexity of attrition, both conceptually and practically. Finally, it underlines the degree of trust and the close working relationship which exists between police and social services.

Analyses to date

By far the largest part of the data in this study was derived from the search of police records. This particular data set consists of more than one hundred variables on over 1500 cases. All this data has been coded and subject to preliminary analyses which has enabled the researchers to examine the relationship between attrition and a series of key variables, such as the precise nature of the alleged maltreatment; evidence; and child and suspect characteristics. There was insufficient space to discuss these variables in this report but they are listed in Appendix 4. This data is now being subject to more sophisticated multivariate analyses to determine causal correlations more accurately and reliably. The results of this work will be discussed at length in the first tranche of publications (see 'Outputs').

The qualitative data from the police and CPS interviews has been fully analysed.

Activities

As the research was completed and written-up only fairly recently, activities have been limited. However, one of us (GALLAGHER) has given a paper at an ESRC-sponsored seminar on child witnesses in the criminal justice system held at the Open University, Milton Keynes in October 1998, and GALLAGHER and PEASE are to give a seminar on the results of the research at Huddersfield University in December this year.

It is anticipated that the results of this study will generate a good deal of interest, leading to invitations to give numerous conference and seminar papers. The researchers plan to take up as many of these invitations as possible to ensure that the results of the study are fully disseminated.



The researchers remain interested in the idea of a national conference featuring the results of this research, along with those from a number of other studies which have looked at child protection and the criminal justice system. They intend to give this more thought to this once the data is fully analysed and begins to be published.

Outputs

Publications

The researchers are currently carrying out further analysis of the data and drafting manuscripts for publication. They are seeking to publish the data in such a way that it will reach policy makers and practitioners as well as fellow academics. To this end they are considering, in conjunction, with members of the advisory committee, publishing an overview report (available to a wide audience), a shorter briefing paper, along with a number of papers for academic and professional journals. Plans for academic publications are at an early stage at the moment but the researchers are preparing a first tranche of articles which focus upon the central objectives of this research. These are:

Gallagher, B. and Pease, K. (in preparation) Why the police and Crown Prosecution Service terminate alleged child maltreatment cases. To be submitted to *Criminal Law Review*

Gallagher, B. and Pease, K. (in preparation) The attrition of alleged child maltreatment cases in the criminal justice system: implications for policy and practice. To be submitted to *Child Abuse and Neglect*

Gallagher, B and Pease, K. (in preparation) Patterns of attrition among alleged child maltreatment cases in the criminal justice system. To be submitted to the *British Journal of Criminology*

Gallagher, B. and Pease, K (in preparation) The characteristics of alleged child maltreatment cases subject to attrition in the criminal justice system. To be submitted to the *British Journal of Social Work*

A second tranche of publications will exploit the dataset in terms of the broader issues it raises, including a conceptual critique of attrition as it applies to child maltreatment cases; the nature of police investigations of suspected child maltreatment; and the role of the CPS in child protection.

In conjunction with some of the research assistants who have worked on the study, there will be a third wave of publications including ones on the link between child maltreatment and substance misuse; the family backgrounds of children involved in child protection investigations; and sexual abuse by female perpetrators

Other dissemination

In addition to the dissemination cited above, the researchers intend to approach a national media outlet (probably Radio 4) to discuss coverage of this research either in a news programme or a documentary. Besides ensuring the results would be subject to serious debate and scrutiny, this exposure would publicise the study among a large number of other media outlets.

Dataset

In view of the sensitivity of this dataset, the researchers have asked (in an accompanying letter) that the requirement for a copy of it to be deposited with the Data Archive be waived.

Impacts

At the outset of the study, the researchers set up an advisory committee consisting of representatives of the following bodies: Association of Chief Police Officers, Association of Directors of Social Services, Crown Prosecution Service, Home Office, Lord Chancellors Department and Social Services Inspectorate (Department of Health) along with a number of academic colleagues. Besides providing participating agencies or their representatives with an opportunity to oversee the research, the advisory committee was designed to fulfil three specific purposes: to act as a source of practical and methodological advice to the researchers in the carrying out of the fieldwork; to assist in the interpretation of research findings; and to aid the dissemination of the research findings.

It is likely that this research will have an important influence upon policy and practice (along with knowledge and understanding) in relation to the attrition of child maltreatment cases in the criminal justice system. The advisory committee - which has shown considerable interest in the research - represents many of the key user groups. Thus, it is hoped that this committee will be of considerable help in ensuring the take-up of the policy and practice messages from this research among the main potential users.

Future research priorities

The researchers believe that the methodology used in this research could - in view of its conceptual and practical sophistication - be a valuable model for studies into the attrition of other types of offence.

Ethics

No specific ethical issues arose in the course of this research. However, it is worth noting that all individuals and agencies taking part in the research were given guarantees of confidentiality and anonymity. In view of the sensitivity of the data, the researchers gave an additional undertaking that they would disseminate their findings in as responsible a manner as possible. Furthermore, all the data have been kept in conditions of strict security.

Confidentiality

The researchers believe that this data is highly sensitive both in terms of its general findings and its potential for misuse by child abusers. In view of this, the researchers would like to retain an additional degree of control over the data, and to this end have asked the ESRC (see accompanying letter) to waive the rules regarding deposition of the data set with the Data Archive, sending a copy of this report to the British Library and any more general publicity.

Having said this, the researchers are fully aware of the need to disseminate the findings from this study among academic and wider audiences, and have every intention of doing this. They are anxious, though, for this to be done in such a way that avoids misinterpretation, sensational reporting or putting children at risk.

References

- Butler, A. (1993) Police Review, 10 December, 13-14
- Conroy, S., Moran Ellis, J., Fielding, N. and Tunstill, J. (1991) Child Sexual Abuse. End-of-award report to the ESRC. Guildford: University of Surrey
- Creighton, S. (1992) Child Abuse Trends in England and Wales 1988-1990 and an Overview from 1973-1990. London: NSPCC
- Cross, T.P., Martell, D., McDonald, E. and Ahl, M. (1999) The criminal justice system and child placement in child sexual abuse cases, Child Maltreatment, 4, 1, 32-44
- Crown Prosecution Service (1994) The Code for Crown Prosecutors. London: Crown Prosecution Service
- Crown Prosecution Service (1998) The Inspectorate's Report on Cases Involving Child Witnesses. London: Crown Prosecution Service
- Davies, G.M., Wilson, C., Mitchell, R. and Milsom, J. (1995) Videotaping Children's Evidence: An Evaluation. London: Home Office
- Davis, G., Hoyano, L., Keenan, C., Maitland, L and Morgan, R. (1999) An Assessment of the Admissibility and Sufficiency of Evidence in Child Abuse Prosecutions. London: Home Office
- Froum, A.G. and Kendall-Tackett, K.A. (1999) Law enforcement officers approaches to evaluation of child sexual abuse, Child Abuse and Neglect, 22, 9, 939-942
- Gallagher, B. (1998) Grappling with Smoke. Investigating and Managing Cases of Organised Child Sexual Abuse - A Good Practice Guide. London: NSPCC
- Gibbons, J., Conroy, S. and Bell, C. (1995) Operating the Child Protection System. London: HMSO
- Hallet, C. (1995) Interagency Co-Ordination in Child Protection. London: HMSO
- Miller, B.V., Fox, B.R. and Garcia-Beckwith, L. (1999) Intervening in severe physical child abuse cases: mental health, legal, and social services, Child Abuse and Neglect, 23, 9, 905-914
- Parton, N., Thorpe, D., and Wattam, C. (1996) Child Protection: Risk and the Moral Order. Basingstoke: Macmillan
- Pelletier, R. (1980) Advantages for children of a non-judiciary and family approach to cases of sexual abuse, In M. Samson (ed) Enfance and Sexualite. Montreal: Editions Etudes Vivantes
- Portwood, S.G., Grady, M.T. and Dutton, S.E. (2000) Enhancing law enforcement identification and investigation of child maltreatment, Child Abuse and Neglect, 24, 2, 195-207
- Regan, P.C. and Baker, S.J. (1998) The impact of child witness demeanour on perceived credibility and trial outcome in sexual abuse cases, Journal of Family Violence, 13, 2, 187-195
- Repucci, N. D. and Aber, M. S. (1992) Child maltreatment prevention and the legal system. In D. J. Willis, E.W. Holden and M. Rosenberg (Eds) Prevention of Child Maltreatment: Developmental and Ecological Perspectives. Chichester: Wiley
- Social Services Inspectorate (1994) The Child, the Court and the Video. London: Department of Health
- Sharland, E. (1999) Justice for children ? Child protection and the crimino-legal process, Child and Family Social Work, 4, 303-313
- Sharland, E., Seal, H., Croucher, M., Aldgate, J., and Jones, D. (1996) Professional Intervention in Child Sexual Abuse. London: HMSO
- Smith, A. (1992) Police reforms in child abuse investigation: their success and limitations in the struggle to uphold children's rights, Children and Society, 6, 2, pp104-110
- Tedesco, J.F. and Schnell, S.V. (1987) Children's reactions to sex abuse investigation and litigation, Child Abuse and Neglect, 11, 267-272
- Wattam, C. (1997) Is the criminalisation of child harm and injury in the interests of the child ? Children and Society, 11, 97-107
- Willis, C.L. and Wells, R.H. (1988) The police and child abuse: An analysis of police decisions to report illegal behaviour, Criminology, 26, 695-714.



Appendix 1: Terminology, definition and sampling frames

Attrition

There are a number of ways in which attrition can be conceptualised. Typically, perhaps, it is seen in terms of non-conviction of a suspect (for any offence), and this has been the main unit of analysis for this report. However, this research has found that cases can be terminated at any one of a number of points, and in a variety of ways, within the criminal justice process. These include the following:

- police deciding not to investigate a case
- police investigating a case but taking no further action
- police cautioning a suspect
- CPS receiving advice files and recommending no further action
- CPS receiving advice files and recommending a caution
- CPS discontinuing cases (or recommending a caution)
- prosecution barristers recommending termination of a case
- judges directing acquittal of a suspect
- juries finding a suspect not guilty

Furthermore, a 'case' of child maltreatment may also have many 'dimensions' and attrition may apply differentially to each of these dimensions. Defining attrition just in terms of non-conviction, the following may occur:

- not all the suspects who have maltreated a child may be convicted
- a suspect may be convicted in respect of the offences against some children and not others
- a suspect may be tried (and convicted) in respect of only a proportion of the offences (of a given type) against a child
- a suspect may be tried (and convicted) in respect of one type of offence (usually less serious) and not another

Ultimately, the data from police records searches will be analysed according to each of the above in order to reflect the full complexity of attrition.

It should also be pointed out that accounts of alleged maltreatment may vary between different 'players', such as the child, a parent/carer and agency workers, for example police and doctors, not to mention the suspect. For the purposes of this report, the analysis has been based upon the outcome of charges or indictments tried at court. In future analyses the researchers will seek to measure the extent of discrepancies between all the individual involved in a case and the implications of this in terms of attrition.

Investigation

For an incident of alleged maltreatment to feature in this research it would have to have been investigated by the police i.e. there would have to have been some form of evidence gathering (or receipt) on the part of the police. This might typically consist of interviewing children, suspects or witnesses, or arranging for medical examinations, or other forensic 'tests' to be carried out. An investigation would also be judged to have taken place where the police were called to a 'crime scene' or where a witness (including children and suspects) made a report to the police. Referrals to the police and 'strategy



meetings' between the police and other agencies, such as social services, were not counted as investigations.

Alleged maltreatment

While many referrals to the police consisted of fairly specific concerns or allegations, predominantly sexual or physical abuse, or neglect, others were more vague. These included reports of domestic violence (where a child was believed to be present), children who were missing and children who were 'approached' by a 'stranger'. In some of these investigations a precise offence was never specified. Furthermore, in some instances it was found that no offence had taken place. However, all these 'concerns' were included in the study if the police investigated it on the premise that some offence of child maltreatment **might** have taken place.

Child

Any person who was under the age of 18 years when the maltreatment was alleged to have taken place. The research includes cases of adult 'survivors' making allegations of abuse which occurred when they were children.

For a child to be included in the research, they would have to have featured in the investigation. This could have been directly (being interviewed, for example) or indirectly (being the focus of a witness interview, for example). Thus, some children could be included in this research on the basis of being brought into an investigation following concerns surrounding a sibling who was the main focus of the referral and subsequent investigation. Sometimes it would be found that these children had not been subject to the maltreatment inflicted upon the 'main child'.

Suspect

Any person who was 10 years or older at the time of the maltreatment was alleged to have taken place.

All persons who were identified by the police as **possible** or definite suspects were included in the research. Some of these suspects (especially those in the 'possible' category) would be subsequently 'cleared' by the police of any responsibility. In some investigations, though, there was effectively no suspect because there was no evidence pointing to any one particular individual.



Appendix 2: Detailed methodology and issues arising

1. Search of police records

The searches were conducted among the records of child abuse units (CAU). CAUs are now a standard part of the police service and they deal with the majority of child abuse cases, and certainly all of those where the suspect is a family member or otherwise known to the child. The 'Terms of Reference' of CAUs do, however, vary between services. Some, for example, investigate all child abuse cases including those involving strangers, while others investigate only those involving family members and other suspects who are known to the child, such as extended family members and neighbours. Thus, this study cannot be taken as necessarily representative of all child abuse and neglect cases investigated by the police. A number of variables have, though, been created to reflect the context in which cases occur, and these will be used to analyse the relationship between context and outcome.

Searches were not conducted among the records of all sections within a police service as preliminary enquiries suggested it would be difficult, if not impossible, to identify all child maltreatment cases to enable a random sample to be drawn. Furthermore, even if this was possible to identify such as a sample, physically locating and accessing all such records - given the dispersed nature of police services - would logistically have been very difficult, far more so than relying upon centralised CAUs. This deficit was overcome, to some extent, by virtue of the fact that copies of the paperwork pertaining to investigations carried out 'on division' (for example, by officers from the Criminal Investigation Department, 'uniform' or the Vice Squad) were sometimes sent to the CAU.

A data extraction form (DEF) was developed to record the information from police records. This form was divided into the following eight discrete sections: administrative details; referral (including case summary, details of alleged offence and evidence); child; suspect; police action; child interviews; other agency action; and outcome. An attempt was made to record as much information which might relate to attrition. As a result a very large data base was constructed consisting of 172 variables (this includes the repetition of some variables). Owing to limitations of space, only a small number of these variables are discussed in this report. However, eventually all these variables will be reported upon, in future publications, to assess their significance if any for attrition.

Extraction of information from police records was a very labour intensive exercise owing to the size of police records and the task of transferring all the information onto a standardised form. No record was kept of the time it took to complete the DEFs but it is known to have ranged from a minimum of one hour to a maximum of 1-2 days. Given, that there were a 1000 such records to complete this proved to be a major undertaking.

Change from proposed methodology

Initially, it had been intended to select the 166 most recently closed investigations in each police service. Owing to the manner in which investigation files were stored, either chronologically (by date of opening) or alphabetically, it was not feasible to identify investigations in this way. Another problem with the proposed method was that the time span covered by investigations in each of the six areas would vary according to when the search was carried out.

As a result a random sample of investigations started in 1997 was used. Besides overcoming the above problems, this approach ensured that investigations would be drawn from across the calendar year, thereby removing the 'seasonal effects' in the reporting of child abuse cases (Creighton, 1992). 1997 was considered the optimum baseline year as it meant that the records were as contemporary as possible, while guaranteeing that at least a large majority, if not all, of them would be 'closed' and their outcomes, in terms of the CJS, known. The record searches were carried out in 1998 and 1999.

2. Interviews with police officers

The interviews were primarily intended to examine in more detail the reasons why the police terminated cases of alleged child maltreatment. They also enabled attrition to be explored in a more broader context by, for example, looking at the converse situation where cases were considered to have progressed too far in the criminal justice process

The interviews with police officers took between one hour, and one-and-a-half, hours.

One of the concerns which had been expressed at the outset of the study had been whether agency workers could remember details of a case which might have taken place one or two years previously. In view of this, officers were asked to read the relevant file before taking part in the interview. While this obviously aided their ability to recall details of a case, it was still striking just how well they could do this.

Change from proposed methodology

The original application proposed to interview officers in respect of a 20% random sample (of the above 1000 cases). Owing to the demands of the search of police records, discussed above, it was decided to restrict the interviews to a 10% random sample. Despite this reduction, interviews with police officers still yielded a large amount of information.

3. Interviews with CPS lawyers

Originally it had been intended to interview CPS lawyers in respect of whichever of the 20% of randomly sampled police investigations (see 2) had become known to them. Owing to the change in methodology in respect of police interviews, and also major variations between police services in the proportion of cases they each sent to the CPS, it was decided to interview CPS lawyers in respect of a standard six cases for each police service area. (This is only slightly fewer than the eight cases which had been proposed in the original application.) The six cases were selected through stratified random sampling to ensure that they were representative in terms of CPS decision making i.e. decisions to prosecute or to take no further action.

Owing to the CPS destruction policy, some files, especially those where they had recommended no further action, were no longer in existence. Where this occurred these cases were replaced by ones with the same outcome which were most recently completed by that CPS office. While this reduced the comparison which could be made between the police and CPS interpretation of, and response to, a case, it did have the benefit of making the CPS data more contemporary.

CPS interviews were somewhat shorter than those for the police, averaging approximately 45 minutes.



Additional methodology

4. Search of CPS records

The original application had proposed a search of CPS records but only where clarification was needed of details contained within police records. These searches did not, in the main, prove necessary as police files tended to contain copies of the files they had sent to the CPS plus letters from the CPS in response giving their opinion as to what action should or would be taken in a case. The researchers did, though, decide, following the advice of the CPS, to undertake a search of all the records for the cases which featured in the CPS interviews. This was felt to be important if the researchers were to obtain a complete picture of the issues involved in a case and the CPS response to them.

5. Search of police records (referrals)

As described in Appendix 1, this study was based upon concerns or allegations which had led to a police investigation. The investigation might have been quite minimal but it would have to have included some aspect of information gathering by the police in the form, for example, of an interview with a child, suspect or witness; arranging a medical examination, or for other forensic evidence to be gathered. In the course of the fieldwork it became clear that the police received large numbers of referral which they did not investigate. Although it was beyond the resources of this study to carry out any systematic study of these referrals, some information has been gathered on these cases and will be used in future work to illustrate the extent and nature of another dimension to attrition.

Appendix 3 - Additional results from police and CPS interviews

Police

Responses to police termination of cases

In general the police were very knowledgeable concerning the child's response to a case being terminated. In addition to having had a fair degree of involvement with these children through the investigation, police officers were also well able to recall the details of this for the purposes of the interview.

In those cases where the police deemed no maltreatment had taken place, the children were, not surprisingly, very content, if not relieved, that no further criminal proceedings would be taking place.

Where physical abuse was suspected of taking place, children were generally pleased if the case was terminated as they did not wish to see their parents/carers (who accounted for most cases) 'punished'. Cases of neglect were something of an anomaly as the children concerned often did not see themselves as having had anything happen to them. Consequently, they were quite happy with the case being terminated, although they often did not, in effect, express any opinion on this.

Children's response to the termination of CSA cases was far more complex. In some cases the police found it difficult to report upon the child's response, as the child denied being abused even though the evidence pointed strongly towards this. Among those children who disclosed sexual abuse, their reactions varied. Some were quite, if not very, content, at termination as they did not wish to see their abuser (who was often a family member) go to court. Other children had conflicting feelings, possibly making an allegation, then withdrawing it, or declaring that they did not wish to pursue criminal proceedings. The police said it was clear in some of these cases that the child was torn between their feelings for the suspect and their wish for justice. By contrast, some children were simply devastated by the decision to terminate the case. They expressed considerable anger and distress, feeling that they were not believed or were being blamed. It seemed that the further the case progressed along the CJS, the stronger was their reaction, which is understandable given that they would have made a successively greater emotional commitment to the proceedings.

The response of parents/carers to the attrition of maltreatment cases was similar to that of their children. In some cases, though, it was even more intense, especially in CSA cases, possibly on account of the fact that they had a greater appreciation, than their sometimes quite young children, of the implications of a case being terminated. Again, though, the interviews revealed a complex picture, as in some cases parents/carers (and other family members) had put pressure on children to withdraw allegations which the police believed were quite valid.

In general, there was much agreement between agencies over decisions to terminate cases. There were cases where social workers or doctors felt that a suspect should have been charged but these were isolated. In those cases where other agencies were involved in the investigation, with the police, they usually agreed with police decisions to terminate cases. Similarly, the police agreed with most CPS decisions not to prosecute, although there were again some exceptions.



The quality of investigations

In the large majority of cases the police felt that the investigation had been quite routine, with there being no particularly good or weak aspects which had impacted upon the outcome of the investigation. In some ways this is to be expected as child protection investigations are subject to well-defined procedures, in addition to which the officers conducting them generally have a good deal of experience. A small number of 'strengths' and 'weaknesses' were mentioned but these arose in respect of specific situations. In some cases the police thought they had been particularly efficient or thorough in gathering evidence. In terms of negatives, they cited the withholding of information by social services, a slow response on the part of the CPS, interviews with children which were poorly carried out and difficulties in obtaining evidence from children with learning disabilities.

The effects of investigations

Many police officers felt that the investigation had had positive and/or negative effects for the child, his or her family or the community, apart from those arising from the criminal justice outcome. The positive aspects included:

- a cessation of the abuse
- provision of support by social services or other agencies
- families 'flagged up' as being at risk
- abusers deterred from repeating their behaviour
- children made more aware that they can report abuse, and how to do this

However, the police also recognised that the involvement of children and their families in the criminal justice process could also lead to a number of negative outcomes. Among these were:

- a heightening of existing tension within a family
- suspects and/or families becoming stigmatised or labelled even where abuse had not taken place
- distress for victims in having to resurrect painful memories regarding abuse

Police officers experience of attrition in general

While many police officers were quite content that their index case had been terminated at some point prior to the conviction of a suspect, virtually all of the interviewees could recall cases where attrition had caused them considerable disquiet.

Much of their concern surrounded CSA cases. In some instances they had been sure that the child had been abused and by a specific individual but the only evidence they had was the child's disclosure set against the suspect's denial. Very often this was deemed insufficient evidence. Other cases might, on the surface, be evidentially stronger but there might be problems with the credibility of the child and his or her evidence. Cases involving young children and those with learning disabilities were seen by the police as being very difficult to get to court.

Some of the physical abuse cases which appeared to give the police most concern were those involving very young children who had suffered severe or mortal injuries. It was not uncommon in these cases for both parents/carers to deny responsibility for these injuries and claim ignorance as to how they were



sustained. Often the very most the police could do in these instances was to charge both parents in respect of the relatively minor offence of neglect.

The police also felt a good deal of frustration over some neglect cases where they perceived that social services, or other agencies, had been working with families over a long period of time and in doing so had tolerated very poor living conditions for the children. When the police learnt of such cases they believed they had great difficulty in making out a criminal case of neglect given that other agencies had been 'sanctioning' the situation.

Although these instances of attrition in cases of physical abuse and neglect were rare, the police saw them as very significant given the degree of maltreatment the children had experienced.

The police explained that there were instances when they had enough evidence to charge a suspect but where they decided not to do this, and instead took no further action or cautioned a suspect. This was particularly likely in minor physical abuse and neglect cases where it was often felt that to pursue criminal proceedings would not be in the best interests of a child or his or her wider family set-up. By contrast, virtually all police interviewees said they would always charge suspects in cases of CSA where they had sufficient evidence.

Emphasising the complexity of child protection investigations, some police officers recalled cases which they felt had gone *too far* in terms of criminal proceedings. The types of cases in which this had occurred were as follows:

- where parents/carers had been cautioned or charged (for physical assault), leading to their children (and alleged victims) having a sense of power over them and their subsequent efforts to reprimand them
- where suspects who were charged on CPS advice even though the police felt that the evidence wasn't sufficient
- cases where the police subsequently discovered weaknesses in the evidence or that allegations were malicious
- where a suspect committed suicide

Police - CPS working relationship

The large majority of police officers (in child protection units) said they had a good or very good working relationship with the CPS in their area. A number of officers spontaneously mentioned that this situation was better than that which existed between other sections of the police and the CPS. They indicated that the reason for this was two-fold: firstly, both agencies recognised the need to make special efforts in relation to child protection cases - not least of all because of the vulnerability of victims and the seriousness of allegations. Secondly, and following on from the first, the police and CPS had established mechanisms to facilitate working together more closely. The police would, for example, phone the CPS for their (informal) advice or the two agencies would meet to discuss decision-making in a case. The police felt the CPS were accessible, and treated child protection cases with the degree of seriousness they deserved.

Some police officers were able to cite instances where they had experienced significant difficulties with the CPS in their handling of a case, and some mentioned the existence of more general problems. These included delays in the decision-making process; taking insufficient attention of police views; having to inform children and families of CPS decisions; and a tendency to prosecute only cases which were evidentially very strong. However, these tended to be isolated issues, and in general the police's

perception was that CPS carried out their child protection work well. Most importantly, there were no particular criticisms of the CPS in relation to the termination of cases.

Child protection system

In general, the police appeared to be quite satisfied with the child protection system. One of the features they highlighted was improved inter-agency working, especially with social services.

Where criticisms did arise, they were expressed most frequently and strongly in relation to children's experiences of the judicial system. This included their treatment in court, delays in cases coming to trial and the postponement of therapy. Many police officers felt that in spite of all the reforms over the past decade, the judicial system still did not cater sufficiently for the needs of abused children.

In addition to this rather fundamental problem, the police raised a number of 'local' issues, such as the need for 'a twenty-four hour social services department', a reluctance on the part of those in education and health to engage in child protection, and a wish that other agencies would grant easier access to their records. Again, it was interesting that attrition did not feature as a major concern among the police in terms of the child protection system in general.

CPS

Investigations of alleged maltreatment

Given that they had little or no contact with children, their parents/carers or agency workers, it was not surprising that CPS lawyers found it difficult to comment on the impact of investigations upon these persons or their reaction to the criminal justice outcome. Some lawyers pointed out this detachment did mean that they could approach their decision-making work in a more objective manner. (Set against this was the view of some police officers that the CPS were not always as well informed as they should be.)

Generally, the CPS were very satisfied with the quality of police investigations. However, some specific criticisms were made of the index cases in terms both of the investigation per se and the way in which its results were presented in the form of advice or charge files. These criticisms included the use of leading questions in interviews with children, and the presentation of files where the charges were inappropriate or wrongly worded, or where information was missing. These were, though, the exception and in the main the CPS felt that police-led investigations into suspected child maltreatment were good and it was very seldom that they had any adverse impact upon criminal justice outcomes, including the termination of criminal proceedings which otherwise would have gone ahead.

Attrition in general

Asked about attrition in general, many CPS lawyers found it difficult to recall cases where they felt a suspect may have been guilty but where they did not prosecute. This may be explained, in part at least, by their preoccupation with evidence - and issues surrounding it - rather than guilt. Pressed on the matter, though, some lawyers were able to identify such cases, albeit small in number. The types of situation in which this occurred included the following:

- where it was felt that children were too young to take part in a trial
- where there were concerns over a child's reaction to a not guilty verdict



A few of the CPS interviewees added that, in particular circumstances, they would try to anticipate the reaction of other 'agencies' further into the criminal justice process. For example, it might be that a judge would not find a witness credible. Alternatively, a jury might be reluctant to convict. If, in cases such as these, the CPS thought the suspect might be acquitted then they might not prosecute even if they felt confident as to the suspects guilt.

Most CPS lawyers could recollect cases - again quite rare - where there was enough evidence, in principle, to prosecute a suspect but where they decided against this on the grounds of public interest. Often this occurred because of some aspect of the suspect, such as their youth, ill-health or learning disability. Other cases possessed sufficient evidence but were effectively terminated independently of the CPS. The types of scenario in which this occurred included:

- a child who made a statement alleging sexual abuse but subsequently announced that said she could not face a trial
- a child who made a statement alleging sexual abuse but subsequently announced that said she no longer "needed" to see her abuser tried
- children who made an allegation of abuse then retracted it, sometimes claiming that it was false

Like the police, the CPS could identify cases (though very small in number) which they felt had progressed too far into the criminal justice process. That their number was so small may be due in large measure to the high threshold the CPS operates. However, these cases did exist and could be potentially extremely serious. One such, involved the prosecution of a girl's step-father for rape. Forensic and witness evidence pointed to the near certainty of the suspect's guilt. If convicted the suspect faced a sentence of life imprisonment. On the day of the trial, the girl's mother admitted that she and her daughter had conspired together to frame the defendant for rape as they wanted him 'out of their lives'. The trial was cancelled.

CPS - police working relationship

Most CPS lawyers reported that they had a good or very good working relationship with the police in child protection. The police were variously described as motivated, well trained and with considerable experience, which resulted in their being able to perform their role very well. Some of the specific points of practice they highlighted included:

- making appropriate decisions as to when to charge and when to seek advice
- their general readiness to approach the CPS
- providing the CPS with additional information thereby enabling them to contextualise the case more effectively
- the quality of their investigative work

The CPS also praised the police for the fact that they would request advice not only in relation to criminal justice decision-making, but also on procedural matters, such as the appropriateness of interviewing children on a second occasion. This said, it is interesting to note the comments of one CPS worker to the effect that there had to be 'balance' or, more specifically, that each agency had to retain a degree of independence. This worker commented that this balance was, at the moment, about right.



Asked about the work of the police in general, the CPS were able to identify some shortcomings. Again, these related either to aspects of their investigative work or their presentation of files. Examples included:

- the use of video interviews with ineligible children
- background noise on the tapes of video interviews
- inappropriate charges being put to suspects
- the operation of tenure in child protection units which meant that the experience and working relationships built up with one set of officers would be lost

These were not, though, widespread problems but tended to relate to specific cases or officers. In general, therefore, CPS lawyers said little which cast aspersions on the work of the police, particularly not in terms of the attrition of child protection cases.

Child protection system in general

As mentioned above, the CPS had little contact with children, their parents/carers or agencies (other than the police). As a result, their appreciation of the child protection system in general and its efficacy was limited. Where their knowledge was more substantial was in relation to the interface between the child protection and judicial systems. CPS lawyers identified a number of changes over the past decade which had improved the situation for children in the CJS. These included:

- live video links
- the video taping of children's evidence
- better preparation of children for court (by voluntary agencies)
- better support of children during the course of criminal trials
- removal of the rules on corroboration

However, many lawyers also recognised significant, on-going weaknesses in the judicial system. These included:

- a reluctance on the part of judges to allow the use of video links
- a reluctance on the part of judges to challenge the inappropriate behaviour of defence barristers towards children
- a lack of knowledge and understanding among judges and barristers towards the handling of child maltreatment cases

While these criticisms were not levelled at all judges or barristers, shortcomings in the judicial system, such as those listed above, could - quite apart from the adverse consequences for children's welfare - result in the inappropriate termination of cases.



Appendix 4 - List of substantive coded variables (search of police records)

Referral details

- total number of victims involved in investigation
- total number of suspects in investigation
- police service
- police division
- broad nature of alleged abuse/concern
- context in which alleged abuse/concern arose
- number of separate incidents of alleged abuse/concern
- location where alleged abuse/concern arose
- number of other children possibly involved in case
- number of other suspects possibly involved in case

Nature of incident number one (repeated for up to three incidents)

- specific nature of incident number one
- method by which incident number one was carried out
- where on child's body did incident number one occur
- physical consequences of incident number one

Evidence in respect of incident number one (repeated for up to three incidents)

- disclosure by child
- witnessed by co-victim statement
- witnessed by parent/carer
- witnessed by agency worker
- witnessed by another person
- other type of witness evidence
- medical evidence
- other physical evidence
- admission/denial by suspect
- other evidence

Details of child

- date of birth
- ethnicity
- learning disability
- physical disability
- household composition at time of alleged abuse/concern
- household composition at time of investigation
- father's employment
- mother's employment

- 
- child's employment
 - was child focus of initial referral
 - date alleged abuse/concern started
 - date alleged abuse/concern stopped
 - previous child protection concerns in relation to child and same suspect
 - previous child protection concerns in relation to child and different suspect
 - previous child protection concerns in relation to child's siblings
 - issues relating to child's behaviour
 - issues relating to child's personality
 - issues in child's family background
 - previous social services involvement with child's family
 - other information regarding child

Details of suspect

- date of birth
- ethnicity
- learning disability
- physical disability
- household composition
- employment
- previous child protection concerns in relation to suspect
- issues relating to suspect's behaviour
- issues relating to suspect's personality
- issues in suspect's family background
- other information
- previous social services involvement with child's family
- other information regarding child

Detection of case

- 'trigger' which led to case
- to whom child first disclosed
- agency first aware of alleged abuse/concern
- who first reported alleged abuse/concern
- when was alleged abuse/concern first reported to any agency
- who reported alleged abuse/concern to police

Criminal justice processing

- when police began investigation
- when police ended investigation
- when case first referred to CPS
- when case first referred to any court
- main agencies involved in investigation



Interviews with child

- type of interview with child
- agency worker conducting interview
- agency worker monitoring interview
- other persons witnessing interview

Police action

- interview with suspect
- interview of witness
- medical examination
- other forensic evidence
- involvement of health agencies in investigation
- involvement of social services in investigation
- involvement of probation service in investigation

Criminal justice outcomes

- outcome
- sentence given to suspect
- reason for acquittal of suspect

Reasons police terminated case (repeated for CPS)

- public interest
- youth of victim
- concerns over child's possible reaction to court case
- lack of corroborative evidence
- lateness of child's allegation
- lack of medical evidence
- credibility of child's evidence
- witness credibility
- suspects ability to give evidence
- conflict between witness and suspect
- lack of disclosure by child
- denial by suspect
- child denied abuse/concern
- parent/carer doesn't wish to complain
- child doesn't wish to complain
- child retracts allegation
- why child retracted allegation
- other reasons

Other outcomes

- child's reaction to criminal justice outcome
- other outcomes of case
- did social services hold case conference
- was child's name placed on child protection register
- was child placed in care
- other agency intervention in case