

122. The extract states:

WHAT THERAPISTS ARE SEEING

*Ms Irwin believes that treatment centres like the Meadows will see a substantial increase in ritual abuse survivors as it becomes safer to talk about the abuse in Twelve Step meetings, in therapy, and in treatment. Like other counsellors interviewed for this book, she sees parallels between this growing awareness of traumatic ritual abuse, especially satanic abuse, and the recent evolution of incest / sexual abuse awareness.*

**Working with Children Exposed to Ritual Abuse**

*Pamela S. Hudson, LCSW, is a child therapist with a county mental health outpatient department in California and author of the book *Ritual Child Abuse: Discovery, Diagnosis and Treatment*. Ms Hudson has presented training sessions for professionals on child abuse in the United States, England, and Canada.*

*Ms Hudson first began to identify the symptoms of satanic ritual abuse in several children who had been referred to her at a county mental health agency in early 1985. What was to follow was a most frightening phenomenon: throughout the remainder of 1985 and into 1986, twenty-four children, all from the same day-care center, all exhibiting many of the same satanic ritual abuse symptoms, were brought to her by concerned parents. What is even more amazing is that the cases came to her individually, without parents initially talking among themselves.*

*Common symptoms seen among these children included phobic reactions about water; extreme anxiety about being alone in bedrooms, going to the bathroom, eating certain types of food. In addition, some children exhibited such behaviours as using needles, pens, and other sharp objects to poke the eyes out of people in magazine photographs. And thirteen of the twenty-four children, many of them under the age of ten, consistently attempted to masturbate and have sex with other children or animals.*

*Most of the children also were experiencing frequent night terrors, night sweats, and extraordinary anxiety on other levels. For example, eighteen out of the twenty-four felt extreme separation anxiety if the mother was out of sight even for a short time.*

*Early in her work with the children, Ms Hudson reported the cases to the county's Children's Protective Services. (The names of the day-care center and the mental health center have been omitted at Ms Hudson's request, to avoid legal or other re-*

39"

123. It is submitted that the Police Photographs now demonstrate that discourse in relation to Ms HUDSON and satanic ritual abuse was widespread. Ms [redacted] is the mother of [redacted] one of the children put forward during the Civic Crèche Enquiry. Ms [redacted] was at a meeting of parents in July 1992 where ritual abuse was discussed. Ms [redacted] stated at pages 19 to 21 of her Depositions Statement:

"In about July of 1992 I became aware from listening to and from talking to other parents who had children at the Crèche that some of the children had been the victims of bizarre physical and sexual abuse committed by the defendant, ELLIS, and other people.

Because we were frustrated at what we saw as Police reluctance to investigate these issues further, I decided to collate all the information that was available.

I did this in order to document what was known about these incidents to show to the Police.

I attended a meeting with other parents in relation to this information. This meeting was attended by Detectives EADE and NICHOLL.

I had the documented information with me at that meeting, although they had not seen it.

From the meeting I learned that the enquiry was going to be widened to take this information into account. Detective EADE advised me not to hand out the information so I left for the parents to take as they wished.

I don't know which parents took the information. Present at that meeting were

124. The Inquiry is also referred to the previously undisclosed document headed "Civic Crèche Enquiry Meeting" dated 12 August 1998<sup>137</sup> where at pages 2 and 3 Detective EADE is recorded as stating:

"[Blacked-out] parents have been reading literature on ritualistic abuse and this is a concern.

...

"[Blacked-out] described ritual abuse and other teachers being present...

...

A further interview was arranged for [blacked-out] yesterday but when they arrived the mother had a book with her regarding ritualistic abuse. Because of our concerns the interview did not take place. Colin has read some of the book and some things are similar to what [blacked-out] has disclosed. It is possible that his parents have been shaping his answers for him..."

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<sup>137</sup> See annexure 'C' to the Affidavit of Robert Andrew Harrison dated 12 November 1998.

## OVERVIEW OF THE INTERVIEWS AND THEIR FAILURE TO MEET BEST PRACTICE

### Introductory Remarks

125. The specialist interviews were carried out over a ten month period commencing on the 25th of November 1991 when the original child "complainant", 3 1/2 year old was interviewed and made no disclosure of sexual abuse by Peter Ellis. mother, had claimed her son had said he "hated Peter's black penis" was interviewed a second time on the 4th of December 1991 and again made no disclosure. There then followed in that December month at least three other interviews with children, including (a child who was to be a complainant at the trial), none of which produced any complaint of sexual abuse.
126. The interviews recommenced on the 30th of January 1992 when interviewer Sidey conducted an interview with had not been a child at the Creche but whose brother, had been had been interviewed in December at his mother's request. was a member of the support group and a member of the Creche Management Committee. alleged indecent touching by Ellis when she has gone with her mother to the Creche to collect her brothers. She alleged Ellis was on stilts at the time he touched her and she was playing the xylophone near the Creche door. It was on this charge that Ellis was arrested, albeit that the charge does not appear to have been one sustained as far as even depositions.
127. Thereafter the interviews conducted over the next nine or ten months some 118/120 interviews. The interviews were all carried out by either Ms Sidey, Ms Morgan or Ms Crawford. The monitor, who acted as observer and conveyer of extra questions, was usually one of the three interviewers or Detective Colin Eade. In this case, of the six conviction children, Detective Eade was the monitor in 10 of

the 21 video interviews, and in the case of he was the monitor in 5 out of 6 interviews.

128. Both the actual interviews and the procedure were seriously flawed and minimum acceptable standards were not met. The failures of the interviewers to meet these standards materially contributed to the contamination of the children's evidence.

129. These submissions refer with particularity to the six conviction children, but the flaws that are demonstrated by these cases reflect a pattern of unacceptable performance and procedure that pervaded the whole investigation. The fact that these particular children's cases managed to result in guilty verdicts by the jury, it is submitted, owes much to the parental involvement in the formal and informal support groups and their commitment to prove the children had been abused by cross-examining them at length in a way known to be suggestive to children in this age group.

130. The failures of the interview process to meet standards may be summarised as follows:

(a) Repeated interviews were conducted with children. Of the six conviction children:

was interviewed 6 times;

was interviewed 5 times;

was interviewed 3 times;

was interviewed 3 times;

and

was interviewed 3 times;

a child in relation to whom convictions were originally entered, was interviewed 3 times. She later withdrew her allegations claiming that she had lied because that was what she thought her mother had wanted. The Court of Appeal overturned the convictions relating to but expressed its doubts as to whether this was a genuine recantation, a view based somewhat on the interviewer's own suspicions. Given that it is generally accepted by experts that it is impossible to know whether a recantation is genuine, such a position is hard to justify.

Likewise the decision to have a Barrister interview rather than a trained interviewer is difficult to understand. remains consistent in her recantation after six years.

- (b) There was no exploration during the professional interviews of how the first disclosure came to be made to the parent. It was of note that had the interviewers ascertained such information they would have found that at least and . had made positive comments about Ellis when first questioned about activities at the Creche. They would have learnt that five of the six initially made no allegation of abuse. They would also have found that all "disclosures" obtained by parents were obtained after the most outrageous leading and suggestive questioning laced with a significant helping of social influence. This information could have been obtained by cross-referring the original statements given by the parents.
- (c) The interviewers conducted the interviews from a position of presumed knowledge of what the child could disclose;
- (d) The interviewers were not objective and did not maintain a neutral stance;
- (e) The interviewers treated the interviews as confirmatory exercises;
- (f) The interviewers failed to ensure the monitor did not engage in conversation with the child before interview;
- (g) The monitor was often Detective Eade, the investigator, who was undoubtedly an authority figure with the potential for considerable influence over the children;
- (h) The interviewers failed to discourage parents from questioning their children;
- (i) The interviewers contributed to the hyping up of the situation both by their activities in participating in the 2nd

December 1991 meeting and the Knox Hall meeting and by their relaying the details of the children's allegations to parents;

- (j) Children were permitted to bring prepared books and materials into the interview including material that parents had assisted in creating after repeated suggestive questioning;
- (k) The degree of Source Monitoring during the interviews was almost non-existent;
- (l) All of the children were prompted with direct, suggestive, leading and multiple choice questions to elicit detail;
- (m) The detail provided by the child was rarely challenged;
- (n) The interviewers themselves resorted to the use of social influence to extract disclosure;
- (o) The interviewers permitted extensive amounts of free play to take place even when the disclosure was being elicited was of horrendous kinds of abuse (if indeed such abuse was real). The interviews were conducted in a play like atmosphere. That must have challenged the children's ability to distinguish fact from fiction, real from imagined.
- (p) The interviews failed to challenge any of the bizarre fanciful accounts but rather they were reaffirming of the child's allegations;
- (q) The interviewers permitted the use of anatomical dolls, dolls, toys, free hand drawing, body part diagrams, regardless of any compelling need for use of the same;
- (r) The interviewers failed to ascertain the previous sexual knowledge of the children, including previous familiarity with anatomical dolls later discovered to be play items at the Creche;

- (s) The interviewers were not restricted to one hour in length and were at times carried on when the child expressed tiredness and the desire for the process to stop, there being a perception in some instances that children were not allowed to leave until they had provided enough information to satisfy the interview. In her first interview, \_\_\_\_\_ asked 9 times for the interview to stop, and in her second interview she asked 8 times for it to be stopped;
- (t) There was no exploration of potential contamination of the children's accounts;
- (u) The interviews failed to put an alternative hypothesis to the children;
- (v) The interviewers perpetuated the demonising of Mr Ellis;
- (w) The failure of the interviews to explore the discrepancies between accounts by the same child in different interviews;