

Aftermath: Parent-Child
Reunification in the Wake of
Unsubstantiated Allegations of
Sexual Abuse

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Relevant Case Features

- Typically involves younger children
- High-conflict divorce or visitation litigation
 - Poor communication
 - Mistrust
 - History of allegation-slinging
 - Custody – visitation conflicts
- Pathological Parent
 - Anxious - Distrustful
 - Intransigent Beliefs
 - Personality Disorders

During the Investigation

- Adversarial positioning
 - “Protective Caregiver”
 - “Alleged Offender”
- Accusation and Counter-Accusation
 - Abuse vs. Alienation
- Hardening of positions and resentments
- Partial reinforcement for suspicions of abuse
- And then the case is unsubstantiated

Unsubstantiated: What Happens Next?

- Family Reunification / Reintegration
- What happens in your community?
- What would your treatment plan look like?

“Therapeutic Reunification”

- Sandra Hewitt (1991, 1998, 2008)
- Focuses on preschool / young children
- Addresses the need to establish explicit expectations for safe and unsafe touches
- Gradual desensitization and reunification with the “alleged offender”
- Therapeutic monitoring
- Silent on how to manage intrusive parental questioning
- Recommends psychological evaluation if a parent is intransigent or sabotaging

Defining “Clarification”

- “Protection Clarification” and “Abuse Clarification” are therapeutic processes created in Charleston, SC (DNLCC with MUSC)
- Protection Clarification seeks to improve the capacity of a “non-offending caregiver” to become a “protective caregiver”
- Assigns responsibility for children’s safety to the adults
- For Abuse Clarification, the accused must be willing to acknowledge some degree of culpability to participate
- Processes are parent-focused

“Family Clarification”

- Developed at the ARC
- An explicative process
- Primary or secondary prevention
- Psycho-educational
- Process for helping the family members “shift”
- Common Language
 - “Touching Rules”
 - “Talking Rules”

Family Clarification: Typical Criteria

1. The parents of the child(ren) live separately
2. There is history of significant acrimony and distrust between the parents which may have distorted their perceptions of each others' ability to parent
3. There have been unsubstantiated / weakly substantiated allegations of maltreatment
4. The Family Court has determined that the child(ren) should continue to be in the custody of - and have unsupervised visitation with - both parents.
5. The children are typically younger, but process may be tailored for any age

Goals of Family Clarification

To reduce the likelihood of:

1. Future false allegations or false beliefs of abuse (false positive)
2. Future sexual abuse (true positive) by parent
3. Future psychological abuse (true positive) by parental intrusion
4. Future unsubstantiation of true abuse (false negative)

Time to Shift

In our professional parlance:

- He is no longer the ***alleged offender***. He is now the formerly accused
- She is not the ***non-offending caregiver***, she is the formerly suspecting parent
- Or they're just Dad and Mom!

“Touching Rules”

- When you are with me, we follow certain “touching rules.” These rules are good for keeping us safe. Let’s go over the kinds of touches we can give each other that are okay:

A. **Hugs: Hugs are a great way to show love.**

(Question: Are hugs always okay? When is a hug not okay?)
Discuss.

B. **Kisses: Kisses are also a great way to show love!**

(Question: Are kisses always okay? Can you think of a kiss that would not be okay?) Discuss.

C. **Tickles: Tickles can be a fun part of playing together.**

(Question: What parts of your body are okay for tickling? What parts of my body are okay for tickling? Are there times when tickling is not okay? What if I’m tickling you and you say “stop” or “no?” What if you are tickling me and I say “stop” or “no?”) Discuss.

“Touching Rules” Continued

- Some touches are not okay. What kinds of touches can you think of that are not okay? (Discuss).
- A. Some parts of our bodies are private.** They are the parts you keep covered up by underwear and your bathing suit when you go swimming. What are those parts called on a [girl / boy]? Those parts are private on you, and they are private on me.
- B. Now you are old enough** to go to the bathroom by yourself, bathe yourself and dress yourself. So there is usually no reason for me or anyone else to touch your private parts. Can you think of a reason why a grown up would need to touch your private parts? When would it be okay? (Discuss, define medical care or bathroom assistance if the child asks for it or a parent determines it's needed).

Touching Rules

- C. There is no reason for you to ever touch my private parts.** I will never have a reason to ask you to do that! Nobody should ask a child to touch their private parts. (Discuss.)
- D. If anyone breaks these touching rules,** what should you do? Who should you tell? What if I break a touching rule, what should you do? Who should you tell? (Discuss).
- E. There are no secret touches allowed.** No one should make you keep a secret about touches. If somebody tells you to keep a secret about touching, what should you do? Who should you tell? If I tell you to keep a secret about touching, what should you do? Who should you tell? Discuss.

“TALKING RULES:” Father, When Mother is Custodial Parent

- Most of the time, you stay with mommy, but some of the time you stay with me. When you are with me, we will follow certain “talking” rules.
 - A. I like to know what’s going on in your life, so sometimes I will ask you questions. I might ask you about school, your friends, activities, or other things. **You can tell me about anything you want to. Mommy and I will never ask you to keep something secret about what happens in our homes.**
 - B. But sometimes, you might not feel like answering my questions. **You do not have to answer all my questions about what happens when you are away from me.** It’s okay to say to me, “I don’t feel like talking about that right now.”
 - C. What kinds of things are so important that you should definitely tell me? (discuss & clarify)

“Talking Rules” for Non-Custodial Father Continued

- D. Are there things you aren't allowed to talk to me about? (discuss & clarify)
- E. I don't get to see what's going on when you are at school, at a friend's house, at mommy's house, or at other places. That's because I'm not there! The way I learn about what you've been doing is by listening to you. So it's important that when you tell me about things you are doing, that **you only tell me the truth.**
- F. What could happen if I ask you about how things are going at school, and you make up a sad story about something that didn't really happen? What problems could that cause me / you / our family?
- G. So, the rule is: tell me about anything you want to, but make sure it is real and true. If you don't feel like answering my questions all the time, it's okay to say so. Mommy and I will never ask you to keep secrets about what happens in our homes.
- H. Any questions?

“Talking Rules” for Custodial Mother

1. Most of the time, you stay with me, but you also have another home, with Daddy. Sometimes, you live there and then you come back to me. When you are with me, we will follow certain “talking” rules.
 - A. I like to know what’s going on, so sometimes I will ask you questions. I might ask you about things you did when you were at Daddy’s. **You can tell me about anything you want to. Daddy and I will never ask you to keep something secret about what happens in our homes.**
 - B. But sometimes, you might not feel like answering my questions. **You do not have to answer all my questions about what happens when you are away from me.** It’s okay to say to me, “I don’t feel like talking about that right now.”
 - C. What kinds of things are so important that you should definitely tell me? (Discuss as necessary)
 - D. Are there things you aren’t allowed to talk to me about? (discuss & clarify)

“Talking Rules” for Custodial Mother

- E. I don't get to see what's going on when you are at school, at a friend's house, at daddy's house, or at other places. That's because I'm not there! The only way I learn about what you've been doing is by listening to you. So it's important that when you tell me about things you are doing, that **you only tell me the truth.**
- F. What could happen if I ask you about how things are going at school, and you make up a sad story about something that didn't really happen? What problems could that cause me / you / our family? (discuss). The same rule is true for when you talk to Daddy about your life with me, or when you talk to me about your life with Daddy.
- G. So, the rule is: tell me about anything you want to. Make sure it is real and true. If you don't feel like answering my questions all the time, it's okay to say so. Daddy and I will never ask you to keep secrets about what happens in our homes.
- H. Any questions?

References

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