



# Indicators of false sexual abuse allegations in the context of a divorce: A rapid review

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Dissertation accepted in fulfilment of the requirements for the  
degree Masters of Social Work in

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Yours sincerely,

---

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## **PREFACE**

The basis for this research originally stemmed from my passion for social work as a profession and the interest I have in numerous cases involving sexual abuse. It was found that child sexual abuse has been regarded as a life experience that can result in a negative impact on affected children and adolescents (Ogunjimi et al., 2017, p. 4470). Sexual abuse has become a daily challenge in the world, in our courts, and as well in our child protection system.

The purpose of this research was to find the gap in research regarding false sexual abuse allegations made in the context of divorce. A rapid review was done to identify the different themes that were present in research where allegations of sexual abuse were present in the context of divorce. This research can be seen as groundwork for testing the different themes that were identified. This research will enable different professional fields to understand to identify these themes so that courts and social workers will be able to see the warning signs when false allegations of sexual abuse are made in the context of divorce.

## **ABSTRACT**

When there is any suspicion of sexual abuse it is always important for any professional to make sure that the child is safe and follow a scientific process that confirms the allegation is true or false. Any family going through a divorce go through a difficult time and in some cases, it can be traumatic. The study described in this article looked at the different factors/ indicators of false sexual abuse allegations that can be present in the context of divorce. We conducted a rapid review using various databases including PsychINFO, ERIC, and SocINDEX.

There is a clear need for an explanation of why false allegations are a challenge during divorce proceedings. Information is obtained from various articles to determine if there are different factors/indicators involved. The trauma is severe for different parties of divorce especially when allegations of sexual abuse are present. The MMAT data appraisal instrument was used to determine the relevance of the articles. Within the 12 studies retrieved, different indicators were identified. The review represents a step towards predicting when allegations of sexual abuse are made falsely to enable the system to prevent unnecessary trauma for the children involved. Although various indicators were found, more empirical studies are needed to identify these indicators in sexual abuse cases. We conclude by presenting a list of indicators presented in various articles to be seen as potential warning signs/ indicators that professionals and the courts might consider when allegations of sexual abuse are made within the context of a divorce.

Keywords:

Sexual abuse; Children; False allegations; Divorce; Separation; Indicator.

## OPSOMMING

Die konteks waarin bewerings oor seksuele misbruik gemaak word, is van groot belang, veral as hierdie bewerings vals is. In hierdie artikel word verslag gedoen oor navorsing wat die verskillende faktore/aanwysers van vals aantygings van seksuele misbruik in die konteks van egskeidings kan voorkom, ondersoek. Ons het 'n “rapid review” gedoen deur verskillende databasisse te gebruik, waaronder PsychINFO, ERIC en SocINDEX val.

Daar is 'n duidelike behoefte aan 'n verduideliking waarom valse aantygings 'n uitdaging tydens egskeidings prosedures is. Inligting word uitverskillende artikels verkry om vastestel of daar verskillende faktore / aanwysers betrokke is. Daar is erge trauma by die verskillende partye betrokke, veral as daar bewerings van seksuelemisbruik voorkom. Die MMAT-instrument vir data-evaluering is gebruik om die relevansie van die artikels te bepaal. Binne die twaalf navorsings artikels is verskillende aanwysers geïdentifiseer. Die oorsig is 'n stap in die rigting van voorspelling wanneer bewerings van seksuele misbruik valslik gemaak word, om die stelsel in staat te stel om onnodige trauma vir die betrokke kinders te voorkom. Alhoewel daar verskillende indikatore gevind is, is meer empiriese studies nodig om hierdie faktore in gevalle van seksuele misbruik te identifiseer. Ons sluit af met die aanbieding van 'n lys aanwysers wat in verskillende artikels aangebied word om te sien as moontlike waarskuwingstekens / aanwysers van vals aantygings van seksuele misbruik in die konteks van egskeidings.

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Seksuele mishandeling; Kinders; Vals aantygings; Egskeiding; Skeiding; Aanwyser.

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## **Research title: Indicators of false sexual abuse allegations in the context of a divorce: A rapid review**

**Key concepts:** *Sexual abuse; Children; False allegations; Divorce; Separation; Indicator.*

### **1.1 Conceptualisation**

Children who experience trauma due to their parents' divorce are in some cases also in the middle of their parents' conflict, while the parents are busy working out their divorce settlement. Asking any marriage counsellor, psychologist, attorney, and social worker who worked with parents during the divorce settlement, they will tell you that in many of these cases either the father or the mother will accuse the other party of sexual abuse as one of their weapons. As soon as this happens everything must be put on hold, and the case must be referred to a forensic social worker or psychologist to assess the child or children in question. These allegations can have an influence on the settlement as well as on the child (Blakemore et al., 2017; Ogunjimi et al., 2017). Professional people working with these cases should never think it is just another case where the mother or father is unhappy about the settlement and accused the other parent of sexual abuse. The latter statement is also supported by other researchers like Schudson (1992) and Sheehan (2012). Sexual abuse can have lifelong consequences on the child if the outcome of the assessment is a positive disclosure, but it can also have negative consequences on the accused father or mother and the child if it is regarded as a false allegation. Therefore, it is very important to investigate the authenticity of such a claim.

From the above-mentioned it is important for the professional doing care and access assessments as well as the forensic social worker doing a forensic assessment in cases of allegations of sexual abuse to always make sure about the validity of the allegation. The responsibility for confirming the authenticity of a true or false allegation rest on the shoulders of both the professionals who must investigate the allegation as well as the parent making the allegation, and most importantly the child concerned. Veracity is explained by Amer (2019) and Schudson (1992) as a truth telling principle that focusses on respect for other persons and the concept of autonomy. Unfortunately, during a divorce, parents often lose their respect for each other and will tell lies to hurt the other or to get their way regarding primary care for the child. Therefore, it is crucial to check that the sexual abuse allegations are true and not false allegations. Authors like Faller (1991) and Penfold

(1997) concluded that children are more likely to make false allegations in cases where parents are divorcing and have to make important decisions. In the case of divorce, where there are negative emotions and anger it seems that the mother or the father are responsible for the false allegations being made and not the children.

According to Statistics South Africa, (2016) “divorces increased from 21 998 in 2012 to 25 326 in 2016 and constitute an increase of 0,3% from the 25 260 divorces granted in 2015. In 2016, 13 922 (55,0%) of the 25 326 divorces involved children younger than 18 years old (Statistics South Africa, 2016). According to the statistics of 2018 there were a decrease of 0,4 from the divorces processed in 2017. Fourteen thousand three hundred and two children, 18 years and younger were in 2018 involved (Statistics South Africa, 2018). In 2019 there were 23 710 divorce cases completed according to Statistics South Africa, (2019). The high divorce rate is not only limited to South Africa. In the United States of America more than a million households were affected because of divorce in one year (Bekker et al., 2004; Bernet, 2002). It can be concluded by the above-mentioned results that there is a definite increase in child custody disputes.

In studies done by Faller (2015) and Penfold (1997) they reported that false allegations of sexual abuse by children did not really stand out. The fact that forensic social workers are not confronted with these allegations every day can be challenging to distinguish between a real allegation and a false allegation of sexual abuse. When it did come out that the child made the allegations, it was only seen in a few cases where children want to punish a hated parent. A lack of concern about telling the truth in these complex cases usually involves a devastated mother who accused her ex-husband of sexually abusing their children during visits. The father then in return argues that the allegations are false, and usually makes allegations that the mother is mentally ill. The outcome of these false allegations usually reflects on a mental disturbance on the accusing parent (Bala et al., 2007; Penfold, 1997). The role of forensic social workers is to make sure that the child is able to distinguish between the truth and a lie so that they know that they must only tell the truth in the criminal case. This immediately brings the forensic social worker's training under the spotlight. Evidence proved that training equipped forensic social workers with the necessary knowledge and skills to assess children where sexual abuse is suspected.

Penfold (1997) makes general assumptions that seem to play a role in some of the court room arguments, which may assist forensic social workers when they assess children during a dispute in care and access cases. In some of the cases where parents are fighting over child custody

disputes, one of the parents might falsely accuse the other parent of sexual abuse. It will then assist the forensic social worker if the alleged perpetrator is also assessed to ascertain whether these allegations might be true. When the forensic social worker suspects that the child is lying, the possibility of parental coaching of the child should always be seen as a possibility. In many of these cases the mother has been abused herself and never had the opportunity to work through the trauma. Sending the child to the doctor for a medical examination would assist the forensic social worker to determine whether the abuse really occurred. A forensic social worker who had evidence-based training in forensic protocols will get to the truth of what really happened. However, these assumptions cannot simply be accepted and must always be tested, whether it is done through a scientific forensic interview or the criminal court.

Some articles also state the importance of recanting false allegations. It is important to determine under what conditions and circumstances children will recant false allegations of adult wrongdoing (O'Donohue & Fanetti, 2016; Foote, 2010; Malloy & Mugno, 2016). There are various aspects to consider when allegations of sexual abuse are made, and one cannot just depart from the point of view that when the child recants, the disclosure made previously was false. From the above-mentioned, it can be said that there are assumptions but there is no definite agreement on the indicators of false sexual abuse allegations, and that there are various aspects to consider when allegations are made.

In recent studies (Anderson et al., 2009; Cronch et al., 2005; O'Donohue & Fanetti, 2016; Foote, 2010; Malloy & Mugno, 2016) it was found that in some cases children may submit to adult pressures and parental manipulation to make false claims. The issue that has not been resolved is the fact that when a child recants or is reluctant to disclose information can be seen as a false allegation. O'Donohue et al. (2018) argue that further research should be done to refine investigation processes to make sure that false positive errors or false negative errors are minimized.

The above-mentioned literature leads to the question, what are the warning signs of allegations being made falsely? One of the fundamental challenges in the study of false allegations of sexual abuse is to know without a doubt that it is a false allegation. Several criteria that might suggest the case is untrue have been proposed or used by researchers and practitioners, including the fact that the criteria should be constant (Berson et al., 2012; Faller, 1988, 2014).

Over time professionals and public beliefs have changed regarding the allegations of sexual abuse (Faller, 2015). Challenges regarding allegations of sexual abuse is the fact that the criterion for false or true sexual abuse allegations is not constant, and this then leads to a difference in findings and opinions by professionals. This leads to the gap in literature stating that there is no reliable indicator of false sexual abuse allegations. In divorce cases where there are custody disputes, it is especially important to gain specific knowledge about the allegations and also who is making the allegations. The professional must always test different hypotheses about the allegations of sexual abuse (O'Donohue & Fanetti, 2016). To test these hypotheses is extremely difficult but also important when there are custody disputes. The professional needs information that can be used when generating alternative hypotheses about the origin of the allegations (O'Donohue & Fanetti, 2016). As mentioned above, there are numerous indicators in literature about false sexual abuse allegations during divorce, thus a review will help identify these indicators and identify similarities through the research. In this study it was done from an a-theoretical perspective, as the researcher did not review the literature from a certain perspective. This review responds to the challenges of false sexual abuse allegations during divorce proceedings and the indicators that should be taken into consideration by forensic social workers and different role players during divorce proceedings.

The impact that a trauma-informed system has on the child protection worker must be acknowledged. To work with the needs of the child and family can be stressful. It can be concluded that the courts and all relevant role players should familiarize themselves with every aspect of sexual abuse. This will enable every person involved to make informed decisions and act in the best interest of the child and prevent further trauma to children.

The study is of importance to the social work profession and especially the forensic field. These results could indicate whether statements of sexual abuse are true or false and provide information to assist role players to make more informed decisions. Eventually a list of indicators was found across the literature regarding false sexual abuse allegations in the context of divorce. This enabled the forensic social worker to gain more insight in the case of false allegations, especially in the divorce context which has become a real challenge, according to literature. This will also enable forensic social workers to effectively test hypotheses during the forensic investigation process. As stated in literature by Ceci and Bruck (cited by Knop, 2001), forensic interviews are hypothesis being tested and not hypotheses that are confirmed; interviewers

prepare by testing different alternative hypotheses about the allegations and the source of the sexual abuse allegations. During these interviews, interviewers are rather searching for alternative reasons for the allegations of sexual abuse.

In practice it seems that social workers are consulted more frequently on a regular basis to educate the courts about the dynamics of sexual abuse (Hlamalane, 2012). Forensic social work in South Africa is defined as follows:

“Forensic social work is a specialised field in social work that focuses on the interface between the legal system and the secondary client (the individual, family, organisation or institution being assessed) and is characterised by the primary function of providing expert testimonies in courts of law”. (Republic of South Africa, 2020:99)

It is clear that it is the role of the forensic social worker to provide expert testimony and enable the court to make an informed decision, therefore the indicators of false allegations are relevant to the field. It is consequently important to know what the indicators of false allegations are so that it can be taken into consideration after the forensic investigation of the child is completed.

The contribution of this study is that it can provide clear indicators that are present during false allegations of sexual abuse. This could enable the forensic social worker to understand false allegations which will then equip them to provide expert testimony in court about allegations that were found to be untrue. With the outcome of this study, future research on the subject matter will also be more specific and this will enable studies to examine the indicators of false allegations.

## **1.2 Literature review**

An overview of literature which assisted in identifying indicators of false child sexual abuse allegations in divorce and custody proceedings, as well as literature that focused on the opportunity to disclose during divorce proceedings and allegations during these proceedings will now be discussed.

According to Faller (2014) the validity of allegations of sexual abuse can be raised in almost every case of sexual abuse. Several researchers are of the opinion that there is no specific time that sexual abuse allegations can surface. It can happen at any time during the divorce proceedings

or even after the visitation agreement has been finalized. According to Bow et al. (2002) and Sheehan (2012) there is also evidence that numerous false allegations arise in the middle of visitation disputes, and that these allegations can have an enormous impact on the divorce proceedings which can create a tense atmosphere between the parents. Consequences of this is that these cases of visitation and contact ends up being supervised or even suspended. Sexual abuse allegations become a difficult challenge during divorce cases, especially when the veracity of the abuse needs to be determined.

When husband and wife decide on a divorce it is not only difficult for them, but it is also difficult for the children and professionals involved. In most parental care and access cases where there are visitation disputes a lot of emotion and aggression are also present. If there are allegations of sexual abuse the cases become more complex, and the emotional tension increases. The above information confirms that if allegations of sexual abuse arise during the divorce proceedings, the whole process is influenced. Therefore, the researchers Bala et al. (2007) are of the opinion that when research is done on the topic of allegations of sexual abuse during parental separation or divorce, it is important to distinguish between the authenticity of the false and true allegations. What makes these matters even more complicated is the fact that the professional must distinguish between whether the result is a deliberate lie or whether it is a result of a misunderstanding. If there is a deliberate lie or manipulation, it is also important to distinguish between cases where the child is deliberately making up the allegations or where the parent is behind the fabricated allegations (Bala et al., 2007; Lowenstein, 2012). Forensic social workers have the responsibility to determine whether allegations are true or false, and it is a tremendous challenge. The circumstances in which the child made the first report, must be assessed to determine credibility. Numerous studies have found that the honesty with which the child report initially, as well as the honesty of a child's report during an investigation, is likely to give credibility to the claim (Leander, 2010; Russell, 2010). Therefore, the presence of divorce can influence the child's statement, making it difficult to determine whether the child is influenced by a parent or not. This further indicates the important role that professionals play in these proceedings, especially when sexual abuse allegations are made by one of the parties involved.

Divorce is usually traumatic for all parties involved, husband, wife, and the children (Derdeyn et al., 1994; Faller, 1991). This may have an influence on all parties' behaviour, and allegations of

sexual abuse allegations should never be ignored. Therefore, it is critical that professionals constantly keep the traumatic circumstances of the divorce itself in mind during their investigation.

According to Lowenstein (2012) a child is often used by parents as a weapon against each other. Allegations of sexual abuse are then used as a last trump card by the parent who feels they are not getting their way in the separation. In most of the cases the aim of the accusation is to prevent contact between the child with the absent parent. It is important for professionals to find out as soon as possible what the aim of the accusation is. The emotional and the financial influence can be permanent and difficult to fix (Bala et al., 2007; Derdeyn et al., 1994). The above information raises real concerns regarding allegations during divorce proceedings and the severe impact it has on the child.

Trocmé and Bala (2005) is of the opinion that in several cases of sexual abuse allegation there is a common misunderstanding and debate about the challenges of false sexual abuse allegations. The above-mentioned authors argue that unsubstantiated and intentionally false allegations are in some cases made up to influence the legal system. In many cases these fabrications are seen to seek revenge towards the other party involved. The investigation in such cases is difficult because the professional who is doing the forensic assessment must establish whether the child fabricates the allegations without any influence of the parent. In practice it seems even more difficult to assess the parent's influence to assist the child to fabricate a false allegation. These kinds of accusations can have a long-lasting emotional effect on all parties involved in the case and this is to no one's advantage.

Different factors need to be looked at when sexual abuse allegations are made within divorce proceedings. Russell (2010) and Johnson (2006) indicate in their respective research that there are different situations and indicators that can lead to people making false or true allegations. When considering false or true allegations, they indicate the following factors that one must take notice of:

- whether the child was removed by a child protection worker and placed in a place of safety;
- whether professionals are already involved in the case;
- changing of schools and the child's attitude about it;

- family and friends' reaction towards the child after the disclosure;
- if the child reacted in a negative way towards somebody with whom the child previously had a good relationship;
- any changes in the child's sexual behaviours; and
- any financial consequences after the disclosure.

This again shows the importance of the circumstances around the sexual abuse allegations in cases of divorce and to make sure about the authenticity of the abuse allegation. According to the Children's Act, 38 of 2005 Section 110 any disclosure of abuse should immediately be reported to a designated child protection organisation or SAPS. The moment an allegation of sexual abuse was reported by a child a forensic assessment should be done as soon as possible. No professional person can just accept a sexual abuse allegation is false just because the parents are divorcing.

Bala et al. (2007) explained that there is no easy way to determine probability. The different authors considered the following in weighing the evidence, following their own guidelines (2007, p.47):

1. "What were the circumstances of disclosure – to whom and where?"
2. Did the disclosure or evidence of alleged abuse come from any disinterested witnesses?
3. Were the statements made by the child spontaneous?
4. Did the questions asked of the child suggest an answer?
5. Did the child's statement provide context such as a time frame or positioning of the parties?
6. Is there progression in the story about events?
7. How did the child behave before and after disclosure?
8. Is there physical evidence that would be available by medical examination? If so and no medical report has been filed, is there a sufficient explanation for the lack thereof?

9. Was there an opportunity to disclose?
10. What investigative or court action was taken by the parent alleging abuse?
11. Who provided background information to the experts and investigators, and is it accurate, complete and consistent with both parties' recollections?
12. Was there other evidence supporting the allegations of sexual abuse?
13. Was the custodial parent cooperative regarding access, or was access resisted on other grounds prior to the allegations and after disclosure?
14. Was there harmony between the evidence of one witness and another, and between the evidence of the experts?
15. Was there consistency over time of the child's disclosure?
16. Did the child use wording in statements which appeared to be prompted, rehearsed or memorized?
17. Was the language used by the child consistent and commensurate with the child's language skills?
18. Was the information given by the child beyond age-appropriate knowledge?
19. What was the comfort level of the child to deal with the subject matter, particularly with respect to the offering of detail?
20. Did the child exhibit sexualized behaviour?
21. Was there evidence of pre-existing inappropriate sexual behaviour by the alleged perpetrator?
22. Was a treatment plan put forth by either parent?
23. Was the child coached or prompted?
24. Did the evidence of the expert witnesses, as accepted by a trial Judge, support the allegations of sexual abuse?" (Bala et al., 2007, p47-48).

From the above-mentioned it is clear that in the case where the parents are separated, information about the child as well as both parents should be evaluated to validate the allegations. Forensic social workers or other professionals who are trained and use a scientific protocol should assess the child and integrate the information with the collateral information from the parents to determine the validity of the allegations.

Although literature states that there are a few indicators that can be considered, it cannot be set rules or structures for sexual abuse cases. These indicators are also stated in old literature. The researcher is of the opinion that there is not yet enough research done internationally as well as nationally about sexual abuse allegations in cases where parents are involved in custody disputes.

It is important to determine what the legislation and policies in South Africa say about sexual abuse and the allegations made especially during divorce proceedings. According to Robinson, (2015), policies are set in place to protect families, although it is concerning that neither the White Paper on Families in South Africa (2012) nor the Green Paper on Families (2008) mention anything about families that have been affected by false reports of sexual abuse allegations during divorce proceedings. This might be an indication of ignorance with regards to the problem or that they are not knowledgeable about the occurrence of the problem.

The concept of divorce is described in the Divorce Act number 70 of 1979 and focuses on all relevant aspects surrounding divorce. Section 6 of the Divorce Act make provision for all the procedures to safeguard the interests of dependent and minor children in divorce proceedings:

“A decree of divorce shall not be granted until the court is satisfied that the provisions made or contemplated with regard to the welfare of any minor or dependent child of the marriage are satisfactory or are the best that can be effected in the circumstances” (Suid-Afrika, 1997, p. 7).

Berson et al. (2012) and Faller (2014) are of the opinion that it is difficult to determine without doubt that an allegation is false, but in certain cases it is possible to know that the allegation is true. Examples of true allegations might be when the victim is depicted in pornography, when the offender's DNA is found in semen or when the child is identified as having a venereal illness. If this kind of physical evidence is presented, evaluators can be virtually certain that sexual abuse

occurred. In the case of an allegation during a divorce, it might be an opportunity to disclose an allegation where the child did not have the courage before. Therefore, one can never assume an allegation is false or true. A thorough forensic assessment must be done in all cases, even in the cases of high conflict and accusations during the divorce dispute. The hypotheses should be tested, and the facts should be stated.

Although Section 6 in the Divorce Act 70 of 1979 allows for a full inquiry to be conducted to ensure the court is satisfied with the child's position (Robinson, 2015), in the case of false allegations of sexual abuse in the context of divorce there is no specific protocol to follow. This might have an influence on why sexual abuse allegations are not seen as a problem during divorce in South Africa, although it is seen as a worldwide problem according to the literature (Robinson, 2015).

In chapter seven of the Sexual Offences Amendment Act, 2007, the act focuses on the obligation to report sexual offences against children or persons who are mentally disabled as follows: "A person who has knowledge that a sexual offence has been committed against a child must report such knowledge immediately to a police official". Both the Children's Act (2005) and the Sexual Offences Amendment Act, 2007, are clear about the fact that if a person knows about a child who are sexually abused and not report it to a designated child protection organisation or SAPS, is guilty of an offence.

In the Sexual Offences Amendment Act, 2007, nothing is said about false sexual abuse allegations. According to Janse van Rensburg (2008), the Act only states that a person has a duty to report sexual offences, and the question is what about somebody knowingly falsely accusing somebody of such a horrific crime? There is also nothing mentioned in the Act of the role of the non-offending parent and the offending parent during the divorce proceedings. According to Janse van Rensburg (2008) this can result in the whole family unit being under more pressure and that the whole process can have a tremendous impact on the relationship between the child concerned and the parents. The reality of false reporting can never be ignored and is a social problem that occur in all communities (Janse van Rensburg, 2008).

Section 7 of the Children's Act 38 of 2005 explains the different aspects of the best interest of the child. In this study, subsection one (1) is of importance, as it states "that a child needs to be protected from any physical or psychological harm that may be caused by: (i) subjecting the child to maltreatment, abuse, neglect, exploitation, or degradation or exposing the child to violence or

exploitation or other harmful behaviour; or (ii) exposing the child to maltreatment, abuse, degradation, ill-treatment, violence or harmful behaviour towards another person.” From this, every allegation that is made must be taken seriously by any adult working with the child and the concerned child should be referred for a forensic assessment.

In Section 9 of the Children’s Act 38 of 2005, it is explained that “... in all matters concerning the care, protection and well-being of a child, the child’s best interest is of paramount importance”. Although every child has rights, it is also stated in Section 16 that every child has responsibilities appropriate to the child’s age and ability towards his or her family, community, and the state. Therefore, all allegations should be assessed and only when the facts are on the table one can report whether it is a false allegation or a true allegation. In practice, some parents will make allegations of sexual abuse either to frustrate the other parent or to delay the divorce proceedings. The outcome of the assessment can sometimes take months and all proceedings need to be put on hold while both parties await the outcome of the allegations.

Section 18(1) states that “a person may have, either full or specific parental responsibilities and rights”. “The parental responsibilities and rights that a person may have in respect of a child, include the responsibility and the right –

- (a) to care for the child;
- (b) to maintain contact with the child;
- (c) to act as guardian of the child; and
- (d) to contribute to the maintenance of the child”.

When someone makes erroneous accusations of sexual abuse, the above-mentioned sections of the Children’s Act, 2005, should be considered of high importance, because the parent’s responsibility towards the child could be questioned.

### **1.3 Identification of the research problem**

According to Faller (1991) there are four dynamics that can result in sexual abuse allegations:

- The child discloses to the mother sexual abuse and only after the disclosure the mother decides to ask for a divorce.
- The child discloses only after the divorce.
- The sexual abuse took place and were precipitated by the divorce.
- The allegation is false (Faller, 1991; Sheehan, 2012).

When looking at the above-mentioned research, it becomes clear that there is not enough research on the topic of sexual abuse allegations in the context of divorce.

False sexual abuse allegations tend to lack significant evidence, where allegations that are found to be true do have more evidence (Lyon et al., 2012; Sheehan, 2019). There are enough evidence available to show that in practice there are more positive true disclosures of sexual abuse than false disclosures. By improving interviewing skills, the likelihood of false sexual abuse can be reduced, although there is a concern that false allegations of sexual abuse will rise in the future in South Africa (Cronch et al., 2005; Janse van Rensburg, 2008; Lyon, 2005). However, the subject of false sexual abuse allegations receives little attention and thus the information available regarding false allegations of sexual abuse is very limited. According to all the above-mentioned information and statements regarding false and true allegations, little research has been done in South Africa regarding allegations during divorce proceedings.

In South Africa, sexual abuse cases remain a challenging problem and when sexual abuse allegations are made in the midst of divorce it becomes even more challenging for the professionals involved (Bala et al., 2007; Reyneke & Kruger, 2006). All the above information indicates that there is a definite need for literature regarding sexual abuse allegations during divorce proceedings. It also indicates that sexual abuse allegations are a real social challenge and the professionals investigating these allegations should remain open-minded and investigate the allegations in a holistic manner.

In South Africa, this specific topic does not receive the attention it needs. This leads to the conclusion that the child is left in a vulnerable state during these divorce proceedings. The other challenge that is faced during these allegations is the question of what the consequences are for

the person who made or forced a child to make these false allegations. Aspects and consequences are not clear and stated, especially in South Africa.

#### **1.4 Review question**

This study will focus on exploring different indicators of false sexual abuse allegations during divorce/custody cases, especially focusing on why allegations only occur during the divorce proceedings, and what can be seen as the different factors and indicators that can help professionals to determine whether the allegations may be false.

#### ***What are the indicators/factors that contribute to false sexual abuse allegations during divorce?***

Literature state that reviews are conducted to resolve conflicting evidence, as well as in many cases where the subject of false allegations are uncertain, and many aspects of this topic is unknown. Reviews are also done to explain variations of the subject matter or to confirm what has already been tested in practice (Higgins & Green, 2006).

#### **1.5 Aim**

The aim of this review is to identify the indicators of false sexual abuse allegations during divorce.

The review approach, i.e., qualitative analysis and rapid reviews, has been seen as a useful approach to provide relevant evidence in a timely and cost-effective manner (Tricco et al., 2017; Vergnes et al., 2010). Rapid reviews can also be useful for identifying a certain gap in the subject matter and areas where primary research could be targeted, as well as to identify future research topics (Ganann et al., 2010; Tricco et al., 2017). In this case a rapid review will be done to identify the indicators of false sexual abuse allegation throughout literature. This will also enable the researcher to identify future gaps on this specific topic.

#### **1.6 The following databases were searched**

At the onset, the selection criteria were broad to ensure that a wide variety of articles were assessed according to how the information in the article represents the question and the purpose of the study.

Databases used to fit the inclusion of this rapid review:

EBSCOhost, Google scholar, ERIC, PsycARTICLES, PsycINFO, SocINDEX, African Journals with full text.

Searching other sources:

The researcher worked through the reference lists of all eligible studies included in the review to find pertinent articles that the computerized searches might have missed.

Dealing with missing data:

Articles were excluded when there were missing data and the authors did not respond in time. The articles were at that stage excluded and did not form part of this study.

### 1.7 Key words and Boolean configuration

	KEYWORDS (use <u>OR</u> to indicate synonyms, related and <u>NOT</u> to indicate exclusions)	FIELD (Indicate where the key word search should focus on: Title, abstract, or all text)
LEVEL ONE	Indicator+ OR criteria+ OR characteristic+	All text
	AND	
LEVEL TWO	false OR fabricated OR untrue OR distorted OR inaccurate OR unfounded OR untruthful OR fictitious OR misleading OR deceptive OR “made up”	All text
	AND	
LEVEL THREE	“Sexual abuse”	All text
	AND	
LEVEL FOUR	Divorce OR separation	All text

**1.8 A scope review was done to determine how many possible studies are available on the topic**

SCOPE SEARCH DONE	How many studies have been found using the key word configuration (as indicated in the previous section)?	
Yes	Indicator OR criteria OR characteristic	EBSCOhost – 1 020 Google scholar – 101 000 Academic Search premier – 3 662 304 ERIC – 112 777 PsycARTICLES –76 854 PsycINFO –458 651 SocINDEX with full text – 319 817
	false OR fabricated OR untrue OR distorted OR inaccurate OR unfounded OR untruthful OR fictitious OR misleading OR deceptive OR “made up”	EBSCOhost – 928 Google scholar – 648 000 Academic Search premier – 515 578 ERIC – 1 033 PsycARTICLES –27 463 PsycINFO – 5 742 SocINDEX with full text – 73 806
	“Sexual abuse”	EBSCOhost – 106 Google scholar – 49 700 Academic Search premier – 8 983 ERIC – 13 PsycARTICLES– 1 979 PsycINFO – 141 SocINDEX with full text – 5 117
	Divorce OR separation	EBSCOhost – 98 Google scholar – 22 900 Academic Search premier – 3 129 ERIC – 0 PsycARTICLES – 554 PsycINFO – 3 SocINDEX with full text – 1 722

Time range – Similar studies were done in 1991 and 1993, therefore research that was done after that time was used in this study to avoid duplication.

The target population was focused on children from the age of three up to the age of 16. The population also included studies where divorce or separation was present.

The study did not require a physical population as its requirements are focused on a population of literature as per requirements of a systematic review. The study focused mainly on sexual abuse allegations in the context of divorce where the child is under the age of 16. The review was conducted independently as the literature gathered from the selected articles was used to create a list of indicators.

**1.9 Clearly indicate which of the following factors were included/excluded from the search**

CRITERIA	INCLUDE OR EXCLUDE? PROVIDE BRIEF JUSTIFICATION
Full text journal studies	Include, there are no limiters, therefore all articles/studies/theses and dissertations will be included.
Peer reviewed studies	Include, there are no limiters therefore all articles/studies/theses and dissertations will be included.
Non-peer reviewed studies	Include
Quantitative studies	Include
Qualitative studies	Include, there are no limiters therefore all articles/studies/theses and dissertations will be included.
Mixed method studies	Include
Review studies	Include, there are no limiters therefore all articles/studies/theses and dissertations will be included.
PhD theses	Include, there are no limiters therefore all articles/studies/theses and dissertations will be included.

Masters' dissertations/mini dissertations	Include, there are no limiters therefore all articles/studies/theses and dissertations will be included.
Conference proceedings	Include, there are no limiters therefore all articles/studies/theses and dissertations will be included.
Studies published in languages other than English and/or Afrikaans	Exclude – unless the author provides a translated version.

### **1.10 Reviewers involved in the quality appraisal**

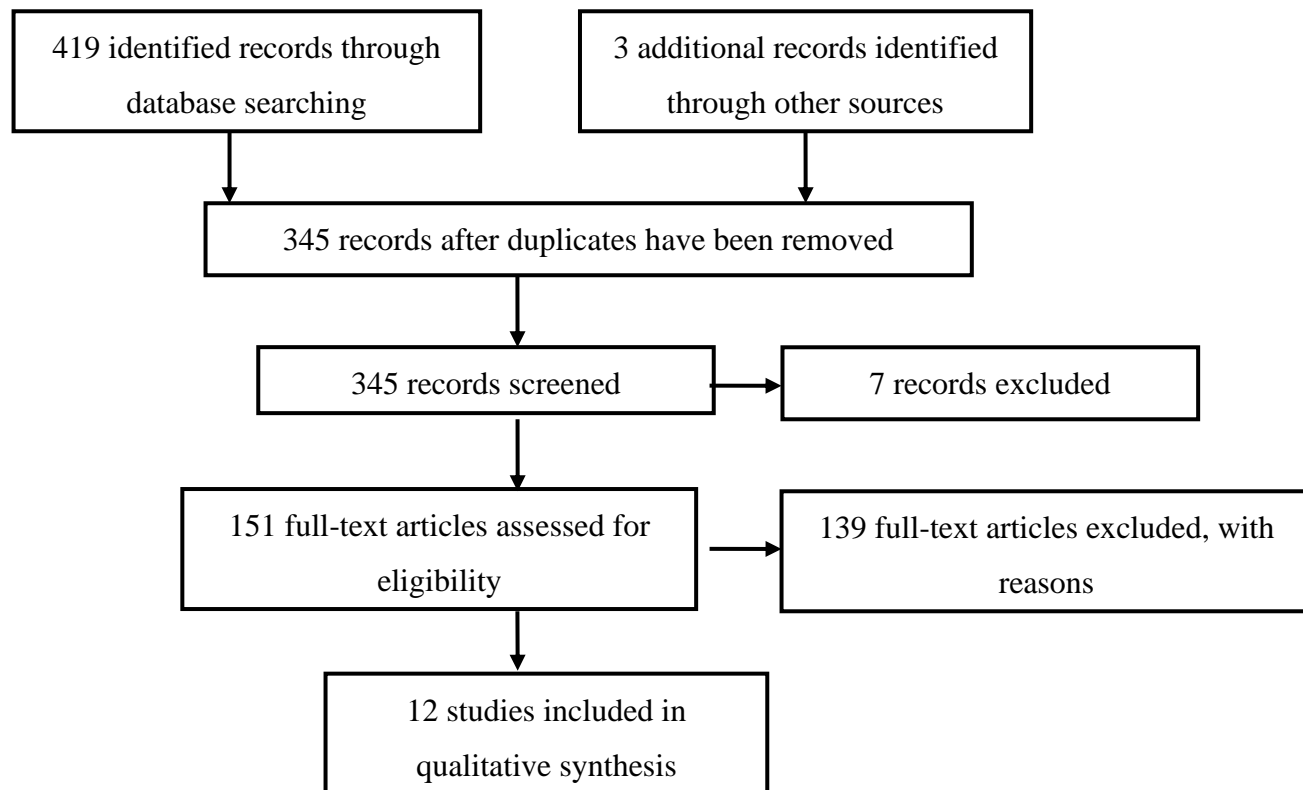
The approach that was followed was a rapid review and during the quality appraisal phase two reviewers took part in the process. The second reviewer assisted the researcher to make sure that the best method was used as well as the most applicable search strategy was followed to get the best results in this specific study.

### **1.11 The involvement of the reviewers and their task**

The two reviewers were Chrizelna Deysel and Professor Cornelia Wessels. The first reviewer was the MSW in Forensic Practice student (researcher) and the second reviewer was the study leader. The student (researcher) conducted the steps and made sure that all data was included in the report. The second reviewer made sure that the student (researcher) followed the steps and did quality control through the process to make sure that all data were captured.

### 1.12 The NICE, ADA, PRISMA, EPPI, guidelines were used for quality appraisal

The PRISMA statement consists of a 27-item checklist (Moher et al., 2009).



### **1.13 The following process was followed:**

#### Step 1: Selection and definition of the practice question

The practice question is according to Dobbins (2017) one that is targeted, clearly stated, and amenable to response. The review aimed to answer a specific question. Dobbins (2017) also explains that certain questions should be asked; for example, in this case the population of divorce couples is an important factor. This is also the step where the researcher selects a topic (Canadian Centre on Substance Abuse, 2014). The population of interest, intervention of interest, and other steps in this iterative process include defining and comparing the value of the intervention, outcomes of interest, and the settings that are most appropriate in answering the question. These elements are collectively referred to as PICOS, an acronym for Population, Intervention, Comparator, Outcome and Setting (Canadian Centre on Substance Abuse, 2014).

#### Step 2: Searching strategy

The Rapid review's second step was to search for evidence. This also involves search strategies, for example using different acronyms (Dobbins, 2017). An information expert developed and executed the search strategy whilst consulting with the researcher and supervisor. The search strategy for this study was developed and conducted by a librarian at the Ferdinand Postma Library at the North West University in consultation with the researcher and the supervisor.

Generally, a rapid review limits the search to:

English-language articles.

Several databases were used. The chosen topic was used to look for relevant information (ERIC, PsycINFO, EBSCOhost) as well as full-text articles (Canadian Centre on Substance Abuse, 2014).

During the screening process the researcher starts to exclude articles that were not relevant and put all the information together. A data extraction table was used after conducting full-text screening, and information was gathered from each of the included articles. The data extraction table included information such as publication details, study populations, number of participants, interventions, comparators, and outcomes (Canadian Centre on Substance Abuse, 2014).

Defining the inclusion and exclusion criteria using PICO (Nang et al., 2015):

Population	Children, mothers, fathers, divorced couples, married couples and separated couples.
Intervention/exposure	Themes regarding false sexual abuse allegations during divorce.
Comparison	No comparisons were made during this study.
Outcomes	The themes of false allegations, so that children are not exposed to even more trauma during sexual abuse investigations.

### Step 3: Critically appraise the information sources

During the process of evaluating the quality of research studies, critical appraisal is to ascertain whether findings are trustworthy and meaningful (Dobbins, 2017; Munn et al., 2014). The JBI Quari and Notari data extraction tools by The Joanna Briggs Institute (2011) for qualitative studies were used (Addendums B and C). The CASP critical appraisal tool was also used.

### Step 4: Drafting the rapid review

The researcher used the data from the data extraction form and combined them with findings from the study appraisal. The researcher ensures that the comments on the validity and quality of the evidence and consistency of the findings are also take into account (Canadian Centre on Substance Abuse, 2014).

### Step 5: Synthesize the evidence that was found

In this step all the results from the best articles with the most relevant evidence were combined. The aim was to come to a conclusion about what is known about the practice question in the literature. This step involved: (1) extracting relevant information from documents which were included; (2) summarizing the overall results from included documents; and (3) formalizing conclusions. This step assisted the researcher to answer the question "What does the research

evidence say about the issue and what are the practice implications of the research?” (Dobbins, 2017).

#### Step 6: Writing the report

The final step was to write the report and submit the article according to the journal’s requirements.

DATA to be extracted <i>e.g., sample size, findings, conclusion, etc.</i>	Brief motivation (how will it contribute in answering the review question?)
Author	The author is important, especially when certain themes of false sexual abuse allegations are identified. The researchers will only read those articles.
Title	Use for referencing.
Year	Use for referencing and to avoid duplicates of previous studies done.
Journal	Use for the purpose of referencing and to make sure it is a creditable journal.
Any specific culture	To make sure that the themes identified in the reviewing process can also add value to certain cultural practices.
Sample size	A larger sample size will add value to the study, even though only applicable information will be used.
Age	The age was restricted to children under the age of 16. According to the Sexual Offences Amendment Act 32 of 2007, it is seen as a statutory rape when the child is under the age of 16, even with consent. Children under the age of 16 years old are not able to give consent and it can be seen as rape.
Study design	This will determine what tool is going to be used during the quality appraisal stage.
Conclusion	Specific attention was given to the conclusion of the study to focus on the findings of false allegations and the themes that emerged.
Findings	Are there any relevant findings/themes with regards to false sexual abuse allegations in the concept of divorce?

#### 1.14 An outline of the Analysis/synthesis

Both the reviewers were involved in the data synthesis that was conducted. The reviewers independently extracted data by using the MMAT data extraction tool.

## 1.15 Ethics

Preparing a review study, in this case a rapid review study, is a form of research and should therefore be undertaken in a responsible manner and the researchers have a responsibility to make sure that the integrity of the study is not called into question. Misconduct must also be avoided. The following ethical aspects were taken into consideration (Wager & Wiffen, 2011):

### Avoiding plagiarism

According to Wager and Wiffen (2011) plagiarism is when somebody uses another person's exact words or ideas without acknowledgement or permission and claiming that it is her or his own original work (Wager & Wiffen, 2011). Thus, it was very important for the researcher to acknowledge any contributors to the research properly and that references were used correctly throughout the research process. The researcher also ensured that the original studies were done ethically through critical appraisal.

### Transparency

Recognition of those who worked on the review (in the reference list and acknowledgements), is important but it is also important to provide information about funding and any conflicting interests. The Cochrane Collaboration has strict rules about funding. All sources of support or any kind of financial contribution for a review study must be declared (Wager & Wiffen, 2011).

In this study no human participants were involved, only data from previous studies were used and acknowledgements to these studies were given. To also ensure trustworthiness, the proposal including the topic and the methodology was submitted to a small group committee and COMPRES (Community psychosocial research), and lastly also to HREC (Human research ethics committee) in the Faculty of Health sciences at the North-West University for approval (NWU ethics number- NWU-00301-20-A1).

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## CHAPTER 2: RESEARCH ARTICLE

# Indicators of false sexual abuse allegations in the context of a divorce: A rapid review\*

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## **ABSTRACT**

The contexts in which sexual abuse allegations are made are important, especially if these allegations are false. This article reports on a rapid review that explored the different factors/indicators of false sexual abuse allegations that may be present in the context of divorce. We conducted a rapid review using various databases including PsychINFO, ERIC, SocINDEX, and African Journals.

There is a clear need for an explanation of why false allegations are a challenge during divorce proceedings and why it becomes a challenge during divorce. Information is obtained from various articles to determine what these different factors/indicators might be. The trauma is severe on different parties of divorce, especially when allegations of sexual abuse are present. The MMAT data appraisal instrument (Hong et al., 2018) was used to determine the relevance of the articles. Within the 12 studies retrieved, different indicators were identified. The review represents a step towards predicting when allegations of sexual abuse are made falsely, to enable the system to prevent unnecessary trauma to all parties involved. Although various indicators were found, more empirical studies are needed to identify these indicators in sexual abuse cases. We conclude by presenting a list of indicators presented in various articles to be seen as potential warning signs/indicators of false sexual abuse allegations.

Keywords: Sexual abuse; Children; False allegations; Divorce; Separation; Indicator.

### **2.1 Introduction**

Erickson and Egeland (2002) are of the opinion that the greatest threat to a child's well-being and safety are when there is a possibility of sexual abuse involved. Numerous researchers (Faller, 2003; Lamb et al., 2008; Magalhães et al., 2009; Sheehan, 2019) agree that preventing and dealing with sexual abuse is no easy task and it requires a multidisciplinary approach. There should also be a definite involvement and coordination between the public administration, different professionals, the various families involved, victims, and society in general. The above-mentioned statement makes it clear that child sexual abuse may not only

have an impact on the family but also on the whole system. The question is, what happens if these allegations are false or fabricated?

In South Africa, the divorce rate rose from “21 998 in 2012 to 25 326 in 2016 and constitute an increase of 0,3% from the 25 260 divorces granted in 2015” (Statistics South Africa, 2016). In 2016, 55,0% of the 25 326 divorces involved children younger than 18 years old (Statistics South Africa, 2016). According to statistics SA there were in 2018 a decrease of 0,4% from the 25 390 divorces in 2017 (Statistics South Africa, 2018). In 2018, there were 14 302 (56,6%) divorces with children aged less than 18 years involved (Statistics South Africa, 2018). In 2019 there were 23 710 divorce cases (Statistics South Africa, 2019) and although there was a slight decrease in the divorce rate, the number of divorces granted is still significantly high in South Africa. What is of significant importance is that underage children are involved in more than half of these divorce cases. According to Burkhart (2000) and Faller (2003) there are serious challenges for professionals working with custody visitation disputes. They are also of the opinion that any professional working in this field need specialized knowledge and skills to make sure they are experts in the field. Burkhart (2000) is of the opinion that any allegations made in the context of divorce or arise during the divorce proceedings should be investigated thoroughly. Therefore, no professional can simply assume that such an allegation is untrue, or that it is impossible to be proven. Although these kinds of allegations might come up during a divorce, it should be investigated to prove the innocence or guilt of the person who is being accused.

Divorce is a common modern phenomenon in any community. Emery et al. (2014) as well as Viljoen and Van Rensburg (2014) are of the opinion that since changes were made in the legislation of the Children’s Act, 38 of 2005 of South Africa, where the emphasis has shifted to the best interest of the child principle, there was an escalation in conflict between parents during custody disputes. Custody disputes between parents are emotionally charged and already a difficult process for the parents, children and professionals involved, and now emotional tension and the complexity of the case worsen when allegations of sexual abuse are involved (Bala et al., 2007; Neoh & Mellor, 2009). False sexual abuse allegations create not only a tension-driven atmosphere between the parents but also put a lot of pressure on

the professionals involved (Robinson, 2015). In studying the literature, it is clear that almost every allegation of sexual abuse raises a question about its veracity (Faller, 2014) and should never be taken lightly. In several studies (Anthony & Watkeys, 1991; Faller & De Voe, 1995; Faller, 1991) it is reported that adults are more likely to make false allegations of sexual abuse in divorce cases. Due to this, it is significantly more challenging for forensic social workers to get to the truth. The research that was done by Benedek and Schetky (1985) complicate it even more. They concluded that mothers in most of the cases make calculated false reports. According to Gardner (1989) “these women wanting to ‘wreak vengeance’ upon their ex-spouses”. It is therefore important to make sure that all hypotheses are tested. The research findings from various researchers (Faller & De Voe, 1995; Green & James, 2018; Sands et al., 2017; Sun & Li, 2009) indicate that false allegations on child sexual abuse have a negative effect on everyone involved, especially the accused parent as well as the child. The emotional stress related to these allegations is a severe pressure point for the whole family system. There are various factors that can contribute towards false allegations on child sexual abuse, and results show that the impact of such allegations can also have a negative effect on the family system, making it extremely difficult to restore these relationships in the end (Bhandari et al., 2011). Divorce-related allegations of child sexual abuse are usually allegations that are made by one parent towards the other, and researchers are of the opinion that there are more factors that must be taken into account and that the assessment is much more difficult in most of these cases. More emotional factors are also seen in these cases and the objectivity and neutrality is of utmost importance when these children are assessed (Bow et al., 2002a; Neoh & Mellor, 2009).

In this review 12 articles were examined to determine whether there is a set of indicators that are present in false sexual abuse cases.

## **2.2 Definition of false allegations of child sexual abuse**

According to Yuille et al. (cited by Lubaale, 2016) a false allegation usually has one or more of the following characteristics:

- “An allegation that is false, meaning that none of the stated events actually happened,
- An accusation that is true overall but involves the accusation of an innocent individual. This is an instance of ‘perpetrator substitution’ in which a child who has been sexually abused discloses the abuse but alleged that a different person than the real offender abused him/her.
- A claim that includes both true and false elements; is in other words when the child adds certain events that did not happen while describing others that did as described by Lubaale (2016, p. 76).” Sheehan (2019, p. 123) on the other hand is of the opinion that false reports of child sexual abuse might have the following elements: “... valid reports that misidentify the abuser, reports that exaggerate the nature of the sexual abuse, and completely false claims of child sexual abuse”.

From the above-mentioned, false allegations exist and present in different forms. Therefore, social workers and other role players like judges, lawyers and psychologists should be trained not only to be able to identify false reports of sexual abuse specifically in the case of divorce matters, but also to protect the persons who are wrongly accused. The responsibility placed on the professionals who have to do the assessments is great and, in many cases, leads to further charges.

### **2.3 Scope of the problem**

Little is known about the indicators that can be present during cases of false sexual abuse in the context of divorce. According to Trocmé and Bale (2005), 30% to 70% of child abuse cases reported to child welfare services are unsubstantiated. Over time, there have been varying degrees of professional and popular belief and scepticism regarding reports of child sexual abuse (Faller, 2015). One of the difficulties that experts have is that a criterion for a false allegation by one professional could be regarded as not true or not relevant by another professional. Numerous role players are involved in cases of child sexual abuse, and more attention needs to be given in research to determine the indicators of false sexual abuse allegations to enable professionals to minimize the trauma that these allegations have on children.

## **2.4 Research method**

The review's search strategy aimed to select peer reviewed studies that identify various indicators involved in cases where child sexual abuse is reported but found to be false in cases of divorce or separation. Literature searches were initially conducted in 2018 and replicated in July 2019. After the literature search was done in 2018, there was a lack of peer reviewed articles, so the search was broadened to non-peer reviewed studies as well. The following search string was used; [indicators OR criteria OR characteristic] AND [false OR fabricated OR untrue OR distorted OR inaccurate OR unfounded OR untruthful OR fictitious OR misleading OR deceptive OR "made up"] AND [sexual abuse] AND [divorce OR separation].

All 345 articles were systematically cleared by two reviewers by consulting their titles and abstracts, to determine whether the article was suitable for inclusion in the review. Of the 345 articles, 333 of these articles were excluded because they did not refer to erroneous accusations of sexual abuse during a divorce. During this process the reviewers also made a start to identifying some of the indicators that stood out in the included articles.

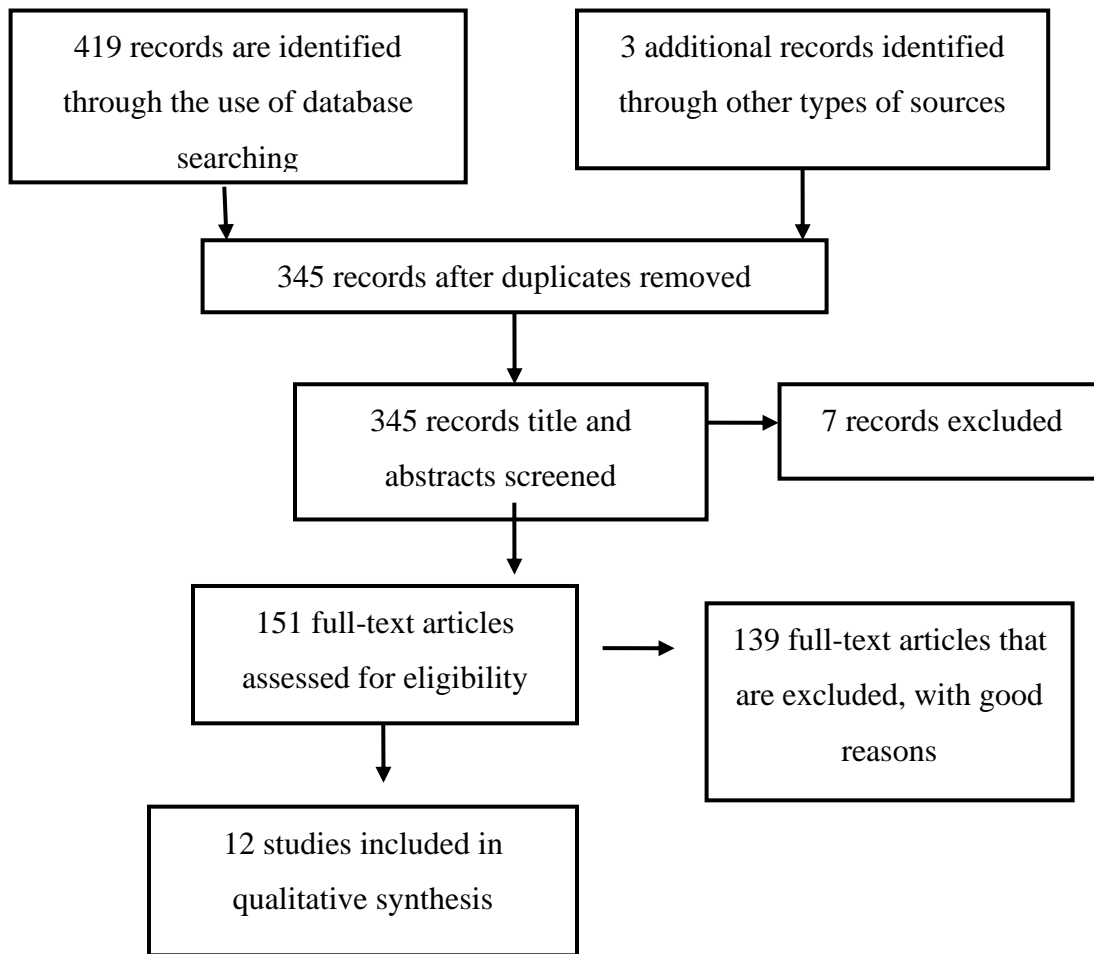


Figure 1: PRISMA diagram of the search for studies on false sexual abuse allegations during divorce (Moher et al., 2009).

The following table was used to identify the different themes throughout the articles:

Different themes:	A:1	A:2	A:3	A:4	A:5	A:6	A:7	A:8	A:9	A:10	A:11	A:12
Custodial mothers alleging against non-custodial fathers	x			x	x		x	x	x	x	x	
The allegations of sexual abuse are done in good faith and not malicious				x				x			x	
Allegations of sexual abuse are present in ongoing high conflict divorce cases	x			x	x						x	
Allegations are made when parents have negative feelings toward each other		x									x	
Parents have a history of sexual abuse or domestic violence	x	x									x	
Ongoing custody disputes				x					x			
Non-custodial parent accusing the mother of					x					x	x	

the child in this case the custodial parent												
Parents suffer from mental illness/emotional disturbance	x									x	x	
Parental alienation syndrome				x	x					x		X
False allegations of sexual abuse are more present in cases where younger children are involved					x					x		

Table 1: Different indicators identified in various articles

## 2.5 Discussion of results

This study has at least two limitations of note. The lack of knowledge about the setting in which false accusations are purposely made is one of the primary limitations of research done to date. Studies conducted by other researchers support the last remark. Secondly, there is a lack of articles regarding this topic.

## 2.6 Implications

The study is of importance to the social work profession and especially for social workers working in the forensic field. The reason for this is that in many cases fathers and other care givers are falsely accused. Faller (2003) is of the opinion that these allegations made in the context of divorce presents a number of serious challenges for professionals involved. In a study done at the British home office, they found that in 2 643 of the rape cases reported to

the police, 216 (8,2%) were classified by the police as false because they believe that the victims were mentally ill and did not believe them. This was also found in other studies where allegations of sexual abuse has been seen as false because the mothers was made out to be mentally ill or had severe mental disturbances (Everson & Boat, 1989; Lisak et al., 2010). In some way this classification violated the police's own classification rules. According to Lubaale (2016) there can be negative consequences for the person who is wrongly accused of child sexual abuse. The effect of this on the life of the accused may be lengthy times in prison, lifelong stigma and, in South Africa, their names might be put on a register for sex offenders. The last mentioned may also have an influence on their work life because they will never be appointed in a position where they must work with children or any other position because of the stigma regarding sexual abuse.

The contribution of this review study will be to obtain a list of indicators (themes) that will consist out of combined literature regarding false sexual abuse allegations in the context of divorce. This will enable the forensic social worker to gain more insight when it comes to false allegations, especially in the divorce context where it has become a real challenge according to literature. This will also enable the forensic social worker to effectively test hypotheses during the forensic investigation process.

## **2.7 Findings**

Many researchers are of the opinion that there are relatively few studies that provide useful information on the frequency of false reports because of the major limitations in the research on false allegation reports (Baker & Brassard, 2013; Lisak et al., 2010). What contributes to the limitations is the fact that the research findings on allegations of sexual abuse differ (Faller, 2003). Researchers like Thoennes and Tjaden (1990) are of the opinion that in the case of a divorce it may be more likely to be false allegations than allegations in other situations. Research has also indicated that, even if a child victim appears to be honest and trustworthy, the allegations can in some cases not be seen as true because children sometimes tell different stories to protect a parent (Lubaale, 2016). In this review the identified indicators might contribute to forensic interviews and will assist the interviewer

to identify false allegations. To prove that allegations are false is a difficult task for all professionals involved; therefore the different indicators might assist them to identify indicators that can contribute to false allegations of sexual abuse.

Lubaale (2016) is of the opinion that one cannot accept that false allegations do not exist just because there are not many studies on the prevalence of false allegations. Even though it is difficult to prove that these allegations are false, all professionals involved in these cases should work together and make sure that the best interest of the child is always looked after during and after the court case. According to Sheehan (2019) there is a lasting effect on a child after false allegations of sexual abuse have been made. In this review different indicators were identified from various professionals in the articles that were reviewed, and the themes are henceforth discussed.

### **2.7.1 Custodial mothers alleging against non-custodial fathers**

Numerous articles (Sun & Li, 2009; Trocmé & Bala, 2005) refer to the custodial parent as the party that is usually alleging sexual abuse allegations towards the non-custodial parent. A claim is made typically by the custodial parent that the child has been physically abused by the other parent (Robinson, 2015). A study done by Ferguson et al. (2018) also refers to the custodial parent, usually the mother, alleging sexual abuse against the father. According to Lowenstein (2012), the accusation of sexual abuse of a child is regarded by research as a powerful weapon that can be used by a hostile parent against another.

In 2003, in a South African case of Sifiso Shezi, Shezi was given two life sentences for allegedly raping his daughter; according to several people he deserved such a long sentence (Lubaale, 2016). Shezi served ten years of his jail time, when his daughter who was eight years old at the time of the claims, recanted her claim against him in 2008 shortly after her mother died; she also confessed that her mother made her lie about the abuse (Lubaale, 2016). According to the review on the different studies about false allegations, 66,7% of the total articles mentioned similar situations. This type of false allegations can have a life-changing impact on all parties involved, emphasising the importance of such a study.

### **2.7.2 The allegation of sexual abuse is done in good faith and not malicious**

Allegations in some cases can be made with no malicious intentions, for example a person would report a case of sexual abuse and truly believe that there could be a possibility of abuse. A percentage of 25% of the reviewed articles mentioned the fact that parents make sexual abuse allegations in good faith and that the allegations are not made in a malicious manner. There is some evidence that suggests that within these very complicated and difficult cases, even allegations made in good faith can result in some type of emotional abuse to the child, especially the impact of the investigation that needs to be completed before these allegations can be found true or false (Andrews et al., 2015).

In a study that was done by Trocmé and Bala (2005), 4% of all reports of abuse were determined to have been purposefully fraudulent, while the remaining 96% of unfounded reports were deemed to have been in good faith. Sheehan (2019) argues that divorcing parents often seek revenge or to spite their spouse, which could also be because of the anger and emotions between the parents during these custodial cases. As mentioned already, there is a chance that these allegations were not purposefully made and, in some cases, where the allegations are made it is done in good faith and the parent really does have some concerns. Therefore, each allegation of sexual abuse should be taken seriously by the forensic social worker, but different hypotheses should be tested.

### **2.7.3 Allegations of sexual abuse are present in ongoing high conflict divorce cases**

Authors and researchers also state that in many of these cases where there is a possibility of the allegations being false, it was found that children who made these allegations are usually younger in age and are still struggling to convey accurate information (Bala et al., 2007; Johnson, 2006; Robinson, 2015). In high conflict divorce cases it has been found that more sexual abuse allegations are found to simply be labelled as false or unsubstantiated, especially in the above-mentioned situation (Ferguson et al., 2018; Johnson, 2006). When there is marital conflict in the household it might have a negative influence on the children, but if there is high conflict in the household it becomes a definite stressor for the children.

In a study done by numerous researchers Johnston et al. (2005) reported that in 120 high conflict custody and visitation cases, they found that there were some types of maltreatment or abuse in 77% of these cases (Bala et al., 2007). This indicates a very high percentage, which is concerning due to most divorce cases being ongoing because there are children involved. In practice and Divorce Courts it is common that the parents involved will implement extreme measures to discredit the other parent where there is high conflict. The parent at this stage never considers the consequences of his or her allegation and the trauma it might have on the children.

#### **2.7.4 Allegations are made when parents have negative feelings towards each other**

According to Burkhart (2000) some mothers experience such extreme negative feelings against the man they once loved and the father of her children that she will not hesitate to fabricate the alleged abuse. At that stage unfortunately parents do not think about the impact that their negative feelings between each other can have on the children. Therefore, parents must also think about what they say in front of the children and that they do not distort children's words or interpret them incorrectly. Despite all the negative feelings, sexual abuse must receive sufficient attention and cannot simply be ignored. Everything must be done to confirm or refute the validity of the sexual abuse charge.

#### **2.7.5 Parents have a history of sexual abuse or domestic violence**

According to Barker et al. (cited by Robinson, 2015), it has been found that people who falsify child sexual abuse allegations usually has a history of some form of abuse. According to research that has been done Whitaker et al. (2008) it is important to acknowledge that a history of family violence can be seen as a risk factor in false allegation cases. In 25% of studies done in the context of divorce where false allegations of child sexual abuse were present, it was found that the accusing parent had a history of sexual abuse or domestic violence.

### **2.7.6 Ongoing custody disputes**

Sexual abuse allegations can surface at any time of the divorce; some allegations arise before the divorce and allegations can also be made during custody battles. The moment when the allegations are made in any matter it can have a severe impact on the proceedings (Bow et al., 2002b; Smit et al., 2015). In practice many divorcees struggled for many years to finally get divorced and the uncertainty about the future of the children had a severe negative impact on all members of the family. The outcome of this may be that, due to repeated postponements, the children were still in primary school when the parents decided to divorce and have now almost left home as young adults, and the divorce case has still not been settled.

### **2.7.7 Non-custodial parent accusing the mother of the child, in this case the custodial parent**

Even more substantially, the rate of purposefully fraudulent claims varied, and according to Trocmé and Bala (2005) only 2% of custodial parents alleging sexual abuse were found to be intentionally false, whereas 15% of the reports from non-custodial parents have been intentionally false. This then leads to the conclusion that there is evidence that fabricating false sexual abuse allegations can come from both parents (Green, 1986; Trocmé & Bala, 2005).

In many cases there are signs of severe mental illness in one of the parents. Additionally, this indicator works hand in hand with emotional disturbance of the accusing parent and in many cases a history of sexual abuse already exists (Bala et al., 2007).

### **2.7.8 Parental alienation syndrome**

In previous years many 'protective mothers' who made allegations of sexual abuse has been perceived as a form of parental alienation syndrome, also known as PAS (Ferguson et al., 2018). PAS has been a new topic in research and in this case, a person suffering from PAS can become so emotionally charged that it can lead to the fabrication of false sexual abuse (Ferguson et al., 2018; Lowenstein, 2012). In this case, the children are usually the ones who

are suffering. Researchers like Baker and Ben-Ami (2011) and Summit (1983) are of the opinion that parental alienation strategies may result in diminished self-esteem and secondary trauma in these children.

Cases that involve younger children can also have a negative impact on the case and the outcome of the case. It is therefore important to make use of trained forensic social workers to assess these children, as younger children have a more difficult time responding to certain questions (Lamb et al., 2003). In another study it is argued that cases that are seen in family court with allegations of child sexual abuse often involve very young children, and it is then concluded that the evidence is often ambiguous. It has also been noted that mothers have been perceived as making more allegations (Neoh & Mellor, 2009).

Goodman-brown et al (2003) is of the opinion that although young children's lack of knowledge can have a negative influence on their disclosure it may also facilitate the disclosure. The researcher is further of the opinion that although these younger children may not understand the nature of sexuality or understand the possible negative consequences one cannot ignore the input from them (Goodman-brown et al., 2003). This can be true, as younger children are more easily manipulated and trained by adults to say certain things.

## **2.8 CONCLUSION**

- From the above-mentioned information there are indicators present in the context of divorce which can indicate that the allegations of sexual abuse are false.
- It is important to understand and consider that numerous reasons can contribute to these indicators.
- It is also clear that although these indicators can be present in cases where sexual abuse are false, these factors can also be present in cases where sexual abuse allegations are true. Therefore, one can never ignore any allegation of sexual abuse in the case of a divorce.

- However, there are different characteristics that may be present in divorce cases, which could be alarming and indicate that there are some reasons to suspect that sexual abuse allegations may be false.
- The most prominent characteristic is in cases where the custodial parent accuses the non-custodial parent of sexual abuse. This alarming fact should always be investigated scientifically by a professional who is trained in the forensic field.
- False allegations can have an extremely negative impact on the family system and especially on the child and alleged perpetrator.
- The research also indicates that there are in fact more false allegations of sexual abuse being made in high conflict divorce cases.
- From the information gathered, a theme arises where most of the indicators involve conflict or negative feelings between the parents.
- In numerous articles it was stated that when the father makes allegations against the mother, a lot of attention is given to the mother.
- Some of the gaps that have been recognised are the fact that there is not enough research available with the focus on a third party, for example a stepmother or stepfather. In research, the context of sexual abuse allegations during divorce is mainly focussed on the biological parents.
- According to the literature, younger children seem more involved in false allegations of sexual abuse.
- Research also shows the different effects of sexual allegations on children, and this raises the question of how many innocent children are involved in these divorces. The alarming fact is that such young children are being taught how to fabricate stories about things that they should not even be aware of.
- Future research can be done on the different indicators to establish whether these indicators are present in divorce cases.

- Sexual abuse can have an incredible impact on the whole family system and children go through severe trauma when sexual abuse is alleged.
- These indicators will provide professionals with more insight into false sexual abuse allegations in the context of divorce.
- It is also important that, although these indicators are found in numerous studies, each case of child sexual abuse should be treated as unique.
- These indicators should be used as a framework to enable professionals to see the warning signs of false allegations to enable the system to protect and prevent children from unnecessary exposure to trauma involved in such cases.

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## **CHAPTER 3: FINAL CONCLUSIONS AND RECOMMENDATIONS**

### **3.1 Final conclusion**

A rapid review was done, and numerous data bases were searched for information that could be used to identify indicators of false sexual abuse allegations. Two reviewers were used to make sure that no data of importance were left out and were used in the research. The research study revealed 10 indicators that were identified in two or more studies that were done. All data were taken into consideration and analysed.

The aim of the study was to do a rapid review on research that has already been done on the topic and determine whether there are different indicators or themes present in cases where false abuse allegations were made in the context of divorce or separation. The aim of the study was achieved as numerous themes/indicators were identified from previous research. The research study revealed the following indicators that were present in previous research:

1. Custodial mothers alleging against non-custodial fathers;
2. The allegations of sexual abuse are done in good faith and not malicious;
3. Allegations of sexual abuse are present in ongoing high conflict divorce cases;
4. Allegations are made when parents have negative feelings toward each other;
5. Parents have a history of sexual abuse or domestic violence;
6. Ongoing custody disputes;
7. Non-custodial parent accusing the custodial parent;
8. Parents suffer from mental illness/emotional disturbance;
9. Parental alienation syndrome; and
10. False allegations are more present in cases where younger children are involved.

Sexual abuse can have an incredible impact on the whole family system and the children are unfortunately the parties most affected by it. These indicators will provide professionals with more insight into false sexual abuse allegations in the context of divorce. It is also important that, although these indicators are found in numerous studies, each case of child sexual abuse should be treated as unique. These indicators should be used as a framework to enable professionals to see the warning signs of false allegations to enable the system to protect and prevent children from unnecessary exposure to trauma involved in such cases.

### **3.2 Recommendations**

Based on the research findings of the study, the following is recommended:

It is recommended that above-mentioned indicators can be used in future research where the different indicators can be tested in a more comprehensive study involving false sexual abuse allegations in the context of divorce.

### **3.3 Limitations of the study**

This study had at least two limitations of note: Firstly, the research done to date is not focussing enough on sexual abuse allegations that are false. Secondly, the review is also limited by the small number of articles used, because of the limited number of articles that was found specifically focussed on the aspect of false sexual abuse allegations.

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## 5.1 Annexure 1: PRISMA 27 item checklist

Section/topic	#	Checklist item	Reported on page #
<b>Title</b>			
<b>Title</b>	<b>1</b>	Identify the report as a systematic review, meta-analysis, or both.	
<b>Abstract</b>			
<b>Structured summary</b>	<b>2</b>	<b>Provide a structured summary including, as applicable: background; objectives; data sources; study eligibility criteria, participants, and interventions; study appraisal and synthesis methods; results; limitations; conclusions and implications of key findings; systematic review registration number.</b>	
<b>Introduction</b>			
<b>Rationale</b>	<b>3</b>	Describe the rationale for the review in the context of what is already known.	
<b>Objectives</b>	<b>4</b>	Provide an explicit statement of questions being addressed with reference to participants, interventions, comparisons, outcomes, and study design (PICOS).	
<b>Methods</b>			

<b>Protocol and registration</b>	<b>5</b>	Indicate whether a review protocol exists, as well as where it can be accessed (e.g., Web address). Also provide registration information including registration number if available.	
<b>Eligibility criteria</b>	<b>6</b>	Specify study characteristics (e.g., PICOS, length of follow-up) and report characteristics (e.g., years considered, language, publication status) used as criteria for eligibility, giving rationale.	
<b>Information sources</b>	<b>7</b>	Describe all information sources (e.g., databases with dates of coverage, contact with study authors to identify additional studies) in the search, as well as date last searched.	
<b>Search</b>	<b>8</b>	Present full electronic search strategy for at least one database, including any limits used, such that it could be repeated.	
<b>Study selection</b>	<b>9</b>	State the process for selecting studies (i.e., screening, eligibility, included in systematic review, and, if applicable, included in the meta-analysis).	
<b>Data collection process</b>	<b>10</b>	Describe method of data extraction from reports (e.g., piloted forms, independently, in duplicate) and any processes for obtaining and confirming data from investigators.	

<b>Data items</b>	<b>11</b>	List and define all variables for which data were sought (e.g., PICOS, funding sources) and any assumptions and simplifications made.	
<b>Risk of bias in individual studies</b>	<b>12</b>	Describe methods used for assessing risk of bias of individual studies (including specification of whether this was done at the study or outcome level), and how this information is to be used in any data synthesis.	
<b>Summary measures</b>	<b>13</b>	State the principal summary measures (e.g., risk ratio, difference in means).	
<b>Synthesis of results</b>	<b>14</b>	Describe the methods of handling data and combining results of studies, if done, including measures of consistency (e.g., $I^2$ ) for each meta-analysis.	
<b>Risk of bias across studies</b>	<b>15</b>	Present results of any assessment of risk of bias across studies (see item 15).	
<b>Additional analyses</b>	<b>16</b>	Describe methods of additional analyses (e.g., sensitivity or subgroup analyses, meta-regression), if done, indicate which were pre-specified.	
<b>Results</b>			
<b>Study selection</b>	<b>17</b>	Give numbers of studies screened, assessed for eligibility, and included in the review, with reasons for exclusions at each stage, ideally by means of a flow diagram.	

<b>Study characteristics</b>	<b>18</b>	For each study, present characteristics for which data were extracted (e.g., study size, PICOS, follow-up period) and provide the citations.	
<b>Risk of bias within studies</b>	<b>19</b>	Present data on risk of bias of each study and, if available, any outcome level assessment (see item 12).	
<b>Results of individual studies</b>	<b>20</b>	For all outcomes considered (benefits or harms), present, for each study: (a) simple summary data for each intervention group; (b) effect estimates and confidence intervals, ideally with a forest plot.	
<b>Synthesis of results</b>	<b>21</b>	Present results of each meta-analysis done, including confidence intervals and measures of consistency.	
<b>Risk of bias across studies</b>	<b>22</b>	Present results of any assessment of risk of bias across studies (see item 15).	
<b>Additional analysis</b>	<b>23</b>	Give results of additional analyses, if done (e.g., sensitivity or subgroup analyses, meta-regression [see item 16]).	
<b>Discussion</b>			
<b>Summary of evidence</b>	<b>24</b>	Summarize the main findings, including the strength of evidence for each main outcome; consider their relevance to key groups (e.g., healthcare providers, users and policy makers).	

<b>Limitations</b>	<b>25</b>	Discuss limitations at study and outcome level (e.g., risk of bias), and at review-level (e.g., incomplete retrieval of identified research, reporting bias).	
<b>Conclusions</b>	<b>26</b>	Provide a general interpretation of the results in the context of other evidence, as well as implications for future research.	
<b>Funding</b>			
<b>Funding</b>	<b>27</b>	Describe sources of funding for the systematic review and other support (e.g., supply of data); role of funders for the systematic review.	

## 5.2 ANNEXURE 2: JBI QARI data extraction form

### **JBI QARI Data Extraction Form for Interpretive & Critical Research**

Reviewer ..... Date .....

Author ..... Year .....

Journal\_ ..... Record Number .....

#### **Study Description**

Methodology

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Method

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Phenomena of interest

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Setting

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Geographical

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Cultural

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Participants

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Data analysis

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Authors Conclusions

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Comments

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Complete

Yes

No



### 5.3 ANNEXURE 3: NOTARI data extraction tool

NOTARI data extraction tool				
Reviewer		Date		Record nr
Author(s)				
Year		Journal		
Method				
Participants				
Setting				
Geographical				
Cultural				
Population				
Sample size				
Interventions				
Data analysis				
Author conclusions				
Reviewer comments				

## 5.4 ANNEXURE 4: MIXED METHODS APPRAISAL TOOL (MMAT) VERSION 2018

Category of study designs	Methodological quality criteria	Responses			
		Yes	No	Can't tell	Comments
Screening questions (for all types)	S1. Are there clear research questions?				
	S2. Do the collected data allow to address the research questions?				
<i>Further appraisal may not be feasible or appropriate when the answer is 'No' or 'Can't tell' to one or both screening questions.</i>					
1. Qualitative	1.1. Is the qualitative approach appropriate to answer the research question?				
	1.2. Are the qualitative data collection methods adequate to address the research question?				
	1.3. Are the findings adequately derived from the data?				
	1.4. Is the interpretation of results sufficiently substantiated by data?				
	1.5. Is there coherence between qualitative data sources, collection, analysis and interpretation?				
2. Quantitative randomized controlled trials	2.1. Is randomization appropriately performed?				
	2.2. Are the groups comparable at baseline?				
	2.3. Are there complete outcome data?				
	2.4. Are outcome assessors blinded to the intervention provided?				
	2.5. Did the participants adhere to the assigned intervention?				
3. Quantitative non-randomized	3.1. Are the participants representative of the target population?				
	3.2. Are measurements appropriate regarding both the outcome and intervention (or exposure)?				
	3.3. Are there complete outcome data?				
	3.4. Are the confounders accounted for in the design and analysis?				
	3.5. During the study period, is the intervention administered (or exposure occurred) as intended?				
4. Quantitative descriptive	4.1. Is the sampling strategy relevant to address the research question?				
	4.2. Is the sample representative of the target population?				
	4.3. Are the measurements appropriate?				
	4.4. Is the risk of nonresponse bias low?				
	4.5. Is the statistical analysis appropriate to answer the research question?				
5. Mixed methods	5.1. Is there an adequate rationale for using a mixed methods design to address the research question?				
	5.2. Are the different components of the study effectively integrated to answer the research question?				
	5.3. Are the outputs of the integration of qualitative and quantitative components adequately interpreted?				
	5.4. Are divergences and inconsistencies between quantitative and qualitative results adequately addressed?				
	5.5. Do the different components of the study adhere to the quality criteria of each tradition of the methods involved?				