

Legal psychological studies into child sexual abuse investigation in Indonesia

Citation for published version (APA):

Sumampouw, N. E. J. (2023). *Legal psychological studies into child sexual abuse investigation in Indonesia: the role of child investigative interviewing*. [Doctoral Thesis, Maastricht University, KU Leuven]. Maastricht University. <https://doi.org/10.26481/dis.20230316ns>

Document status and date:

Published: 01/01/2023

DOI:

[10.26481/dis.20230316ns](https://doi.org/10.26481/dis.20230316ns)

Document Version:

Publisher's PDF, also known as Version of record

Please check the document version of this publication:

- A submitted manuscript is the version of the article upon submission and before peer-review. There can be important differences between the submitted version and the official published version of record. People interested in the research are advised to contact the author for the final version of the publication, or visit the DOI to the publisher's website.
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- The final published version features the final layout of the paper including the volume, issue and page numbers.

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IMPACT

In this impact chapter, I discuss the scientific and societal impact of the present dissertation. Specifically, I will discuss the scientific impact of the research of my dissertation. Furthermore, I will discuss to what extent my findings contribute to society. In addition, I will describe which target groups might benefit from my findings. Finally, I will discuss activities that can be undertaken to disseminate the findings of my dissertation.

Research

This PhD thesis contains the first empirical field studies investigating the existing practices of child sexual abuse (CSA) cases prosecution in Indonesia. Consequently, this dissertation showed the current conditions of CSA police investigation in Indonesia. Specifically, it showed insufficient interviewing practices, limited knowledge and biased attitudes toward the alleged victim when practitioners were exposed to irrelevant background information. Of relevance, I also revealed that an intensive training in the NICHD interview protocol, as an evidence-based child interview protocol, benefits practitioners who work in the field of CSA investigation. I showed that the training exposes participants to relevant theoretical background knowledge and research on child forensic interviewing. The training also provides opportunities for participants to practice new interviewing skills with their colleagues and to reflect upon their practices. It is clear that the NICHD training has the potential to improve current interviewing practices and knowledge levels among Indonesian practitioners who conduct child forensic interviews. My findings concerning the effectiveness of the NICHD protocol are promising as they could be helpful in formulating a policy to move forward from intuition-based practices to research-based practices in child forensic interviewing of alleged CSA victims.

Another important aspect of my research findings relates to the observation that many previous legal psychological studies are conducted in Western, Educated, Industrialized, Rich, and Democratic countries (WEIRD; see Heinrich et al., 2010) with a majority of college student populations (Arnett, 2008; Thalmayer et al., 2021). There exists a lack of research on the generalizability of these studies' findings to non-WEIRD contexts. Interestingly, the findings of this PhD study replicated previous studies that were conducted in a WEIRD context. Therefore, this thesis demonstrated that evidence-based practices serve as universal guidelines and are applicable in an Indonesian context.

Relevance

This PhD thesis offers important and useful data for the practices of Indonesian law enforcement in working with CSA allegation cases. My findings are timely because recently, some important legal changes occurred in Indonesia. Recently the Indonesian government published the new act on sexual violence, namely *Undang-Undang No.12/2022 tentang Tindak Pidana Kekerasan Seksual* (Republic Indonesia, 2022). Furthermore, the head of the Indonesian National Police (INP) launched a new regulation, *Perkap No.6/2019*, concerning the management of police criminal investigations that highlighted the importance of science-based investigations (The Indonesian National Police, 2019). Specifically, this revision clearly stated the need to involve the application of forensic psychology in investigating cases. The practical implication of this PhD thesis regarding the importance of training in an evidence-based child forensic interview fits well with the notion of science-based criminal investigation as stated in the recent police regulation.

The results of my PhD thesis can also be used to deal with the criticism of the public about the way the Indonesian police handles reports of CSA cases. On October 2021, there was a social media discourse in relation to an alleged CSA case at Luwu Timur district in Indonesia when the INP dropped the investigation of the case. There was a trending Twitter feed of *#PercumaLaporPolisi - #ItisUselessToReportToPolice*. Some of the practical recommendations mentioned in the General Discussion chapter, such as applying an evidence-based protocol, recording the interview, the specialized police interviewer role, are highly relevant as corrective actions to respond to the criticism voiced concerning the quality of police investigations.

Target Group and Dissemination

All studies reported in this PhD thesis used practitioners as participants. These practitioners are police investigators and child protection workers who work with cases on a daily basis. One of their mandated roles as practitioners is conducting a child forensic interview. The studies presented in Chapters 3 and 4 have revealed a less-than-optimal level of knowledge and skills to support them in conducting a proper child forensic interview. The main reason for this suboptimal level of knowledge and skills is a lack of training and education on psychological aspects relevant to CSA investigations (e.g., children's memory, interviewing techniques). Hence, the main target group that will benefit from my findings are practitioners who conduct child forensic interviews.

Given the increasing number of reported child sexual abuse cases and the existence of new law concerning sexual abuse cases, recently there is a plan to establish the Children and Women's directorate under the INP criminal investigation board. The Children and Women's unit used to be a sub-unit of the criminal investigation unit under the directorate of criminal investigation. This plan could be viewed as an effort to improve and strengthen the capacities in working with sexual abuse cases. The findings and practical implications of this PhD are highly relevant for the establishment of this Children and Women's directorate under the INP.

Moreover, the findings and recommendations of my thesis could be beneficial to other legal professionals as well. This PhD thesis provides important insights for lawyers, public prosecutors, and judges. That is, for lawyers, memory-based statements of their clients (e.g., alleged victims, suspects) can become important for planning their legal advice. The understanding on how memory works and how interviewing techniques affect memory could support their work. As a case manager, public prosecutors possess legitimacy to ensure a proper police investigation by promoting the use of an evidence based child forensic interview protocol, such as the NICHD interview protocol. Therefore, my advice is that public prosecutors should possess knowledge concerning the proper way to obtain credible statements. They are expected to know that the quality of memory-based statements depends on the techniques used to elicit the statements. The application of an evidence based interview protocol, such as the NICHD interview protocol, is critical for obtaining credible statements.

Another important target group are judges. In the Indonesian legal system, judges are expected to bring justice by their sentencing decisions. This PhD thesis contains important knowledge for judges in evaluating evidence, such as the statement of eyewitnesses and/or victims, as well as suspect confessions. This thesis provides some guidelines on how to obtain credible statements, to evaluate the veracity of statements, and to mitigate bias from the exposure to irrelevant case background information concerning alleged CSA victims.

Activities and Products

As part of the preparation for the study in Chapter 6, I adapted the revised NICHD protocol into Bahasa Indonesia. This Bahasa Indonesia version was used for the field study about the effectiveness of the NICHD interview protocol training for Indonesian practitioners. The study in Chapter 6 serves as initial evidence for the use of the translated interview protocol in an Indonesian context. Furthermore, I have designed a child forensic interview training and have

tested the applicability of the training manual using the Bahasa version of the revised NICHD interview protocol. The effectiveness of this training manual could be examined in the future for capacity building of practitioners who conduct child forensic interviews.

During this PhD project, I have conducted several workshops and seminars for practitioners who work with alleged CSA victims. Specifically, I provided trainings/workshops for police investigators in the Greater Jakarta area and social workers and psychologist at the Children and Women's center under the Jakarta provincial office. An intensive collaboration with some stakeholders, such as the INP criminal investigation board, the INP psychologists and the Children and Women's center has been set up for the data collection purposes of this PhD project. After completing the data collection and analyzing the data, I have disseminated the PhD research findings in several meetings initiated by them. For example, I have provided a number of half-day seminars and workshops for police investigators and psychologists who might play a role in the future as trainers in the NICHD interview protocol and as speakers on the legal psychology of CSA investigations.

As part of this PhD project, I have published several open access articles about the existing conditions of CSA investigations in Indonesia. Consequently, some stakeholders in the field of child protection and law enforcement invited me to deliver a talk. Specifically, I was asked by the national public prosecutors' office, the Indonesian National Police office, and civil society groups (e.g., a child protection working-group) to present my findings. At these events, I promoted the importance of using research-based tools in investigating CSA allegations, such as an evidence based interview protocol, recording the interview session, and involving specialized child forensic interviewers. I received positive feedback from the participants and the leadership of these institutions. They showed positive attitudes toward the ideas to improve existing practices.

Finally, given my extensive involvement before this PhD project in the Indonesian Forensic Psychology Association (*Asosiasi Psikologi Forensik – APSIFOR*) of the Indonesian Psychologists Association (*Himpunan Psikologi Indonesia – HIMPSI*), I used the APSIFOR forum and network to disseminate the findings of my PhD project. I have provided several activities, such as a workshop on the psychology of memory in the legal arena for the professional organization members, a sharing session on research-based forensic interviewing, and lectures for Bachelor and Master students at several universities in Indonesia on the topic of

forensic and legal psychology and the psychology of CSA investigation. Moreover, during the final year of my PhD project, I had used opportunities to disseminate the findings of my PhD project in my experiences as a consultant and expert witness in a police investigation and later at the court hearing. As an expert witness, I explained to legal officials how human memory works, and how to obtain credible statements. I provided input to police investigators concerning best practices to interview eyewitnesses and alleged victims.

My activities to disseminate the findings of this PhD thesis extend beyond the national level. I have presented most of my studies at international and regional conferences. I have attended and shared my studies at the European Association of Psychology and Law (EAPL) conference in 2019 in Santiago de Compostela, Spain; the International Investigative Interviewing Research Group conference in 2019 in Stavern, Norway, and virtually at the Society for Applied Research in Memory and Cognition South East Asia Regional Meeting in 2021. Additionally, I was invited as a speaker at the first edition of the Zoom Psychology and Law Symposium (ZPLS) organized by Maastricht University, Erasmus University Rotterdam, and Catholic University of Leuven, and at the virtual conference of the EAPL in 2021. Next to presenting at international conferences, I have also been involved in writing a chapter on cultural aspects of (child) forensic interviews and in drafting a white paper about child forensic interviewing initiated by the EAPL. Finally, I have been involved as an expert-consultant for a book entitled: Investigating allegations of sexual exploitation and abuse of children occurring in humanitarian settings: Reflection practice as part of the Project Enhancing Justice for Child Survivors of Sexual Exploitation and Abuse conducted by the Justice Rapid Response organization.

Planning and Implementation

As explained in previous sections of this impact chapter, I have conducted several activities to disseminate and to implement my PhD findings. However, I think these initial activities should be followed up and expanded upon to improve the existing conditions of CSA cases investigation in Indonesia. My main interest focuses on efforts on building the capacity of police investigators and social workers who handle reports of CSA allegations. I noticed the current momentum in Indonesia to promote justice in sexual abuse cases, including CSA. These include the previously mentioned publication of new law on sexual offenses, the revised INP regulation concerning the procedure in working with children's cases, and the plan for the establishment of a Children and

Women's directorate under the INP. Thus, this PhD thesis can be used as a baseline for improving practices, knowledge, and attitudes of practitioners in this field.

I propose short-term and long-term plans as an implementation of the results of this PhD thesis. All plans center around the value of research-based practices in which legal or forensic psychological research findings are put into practice. For the immediate and short-term plan, efforts to disseminate my PhD thesis findings are crucial. This could be conducted via different types of educational programs, such as seminars, workshops, and trainings for practitioners. These activities might create ripple effects of raising awareness of the need for evidence-based practices for practitioners. I believe that these educational programs could increase awareness of the importance of legal and forensic psychological research among practitioners. This short-term plan targets the improvement of practitioners' skills, knowledge, and attitudes by means of a bottom-up approach.

Moreover, to ensure sustainable improvement, long-term plans should be implemented. First, I believe that evidence-based practices of investigations should be explicitly stated in the official regulations (e.g., the INP regulation, and the public prosecutor guidelines). It would be an ideal situation if the application of a research-based child interview protocol is a mandate in a regulation to be complied with by practitioners. Second, it is highly important to integrate legal and forensic psychology research findings in the curriculum of police investigators dealing with criminal investigations. I have revealed the lack of education on legal psychology in the existing program for police investigators. Third, it is worth to consider the idea of specialized child forensic interviewers with certification, quality assurance and mandatory continuing education. The idea that every investigator is able to conduct a child forensic interview is obsolete because of the requirements for a successful and proper child forensic interview (e.g., skills in rapport building, ground rules, and open questions). Overall, to promote a legal and forensic psychology contribution in the Indonesian criminal justice system, there is a need for the existence of a legal psychology laboratory where academics and researchers meet practitioners to produce knowledge and best practices for conducting criminal investigations of CSA cases. My long-term plans will only be successful if the leadership within stakeholder organizations have faith in the efforts to educate their staff. Thus, these long-term plans require a top-down approach to create and sustain the necessary improvements.